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SENATE—Wednesday, September 7, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, our guide, we know not what a day may bring. We are grateful for the knowledge that You guide our steps and direct our paths.

As our lawmakers face the challenges of their work, give them the wisdom to know and do Your will. Open their minds and hearts to the movement of Your providence, providing them grace for every exigency, disappointment or fulfillment, sorrow or joy. Lord, guide our lawmakers that they may be just in purpose, wise in counsel, and unwavering in duty. May they uphold the honor of our Nation and secure the protection of our people.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 3231

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3231), to amend title 5, United States Code, to protect unpaid interns in the

Federal Government from workplace harassment and discrimination, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

WRDA

Mr. MCCONNELL. Mr. President, last night I took action to move to the 2016 Water Resources Development Act, an important authorization bill supporting our Nation's waterways. Chairman INHOFE has worked across the aisle with Ranking Member BOXER to craft this bipartisan bill, and I hope we can reach an agreement to pass it very soon.

ZIKA VIRUS, VETERANS, AND DEFENSE FUNDING

Mr. MCCONNELL. Now on another matter entirely, last night Senate Democrats blocked critical funding for veterans, for pregnant mothers and babies, and for servicemembers. It is not the first time or even the second time they have put partisan politics ahead of the health and safety of the American people; it is now the third time. Why Democrats would filibuster critical funding for Zika control at a time when cases are growing is really inexplicable. Why Democrats would filibuster critical funding for defense at a time when threats are growing is absolutely inexcusable.

In case colleagues across the aisle have missed it, here is the latest on the spread of Zika: There are now more than 2,700 cases in our country. More than 30 of those are likely local mosquito-borne cases. Yet, instead of acting with urgency to approve funding to combat Zika, Democrats have chosen once again to filibuster it.

In case colleagues across the aisle have missed this, too, here is the latest on the global changes facing us: North

Korea continues to show signs of aggression with its recent tests of another missile. Iran continues to provoke our ships in the Persian Gulf—actions the commander of the U.S. Central Command called “very concerning.” ISIL continues to inspire and call for terror attacks around the globe, from a wedding in Turkey, to a church in France, to a nightclub in Orlando. Yet, instead of acting with urgency to approve funding to confront these threats, Senate Democrats have chosen once again to filibuster the Defense bill as well.

It really makes you scratch your head when the Democratic leader boasts how he has led such a cooperative minority. In what sense? Democrats have used the filibuster to blow up a bipartisan appropriations process for 2 years in a row now—2 years in a row. That is not my definition of a cooperative minority. They have bragged openly about their filibuster summer strategy. They have filibustered to protect executive overreach that even fellow Democrats claimed to oppose. They have even filibustered legislation designed to help victims of modern-day slavery, if you can believe that. Once again, they are filibustering to block funding for Zika control, for veterans, and for our men and women in uniform.

We hear the Democratic leader say he wants his party to do away with the filibuster altogether if Democrats win back control of the Senate. If he is so concerned about this abuse, maybe he should stop abusing it himself. Stop filibustering critical resources for Zika. Stop filibustering help for veterans. Stop filibustering the funding for our men and women in uniform because they count on us.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I am going to—I believe I have an opportunity to speak on the floor now on the pending measure as in morning business, but I am going to yield as soon as the Democratic leader comes back, which I expect to be momentarily, and I would ask unanimous consent to then reclaim the floor. He has just arrived. I am going to yield to the Democratic leader for his leadership time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I appreciate very much my friend the assistant leader for always looking out for me, as he has for 34 years. I appreciate it very much. We came together here 34 years ago, to Congress, and I appreciate all he has done over the years and especially his friendship.

ZIKA VIRUS FUNDING AND JUDICIAL NOMINATIONS

Mr. President, quickly, it is hard for me to understand how my friend the Republican leader can stand here and talk about Zika. Let's just look back at what happened. We passed here, with 89 votes, a compromise Zika funding bill. Democrats and the President wanted more money. We agreed to \$1.1 billion. It flew out of here and went to the House. The House decided they wanted to do a few things. They wanted to restrict funding for birth control provided by Planned Parenthood. Remember, 2 million women visited Planned Parenthood last year. With all the problems with Zika now, there are a lot more who are going to be showing up at Planned Parenthood. That legislation exempts pesticide spraying from the Clean Water Act. It cuts veterans funding by \$500 million—half a billion dollars. That money was being used to speed up the process in the veterans' claims. It cuts Ebola funding by \$107 million. Yet it rescinds \$543 million of ObamaCare money. It strikes a prohibition on displaying the Confederate flag.

So, in effect, the Republicans in the House decided they would send back this bill loaded with poison pills. We had just passed the bill that I told you went over there—straight funding for

research and taking care of the problems with Zika. That was it. It was very simple. Even though the Republicans voted—89 votes—with us a few weeks before that, they suddenly decided: Well, we will go along with flying the Confederate flag, cutting ObamaCare, and destroying Planned Parenthood. So how can he with a straight face talk about our having hurt Zika?

Zika is a very dangerous virus. We are learning more about it every day. One of America's prominent scientists today said that now Zika affects everybody. The virus goes in people's eyes and leads to vision impairment and blindness. It is not just women of child-bearing age; it is going to affect a lot of people.

Please, please, Mr. Republican Leader, don't talk about this anymore. It takes away from your dignity.

Yesterday I objected to committees meeting to bring attention to the fact that the Senate Republicans refuse to hold a hearing on Chief Judge Merrick Garland, this man who should go to the Supreme Court. As said by a senior member of the Republican caucus, ORRIN HATCH of Utah, he was a consensus nominee, but they refuse to allow this man to go on the Supreme Court. They want to save that Supreme Court nomination for Donald Trump. Donald Trump picking who goes on the Supreme Court—a man who believes in waterboarding. He said that waterboarding isn't enough torture; we need to do more than just waterboarding. That is just one of the little snippets from this man.

This morning, a number of Senators are going to go to the Supreme Court steps with former clerks of Judge Garland, and we are going to hear positive statements about Merrick Garland, as if we need more. We have plenty. This is a good man.

I am glad to see that the Republican leader is talking about some movement on Zika. Maybe we have a path forward on that. We are going to continue to take steps to keep attention on this important nomination and on Zika and other things.

The Republicans simply aren't doing their job. You have seen these charts we have, and we will continue to show them. It is very simple: Do your job. And the Republicans simply are refusing to do their job.

In the meantime, I want to find other ways to focus attention on what they are not doing to help Chief Judge Garland. My friend the assistant Democratic leader is going to attend a meeting—which he does whenever they have one, with rare exception—of the Judiciary Committee. He loves that committee. He is the ranking member and was chair of the Constitution Subcommittee. Tomorrow, it is my understanding that we are going to try to do a markup of some district court judges.

I look forward to what is going to happen at that meeting of the Judiciary tomorrow.

OBAMACARE

In this morning's Wall Street Journal—a paper not ever confused with being liberal or pro-Obama—there is stunning news—very positive news—about the number of Americans who now have health insurance. According to the Centers for Disease Control, our Nation's uninsured rate stands at 8.5 percent. From where it was before, that is stunning. Because of ObamaCare, almost 92 percent of Americans now have health insurance—92 percent of Americans. People no longer have to worry if they have a child with diabetes or someone has been in an accident or you are a woman—you can now get insurance. Insurance companies don't control what goes on.

I remind my Republican colleagues, who love to come down here and berate ObamaCare, could ObamaCare be better? It could be a lot better if we had 5 percent help from the Republicans, 2 percent, 1 percent, but they have done nothing to help the health care delivery system in this country. In fact, they have done things to hurt it. Some 70 times they voted to defund ObamaCare and do away with it. It wasn't long ago that we talked about how many millions of people had no health insurance. That is no longer an argument. It has been 6 years and the Affordable Care Act has cut the number of uninsured Americans significantly. The Nation saw the sharpest decline in the number of uninsured people in 2014 when the ObamaCare coverage provisions kicked in. This is no coincidence. While the Republicans have been making much about the premium increases, the fact is, the vast majority of Americans are protected by ObamaCare provisions that safeguard against these huge tax rates and tax increases.

These are the facts. All across America our constituents are getting the health coverage they were promised when Congress passed the Affordable Care Act. I repeat: It could be made better if a few Republicans would break away from the Trump mentality and try to help us. It is time for Republicans to stop denying the evidence. ObamaCare has worked and it is working.

NOMINATION OF MERRICK GARLAND AND THE JUDICIARY COMMITTEE CHAIRMAN

Mr. President, after 7 weeks, we are finally back working. We finally returned from a historically long and unprecedented long, long, long summer vacation. About 2 months were wasted by Republicans who could have been doing their jobs. We would have been happy to join with them in getting things done on the Senate floor and in our committees. If Republicans were serious about their constitutional duties, they would have spent some time

giving Chief Judge Merrick Garland the hearing he deserves. He deserves to have a hearing.

Why are they afraid to give him a hearing? They are afraid to give him a hearing because if they did, this good man's credibility, competence, experience, and just the simple fact that he is such a nice man would be overwhelming. They don't want to do that. The American people would know they are trying to hold up somebody who should be on the Supreme Court.

The American Bar Association said he was unanimously "well-qualified." They can't give a higher rating. If they could, they would. Senator HATCH said there is "no question" he could be confirmed and that he would be a "consensus nominee," but Senate Republicans will not even give this good man a hearing. It is nothing short of being shameful.

As a USA TODAY editorial last month said, "Flat-out ignoring a vacancy on the nation's highest court, which Senate Republicans have vowed to do while President Obama remains in office, is an abrogation of its constitutional duty."

The people we represent across this great country cannot believe their representatives have put partisan interests above their constitutional duties. They cannot believe the chairman of the Judiciary Committee has gone along with this scam, and that is what it is.

Over this recess, the Des Moines Register, Iowa's largest newspaper, published another letter to the editor. There have been lots of editorials. Here is what one Iowan said:

I am a 60-year-old registered Republican and this year I am not voting for Chuck Grassley. Senator, you have tossed 225 legal years of tradition in the trash heap and have made this country weaker. . . .

I think the people of Iowa are not served by waiting over a year for a judicial hearing. Where is the senator I first voted for 40 years ago?

I have been in Congress for 34 years, and this is something that is a familiar refrain that we hear from people all over Iowa, and that's how I feel. Where is the Senator I first started serving with in the Congress those many decades ago?

I admit, as I consider all of the unprecedented obstruction of Merrick Garland's nomination, I am again forced to ask: Where is the CHUCK GRASSLEY I have come to know over the last three and a half decades? I can't imagine this man who we always thought was an independent person would refuse to do his job on the Judiciary Committee. As chairman, he failed to schedule a hearing on this qualified nominee.

The first speech I gave on this floor those many years ago was talking about the Taxpayer Bill of Rights. The Presiding Officer was the Senator from Arkansas, David Pryor. Senator GRASS-

LEY heard my speech. He agreed to help me. With the help of Senator GRASSLEY and Senator Pryor, we got that passed my first year in the Senate. It was really quite a big victory. We put the taxpayer on more equal footing with the tax collector, and Senator GRASSLEY worked with both Senator Pryor and me. That is the way GRASSLEY used to be—independent. I could not have imagined—but I have to accept it—that he would refuse to do his job by blocking a vote on Garland's nomination, but that is precisely what the chairman of the Judiciary Committee has done. He has blocked his nomination. He was nominated 175 days ago. For 175 days, this senior Senator from Iowa has refused to lift a finger in consideration for this nominee.

The Senator I knew would not cede the independence of this very good committee—famous committee. It has been around forever in the Senate. I could never have imagined what he has done. Since he became chairman, we have seen the independence and prestige of the Judiciary Committee manipulated by Senator GRASSLEY's boss, the Republican leader, for narrow, partisan warfare.

We all know where the Republican leader stands on President Obama's Supreme Court nominee. Long ago, Senator MCCONNELL decided to abandon any degree of bipartisanship or decorum just to spite President Obama. We heard that within hours of Scalia having passed away. The Republican leader admitted as much last month when he told a gathering in Kentucky, "One of my proudest moments was when I looked at Barack Obama in the eye and I said: 'Mr. President, you will not fill this Supreme Court vacancy.'"

Isn't that something to be proud of? One of the Republican leader's proudest moments was the time he abandoned his constitutional duty and failed to do the job he was elected to do. Republicans' proudest moments are not accomplishments, they are obstruction. What a shame that he is putting Senator MCCONNELL's political vendetta against President Obama over the will of the people of Iowa and the other 49 States. It is disappointing that Senator GRASSLEY is going along with this obstruction. Where is the Senator I have known for such a long time?

I am not mad at Senator GRASSLEY. I remember who he used to be—what he used to be—and that is going to overcome any animosity I have toward Senator GRASSLEY. My only concern is that I think the great record of this man from Iowa is being tarnished—some say beyond repair. His legacy is going to be damaged, and we have seen that in editorials out of Iowa as well as letters to the editor out of Iowa—lots of them.

Donald Trump is the American nightmare. He is the most unqualified major party Presidential candidate anyone

can remember. He is a bigot and a scam artist. He will not show us his tax returns, and Senator GRASSLEY is holding the Supreme Court vacancy for this man.

Just last week, the chairman of the committee even compared Donald Trump—listen to this one—to Ronald Reagan. Wow. I served with Ronald Reagan for a little bit, and I didn't agree with everything he did, but I admired him as a person. I thought he had a good administration. I thought what he did in bringing the Cold War to an end and swallowing a little bit of pride, which you have to do sometimes in order to do important things—he met with Communist leaders on more than one occasion. He, more than anyone else, brought the Cold War to a close. He didn't have an unblemished record. There was the commerce fiasco which had a lot of problems, but he was a good person.

With all due respect to the Senator from Iowa, I know President Reagan and I worked with him and, as I indicated, had a few differences with him, but I can say unequivocally that Donald Trump is no Ronald Reagan. That is the most significant understatement I have made on this floor in a long time. The fact that my colleague from Iowa would lump Ronald Reagan in with an egomaniac—a selfish person like Donald Trump—should scare the people of Iowa. This is not the GRASSLEY we have come to know all these many years. Instead of spending his days as Trump's fan, the Judiciary chairman should perform his constitutional duty and give President Obama's Supreme Court nominee due consideration. That is the job the people of Iowa elected him to do, and it is simple common decency and fairness.

Senator GRASSLEY should do his job and give Merrick Garland a hearing and a vote, and it should be now. Don't make another Iowan question: Where is the Senator I first voted for 40 years ago?

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, I listened carefully to the statement made by the Republican leader, Senator MCCONNELL, about the Zika crisis we face. I would like to give the Members of the Senate and those who are following this debate an update of what occurred in the United States of America between the time we adjourned and now returned to this session of the U.S. Senate.

The last time I came to the floor to speak in July to talk about Zika, there were 3,667 people in the United States and U.S. territories who had Zika infections. Included in that number, 599 pregnant women. As of late last week, that number has skyrocketed. There are now 17,000 people infected with

Zika in the United States and its territories. That is a fourfold increase over the 7 weeks since we left for recess. It included 1,595 pregnant women.

I say to the Republican majority: You have been warned by the President, by public health experts, and others that your failure to respond to the President's request for resources would endanger people living in the United States and its territories and especially pregnant women. Yet the Republican leadership has refused the President's efforts to provide the resources necessary to fight this deadly Zika virus.

The numbers are devastating but not surprising. It was last February—7 months ago—when the President asked Congress for \$1.9 billion in emergency funding so public health experts would have the resources they needed to fight Zika. Here we are almost 7 months later—200 days later—and Congress still has refused to provide the resources necessary to protect American families from this virus. This is a disgrace. It is an outrage.

Our Federal health agencies, including the Centers for Disease Control and Prevention, have been doing everything they can to move money around within their agencies to try to make do in this fight against Zika. They are out of options.

Last week, Dr. Frieden, Director of the CDC, said:

The cupboard is bare. Basically, we are out of money, and we need Congress to act to allow us to respond effectively.

Dr. Frieden came to see me before the recess. In my office, he said he was incredulous. He said: You mean you are going to leave without Congress responding to the President's call for emergency funding to fight Zika? And I said: Unfortunately, that is the case. And that is what happened. For 7 weeks, we have said to the public health leaders across America that the Republican-led Congress will not respond to the President's call for emergency funds. It didn't have to be this way.

In May, the Senate approved a bipartisan compromise funding bill supported by 89 Senators, including many who have come to the floor on the Republican side. It was negotiated by Senators BLUNT, MURRAY, and others. It provided \$1.1 billion in emergency funding to fight Zika, not what the President asked, which was \$1.8, but \$1.1 billion. Instead of voting on this bipartisan measure after it passed the Senate with 89 votes, the House Republican leadership put forth an inadequate proposal to fight Zika in the range of \$622 million, about one-third of what the President asked for. Then when that bill was a nonstarter, the House Republicans decided to double down, so they drafted the special House Republican Zika funding bill. What an outrage. This bill included a litany of

poison pill riders that the House Republicans knew didn't have a chance in the U.S. Senate.

They threw in a provision—listen to this—at a time when women, fearful of becoming pregnant and infected by the Zika virus, were seeking family planning advice and counseling, the House Republicans threw in a provision on the Zika funding bill to block funding for Planned Parenthood. They knew with no vaccine available to protect these women, women's health clinics like Planned Parenthood were on the frontlines of giving women who faced a pregnancy the opportunity to delay that pregnancy so they wouldn't be infected and give birth to a child with serious problems.

Did they stop there? No. The House Republicans had more. They threw in provisions to undermine the Environmental Protection Agency on key provisions of the Clean Water Act. Then they added provisions to cut Affordable Care Act funds to reduce the opportunity in Puerto Rico, which is ground zero in our territories, to fight the Zika virus. Essentially, the Republicans are putting red meat for the right wing of their party ahead of protecting the people living in America and our territories—and especially pregnant women—from this public health threat.

It is no surprise that this hyper-partisan bill coming out of the House went nowhere.

Now, Senator MCCONNELL comes to the floor and blames the Democrats—blames the Democrats—after the Republicans put in the provision to block funding for family planning at Planned Parenthood.

Let me be clear. Democrats were committed from the start to fund this effort that the President asked for at \$1.9 billion so that we had the resources to fight this public health emergency. The Republicans decided to play politics with it.

I have been in Congress for a while, in the House and in the Senate. We have had a lot of disasters—natural disasters and others. Time and again we put party aside to respond to the real needs of the American people. That has all changed. With the arrival of the tea party and this new spiteful spirit that we see in the Congress, even a public health crisis like Zika has become a political football in this Republican-controlled Congress.

When it became clear the Republicans were not going to approve the funding level the President asked for, we agreed to a compromise of \$1.1 billion. This bipartisan bill passed the Senate overwhelmingly, and all the House had to do was to approve that bill so that we could provide funding to fight Zika. They refused.

I worry that my Republican colleagues are underestimating the threat that this virus poses. Local trans-

mission of Zika has now occurred in Florida, with more than 35 Floridians contracting the virus without having traveled overseas. And, for the first time ever—for the first time in the history of our country—the Centers for Disease Control and Prevention is warning Americans that there are certain parts of the continental United States that are not safe to travel in. They are advising pregnant women to avoid neighborhoods in Miami, FL. That has never happened before. When the President warned us in February of the danger of this crisis, did any of the Republicans who opposed him think there would be parts of America that we would be advising Americans not to visit because of the danger of this public health crisis? Certainly, if they did, they would have paid closer attention to the President's request.

During the past 6 months, we have discovered new and worse information about Zika. Here is what we know. Zika can be spread through sexual transmission. We also know women with Zika in their first trimester face a 13-percent chance that their baby will be born with microcephaly. And even if pregnant women don't show any signs of infection, the baby can be born with serious physical and neurological disorders. Researchers are also examining the links to other negative health outcomes: Eye infections that can lead to blindness, autoimmune disorders that can cause paralysis. And what about the impact of maternal stress on the baby? I can't imagine the anxiety that pregnant women must feel right now, especially in Florida, and as a result of the looming crises in Texas, Louisiana, and certainly in Puerto Rico. If you call yourself a pro-life Congressman or Senator, wouldn't you want to do everything in your power to protect these babies from this elevated risk?

In July I met with maternal and fetal health medicine specialists and community health leaders in Chicago who shared with me their fear about what parents were going to go through. Illinois has now had 47 cases of Zika, but with Chicago being a major transportation hub, hundreds more of pregnant women have sought care and advice from providers and have undergone tests to make sure their babies are safe.

I am tired of the partisan games being played with the health of pregnant women and babies but, to date, that is exactly what has happened with this partisan response to the Zika crisis. It is time for this to stop.

I am heartened that some House Republicans—only a few—have had the courage to step up and say what is obvious. Florida Republican Representative TED YOHO recently said: "Take everything out except Zika funding and don't put any riders in it" when he was asked how we should respond to the Zika crisis. He basically said to Speaker RYAN and the House Republicans:

You have to reverse course and take the politics out of the Zika public health crisis.

Well, I hope the Republican leadership is listening. Let's not wait for another 17,000 infected by Zika. It is time for the Republicans to stop playing these political games, to come back and approve the measure that passed with 89 votes in the Senate.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, I have come to this floor for many years now to alert the American people to a looming crisis. It is a crisis involving for-profit colleges and universities. Many people were not even aware that there was a difference between public and private universities in the for-profit sector, but there is a big difference. I have said it repeatedly and sadly it is still the case.

There are three numbers that tell the story about for-profit colleges and universities. Ten. Ten percent of students enrolled in post-secondary education go to these for-profit schools—schools like the University of Phoenix and DeVry and Rasmussen and Kaplan—10 percent of the students. Twenty. Twenty percent of all of the Federal aid to education goes to these for-profit schools. Why so much? Because they charge so much in tuition. But the big number is 40. Forty percent of all student loan defaults are students who attended for-profit colleges and universities. Ten percent of the students, 40 percent of the defaults. Why? For several reasons.

First, these for-profit colleges and universities are recruiting young people who are not ready for college. They don't care. Sign them up. Sign them up so that these for-profit schools can walk away with their Pell grants, can lure them into student loans that send thousands of dollars for each student back into these for-profit schools. Many of the students finally wake up to the reality that they are not ready for college or that the debt they are accumulating is too high, and they make a terrible choice but an inevitable one—they drop out. So they sit there with a debt and nothing to show for it but wasted time. Or, they stick with the program. For-profit schools take them to "graduation" and then they find out the reality that the diploma from for-profit colleges and universities in many cases is worthless, despite all the debt and all the time wasted.

Yesterday, one of the worst actors in the for-profit sector, ITT Tech, announced it was closing after years of exploiting students and fleecing taxpayers. In the post mortem, many are focused on the Department of Education's decision a couple of weeks ago to prohibit ITT Tech from enrolling any new students using Federal student loans, in addition to other restrictions. But the root of the ITT Tech demise stretches back much further than

that. This is a company that literally rotted from the inside.

The story of ITT Tech, like that of Corinthian, another failed for-profit college, is really the story of the for-profit college industry—for-profit education companies consumed by greed, fed by students who are understandably trying to make a better life for themselves, and enabled for too long by poor Federal oversight and congressional inaction. Like Corinthian before it and many for-profit colleges still today, ITT Tech charges students too much in tuition, provides them too little in the form of meaningful education, and leaves them with crushing debt.

In my hometown of Springfield, IL, we have a mall called White Oaks Mall. Every time I would drive out there and take a look at the huge ITT Tech sign on the side of that mall, I would think to myself, I know what is going to happen here. This school is going to lure in hundreds of unsuspecting students from this area, saddle them with debt, and give them worthless diplomas, and probably ITT Tech one day would go out of business. It happened. In my hometown, an ITT Tech student seeking an associate's degree in information technology, computer and electronics engineering technology, computer drafting and design, and parallel studies could sign up with ITT Tech and expect the 2-year program to cost them \$47,000—\$47,000 for 2 years at ITT Tech in Springfield, IL, for an associate's degree. If they went a few miles away to Lincoln Land Community College, they could get an associate's degree in fields like information technology, computers and electronics for \$3,000, so \$47,000 at ITT Tech and \$3,000 at Lincoln Land Community College a few miles away. And here is something to think about: At Lincoln Land, only 1 in 50 students ends up being unable to pay back their Federal student loans—1 in 50. At ITT Tech: One in five. Students are 10 times more likely to default on their student loans if they went to ITT Tech instead of Lincoln Land Community College for the same degree. Why? The difference in tuition: \$47,000 in debt at ITT, \$3,000 in debt at Lincoln Land.

According to one recent Brookings study, ITT Tech students cumulatively—cumulatively, these students owe more than \$4.6 billion in Federal student loans, and now ITT Tech is going out of business.

How much is being paid back on that accumulated debt to ITT Tech, this for-profit college? According to the same Brookings study, minus 1 percent of the balance has been repaid in 2014. How is that possible? How can it be a negative number? Because the interest on the cumulative debt is accruing faster than the payments being made by students nationwide. These students are being fleeced—fleeced by a fly-by-

night, for-profit college that should have been closed long ago.

Individual students often have no chance of paying back their debt. They have taken on huge debt for a worthless diploma from ITT Tech.

In 2009, ITT Tech's 5-year cohort default rate on student loans was 51 percent. More than half their students defaulted.

Marcus Willis from Illinois understands it. He was recruited by ITT Tech with two or three phone calls a day until he finally signed up. He relented from the pressure and signed up for classes. Marcus graduated in 2003 from ITT Tech and spent months looking for a job. Of the student debt he incurred, he says: "It's too much to even keep track of; I will never be able to pay it back." He says he wouldn't wish ITT Tech on his worst enemy.

ITT Tech and many of these for-profit colleges are approved by our Federal Government to issue Pell grants and student loans. Is it any wonder that students like Marcus Willis think they are legitimate schools and they turn out to be nothing but fleecing operations by these people who are raking in millions of dollars?

Like Corinthian before it and many more for-profit colleges still today, ITT Tech has engaged in unfair, deceptive, and abusive practices to lure students into their programs—false promises, high-pressure tactics, flashy advertisements.

Yesterday, when it announced it was going to close, ITT was under investigation by—listen—18 State attorneys general. It is being sued by Massachusetts and New Mexico at this moment. The New Mexico attorney general found ITT placed students into loans without their knowledge, falsely stated the number of credits a student needed to take in order to push them even deeper into debt, failed to issue refunds in tuition and fees in compliance with Federal law, and many other deceitful practices.

The Consumer Financial Protection Bureau is suing ITT Tech for predatory lending. This was a for-profit college with the blessing of the Department of Education. There are many more, sadly, just like it.

Despite what happens to students and their families, the executives who worked at ITT Tech are not going to suffer in this closure. Kevin Modany and Daniel Fitzpatrick were two ITT execs. Modany received \$515,048 and Fitzpatrick received \$112,348 in big bonus checks as recently as January. In 2014, Modany was paid more than \$3 million in total compensation. I think that is more than any college president in America. This man was paid that amount of money by ITT Tech because students came in and signed up for their worthless courses. These are the same two individuals the SEC say violated numerous securities laws in their

fraudulent private student loan scheme at ITT Tech.

Accreditation for ITT Tech? The for-profit industry takes care of that. They accredit their own schools. It is time for us and the Department of Education to stop playing ball with that.

Yet for all of this, in its swan song, ITT Tech is engaging in a pity campaign for itself—blaming everyone but its own greedy executives and shady practices for its collapse.

True to form, the Wall Street Journal calls the collapse of ITT Tech an “execution” carried out by the Obama administration. The words “for-profit” as used in the term “for-profit colleges and universities” are such a siren song for the Wall Street Journal that they don’t even have the good sense to recognize crony capitalism when it comes to the for-profit colleges and universities. These colleges and universities are the most heavily federally subsidized businesses in America today.

ITT Tech’s irresponsible actions now leave tens of thousands of students across the country wondering what is next.

Many who recently attended ITT Tech will be eligible for closed school discharges, but must weigh their options carefully.

If students use ITT Tech credits to transfer to a similar program of study, they may not be eligible for a closed school discharge.

Those who decide to transfer should look at community colleges or other not-for-profit options. I have asked Illinois community college presidents to assist ITT Tech students to continue their educations. I urge my colleagues to do the same in their States.

The last thing we want is these students to fall into the open arms of other for-profit colleges facing State and Federal investigations or lawsuits.

In addition, there are countless ITT Tech students who likely qualify for Federal student loan relief under a defense to repayment given the voluminous evidence of ITT Tech’s unfair, deceptive, and abusive practices.

The Department of Education should work with State attorneys general and other Federal agencies who have evidence of this wrongdoing to ensure ITT Tech students who were defrauded receive the relief to which they are entitled under the law.

Of course, all of this will cost taxpayers dearly. The Department estimates that the outer limit of potential closed school discharges could be around \$500 million. Potential defense to repayment claims pushes the price tag higher.

In addition to the \$90 million the Department currently holds from ITT Tech, the Department should seek the full \$247 million it required ITT Tech to post in August and explore other ways to ensure that ITT Tech and its executives pay for as much of the relief as possible.

But the high cost can’t mean being stingy with relief to students. As I said with Corinthian, we can’t leave them holding the bag.

We also can’t continue to rely on a policy of oversight that only protects students on the back end, after a major collapse.

We have to reform our accreditation system so that there is meaningful accountability with respect to student outcomes on the front end. I will be introducing legislation with several of my colleagues in the coming weeks to do just that.

We need earlier and more aggressive enforcement from the Department of Education, including expanded use of letters of credit to ensure taxpayers are protected. I am pleased that the Department has created an enforcement unit to identify and respond to wrongdoing early and is working through the Borrower Defense Rule to establish triggers that will require a school to post a letter of credit.

We also must ensure that students can hold schools directly accountable in court by banning the use of mandatory arbitration. I am hopeful that the coming Borrower Defense Rule will also include a strong ban on this practice which hides wrongdoing and leaves taxpayers as the only option for relief when students are wronged by schools.

I am going to close by saying that there is more work to be done. This is not the last shoe to drop. Corinthian left so many thousands of students with worthless diplomas and, sadly, worthless student debt. They didn’t earn anything for it. The same thing is happening at ITT Tech.

Who are the losers? The students, their families, and the taxpayers are. When these students can’t pay back their loans, the taxpayers of America lose. This ITT Tech could be a billion-dollar baby when it comes to penalties for America’s taxpayers. When will this Senate and this Congress wake up to the reality of the disgrace of the for-profit college and university industry?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise today to highlight the importance and urgent need of the Water Resources Development Act of 2016 and the urgent need to bring it to the Senate floor and to act and pass it in the Senate.

Unfortunately, there are many events, floods, and disasters around the country in recent times that highlight the need for this. The most recent—even more unfortunately, from my point of view—is in South Louisiana—the devastating thousand-year flooding in greater Baton Rouge and parts of Acadiana.

WRDA 2016 addresses many of the needs that events like this highlight. It builds on the necessary commonsense reforms we made in 2014. It reinforces why Congress should be passing these

water resource bills every 2 years. This is one of the reasons why WRDA has come out of both Senate and House committees with overwhelming bipartisan support. We can’t continue to rebuild neighborhoods and cities time and again after disasters. We have to become more proactive in protecting life and property, more diligent in our oversight of the Corps of Engineers to ensure that projects are delivered on time, as well as more focused on creating real paying jobs that help grow our economy with the important work contained in these bills.

Some of the highlights of WRDA 2016 that particularly impact Louisiana are as follows:

First of all, let’s go to the disaster area with this devastating flooding. As chair of the Senate Subcommittee on Transportation and Infrastructure and in light of that recent flooding, I added to this bill language that would expedite construction of the Comite River diversion and additional flood protection measures along the Amite River and tributaries in East Baton Rouge and adjoining areas.

The Comite River project was first authorized by Congress in 1992, and it is one project that I have been pushing forward for several years. Had this project been completed, it absolutely would have dramatically reduced the flooding we recently saw in greater Baton Rouge. Constructing the remaining phases of the Comite River Diversion Project must be an absolute top priority, which means getting it ready to go, encouraging State and local officials to acquire the necessary footprint and mitigation lands.

In addition, the WRDA 2016 bill authorizes the West Shore Lake Pontchartrain Hurricane Protection Project and the Southwest Coastal Louisiana Hurricane Protection Project. These projects will provide necessary protection for residents outside of the New Orleans Hurricane Protection System along I-10 and throughout communities in southwest Louisiana.

We authorized the Calcasieu Lock, another vital project to reconstruct an aging lock to ensure safe, reliable transportation along the Gulf Intracoastal Waterway, a vital shipping lane.

In the bill, we have additional reforms to the harbor maintenance trust fund. This extends vital programs for ports that move much of our Nation’s energy commodities, that modernize cost shares to maintain our Nation’s competitive advantage in the global economy and provide for additional operation and maintenance needs for small agricultural ports along the Mississippi River.

We give authority for ports to get limited reimbursement for maintenance they perform using their own equipment for Federal navigation

channels. This will help clear the bureaucratic logjam for routine maintenance and operations of our waterways in a very cost-effective way.

We provide increases in beneficial use of dredge material. That is critically important for the restoration of our coast, including the placement of dredge material in a location other than right next to the existing project.

We provide for local flood protection authorities to increase the level of protection after a disaster and rehabilitate existing levees to provide authorized levels of protection and meet the National Flood Insurance Program requirements.

We provide for allowing locals to get credit for money they spend for operations and maintenance of multipurpose protection structures and work they have already completed on coastal restoration projects.

Finally, in WRDA 2016 we also have vital studies to look at improvements to the Mississippi River, flood protection and ecosystem restoration in St. Tammany Parish, and other measures.

It is vital that we better protect our communities all across America, including in Louisiana, from disastrous floodwaters. We must be proactive, aggressive, and hold everyone accountable, certainly including the Corps of Engineers, as well as State and local partners, to ensure that these flood protection projects get constructed on time. Congress and the bureaucracies cannot continue to drag their feet on authorization, construction, and oversight of these vital projects.

It is my hope that all of us take this into consideration and that all of us move forward with this WRDA 2016 measure, bringing it to the Senate floor, acting on it expeditiously, and getting on with the vital work of maintaining our ports and waterways and building important flood protection for communities all across Louisiana and America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

OBAMACARE

Mr. ISAKSON. Mr. President, on Christmas Eve 2009 on the floor of the Senate, I and the other 99 Members of the Senate voted on what is known as the Affordable Care Act, which later became known as ObamaCare. It has been 7 years since that debate, and a lot has happened.

When it passed on the floor of the Senate and in the House, I voted against it because I feared it would limit access, cost more, and limit choice.

It was sold as doing the opposite. It was sold as costing less, expanding choice, and expanding access. But facts are stubborn things. It is now time for us to look at ObamaCare and the Affordable Care Act, realize what it has done to us, and realize time is running

out for us to correct the imperfections of that legislation.

On choice, remember what the President said: If you like your policy, you can keep it. Because of what we are doing, there is going to be more access for those who don't have a policy.

But, in fact, those who liked the policy they had didn't get to keep it. In fact, a lot of their coverage went away or became more limited.

The cost was going to be less expensive because everybody was going to be covered, but, in fact, everybody was not covered and costs have gone up. In fact, in our charity hospitals, our inner-city hospitals, and our high-trauma, level-1 centers around America, the payments for the disproportionate share of costs were going to be eliminated because ObamaCare was going to have everybody covered and there would be no uninsured people going to hospitals, but, in fact, that didn't take place.

Access was going to increase because there was going to be more coverage, more insurance, more things like that. But what has been the fact is the following: Choice is limited or nonexistent, cost is more expensive than ever, and access is gone.

As to my State of Georgia, I want to read you a few facts. Just last month after Aetna, UnitedHealthcare, and Cigna announced they would leave Georgia's marketplace, Blue Cross filed its third premium increase for the third time this summer—an increase of 21.4 percent. Earlier in the summer, Humana announced average premium increases in Georgia of a whopping 67.5 percent. This year, all 159 counties in Georgia had at least two provider options. In 2017, 96 counties in Georgia will have one option and one alone.

The numbers do not lie. ObamaCare is forcing insurance carriers to leave the market, eliminating competition and choice, all the while placing the burden of higher costs on the backs of working taxpayers in this country. Worst of all, the inevitability of the Affordable Care Act as a single-payer government system, which is on the horizon, is what I feared the most in the debate of Christmas Eve 2009—something all of us in the Senate hoped would never happen. It is going to be on our doorstep if we don't act now to correct ObamaCare, repeal the portions of it that are wrong, keep the portions of it that are right, but bring about choice, access, and quality to our residents. That is what we promised them 7 years ago, and that is what they deserve today.

It is time for the Senate, the House, and this administration and the next administration to realize that our No. 1 priority was to bring about the promise of a program that has more access, lower costs, and more choice for American citizens. We cannot rely on going to a government single-payer system.

It will bankrupt the country, destroy health care, and eliminate the choice we all love as Americans.

So with that, I challenge the Senate to get down to business, correct the inequities in the law that was passed and do the right thing for the people of Georgia who I represent—give them insurance that is accessible, affordable, and accountable to the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

TRIBUTE TO MARVIN WILLIAMS

Mr. COTTON. Mr. President, I would like to recognize Marvin Williams as this week's Arkansan of the Week for his work as the UCAN coordinator at the University of Central Arkansas in Conway. UCAN stands for Unlocking College Academics Now, a program at UCA aimed at helping students facing their first academic suspension to improve their grade point average and continue their education. Students who participate in UCAN are permitted to stay in school during their first suspension rather than withdrawing for the semester.

As the program coordinator, Marvin works with students to help identify their academic weaknesses and find ways to accommodate them. Under Marvin's leadership, the program has helped 347 students obtain their college degrees. Without UCAN, it is possible that many of these students would have taken their semester suspension and not have returned to complete their degree.

The impact Marvin has on students' lives cannot be overstated. One of his colleagues wrote:

[Marvin] meets with students on a daily basis to encourage them to take control of their lives and their education, so they can improve their future. On a regular basis he experiences the difficulties of life as students bring him their circumstances, and he walks with them when they have no one else to turn to. Along with that, when they need correction, he does it with empathy, and leads them back to the path they need to be on.

But Marvin's compassion does not end with his work in the classroom. Marvin was also instrumental in establishing the Bear Essentials Food Pantry, the UCA on-campus food bank. The food pantry idea was born out of a meeting Marvin had 2 years ago with a student who had very little to eat. He provided the student with a list of nearby food pantries, but she lacked the transportation needed to visit the off-campus locations. Marvin responded by taking the student to the

cafeteria and paying for her meal and then springing into action. He recruited a few other UCA employees to help him, and the group successfully opened a food bank on UCA's campus.

In conclusion, I would like to quote again Marvin's colleague, who concluded his nomination with these words:

I don't think I can accurately describe the work that Marvin has done. I'm sure in the past he's received recognition, awards, and the like. However, I believe that this week, this month, maybe even this year he is the type of Arkansan that we should aspire to be in our communities.

I am pleased to recognize Marvin Williams as this week's Arkansan of the Week, and I join all Arkansans in thanking him for his positive impact on those around him.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. THUNE. Mr. President, as President Obama's Presidency draws to a close, talk tends to turn to his legacy. What will President Obama leave behind? Internationally, of course, he will leave behind a growing terrorist threat and an emboldened Iran on its way to becoming a nuclear power. Domestically, the President will leave behind a weak economy, as the recent economic growth numbers for the second quarter made clear. We grew at a little more than 1 percent. If you look at the historical average since World War II, average growth has been 3 percent, 3.5 percent. In fact, President Obama will be the only President in history—at least since they started keeping these sorts of numbers—who will not have had 1 year in his Presidency where the growth rate exceeded 3 percent.

Under his Presidency, we have averaged about 1.5 percent, so it is a sluggish, anemic economy that continues to keep wages at lower levels for American workers, the highest number of people who have left the labor force and lowest labor participation rate literally in 40 years. That is the economic legacy of the President.

Of course, the President will leave behind his signature law, ObamaCare. Many Democrats would still like to think of ObamaCare as the President's signature domestic achievement, but you can ask anybody to scan any newspaper, and you can see it is well on its way to being a disaster.

This is just a small sampling of recent ObamaCare headlines. From the New York Times, this headline read:

"Think Your ObamaCare Plan Will Be Like Employer Coverage? Think Again."

From the Chicago Tribune: "Illinois ObamaCare rates could soar as state submits insurance premium increases to feds."

From the Washington Post: "Health-care exchange signups fall far short of forecasts."

From a Lancaster, PA, newspaper: "Lancaster residents will have rising premiums, fewer choices from 2017 ObamaCare health plans."

From the Wall Street Journal: "Insurers Move to Limit Options in Health-Care Exchange Plans."

From The Tennessean, quoting the Tennessee insurance commissioner: "Tennessee insurance commissioner: Obamacare exchange 'very near collapse.'" That is a headline from The Tennessean.

I could go on. In fact, I could go on for a long time. Those are just a few of the headlines from the past 3 weeks. I could literally fill an entire speech with the negative ObamaCare headlines just this summer. Just to reiterate, these are newspaper headlines. These are not conservative talking points. ObamaCare is failing so badly that even those who might like to deny it cannot.

But let's get into the specifics. What exactly are consumers on the exchanges facing for this coming year? For starters, they are facing huge premium increases—36 percent, 43 percent, 19 percent, 22.9 percent, 89 percent. Those are some of the average rate hikes that Americans are facing around the country.

Let's break that down for just a minute. Let's say that your health care plan for 2016 costs \$10,000. Let's say you are facing a 43-percent rate increase, which is the average rate increase facing Humana customers in the State of Mississippi. A 43-percent increase means you would have to pay an additional \$4,300 for your health insurance next year—\$4,300. That is a massive increase for so many individuals and families, and that is just the rate hike for 1 year.

Many people facing these kinds of increases already faced a substantial rate hike for 2016. Now they are expected to pay even more in 2017. Who knows what they will face in 2018. These kinds of rate hikes are completely unsustainable. Can you imagine? Just imagine if an individual's mortgage payment increased at a similar rate. Within a couple of years, most people wouldn't be able to afford to pay for their homes. While health insurance may seem like a significantly smaller part of the budget than a mortgage payment, the truth is, for many families it is not.

I have heard from at least one South Dakota family whose health insurance payments exceeded its mortgage pay-

ments. In Tennessee, individuals are facing average rate hikes ranging from 44.3 percent to 62 percent for 2017. How many families can absorb a 62-percent increase in their health care costs—and for just 1 year, a 1-year increase.

Residents in my State of South Dakota are also facing huge rate hikes. A 40-year-old nonsmoker in South Dakota faces a whopping 36-percent rate hike for a silver plan in 2017—36 percent in my State of South Dakota. I have to tell you that is simply not affordable for most South Dakotans.

What are consumers getting in exchange for their premium hikes? Too often the answer seems to be not much. For starters, many customers who are already paying massive premiums face thousands of dollars in deductibles on top of that—before their coverage even kicks in.

Then there are the increasingly narrow networks of doctors and hospitals on the exchanges. As the Wall Street Journal reported recently: "Under intense pressure to curb costs that have led to losses on the Affordable Care Act exchanges, insurers are accelerating their move toward plans that offer limited choices of doctors and hospitals."

The days of the President's "if you like your doctor, you can keep your doctor" promise are long gone. Nowadays you have not only lost your doctor, you may have very few options to replace them. Of course, all of this is assuming you still have your health care plan.

Countless Americans this year are once again discovering the hollowness of the President's "if you like your health care plan, you can keep it" promise. Because the other side of the story is that insurers are dropping out of the exchanges in droves.

In August, insurance giant Aetna announced it is pulling out of 11 of the 15 States where it offers plans on the exchanges. Meanwhile, Humana is exiting several exchanges, while megainsurer UnitedHealthcare is pulling out of a whopping 31 States. What does this mean for consumers? Well, for many people it means they have lost their health care plan and their insurance company and that they may have very few options for replacing them. The President promised that choosing a health insurance plan would be like buying a TV on Amazon. For many people nowadays, going on healthcare.gov is akin to choosing a TV on Amazon if Amazon only offered one or two TVs.

According to a report released in August, one-third of the country may have just one insurer to pick from on the exchanges for next year. Well, if you don't like that insurance company, apparently it is your tough luck.

One county in Arizona may actually have no insurers from which to choose, not a single one. It is abundantly clear ObamaCare is failing American families, and even Democrats are starting

to indicate they realize the current situation can't continue. Of course, Democrats' answers rarely involve going back to the drawing board to consider a better solution. Instead, Democrats generally offer proposals that involve throwing good money after bad. Democrats claim that more government is the solution. Throw more taxpayer money at the problem or let the government run all of health care—all health care plans to be government run. That is what we are starting to hear.

Of course, maybe government-run health care for all was the plan all along, but would you trust the Federal Government to run your health care plan after seeing how it is doing with ObamaCare? Then, of course, there is the administration's solution, what the New York Times calls "a major push to enroll new participants in public marketplaces."

Previous recent pushes have been of limited effectiveness. Enrollment in the exchanges currently stands at roughly 12 million, just over half of what was projected to be at this point in the law's implementation, but leaving that aside, the administration is unlikely to have a lot of success with a new enrollment push because it is abundantly clear it is pushing a broken program.

How does the administration think it is going to make high premiums, high deductibles, and limited choices look attractive to Americans? If I were the administration, I wouldn't hold out too much hope for an advertising campaign coming to the rescue. If we wanted to coin a phrase to describe the Obama Presidency, it might be the "Presidency of diminished expectations." This, after all, is the Presidency in which Americans started to doubt the cornerstone of the American dream, something we all grew up with, that their children will have a better life than they do.

It is the Presidency in which we were asked to start looking at weak economic growth—as I mentioned, a little more than 1 percent in the last quarter and 1 percent in the quarter before that—weak economic growth as the new normal. This is good enough. Obviously, it is the Presidency in which we were asked to look at a future of high premiums and few choices as the new standard for health care.

I don't believe or think for a minute we need to resign ourselves to the diminished expectations of the Obama Presidency. We don't have to be stuck in the Obama economy for the long term, and ObamaCare doesn't have to be our health care future.

ObamaCare's goals of affordable, quality care were noble goals, but this law has utterly failed as a way of getting us there. We need to start over. We need to lift the burden ObamaCare has placed on American families. We

need to replace this law with health care reform that will actually drive down costs and increase access to care. I have to say, Republicans have a lot of ideas to bring to the table, we are ready to start working on a new solution, and I hope Democrats and the new President will join us.

The American people have been stuck with ObamaCare for long enough.

ZIKA VIRUS FUNDING

Mr. President, I wish to take a moment to talk about one other health care issue; that is, Federal funding to combat the Zika virus.

Democrats blocked \$1.1 billion in Zika funding for the third time this week, despite the fact that every single Democrat in the Senate supported the exact same level of funding this spring. That is right. Every single Senate Democrat supported this exact level of funding this spring. Republicans were all ready to pass a final version of the bill and get this funding into the hands of the people fighting the virus, and then Senate Democrats changed their minds. They have offered a lot of different excuses. The Zika bill attacks women's health care, they claim, despite the fact that the bill actually increases women's access to care.

It threatens clean water protections, they say, despite the fact that the bill lifts just a handful of redundant regulations for a brief period of 180 days so mosquitoes can be sprayed—to kill the mosquitoes that are carrying the virus. They also claim to dislike the way the bill is paid for, despite the fact that the majority of the money used to fund the bill has been sitting around unused.

Either Democrats are so beholden to special interest groups that they cannot make decisions for themselves or they cannot take yes for an answer. The Zika funding bill provides expanded funding for community health centers, public health departments, and hospitals. The bill funds research into a Zika vaccine. It funds research into Zika treatments, and it streamlines mosquito control efforts, as the best way to protect people is to make sure they don't get bitten in the first place.

The head of the Centers for Disease Control and Prevention, the lead government agency for fighting diseases, has said \$1.1 billion—the exact amount we are talking about—will take care of immediate Zika needs.

So the question is, What are the Democrats waiting for? The number of Zika cases in the United States is rapidly increasing. More than 2,700 people within the continental United States are infected and many more in the territories. Democrats have talked and talked about the importance of addressing this crisis. Yet they just rejected their third opportunity to act.

How big does this problem have to get before Democrats decide to stop playing politics with the Zika funding?

I hope they will act soon, work with us, and answer the calls and demands we are getting from the American people to provide a solution to this problem.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOUISIANA FLOODING

Mr. CASSIDY. Mr. President, I rise today to discuss the thousand-year flood that hit my State of Louisiana a few weeks ago. It is not named, so we call it the Great Flood of 2016, in which 13 people lost their lives and \$8.7 billion in damage occurred in just a few days.

As an example of the enormity, here are the power outages that followed the flooding. This is baseline before the flood. The lights went out, and all of this reflects homes substantially flooded. There is no substitute for witnessing the aftermath of the disaster yourself, but I will try to paint a picture of the damage of this terrible event and the situation from which my constituents are currently trying to rebuild.

Again, it was an unprecedented weather event. The National Weather Service deemed it a once-in-a-thousand-year event. There was no way to prepare. It was not as if there was a storm system off the coast of Africa that was proceeding across the Atlantic Ocean. Less than a quarter of the population had flood insurance and not because they were supposed to and didn't. Most weren't supposed to because it wasn't supposed to flood, and they were not required to have flood insurance. Again, the flooding occurred in areas more than 50 feet above sea level where folks were told they were not in a flood zone or were at low risk. That is one example.

Thursday afternoon, residents were warned of a possible flash flood from a weather system moving into the area, but even the National Hurricane Center had no expectation of how devastating the storm would be. It was missing key cyclone characteristics, and these parishes, never having been hit by a flood such as this, felt all was well. The first parishes to be hit by flooding had no time to evacuate or prepare.

In just the first 2 days, as much as 2 feet of rain fell in South Louisiana. This record rainfall statistically had a 0.1-percent chance of occurring; thus, it is described as a thousand-year weather event. Again, this is baseline—grass, trees, roads. This is the same street. All that brown is water.

In parts of Livingston Parish, within 15 hours, 31 inches of rain fell. By the

end of the third day, Baton Rouge, the capital city, had 19.14 inches of rain; Denham Springs, within Livingston Parish, had about 25 inches of rain; Watson, LA, saw over 31 inches of rain.

We received more than three times the rain that Louisiana saw from Hurricane Katrina. The recordbreaking rainfall led to recordbreaking river crest. For example, the National Weather Service recorded the Amite River's height at 46.2 feet—5 feet higher than the previous record.

Again, this is all pretty apparent. This is baseline where you have dry land with some lakes in between and now that is water. This would be the river, and the river bleeds out into the surrounding land. The Comite River was at 34 feet—4 feet higher than the previous record. As water poured out of these overflowing river systems, currents were so strong that 14 stream gauges, used to measure the height and current of the river, were broken.

When the rain ended, 13 were dead: William Mayfield, Linda Bishop, Brett Broussard, William Borne, Richard James, Samuel Muse, Kenneth Slocum, Earrol Lewis, Stacy Ruffin, Alexandra Budde, Ordatha Hoggatt, and two others who have not been identified.

Many were swept out into the current of the water. Most were caught completely off guard by the speed at which the flooding occurred. These parishes are more than 50 feet above sea level, and they were not prepared. The majority of the 20 parishes that were declared Federal disaster areas were considered low risk for flooding. In Louisiana, only about 12 percent of homeowners living in low-risk areas have flood insurance. FEMA has already documented over 60,000 homes that were significantly damaged. The number is expected to increase to more than 110,000 homes. Less than 20,000 of those families and individuals had flood insurance.

This is debris piled up in front of homes. After 3 days of heavy rain, 20 parishes—one-third of the State—were declared Federal disaster areas. Among these, East Baton Rouge had 35 percent of its homes and businesses damaged. Ascension and Livingston Parishes had about 90 percent of their homes significantly damaged or declared a total loss.

You walk the streets, and entire lives are lined up by the curb. Imagine almost 100,000 people having to start from scratch. Imagine right now owning only the clothes on your back and a waterlogged home, which may cost more to repair than you can hope to repay. It is fair to say that this region is in crisis.

A significant portion of our State's population has lost everything. In many cities, thousands had to be rescued by boat or airlifted—taking nothing with them and forced to leave everything behind.

The good news is our community is strong. Neighbors are helping neighbors slowly put pieces back together, but there are challenges repairing infrastructure, sending kids to school, and disposing of large amounts of debris.

Aside from that, we are still in hurricane season. We don't know what might come next, but another storm hitting Louisiana before recovery is complete would be devastating.

Right now my office is working in tandem with the entire Louisiana congressional delegation and our Governor on securing expedited authorization and funding to build the Comite River Diversion and other mitigation projects to keep this from happening again. This is critical for rebuilding and preventing this level of damage from occurring with future storms. Remembering that our State has experienced severe flooding in 36 parishes in less than 6 months, our delegation is requesting a 90-percent to 10-percent cost share between FEMA and the State of Louisiana. We are also asking for supplemental appropriations of disaster recovery community development block grant funds to help with the long-term recovery.

Louisianans will work tirelessly, as we have for weeks, to rebuild. We are so lucky that we have had volunteers from out of the State come to help. Hopefully today, by increasing the awareness of this disaster, more people are encouraged to volunteer and donate in order to help fellow Americans recover.

Mr. President, I yield back.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

RECESS

Mr. BARRASSO. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Utah.

OBAMACARE

Mr. HATCH. Mr. President, I rise to speak once again on the failures of the

so-called Affordable Care Act and what they mean for hard-working families and taxpayers.

This is far from the first time I have come to the floor to talk about ObamaCare. Indeed, over the past several years, I don't think I have spoken as often about any other topic, and I am not alone. Since the time the Democrats forced the Affordable Care Act through Congress on a series of pure party-line votes, my Republican colleagues and I have been speaking about the poor judgment and shortsightedness that has unfortunately defined the trajectory of this law from its drafting to its passage and now well into its implementation. Quite frankly, we have had plenty of ammunition. It seems like we are treated to at least one new ObamaCare horror story every week.

My friends on the other side of the aisle have done their best to downplay our criticisms and minimize every negative story written about the problems with ObamaCare. In fact, just this morning the Senate minority leader came to the floor and pronounced the Affordable Care Act a success, but the American people have long recognized the truth: ObamaCare isn't working and it never will. This isn't a matter of opinion. This is not just political rhetoric in an election year. By its own standards—and the standards of those who drafted, passed, and implemented the Affordable Care Act, ObamaCare has been a historic failure.

Case in point, the American people were promised that ObamaCare would bring down health costs, but in reality costs are continuing to go up. Over this summer, as we moved ever closer to the next open enrollment period for the ObamaCare insurance exchanges, we have learned that insurers throughout the country have submitted requests to raise premiums by an average of 18 to 23 percent over last year's premiums. For some plans, the requested rate hikes are significantly higher than that average, coming in at more than 60 percent according to some recent reports.

Consider the following expected rate increases. In California, policyholders can expect a 13-percent average increase in premiums, which more than triples the increases seen in the past 2 years. In Florida, they can expect a rate increase over 19 percent on average over this year. In Nebraska, they can expect an average increase of 35 percent, with some rates increasing by nearly 50 percent. In Wisconsin, rates are expected to increase on average by as much as 30 percent. These numbers are more staggering when you consider that when the law was passed, the Congressional Budget Office projected rate increases of only 8 percent at this point.

By some estimates, premiums for silver plans—the standard metric—are expected to increase 11 percent, more

than they have at any point since ObamaCare was implemented.

While some of my colleagues have claimed that the evidence of massive premium increases is mostly anecdotal and that tax credits help blunt the overall cost increase, they simply cannot ignore the facts. Premiums in the ObamaCare insurance exchanges are going up in markets throughout the country, and according to CBO, the Congressional Budget Office, 12 million individuals are estimated to have to pay the full price next year because they either are not eligible for credits or they would choose to purchase coverage outside the ObamaCare exchanges. What is more, the middle class is increasingly bearing the brunt of these increased costs.

As the Wall Street Journal recently reported, middle-class families are spending 25 percent more on health care costs, which reduces their spending on other necessities. David Cutler, the health care economist from Harvard, is quoted in the article as saying, when it comes to health care, it is “‘a story of three Americas.’ One group, the rich, can afford health care easily. The poor can access public assistance. But for lower middle to middle-income Americans, ‘the income struggles and the health-care struggles together are a really potent issue.’”

Our focus should no longer be on the question of whether premiums are going up. We should instead be trying to figure out why it is happening. In the end, there are a lot of reasons why Americans are paying more for health insurance under a new system that was supposed to help them pay less, but the overall explanation is actually pretty simple: The President’s health care law was poorly designed, and they know it.

Recall when my friends were drafting and passing the Affordable Care Act, they claimed that the system they were putting in place—complete with higher taxes, burdensome mandates, and draconian regulations—would entice more people into the health insurance market. With the larger pool of insured individuals, my colleagues on the other side of the aisle argued that insurers would be able to keep pace with all the new requirements imposed under the law without passing costs on to patients. We now know that these projections were, to put it nicely, foolhardy. From the outset, enrollment in the ObamaCare exchanges has lagged behind the rosy projections we saw when the law was passed. As time has worn on, more and more people have opted to pay the fines rather than purchase health care on the exchanges.

In February 2013, CBO projected that more than 24 million people would be enrolled in the exchanges. As of this past March, the actual number was less than half of that number.

My colleagues, in their desperate attempts to defend the health care law,

tend to focus solely on the number of uninsured people in the United States—a number that has, admittedly, gone down in recent years. However, what they tend to leave out is the fact that the vast majority of newly insured people under the law haven’t purchased insurance through the exchanges. They have enrolled in Medicaid, a fiscally unsound program that provides less than optimal coverage options for patients. In fact, there are over 30 million people without insurance, which was the reason we enacted the law—or at least that was the argument. Today there are at least 30 million people without insurance.

The Washington Post recently ran an article on the enrollment shortfalls in the exchanges, plainly spelling out the issues. They said:

Debate over how perilous the predicament is for the Affordable Care Act, commonly called ObamaCare, is nearly as partisan as the divide over the law itself. But at the root of the problem is this: The success of the law depends fundamentally on the exchanges being profitable for insurers, and that requires more people to sign up.

Long story short, people are not signing up on the exchanges in the numbers that were promised. As a result, health insurance plans have been forced to adhere to the law’s burdensome mandates and regulations without the benefit of an expanded and healthier risk pool. So as we have seen in recent months, plans in many of the exchanges have reported massive losses, leading a number of major insurers in important markets throughout the country to terminate their plans altogether. The result: patients and consumers are being left with fewer and fewer options.

According to a recent study by the Kaiser Family Foundation, nearly one out of every three counties in the United States is likely to have only one health insurance option available on the exchanges in 2017. Another third of U.S. counties will only have two options available. Thus, what had been approximately 35 percent of the counties with two or less options on the exchanges is likely to double to around 67 percent.

Furthermore, more than 2 million individuals are expected to have to change plans for 2017 as a result of insurers leaving States, which is nearly double compared to those who had switched carriers at the end of last year.

You don’t need a Ph.D. in economics to know that, generally speaking, fewer options means higher costs for consumers and lower quality products being offered. That is exactly what the American people are dealing with when it comes to health insurance. This includes people from my home State of Utah. For example, one of my constituents, Mr. Chris Secrist, wrote to me. He said:

Since the new health care law was forced on us my premiums along with my

deductibles have skyrocketed. With my premium, deductible, and “out of pocket” expense . . . my total out of pocket expense for insurance now tops \$20,000 per year . . . can anyone . . . explain how this can be considered “affordable health care”?

Over the August recess, I met with the Utah board of directors of the Leukemia & Lymphoma Society, and there I heard from many Utahns about the skyrocketing cost of care over the past 3 years. These constituents repeatedly emphasized that they had initially hoped ObamaCare would help them, but in their experience, it had only made things worse and much more expensive.

The downward spiral of ObamaCare is a circle that cannot be broken without some kind of intervention. While there are a number of ideas out there to address these problems, there are really only two major paths we can take. We can enact reforms that are patient-centered and market-driven or we can expand the role of government in regulating, mandating and, in the end, paying for more and more of our health care system.

Republicans in Congress, myself included, have proposed plans that would take us down the first path toward more patient-centered reforms. My friends on the other side, when they are not doubling down on the status quo under ObamaCare, are advocating for even more government involvement. Case in point, the Democrat’s nominee for President has outlined a number of “reforms” she would like to add to the “progress we’ve made” under ObamaCare. Each of her proposals amounts to an expanded role for the Federal Government, including the renewed idea of the so-called “public option” or a government-run plan.

In other words, in this election season, the Democrats’ answer to the failure of ObamaCare is more government control of our health care system.

It is funny, beginning in 2009, when the health care law was being finalized, I argued that Democrats intended to keep expanding the role of the Federal Government in health care to the point where they could argue that the only workable option after a series of failures would be to create a single-payer health care system; in other words, socialized medicine.

Some pundits and even my colleagues declared that I was paranoid, that I was trying to scare people into opposing ObamaCare. Yet 7 years later, those claims look relatively prescient, if I do say so myself.

Faced with the failure of ObamaCare to live up to its many promises, my colleagues are not arguing for a change in direction. Instead, they are clamoring for more authority to dictate the terms of what had been a private health care marketplace before. In a world where the government dictates both the products on the market and the prices at which they are sold, the eventual result is a marketplace in

which the government is the only available provider. In other words, while many of my friends on the other side will deny they want to create a single-payer or socialized medicine health care system in the United States, that is the direction they have us headed.

Fortunately, the march toward a single-payer system is not a fait accompli. We can take action to right this ship now. We can control costs. We can take government out of the equation and give patients and consumers more choices. Of course, to get there, more of my colleagues on the other side will have to acknowledge the failures of the current approach and agree on the need to plot a new course.

Perhaps once the upcoming election is over, we can begin to make progress on these issues. It is my hope that with the current administration in the rear-view mirror, people will be more willing to acknowledge the failures of the ObamaCare status quo. I recognize that the coming election may embolden those who support even more rigorous government involvement in the health care sector to try to take us further down the path of a single-payer system. If that is the case, we are looking at an even more contentious environment than the one we are in now.

Don't get me wrong. I want to see more bipartisanship around here. I want us to find more opportunities to work together and get past the blind partisanship that currently fuels so much of what we do here and that caused 100 percent of the Democrats and not one Republican in either House to support ObamaCare. But make no mistake, if the next administration or the next Congress tries to take us further down that path, they are going to have a heck of a fight on their hands. It is a fight that I personally am prepared to win so that we can eventually have a health care system that works for everyone.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Ms. HEITKAMP. Mr. President, I come to the floor today after spending the last 7 weeks traveling the beautiful State of North Dakota and working with communities on issues that matter the most to them, whether it is agriculture, opioid abuse—any number of issues involving urban and rural housing. But one common message occurs at every stop: Why can't Congress get its job done? Why aren't you doing what you are supposed to be doing?

So the people of North Dakota and I think the people of this country have a simple message: They want us to do our job. They are sick and tired of politics getting in the way of work getting done, and they don't understand why even the most basic issues, the most simple issues, issues where there are vast majorities that support them, get hung up in partisan politics.

That got me thinking about three numbers that really sum up the inability of my friends in the majority to do their job. Those numbers are 90, 175, and 20.

Let's start with 90. Ninety is the current number of judicial vacancies across our various Federal courts in the United States. Thirty-two of those vacancies have been deemed judicial emergencies. That means that justice is being severely delayed in those jurisdictions. Every day, Americans and American businesses have to sit and wait for resolution and certainty when we are capable of getting the job done, when we actually believe we have qualified nominees ready to take the bench and hear those cases.

The majority has brought to the floor and confirmed only 20 circuit and district court judges during this Congress—20. How does that compare? Well, if you look at the last 2 years of the George W. Bush Presidency, the Senate Judiciary Committee, which was then chaired by Senator LEAHY, actually approved nearly three times as many. In fact, 68 judges were approved during that time period—68 judges compared to 20. Last year the majority matched the record for confirming the fewest number of judicial nominees in more than half a century. That is just 11 nominees for the entire year.

These are not records that any of us should be proud of, not when we hear from judges, lawyers, and our constituents about the backlog of cases in the Federal courts and around this country.

Right now, 31 nominees still have yet to either have a hearing or a vote in the Senate Judiciary Committee. Some of these nominees have put their lives on hold and are ready to serve their country in some of the highest positions a lawyer can hope to achieve. They are putting their lives on hold and delaying their economic viability, waiting to find out.

That leads me to the second number. The second number is 175. That is the number of days since the President nominated Merrick Garland to the U.S. Supreme Court. My friends in the majority will come down and claim they absolutely could not give him a hearing because of something called the Biden rule—something which I have never voted on and which I did not know existed. I went looking in the rule book to try to find out where this Biden rule exists, and I have yet to

track it down. But I do know that when we talk about statements on the floor attributed to then-Senator JOE BIDEN and now-Vice President JOE BIDEN, we ought to look at not what he said but what he did when he chaired the all-important Senate Judiciary Committee. So when we look at this from the lens of actions speaking louder than words and if we look at what JOE BIDEN was able to accomplish when he chaired the committee, he gave a hearing to every single nominee who came before him, whether that nominee was nominated by a Democratic President or a Republican President.

That brings me to my last number, which should be the easiest of all to address. That number is 20. Twenty is the number of circuit and district court judges who have had a hearing, who have been reported out of the Senate Judiciary Committee on a bipartisan basis—in fact, 18 of them were unanimous—but they are still awaiting an up-or-down vote in the Senate.

I think it is unusual that I should even have to come to the floor to explain how ridiculous this is. These nominees are all noncontroversial. They are noncontroversial enough to have received a hearing and been voted out of the committee with Republican and Democratic support. That means the majority of the committee that we charge with fully vetting these nominees found all of the nominees qualified to serve a lifetime appointment on the Federal district court bench. Well, 12 were nominated over 300 days ago and 6 others were nominated over 200 days ago, and still they wait. Several of these judges were nominated and have the support of both their home State Democratic and Republican Senators. Several of these judges were nominated by and have the support of all of their Senators. It is just unheard of that they should have to wait, given that we have gone through the process.

One of those nominees I want to particularly point out is a woman by the name of Jennifer Puhl. Jennifer Puhl is from Devils Lake. Her family is a huge and important part of the community there. Her dad runs a small business, a plumbing business, and she worked her way up through the ranks and currently serves as an assistant U.S. attorney in North Dakota. She was appointed by a Democratic President, but she served initially and received her initial appointment as an assistant U.S. attorney from a Republican appointee. She is highly qualified and completely noncontroversial; yet she waits and yet the Eighth Circuit waits for another person to sit on the bench and carry the load of that important circuit court.

So I think it is time to do our job. I think it is time to move these 20 nominees and to get the court fully functioning.

I make this point because when we look at the role Congress plays in the

judiciary, we have a very significant role, given lifetime appointments, that we would, in fact, provide advice and consent. But beyond that, the judiciary is an incredibly important part of our checks and balances. When we don't have a functioning judiciary, we do not have a functioning democracy. I think it is very important that we look at this in the light of our responsibility to make sure these three branches of government are fully functioning and doing their job and able to do their job because we have people in place.

So I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573, 597, 598, 599, 600, 687, 688, and 689; that the Senate proceed to vote without intervening action or debate on the nominees in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, the Senate has treated President Obama very fairly with respect to his judicial nominations. By comparison, at this point in President Bush's Presidency, the Senate had confirmed 316 of his judicial nominations—316. As of now, the Senate has already confirmed 329 of President Obama's judicial nominees. In fact, the Senate has already confirmed more of President Obama's judicial nominees than it did during the entirety—the entirety—of President Bush's 8 years in office.

So at this point I am going to object to the request, but I am prepared to enter into an agreement to process a bipartisan package of four more judicial nominations that would include a California judicial nomination, two Pennsylvania judicial nominations, and a Utah judicial nomination. This would presumably be agreeable to the senior Senator from California, the junior Senator from California, and to the senior Senator from Pennsylvania, along with the junior Senator from Pennsylvania and both Utah Senators.

So I am going to ask the Senator from North Dakota to modify her request as follows: Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider individually the following nominations, at a time to be determined by the majority leader in consultation with the Democratic leader: Calendar Nos. 364, 460, 461, and 569; that there be 30 minutes for debate only on each

nomination, equally divided in the usual form; that upon the use or yielding back of time on the respective nomination, the Senate proceed to vote, without intervening action or debate, on the nomination.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. BOOKER. Mr. President, reserving the right to object, as the junior Senator from New Jersey, this is difficult for me because one of the judges the Republican leader is suggesting be skipped is the judge who has been waiting for the longest time. Judge Julien Neals has been waiting since February of 2015. He is someone who came out of the committee with bipartisan support and someone who has deep qualifications. In addition to this, he is suggesting that we skip another judge named Ed Stanton, who is the U.S. attorney for the Western District of Tennessee.

I bring out those two judges who are next on the list. They are the two longest waiting judges for the district court—one from May and one from February. I single those two out not just because one of them is from New Jersey but, if you look at the list of the next 15 judges, these are the only two African Americans on the list. The two longest waiting district court judges and the only two African Americans are the two who are being singled out, among others, to be skipped over in what the Republican leader is suggesting.

I know that for my colleagues in the Republican Party this is not a conscious thing. I know this is a coincidence and that it is not intentional that the two longest waiting judges—the only two African-American judges on this list of 15—are being skipped over, but I do feel it is necessary to point out this fact. At a time when this Nation is looking at this judicial system as needing to confront judicial bias, at a time when judicial organizations of all backgrounds are pointing out the need for diversity on the Federal court, what is being suggested right now is that we come up with a bargain to skip over the two longest waiting district court judges, who happen to be the only two African Americans on the list of the next 15. That, to me, is unacceptable, especially when you look at the qualifications of these two judges and especially if you look at their wide bipartisan support within the Judiciary Committee. The perception alone should be problematic to all of us in this body.

So I would like to object to this offer, especially given the tensions that exist right now in our country, the urgency for diversity on the bench, and the clear qualifications of these men, and, finally, the fact that they have been waiting since May and February of 2015.

Thank you.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Mr. BOOKER. Yes, there is objection. I object to the modification.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the request of the Senator from North Dakota?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, before I returned home for the August recess, I came to the floor to call on the Senate to take up pending judicial nominations. Once again, today I join my colleagues in calling for action on the crisis that is facing our Federal courts.

We had an unusually long recess—what is called the August recess, but it actually started in mid-July. We have a brief period of time when we are back in session before we are about to have yet another recess prior to the elections. I understand the Senate has been in session fewer days than the Senate has been in session in some decades—60 years.

I feel it necessary that we step up and deal with this crisis in the Federal courts and do our jobs. I call on my colleagues in the majority to do our jobs.

The obstruction that we have seen with regard to filling judicial vacancies is harming our Federal courts and our Nation, our economy, and individuals who come before those courts to seek justice.

In this current Congress, only 22 judges have been confirmed by the Senate. As we have discussed today, we currently have 90 vacancies on the Federal courts. Thirty-two—one-third—have been declared judicial emergencies. Yet before the Senate right now, we have Presidential nominees for these vacancies—27 in number—that are available for our consideration. Each of those names has garnered a bipartisan majority from the Judiciary Committee. A bipartisan majority has supported those Presidential nominees. Each and every one of them deserve a vote in the full Senate. The American people fully deserve a functioning Federal judiciary—whether the Supreme Court, our circuit courts, or the district courts.

From my home State of Wisconsin, we have a longstanding vacancy on the Seventh Circuit Court. This longstanding vacancy is absolutely unacceptable. This traditional Wisconsin seat on the Seventh Circuit Court has been vacant for more than 6 years. This is the longest Federal circuit court vacancy in the country. Today marks the 2,435th day—that is 6 years and 8 months—of this vacancy. The people of Wisconsin and our neighbors in Illinois and Indiana deserve a fully functioning court of appeals.

During this long vacancy, the Seventh Circuit has been considering issues that face people of our State as well as our country. These issues include women's health, labor rights, campaign finance, marriage equality, and, most recently, voting rights. These are important issues, and the people of Wisconsin deserve better than an empty seat when judgments are being made on such consequential issues.

We have a highly qualified nominee for this seat. Don Schott was nominated by the President on January 12. He has strong bipartisan support. Both Senator JOHNSON and I have returned our blue slips, a part of the process to advance one of these nominees. A bipartisan majority of the Wisconsin judicial nominating commission recommended and supported his consideration by the President.

Don Schott also received the support of a bipartisan majority of the Senate Judiciary Committee when they voted to advance his nomination. Don Schott is very well qualified. He has the experience and the temperament to be an outstanding Federal court judge on the circuit court, and his nomination deserves a vote. The people of the State of Wisconsin deserve to have this traditionally Wisconsin seat filled.

Nine judicial nominees who have been previously approved by the Senate Judiciary Committee prior to Don Schott still haven't had their up-or-down vote either by the Senate, and they deserve it. As is the tradition of this body, we vote on these nominees in the order they appear in the Executive Calendar. As such, I will request that the Senate Republican leader schedule votes on each of these nominees, as well as on Don Schott.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573, and 597; that the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, I have already pointed out that President Obama has already had more judges confirmed than President Bush in his entire 8 years.

I offered a counter UC that would confirm four of the judges. I will not repeat the modification that I offered earlier.

Therefore, I object.

The PRESIDING OFFICER (Mr. TOOMEY). Objection is heard.

The Senator from Hawaii.

Ms. HIRONO. Mr. President, there are currently 27 pending nominations on the Executive Calendar and 90 total judicial vacancies. More than half of these nominations have been waiting since 2015 for a confirmation vote.

Hawaii's own Clare Connors was nominated to the Federal bench 1 year ago tomorrow. She is one of the nominees who would be skipped under the Republican leader's compromise offer, which is not a fair offer any way you look at it. Claire's resume is extensive and impressive.

In her time as a U.S. assistant attorney, Clare prosecuted Hawaii's most extensive mortgage fraud case. The case involved 15 criminals who were making it harder for Hawaii's families to obtain mortgages. This is only one example of Clare's nonpartisan commitment to public service.

During her career, Clare has worked for Attorney General John Ashcroft and Attorney General Eric Holder. She is impartial, she is qualified, and she deserves a vote.

If Clare is not confirmed, the Hawaii district court seat would be left vacant for over a year. People who appear before our courts don't want to know or care if their judge is a Democrat or a Republican. They just want to know that when they get their day in court, there will be a competent and qualified judge sitting there. This goes double, of course, for the highest Court in the land, the Supreme Court, which, because of an unfilled vacancy, has resulted in a number of 4-to-4 votes. That is not how the U.S. Supreme Court should operate. We need to do our jobs.

Mr. President, I rise today, therefore, and ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, 573; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, I previously stated on two occasions that President Obama has already gotten 13 more judges confirmed than President Bush in all of his 8 years as President. I offered a counter consent that was objected to that would have confirmed a district judge in California, two dis-

trict judges in Pennsylvania, and a district judge in Utah. That was objected to, so I will spare the Senate the counter UC I offered earlier because I know it will be objected to. But with regard to the consent that has just been requested, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, Republicans who control the Senate are setting new records for obstruction by slowing the pace of judicial nominations to a crawl and leaving courts across this Nation overburdened and understaffed.

I have listened as Senator McCONNELL has asserted that he is acting fairly on judges because more Obama judges have been confirmed than total George W. Bush judges. Here is my question: What kind of game does he think this is? At this point in time during the Bush administration, there were 42 judicial vacancies. Today, there are 90. At this point during the Bush administration, there were 13 judicial emergencies—vacancies in courts that are severely shorthanded and overburdened with cases. Today there are 32—more than twice as many vacancies, more than twice as many emergencies.

Senator McCONNELL says, well, he just doesn't want to do his job, and neither do other Republicans. And we all know why. Republican leaders in Congress have made it abundantly clear that they want Donald Trump to be President so that he can appoint judges who will bend the law to suit his own interests and those of his wealthy friends, and if that doesn't work, then Republicans will settle for paralyzing the judicial system so that it cannot serve anyone at all.

Judicial nominees stand ready to provide American individuals, families, small businesses, and entrepreneurs with the justice they are guaranteed by our Constitution. One of those nominees is Inga Bernstein, a highly regarded Massachusetts attorney who has spent years serving families, teachers, and workers. Ms. Bernstein is not controversial. She is supported by both Republicans and Democrats. Give Ms. Bernstein her vote. In fact, give these 10 noncontroversial nominees their votes.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following 10 nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, 461, 508, 569, 570; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the Record; that the President be immediately notified

of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. Mr. President, it is disgraceful that Republicans are blocking confirmation of these judges. It is even more disgraceful that 18 additional nominees haven't even had hearings yet, including Merrick Garland, who has now waited longer than any Supreme Court nominee in the history of the United States to receive a confirmation vote, while our highest Court continues to deadlock on issue after issue of importance to this Nation.

All we are asking for is the Senate Republicans to stop playing politics and do their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, to keep appropriate balance here in the Chamber, the Senate has treated President Obama fairly in terms of his judicial nominations. As the majority leader has pointed out, by comparison, at this point in President Bush's Presidency, the Senate had confirmed 316 of his judicial nominations. As of now, the Senate has already confirmed 329 of President Obama's judicial nominations. So President Obama is ahead of President Bush by that count. In fact, the Senate has already confirmed more of President Obama's judicial nominees than it did during the entirety of President Bush's 8 years in office.

Senator MCCONNELL offered an agreement to process a bipartisan package of four more judicial nominations that would include a California judicial nomination, two Pennsylvania judicial nominations, and a Utah judicial nomination, but Democrats objected.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise again to continue the plea to move forward when it comes to fulfilling the vacancies now pending in our courts. I don't know about the Constitution saying anything about a tit-for-tat—what one President got another should get—but to me the obligation of the Senate is clear, and that is, we have an obligation to do our job and to fill vacancies.

During this Presidency, significantly more vacancies have come up because of retirements and other reasons. As we have already heard from the Senator from Massachusetts, not only are there double the vacancies, but the judicial emergencies being talked about now, which have nothing to do with party, are real. Around our country right now, there are many districts that are in crisis because of our failure to do our job.

Relying on a tit-for-tat partisan understanding reflected nowhere in our

Constitution is unacceptable when we are not supporting the proper functioning of the judiciary.

We have nominations on the floor, ones that have passed out of the Judiciary Committee in a bipartisan fashion. One of those nominations—to fill a vacancy in the U.S. District Court for the District of New Jersey—is Julien Neals, who is a well-qualified nominee and who has had to wait for over 19 months on his nomination—19 months. On this list, he is the longest waiting judge. Judge Neals has served as the chief judge of Newark Municipal Court, worked in private practice, and served his community as corporation counsel and business administrator for the city of Newark. The President nominated Judge Neals to the Federal bench over a year and a half ago. A hearing was held on his nomination in September 2015. The Judiciary Committee favorably reported his nomination by voice vote in November of 2015.

The delay in confirming this nomination is unfair to the people of New Jersey, who expect their justice system to be working in its full capacity. But we know this isn't just a burden for New Jerseyans; States across this country are being forced to shoulder the Senate's failure to confirm judges, precipitating a massive judicial crisis in our country.

Continued judicial vacancies means that current Federal judges will be overworked and understaffed. Continued judicial vacancies means the American people must wait a year or two or longer to receive justice in a case. This goes counter to the very ideals we pledge allegiance to, this idea of liberty and justice for all. Without judges on the Federal bench, justice is denied for the woman who was fired on account of her gender. Without judges on the Federal bench, justice is denied for the transgender individual who is seeking to access a restroom or other public accommodation. Without judges on the Federal bench, justice is denied for the criminal defendant who deserves a speedy trial before a jury of their peers—fundamental constitutional ideas. The longer the Republican leadership delays filling our country's judicial vacancies, the longer justice is denied for Americans across our country.

I ask the Senate to promptly vote on the next two nominees who would be up, nominees from Tennessee and New Jersey. The Western District of Tennessee nominee, Edward Stanton, is a former U.S. attorney and has been pending for over 16 months. It is important for me to point out, especially after the suggestion from the Republican leader that we skip these first two judges, the longest waiting judges—I know there was no intention here, but I think it is important that we point out that in the compromise suggested by the majority leader, these

are the only 2 African-American judges in the next 15.

So here we have two of the longest waiting judges, two qualified judges, two judges who passed out of the Judiciary Committee, two judges who deserve Senate action and who are also African-American judges who can help create diversity on our Federal judiciary so that it better reflects our society as a whole.

Given all of that—the totality of the crisis in our country, the urgency that is explicitly addressed in our Constitution that the Senate do its job—I now ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359 and 362; further, that the Senate proceed to vote without intervening action or debate on the nominations in the order listed and that, if confirmed, the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. CASSIDY. On behalf of the leader, I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Tennessee.

OBAMACARE

Mr. ALEXANDER. Mr. President, the Americans I have talked with are tired of ObamaCare rhetoric. They are worried about the ObamaCare reality. And what is the reality today? The reality is that ObamaCare is unraveling at an alarming rate. There appears to be a very real danger that without structural changes there may be entire States with no insurer willing to sell plans on their ObamaCare exchanges in 2018.

We are talking about 10.8 million Americans who buy health insurance for themselves or their families on the ObamaCare exchanges created in each State as a result of the law passed in 2010. What we are saying is there are whole States where these 10.8 million Americans may have no options to purchase health care with ObamaCare subsidies. This unraveling is happening sooner than anyone thought and will require us to act both in the short term and in the long term.

If we don't take action in the short term, many Americans will have fewer options and no relief from skyrocketing premium costs. If we don't take action to address the longer term structural failure of ObamaCare, we could have a complete collapse of the individual insurance market. Again, what we mean is that you may be living in a State where you cannot buy health insurance if you rely on an ObamaCare subsidy.

The reality of ObamaCare today is alarming even for those of us who have been critical of the law and its thousands of pages of regulations. Before

ObamaCare even became law, Republicans warned President Obama and we warned Democrats in Congress that ObamaCare was bad news for Americans.

In February of 2010, more than 6 years ago, I spoke for Republicans at a White House summit on health care and warned President Obama that premiums for millions of Americans with individual insurance would rise under his proposal. I was right about that. Republicans warned that ObamaCare would increase the cost of health care, that people would lose their choice of doctors, that policies would be canceled, that people would lose jobs, that taxes would go up, and that Medicare beneficiaries would be harmed. We were right about all of that. Today an alarming number of health care insurance companies are leaving ObamaCare exchanges. Americans are being forced to pay much more in premiums for the same health plans next year. This might be what Republicans predicted, but it is happening even faster than we imagined, and no one is happy about being right.

Unfortunately, I don't need to look any further than my home State of Tennessee to see how bad things have become. When Tennesseans woke up on August 24 and read the front page of our State's largest newspaper, they saw this headline: "Very Near Collapse." The story wasn't about a bridge or about a foreign dictatorship. "Very Near Collapse" was our State insurance commissioner's description of the ObamaCare exchange in Tennessee, which more than 230,000 Tennesseans—almost a quarter of a million Tennesseans—used to buy health plans last year.

What does "Very Near Collapse" mean in the real world? This November, when Tennesseans are signing up for 2017 ObamaCare plans, there will be fewer plans to choose from, and they will be much more expensive. That is what it means. This picture will be the same for many Americans across the country.

Next year, Tennesseans will be paying intolerable increases—on average, between 44 and 62 percent more for their ObamaCare plans than they paid last year. Even for a healthy 40-year-old, nonsmoking Tennessean with the lowest price silver plan on Tennessee's exchange, premiums increased last year to \$262 a month. Next year, it is \$333 a month. And if you, the policyholder, don't pay all of it, then you, the taxpayer, will because a large portion of ObamaCare premiums are subsidized with tax dollars. Surely, it is not a valid excuse to say that just because taxpayers are paying most of the bill, that justifies having a failing insurance market where costs are so out of control that we may soon have a situation where no insurance company is willing to sell insurance on an ObamaCare exchange.

Tennessee had to take extreme measures to allow these increases because insurance companies told the State: If you don't let us file for rate increases, we will have to leave. And if that happens, Tennesseans might have only one insurer to choose from. That is what is happening in States all over the country as ObamaCare plans and rates get locked in for next year.

According to the consulting firm Avalere Health, Americans buying insurance in one-third of ObamaCare exchange regions next year may have only one exchange to choose from. People buying on ObamaCare exchanges will have only one insurer to choose from in the entire State in five States next year: Alabama, Alaska, Oklahoma, South Carolina, and Wyoming, according to the Kaiser Family Foundation. The same Kaiser Family Foundation report found that a growing number of States that have multiple insurers have only one insurer selling policies in a majority of counties.

Tennessee is one of those States. Last year, Tennesseans could choose ObamaCare plans between at least two insurers in all 95 counties in the State. For the 2017 plan year, next year, it is estimated that 60 percent of Tennessee's counties will have only one insurer offering ObamaCare plans—in other words, no choice.

North Carolina is also experiencing a dramatic reduction in options under ObamaCare. Next year, 90 percent of counties in North Carolina are estimated to have only one insurer offering ObamaCare plans, up from 23 percent of counties last year. A similar picture exists in West Virginia, in Utah, South Carolina, Nevada, Arizona, Mississippi, Missouri, and Florida.

Just last week, the Concord Monitor, a newspaper in New Hampshire, published an article with this headline: "Maine health insurance cooperative leaves N.H. market, reeling from losses."

The story goes on to describe how the Maine-based Community Health Options insurance plan will no longer be operating in New Hampshire after experiencing over \$10 million in losses in the ObamaCare exchange over just the first two quarters of this year alone. This move will leave 11,581 individuals in the Granite State looking for new health plans.

Politico reports that one Arizona county is "poised to become an ObamaCare ghost town"—those are Politico's words—because no insurer can afford to sell health plans on the ObamaCare exchange. That leaves 9,700 people in Pinal, AZ, with no ObamaCare plan options in 2017.

Millions of Americans need relief from ObamaCare. Here is the action that is needed: First, Americans need immediate relief from the cost of health insurance and the lack of options on the ObamaCare exchanges. We

could do that by giving States more flexibility to give individuals and their families options to purchase lower cost private health insurance plans outside of ObamaCare, and we could do that now. I intend to offer legislation that would provide that relief. That is only to deal with the emergency of next year.

Second, we need big, structural change in order to avoid a near collapse of our Nation's health insurance market. If there is a Republican in the White House next year, we need to repeal ObamaCare and replace it with step-by-step reforms that transform the health care delivery system by putting patients in charge, giving them more choices, and reducing the cost of health care so that more people can afford it. But if there is a Democrat in the White House, broad systemic, structural changes will still be necessary.

Republicans didn't create this problem, but we are prepared to solve it. Democrats want to spend more taxpayer dollars to prop up the exchanges. They want to expand the role of government in your private health care decisions.

In an article last month in the Journal of the American Medical Association, here is what President Obama wrote: "I think Congress should revisit a public plan to compete alongside private insurers in areas of the country where competition is limited."

Of course, the President's proposal means more money and more government, but Republicans know and Americans have seen over the last 6 years that more money and more government are not the solution; they are the problem. We saw the problem ahead of time. We warned about it. We criticized the poor regulations that made a bad law even worse. Now, we are ready to take action. We are ready to do something about this emergency—both for next year and for the longer term.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASSIDY. Mr. President, I rise to speak about ObamaCare and the incredibly negative impact it is having on millions of Americans. Let's just speak about its impact upon the middle class. There was a recent article in the Wall Street Journal, dated August 26, which spoke about how ObamaCare is pushing the burden of health care costs to the middle class. It speaks about how deductibles have risen 256 percent, but wages have only increased 32 percent. It also goes on to say how folks

are spending 32 percent more on health care, but they are having to cut back on groceries, restaurants, entertainment, and clothing. Everything else is being cut back as health care consumes more and more.

ObamaCare was supposed to change health care. The President promised that premiums would fall \$2,500 per family. The logical question is, Why didn't that happen?

I have a good example. A physician friend I know who happens to be a neurologist in Baton Rouge texted me. She had a couple in her office who were paying \$1,600 a month for insurance. They have a \$10,000 family deductible. They are middle class and don't get a subsidy. Let's think about this. They are paying \$1,600 a month and have a \$10,000 family deductible. Let's do a little quick math. That is roughly \$16,000 a year plus \$3,200, which comes to \$19,200 a year, if my math is correct. When we add \$10,000 for a deductible—let's say they both get in a car wreck and they are taken to the emergency room at the same time—they will be out \$29,000 before they see a benefit from their insurance. They will have to pay \$29,000 before they see a benefit from ObamaCare which is supposed to hold down costs.

These are statistics and anecdotes. Let's speak in a different sense. Let's speak about premium hikes. Premiums are up 31 percent this year in Louisiana, but premium increases are rising as high as 67 percent in Arizona. There is a 69-percent premium increase in Tennessee, and that is consistent across the Nation.

As it turns out, there is one county now which doesn't have any insurance company providing coverage, but there are many other counties in our Nation in which there is only one insurance carrier. I can tell you, the less competition you have, the higher costs will go. As this continues, competition decreasing—and insurance companies like Aetna, Humana, and Blue Cross are pulling out of the exchanges in some States—we can expect these premiums to continue to rise.

The situation we are in is that people are either going to be insurance poor or they will be forced to go without insurance. There is an incredible irony. The bill which passed, the Affordable Care Act, had the stated goal of making health care affordable. It is becoming so unaffordable that people are going without insurance. I think this will only worsen.

Up to today, ObamaCare has received \$10.5 billion in Federal tax dollars as subsidies, and there were a series of co-ops set up. The co-ops were going to foster competition. As it turns out, 16 out of the 23 co-ops have gone out of business, health expenditures are on an alltime rise, and the subsidies are going away—some of them have been ruled illegal by the Federal courts—

and so only the beneficiary will be paying the premiums. Despite \$10.5 billion in subsidies, insurance companies have lost \$2.7 billion. Again, if these subsidies go away because they are illegal, we can expect premiums to rise even more.

I am a big believer that if you are going to criticize something, you should offer an alternative. I would like to point out that this Republican and another Republican have offered an alternative. We call it the World's Greatest Healthcare Plan. We have kind of a cheeky title to draw attention to it, but it is serious legislation. Under the World's Greatest Healthcare Plan, we change the paradigm of ObamaCare. If under ObamaCare the presumption is that government knows best and folks in Washington can make better decisions for the folks in Baton Rouge, New Orleans, Lafayette, Shreveport, the Presiding Officer's hometown in Pennsylvania, or any other place in the Nation, and knows what to tell them and what they should buy—therefore how much they should spend—under the World's Greatest Healthcare Plan, we take the opposite approach.

We assume that the woman in the household—usually it is a woman. I am a physician so I know this. Usually, the woman makes 95 percent of the decisions on health care for a family—let's use the feminine—so she knows what is best for her family. There is kind of a humorous anecdote. On the campaign trail 2 years ago, I had two different women speak to me in a very memorable way. One of them came up and said: You know, I am 58 and my husband is 57. Our two boys are 18 and 19. Unless my name is Sarah and my husband is Abraham, we are not having more children, we do not need pediatric dentistry, and I do not need obstetrical benefits, but that is included in my policy, which I am forced to pay for, and my husband and I are paying \$28,000 a year for insurance.

Another woman from Jefferson Parish walked up to me and said: My name is Tina. I am 56 years old, and I had a hysterectomy. My husband and I are paying \$500 more a month for insurance—\$6,000 more a year—and I am paying for pediatric dentistry and obstetrics. I do not need these benefits, but I sure as heck would like to have my money.

Washington is making the decision that these two women in Louisiana, and women across the Nation should pay for benefits they don't need, therefore paying far more. By paying far more, they have less to spend on other things they might need to purchase, for example, flood insurance in my State, clothing, restaurants, entertainment, a night out in their own State, wherever that State might be, but they cannot make that decision.

Under the World's Greatest Healthcare Plan, we take the power

away from Washington and give it to the family. We allow them to choose the benefits they wish, those they need, making the decisions between pocketbook and health care that they are uniquely qualified to make. By the way, we also do away with the individual mandate. We know that individual mandate. It is the ObamaCare provision saying that you shall buy insurance or the Federal Government will fine you.

Under the World's Greatest Healthcare Plan, we take all the money a State would receive from the Federal Government for health care and we allow the State to give a credit to each individual in that State who is eligible, and that would be most folks. The State legislature would have the option to say that everyone in the State who is eligible is enrolled unless they choose not to be—unlike ObamaCare, where you have a 16-page online form where you have to get on and have your W-2 and check it off. If you don't have a W-2 with you and are a poorer person and have to go to the library for your Internet access and you go home by public transportation to get the right form and have to take public transportation back, it is not going to happen. Under our plan, you are enrolled unless you choose not to be. We expect to have 95-plus percent enrollment.

We don't provide the bells and whistles of ObamaCare, but what we do is give first-dollar coverage. Instead of a \$6,000 deductible per individual or a \$10,000 deductible per family, every family will have a health savings account with which they have first-dollar coverage. If they need to take their daughter to the urgent care center to have an earache treated, they have first-dollar coverage. There is not a \$6,000 deductible to work through. They have a pharmacy benefit and a catastrophic coverage on top. If they are in a car wreck and admitted to the hospital, they will be protected from medical bankruptcy by that catastrophic coverage.

Another thing we do by giving power to the patient is price transparency. Under ObamaCare we have seen prices rise and rise and rise even more. Part of the problem is the consumer has no power. She does not have the ability to know that if a doctor orders a CT scan for her child—if she goes to this place and pays cash, it is \$250 or if she goes to that place, it is \$2,500. I picked those numbers, by the way, because the Los Angeles Times had an article a few years ago and found that the cash price for a CT scan in the L.A. Basin varied from \$250 to \$2,500, and there would be no way someone would know. With the World's Greatest Healthcare Plan, the power of price transparency is given to that mom so she knows where she can take the child for the best cash price and the highest quality and balance

that with her budget. If the family wishes to really take matters into their own hands, they can put their family credits all together in a pool and buy a group policy for their family or they can give it to their employer as the employee's contribution for an employer-sponsored plan and buying into the richer coverage that employers typically give.

I could go on, but, if you will, the premise I learned as a physician is that if you give the patient the power, she will make the right decision for her family, both for their health and their pocketbook—unlike ObamaCare, which says: Family, you are not as wise as folks in Washington. We are going to tell you what you have to buy, therefore what you have to pay, and if prices escalate even more and you decide you can no longer afford insurance, we are coming after you to make you pay a penalty. It is wrong, I think it is un-American, and it is certainly bad for families.

The principle under the World's Greatest Healthcare Plan, which I like to say in a phrase is giving the patient the power, but the academic literature would call it the activated patient—someone who is now fully engaged in managing her and her family's health care. Not only does that result in lower costs, statistically it gives you better outcomes.

There is a physician Congressman on the other side in the House of Representatives who tells a story of someone he worked with. They went through a health savings account, and the manager came up and said: Dr. FLEMING, I don't particularly care for this plan because it doesn't pay for my inhaler. He said: Well, your health savings account can pay for your inhaler, I suppose, if it is not covered by your pharmacy benefit, but if you stop smoking, you don't need an inhaler, and he walked away not thinking about it. She later approached him and she said: Dr. FLEMING, let me tell you. He said: Yes? She said: You are right. He is thinking: What was I right about? She said: I stopped smoking and no longer need an inhaler. That is a personal story, if you will, of that which statistically is demonstrated. If people become engaged in their health care, they are not only healthier, but they save money. Under the World's Greatest Healthcare Plan, we take that Republican principle of believing in the power of the individual to shape her life and her family's destiny in a much more positive way than you would expect from a bureaucrat telling you to be passive and to otherwise obey.

I will return. Unfortunately, the President's health care law, the Affordable Care Act or ObamaCare, is crushing the middle class with ever-higher premiums, higher deductibles, higher copays, an inability to pay, and becoming insurance poor as they cut back on

everything else to avoid paying the penalty for the needed health insurance.

Republicans have offered an alternative. One alternative is the World's Greatest Healthcare Plan, and in our alternative we give the patient the power. I suggest that would be an important area of compromise; that we all see that giving the patient the power, the individual American the responsibility, is a better way to go.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to thank my fellow Senator from Louisiana, Mr. CASSIDY—Dr. CASSIDY—for his really creative ideas—the World's Greatest Healthcare Plan and the way he frames it, in terms of his years of practice and the sincerity with which I know he has practiced in all kinds of health care settings and has done a lot of work with folks who never could or never would have afforded health insurance. So I thank the Senator for what he is doing and for working with us to try to solve this issue.

I rise today to join many of my colleagues in sharing the realities of ObamaCare. We have heard a lot about this. In my home State of West Virginia, for many, this law has been nothing short of devastating. While the number of people insured has increased because of the expansion of Medicaid in my State, the way these policies were put into place has created possible catastrophic fiscal cliffs for States. My State, by the way, last fiscal year was over \$300 million in the hole because of other issues, and now they are looking at this fiscal cliff of having to pay the full rate of Medicaid expansion.

There is now a segment of our population that is falling through the cracks when it comes to health reform. They make too much money to qualify for aid or subsidies and end up paying the full cost of increasing individual coverage premiums. These working families are being faced with skyrocketing premiums, copays, and deductibles. Talk to any health care center. Talk to the hospitals. This rising amount of deductibles is influencing their bottom line because they are not chasing the uninsured. They are chasing now people's deductibles. In my State and across this country, we have little, if any, choice in insurers.

I know we have all heard that oft-repeated phrase, and I will say it again. It is the claim that if you like your doctor, you can keep your doctor. This has been pure fiction. The provider and hospital networks have shrunk and insurers have shifted away from options to give patients the choice they were promised and that they counted on, and they are now being pushed into much more restrictive plans.

One of our local papers recently ran a story about a West Virginian in just

this situation, a small business person who labeled this plan accurately, calling it the "Un-Affordable Care Act."

Since ObamaCare, my premiums have increased at least \$450 per month in the last couple of years. The plan I had was canceled. . . .

So if you like your health care, you can keep it. His was canceled—false statement. He had to enroll in a new plan. His premiums are currently over \$1,350 a month. Between the high deductible and meeting the out-of-pocket maximum, this West Virginian has to pay 20 percent—all out-of-pocket—and the situation is likely to get worse.

In West Virginia, we, like many other States, are currently waiting to see what our premium increase is going to be for 2017. It hasn't been approved yet by the State insurance commission. The question is not whether there will be an increase; that is a given. The question is, How enormous will it be?

If nearby States are any indication, there is much to be concerned about. In the State of Tennessee, the State insurance commissioner recently sounded the alarm saying that the ObamaCare exchange in Tennessee is very near collapse. Rates there are skyrocketing to between a 44- and 62-percent increase. Sadly, the story is the same whether one is in Arizona, New Hampshire, Iowa, Nebraska, or West Virginia. All too often, these rate increases are coming with much less coverage as well.

I recently spoke with a West Virginia small business person who has absorbed the cost of increased premiums for their employees, realizing they can't afford it but, at the same time, that employees are getting much less coverage, higher deductibles, and higher copays. Attempting to switch to a lower cost plan comes with its own perils. The average bronze plan deductible in 2016 was \$5,700. This is assuming you have choices.

A recent analysis by the Kaiser Family Foundation found that one-third of all counties in the United States will only have one ObamaCare insurer next year. This is up dramatically from the 7 percent of counties in 2016, and it is largely the result of major insurance companies scaling back or withdrawing their participation on the marketplaces. Unfortunately, there is nothing that indicates that this trend will not continue. Many counties are becoming ObamaCare ghost towns.

In Pinal County, AZ, 10,000 people bought exchange coverage this year, but no insurers are planning to offer plans on the exchange next year. What are they supposed to do? I fear this scenario could all too easily play out in West Virginia. Traditionally, over the course of ObamaCare, we have only had one insurer for the entire 55 counties. This year we happen to have 1 insurer for 45 of the 55 counties.

This lack of competition in the marketplace is not new for our State. This

has been the reality for the vast majority of our residents, and now we are seeing it just expanding all across the country. This lack of choice, along with unaffordable premiums, copays, and high deductibles, has prompted most Americans to reject ObamaCare plans and not even join.

Nationwide enrollment in ObamaCare exchanges is only half what was originally planned. We owe it to those we represent to do better. We have heard Senator CASSIDY talk about his ideas. We have great ideas on this side of the aisle to improve it, and we have asked and voted many times to throw out ObamaCare and start over. I think that is the direction we need to go, because Americans deserve a health care system that works for them, every day, from year to year. It is becoming clearer and clearer that ObamaCare is not that plan.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I wish to thank my colleague from West Virginia for her comments on this health care law, as well as my colleague from Louisiana.

I have just returned, as we all have, from our time in our State and traveling in our State. I know my colleague from West Virginia heard the same stories that I heard in Nebraska. People are worried. They are afraid. They are very concerned about their futures and what they are going to see this fall with regard to this health care law. So I thank my colleagues for their comments that they have given today on this very important issue.

I, too, rise to address the stark reality of President Obama's failed health care law. The evidence of its failure continues. The latest example is the relentless increase in premium rates across our country. In Nebraska, health care plans under ObamaCare will see premium rates rise more than 30 percent. Nearly every week, I hear new stories of the pain caused by this law. It breaks my heart because it has led hard-working people to the brink of despair. We have sunk to the point where some Nebraskans, like many Americans across our country, are now asking themselves: Why bother?

Karen in central Nebraska shared that most of her paycheck goes to her plan's premium and deductible costs. She is faced with two terrible options: quit her job to qualify for more government subsidies or opt out of insurance coverage and then pay the penalty.

Meanwhile, Peter, a small business owner in western Nebraska, faces the gut-wrenching decision of raising prices to offset the rising premiums and other unaffordable costs of his ObamaCare plan.

Stephen in eastern Nebraska, another small business owner, bluntly

told me: "Enough is enough." For Stephen, it made more sense to pay the penalty than to budget for his ObamaCare plan. If that wasn't enough, Stephen's longtime family doctor, the medical professional who he trusts, is no longer in his network. So now Stephen has to travel just to see an in-network provider.

Because of a law forced upon them, Americans are left with difficult choices. Mothers and fathers are being forced to choose between what is in the best interest of their families and what health insurance costs they are going to be able to afford.

Hard-working Americans are keeping less of their paychecks. They are spending more on these uncontrollable health care costs. They can no longer afford and, in many cases, they no longer even have the option to see the doctor they trust. They are not saving money, and they are not better off. They are living a real American nightmare.

Nebraskans are all too familiar with the failures of ObamaCare. The co-op established for Nebraska and Iowa was one of the first ones to fail, and that was in December of 2014. In my letter at the time to then CMS Administrator Tavenner, I sought answers. I received an answer much later from Acting Administrator Slavitt. His response was disappointing, and it clearly demonstrated what we have known for a long time now: The government is incapable of successfully administering health care coverage. These Nebraskans were left with few options and very little support because of the government's shortsightedness in continuing a doomed co-op.

We have witnessed similar disasters with other ObamaCare co-ops across the country. They keep failing. They include Colorado, Connecticut, Illinois, Michigan, New York, and Oregon, to name a few. At a cost to taxpayers of more than \$1.7 billion of the original 23 co-ops, only 7 now survive. That is a failure rate, people, of more than 60 percent. The surviving seven are now being evaluated for their financial health, but one thing is clear: To prop them up through the next enrollment period only to delay their really inevitable failure would be incredibly dishonest to the American people.

Nebraskans are a trusting people. We like to give people the benefit of the doubt, but there is no doubt any longer. ObamaCare was built on certain promises and those promises have been broken.

It is time for the government to be honest with the American people. It is time to come clean, face up, and act responsibly. We have already taken some positive steps to get our people out of this mess—steps which the vast majority of the Members of this Senate have approved. The medical device tax and the Cadillac tax are clear examples.

The majority of this Chamber agreed on a bipartisan basis that delaying these taxes was a necessary step to alleviate some of the harm that has been caused by this health care law. In voting to delay these taxes, the Senate chose the American people over a failed law. That was a good day, and that was a good vote. We must take more actions like that in the future—action, not just talk—actions that will help the American people lighten this law's heavy load and bring families back from that brink. We must keep doing this until Americans like Karen, Peter, and Stephen are no longer forced to make those unreasonable choices.

At the same time, I want solutions for those Nebraska families still struggling to find quality and affordable health care. But let's be honest. These solutions are not more bailouts and tax subsidies. No more one-size-fits-all Federal mandates. We must all conclude that ObamaCare is a clear failure. We must, once and for all, scrap it and then replace it with patient-centered solutions. I want to have that conversation, and I am ready and willing to do so.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

ELLCOTT CITY, MARYLAND, FLOOD

Mr. CARDIN. Mr. President, the first order of business in this return to session is for us to pass an appropriations bill to keep the government open on October 1. I know that people are physically at work in order to make that a reality.

I was on the floor yesterday talking about the need to fund Zika. To me, that is urgent. We have to get that done now. I explained then that there are real risks to the general population of Maryland and Colorado and every State in this country from the Zika virus.

Today I am going to talk about two episodes—two disasters—that occurred in Maryland during the recess. I mention that in this context because we need our Federal agencies fully functioning and fully funded in order to deal with the things that just happen in America.

In my own State we had two horrible disasters during the recess, and I would like to talk a little bit about that.

Marylanders are heartbroken by the devastation that has hit our community in Ellicott City. My condolences go out to the family and friends who lost loved ones in the tragedy.

I want to especially thank the first responders who worked tirelessly to save lives and property after the historic flooding in Ellicott City.

Ellicott City is a historic Maryland treasure, founded in 1772 and known for its vibrant business community and its culture of kindness and resilience. It suffered significant flooding throughout the intense rainfall on the evening of July 30, 2016. The National Weather Service predicts that a rainfall of this magnitude should statistically occur once in every 1,000 years. Six inches of rain poured down on Ellicott City—an amount of rain that normally falls over the course of one month—in the period of only 90 minutes.

Shortly after the storm hit, I toured Ellicott City with Howard County Executive Allan Kittleman, officials from the Maryland Emergency Management Agency, MEMA, and other Federal, State, and local officials. The devastation is truly frightening in terms of damage to property, businesses, homes, vehicles, and infrastructure in Ellicott City.

As the Baltimore Sun reported, Saturday, July 30, began unremarkably for a summer day in the mid-Atlantic, with thunderstorms expected. Joseph Anthony Blevins was out on a date night with his girlfriend Heather Owens, and he suggested they stop at Main Street in Ellicott City. They had just left a matinee at a movie theater in Laurel and were heading home to Windsor Mill. With a roll of her eyes, she agreed to stop in the city's historic district.

Let me continue with the Baltimore Sun's reporting of this story:

It was raining when [Heather Owens and Joe Blevins] pulled into a parking lot off Main Street around 7:30 p.m., and they sat in the car to wait out what they expected to be a short downpour. They didn't know that the weather service had issued a flash flood warning for much of central Maryland about 12 minutes earlier. When they realized the rain was not going to let up, they decided to go home. They pulled back on to Main Street, but within five minutes, their car began floating. The car struck a guardrail and plunged into the swollen Patapsco River.

Owens was able to get out of the passenger side window, and thinks she grabbed something, perhaps a branch of a tree on the river bank, as the current pulled her downstream.

She looked for Blevins and saw him in the river, gasping for air and reaching in vain for something to hold on to. She scrambled up the rocky bank onto nearby railroad tracks, heading toward houses on higher ground to get help. The rushing waters had torn her pants and shoes off, but she survived with a fractured jaw. . . . Residents and first responders later looked unsuccessfully for Blevins. Blevins, 38, died during the flooding, leaving behind Owens and his three children.

A confluence of meteorological and geographical factors turned this hard summer rain into a destructive torrent. In less than 2 hours the river rose 14 feet above its normal flow. Shops and restaurants that line Main Street were swamped and flooded as water

rushed down the street and rose underneath it. The Tiber, usually just an inch or two of water running through a reinforced channel below some of the buildings, swelled during the storm.

You can see a little bit here of the damage that we are talking about in this photograph. I had a chance to see this firsthand, and it was incredible that buildings had been completely washed away. The river normally flowed underneath that and has for a long time, but because of construction and because of the amount of water that fell, the water was funneled into Main Street, and it became a force of itself going down Main Street, as well as the river rising below it, causing major destruction.

Jessica Lynn Watsula also died in the flood. Again, as the Baltimore Sun reports, she was a 35-year-old mother who lived in Lebanon, PA, and had gone to Portalli's in Ellicott City that night with three women for a girls' night out.

Watsula dropped off her 10-year-old daughter at her brother's home and drove two hours from Pennsylvania for dinner and painting Saturday in Ellicott City—a chance to share an evening with her sister-in-law and two other relatives.

As the four women left Portalli's Italian restaurant on Main Street in the historic district, a wave of flood water began to sweep their car away. They got out and clung to a telephone pole as waist-high water rushed over them.

Watsula was swept away and died in the flood.

As we mourn the loss of Joseph Blevins and Jessica Watsula, let me thank the citizens of Ellicott City who undoubtedly saved many lives with their heroic actions during this historic and deadly flood.

I am pleased that our congressional delegation has moved quickly to facilitate the emergency help for families, communities, homeowners, and small businesses to recover from this disaster.

I want to recognize and praise the Federal agencies who stepped up to the plate and worked hand-in-hand with our State and local officials.

Let me start by thanking the Small Business Administration and specifically SBA Administrator Maria Contreras-Sweet for her tremendous help to the people of Ellicott City. The SBA's survey of Ellicott City found more than the 25 structures—with 40 percent or more of uninsured damage—required to recommend an SBA physical declaration. At least 60 homeowners, renters, and businesses in Ellicott City and surrounding areas sustained major damage or were destroyed. More than 80 structures sustained minor damage as well.

In this case, the Federal disaster declaration from the SBA was necessary to ensure Howard County business owners got the physical disaster loan assistance and economic injury disaster

loan assistance they need to repair or replace real estate, personal property, equipment, or inventory damaged or destroyed in the disturbance. I know many of these shopowners. These are not chains; these are small business people who have set up their own unique businesses providing retail services in a way that reminds us of how retail used to be in this country. Main Street in Ellicott City is Main Street America. These people are very resilient, but when you have this type of damage and you know how long it is going to be before you can return the structure to its use, it requires a helping hand.

I was pleased that the SBA came through for the citizens of Ellicott City by approving a formal disaster declaration which will allow the homeowners, businesses, and nonprofit organizations impacted by this epic storm and resultant floodwaters to apply for economic injury disaster loans, which provide low-interest assistance to help businesses meet their financial obligations and pay ordinary and necessary operating expenses.

The SBA has repeatedly proven its willingness and ability to help Marylanders struck by crisis. I express my sincere thanks to the SBA for the assistance extended to our neighbors in need, and I will continue to work with Team Maryland, including Senator MIKULSKI and Congressman CUMMINGS, to identify additional resources to aid Ellicott City. The Maryland delegation has come together to support the State's request for a Federal disaster declaration for Howard County after the deadly and devastating flood in Ellicott City.

Given the massive impact this flooding had on our State and our local resources, I have joined my colleagues in the Maryland delegation in writing a letter to the President urging him to approve the Federal disaster declaration at the request of our Governor, Larry Hogan.

I also acknowledge the extraordinary help from officials from Region III of the Federal Emergency Management Agency and in particular MaryAnn Tierney. Region III offices are headquartered in Philadelphia but include the State of Maryland. So I appreciate Administrator Tierney coming down for a site visit to oversee the joint preliminary assessment. She was there immediately. I met with her. She understood the urgency and the importance of being on the ground. I was pleased to have the opportunity to meet with her and others during her site visit to Ellicott City. I thank her for her coordination with State and local officials in responding to this disaster.

FLOWER BRANCH APARTMENTS EXPLOSION AND FIRE IN SILVER SPRING, MARYLAND

Mr. President, I also want to share with my colleagues another major disaster that occurred in Maryland over

the Senate recess. On August 10, a massive explosion and fire took place at the Flower Branch Apartments in Silver Spring, MD. Seven individuals died in the catastrophe, which caused dozens of injuries and displaced over 100 residents.

I was at this scene also. We lost life. People lost their lives, and I am going to mention their names. I was surprised to find that there were survivors when I took a look at the amount of damage that was done by this explosion. The first responders showed me parts of the building that were found hundreds of yards away, mangled by the force of the explosion. There was immediately a fire that consumed the rest of the premises. As the Washington Post reported, the destruction was so devastating that authorities were unable to immediately determine how many people died. There was difficulty in making identifications.

Among the victims were two little boys, Deibi Morales and Fernando Hernandez, who had become friends as their mothers undertook new lives in the United States; a couple, Augusto Jimenez and Maria Castellon, who built a house-cleaning business; and a retired painter, Saul Paniagua, who doted on his grandchildren. We mourn all their lives, and we extend our deepest condolences to their families.

I toured this site recently with Montgomery County Executive Ike Leggett and other Federal, State, and local officials, including officials from the Montgomery County, MD, Fire and Rescue Service. Our hearts go out to the families who have been impacted by this horrible tragedy in Montgomery County.

I want to thank the first responders, State and local officials, as well as a wide range of nonprofit, faith-based and community groups who have answered the call to help victims, families, and loved ones begin to put their pieces back together as best they can. It was heartwarming to see the community outpouring to help those who were homeless immediately as a result of this disaster and to provide whatever they could.

They provided help to the first responders. The temperature was over 100 degrees during the period of time this occurred. There were oppressive temperatures and very difficult working conditions. The community came together to help the first responders. We had a team come in from out of town who is expert in this type of accident to help us in dealing with this tragedy.

I thank everybody for their help in trying to do what we could to help those who are fighting and helping to locate the survivors and to those who were victimized by this explosion.

At the Federal level, I commend the work of the Bureau of Alcohol, Tobacco, Firearms and Explosives in helping with the investigation of this massive explosion and fire.

I am pleased that the National Transportation Safety Board has launched a formal investigation into this incident, and that is because there is an expected gas line issue involved in the explosion. I am hopeful that the National Transportation Safety Board investigation will uncover the causes of the explosion and fire and hold individuals accountable for any wrongdoing, as well as lead to additional safety recommendations as to how to help prevent these types of devastating explosions in the future.

We should also examine our outreach and education efforts to the immigrant community to make sure that all residents are aware of the rights and government services available to them. This community is an immigrant community. For many, English is not their first language. It was an additional challenge to make sure they understood that we were there to help and that we wanted to make sure we did everything we could to make sure they were properly taken care of.

Again, I thank the Federal, State, and local government agencies that helped the citizens of Ellicott City and Silver Spring respond to these terrible disasters. Working with our nonprofits and faith-based communities, we can recover and rebuild from these tragedies.

As I said in the beginning, this is just another example of why it is critically important that we do our job here and that we pass the necessary appropriations bills so that our Federal partners can help our State and local governments help those who are victimized by these types of disasters, that they knew they have the Federal agencies fully tooled, fully budgeted to help them respond to these tragedies.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENDING U.S. AID USED FOR PALESTINIAN ACTS OF TERRORISM

Mr. COATS. Mr. President, in June I spoke on the floor about the appalling practice of the Palestinian Authority to reward terrorists and encourage more terrorism against Israeli citizens and Americans. My purpose then was to draw attention to these payments and especially the fact that U.S. taxpayer money was being used in this disgusting way. I had hoped that others would share my outrage. Unfortunately, that has not yet occurred, although I think it will.

Already, the country of Norway has raised this issue through its Foreign Minister. Just recently, a German parliamentarian of the Green Party raised

this issue. Countries are becoming aware of the fact that they are subsidizing terrorist acts by Palestinians against Jews and against Americans in Israel and that aid money which is going to that country from our countries—from a number of foreign countries—is being used for that purpose.

Let me give some of the facts regarding that. I want to repeat these. Some of this is a repeat of what I said in June, but I think this is so unconscionable, such inhumane behavior that we are subsidizing, that we need to understand what it is and we need to take action to make sure this does not continue.

Since 1998, the Palestinian Authority, which I will refer to as the PA, has been honoring and supporting Palestinian terrorists serving criminal sentences in Israeli prisons and rewarding the families of those terrorists, those who have committed these criminal acts, rewarding their families with financial support based on the severity of the crime.

As we have learned through some documentation obtained, this system has now been formalized and expanded by President Abbas's Presidential directives. Palestinian terrorist prisoners are regarded by the PA as patriotic fighters, as heroes, and actually as employees of the government of the Palestinian Authority. While in prison, they and their families are paid premium salaries and given extra benefits as rewards for their terrorist actions. When they are released from custody, the terrorists then become civil service employees. Shockingly, monthly salaries for both incarcerated and released prisoners are on a sliding scale, depending on the severity of the crime and the length of the prison sentence. Thus, the more heinous the crime, the longer the sentence, and a longer sentence entitles the criminal and his family to a much higher premium salary. For example, a Palestinian prisoner with a 5-year sentence because they committed a criminal act against an Israeli or an American citizen or someone who is not a Palestinian receives about \$500 per month, whereas a more serious criminal, say serving a 25-year sentence, perhaps for murder, receives \$2,500 a month. It is an incentive to do an evermore criminal, heinous act against a human being. They are paid on a sliding scale basis. That, by the way, is six times the average income of a Palestinian worker. Where else in the world does a prisoner receive such benefits that actually increase with the severity and violence of the crime? U.S. Federal prisoners, for instance, earn between 35 cents and \$1.15 per hour and certainly not on a sliding scale and certainly not to that level.

In May of 2014, Palestinian President Mahmoud Abbas issued a Presidential

decree that moved this payment system from the PA to the PLO, the Palestinian Liberation Organization. The openly acknowledged reason for this shift was to sidestep the increasingly critical scrutiny of this payment system by foreign governments—including us, the United States—that are contributing so much of the money that keeps the PA afloat. So they were receiving criticism, and there were inquiries by countries providing aid, including ours, including our State Department, and including some legislation that was enacted by the Congress. They created a shell game. They simply took the money that was given to the Palestinian Authority, and because there was criticism of their use of it as to these payments, they shifted it to the PLO through a shell game process that they thought we would not discover, and we did. Fortunately, we did.

Unfortunately, given these facts, given the fact that we now know what is happening with American taxpayer dollars and some of our allies' taxpayer dollars, there should not be any question in terms of what is happening and what we ought to do, but apparently many of our leaders have been intentionally turning a blind eye to this practice in the hopes that we will ignore what is going on.

This nefarious scheme has been going on now for 18 years and almost no one has been saying anything about it. That is why I am on the floor today, that is why I was on the floor in June, and that is why I will be on the floor again to continue to bring these facts to light so we can take action to prevent this from happening.

Where is the outrage—outrage over the fact that a government is deliberately encouraging and financially rewarding its citizens to engage in a criminal act.

This administration has explicitly avoided criticism of the PA on this matter, and it is ignoring the misuse of taxpayer money and helping the PA reward its terrorists to honor its martyrs. It is time they stood up, acknowledged the facts, and put an end to this. How can this silence be consistent with our antiterrorist efforts and counterterrorist efforts? How can this silence be ignored?

One answer is that the administration has ignored the misuse of taxpayer dollars simply because it doesn't want to stir the pot. There are problems in the Middle East. We are dealing with a number of them. I am just speculating, but maybe the conclusion is let's not raise another issue that could cause further conflict in the Middle East.

Yet there are worse things here than just silence because not only does the State Department decline to actively oppose these terrorist payments, they even offer false excuses for the outrage, excuses no rational person would believe. For instance, the Department of

State's Bureau of Counterterrorism said in a recent report that this payment system was "an effort to reintegrate [released prisoners] into society and prevent recruitment by hostile political factions." This is simply an absurd interpretation of the terrorist rewards programs, and its far more sinister motives are obvious to anyone who is paying attention.

At the same time, we must admit that this payment scheme has gotten little or no attention in the Senate. For 18 years, the PA has been using American taxpayer money to reward terrorists. Yet until I spoke about it in June, I am not aware this subject has even come up on the Senate floor in any of the recent years. We should be holding hearings on this issue in appropriate Senate committees, as there have been recently in the House of Representatives, and thank goodness for that. More of my colleagues should be demanding that we stop financing such a scheme and we should enact legislation to impose that solution, if necessary.

I can only speculate why outside groups that support Israel are also hesitant to press Congress to take action. Some may be reluctant to impose more pressure on a financially weak and dependent PA, believing that it would deprive Abbas of what little remains of his authority and status as a negotiating partner, thus making a negotiated settlement even less likely.

Even some Israeli officials may share this view and have worked for years to act as a brake on efforts by Congress to cut off aid, presumably to preserve the PA's stability as a West Bank security provider. Well, we have seen where that has gone—nowhere.

Despite possible consequences, we simply cannot give the PA a pass to support, to condone, and even reward terrorism, no matter what the consequences might be. The Palestinian Authority does not deserve immunity just because of its fragility. These payments provide rewards and motivations for brutal terrorists, plain and simple. To provide U.S. taxpayer money to Abbas and his government so they can treat terrorists as heroes or glorious martyrs is morally unacceptable.

To tolerate such an outrage because of concern for Abbas's political future or preserving the PA's security role amounts to self-imposed extortion. If the PA's fragile financial condition requires U.S. assistance, then it is their policy—not our policy—that needs to change.

We need an immediate response to this outrage.

First, I am working with my colleagues to end American financial support for incarcerated terrorists or the families of these so-called martyrs. We will identify the amount of money that flows from the PA to the PLO for this purpose and cut U.S. assistance by that amount, at the very least.

Legislation to that effect is now in both the House and the Senate versions of appropriations bills, and we must work together to ensure that this language survives any future omnibus or continuing resolutions and is repeated in future appropriations bills.

If this partial cutoff of U.S. aid is not sufficient to motivate the Palestinian Authority to end this immoral system of payments to terrorists, we should propose a complete suspension of financial assistance until they change their policy.

I am aware that suspending assistance to the Palestinians will have other consequences that we and Israel will have to address, but I believe the pressure that we and other like-minded governments could apply to this matter will bring President Abbas and other Palestinian officials to their senses.

In any case—whether it does that or not—the moral imperative is clear: Payments that reward and encourage terrorism must be stopped and must be stopped now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

PRESCRIPTION DRUG PRICES

Ms. KLOBUCHAR. Mr. President, I rise to bring attention to an urgent issue affecting all Americans. Actually, the No. 1 issue I heard about when I was home—and especially at our State fair, which, by the way, is the biggest State fair in the country because we don't count Texas because they are open for a month. But there were 2 million people, a record crowd, 1.9 million to be exact.

I went out there most of the days, and I was able to talk to folks right where they were. The issue they are talking about is the high cost of prescription drugs in our country. The price of insulin has tripled in the last decade. The price of the infectious disease drug Daraprim has increased 5,000 percent overnight. The antibiotic Doxycycline went from \$20 a bottle to nearly \$2,000 a bottle in just 6 months. Of course, the price for an EpiPen—which received so much attention over the last few weeks, which is used to treat life-threatening allergies, my daughter carries one wherever she goes—shot up nearly 500 percent since 2007.

It seems every week we hear another disturbing report of drug companies focused on profits. According to a 2016 Reuters report, prices for 4 of the Nation's top 10 drugs increased more than 100 percent since 2011. The report also shows that sales for those 10 drugs went up 44 percent between 2011 and 2014, even though they were prescribed 22 percent less.

I continue to hear from people across my State and the Nation about the burdensome cost of prescription drugs. There are heartbreaking stories about

huge pricetags that are stretching families' budgets to a breaking point. This is just an example. I brought these examples home with me from the State fair and then brought them to Washington. These are from just a few days at our State fair booth, where people came up and filled out cards about their stories of increasing drug prices. These are just a few of the emails we have received since August 25 and calls we have received in our office every single day.

For example, take the Dwyer family from Cambridge, MN. At 11 years old, Abby was diagnosed with a rare form of leukemia. A few years later, her older brother Aaron was diagnosed with stage III lymphoma. Thankfully, both Abby and Aaron are doing much better, but the family faced astronomical out-of-pocket expenses during their treatment. Abby is on a drug with an average wholesale price in the United States of \$367 per day, which is double the average price in other countries.

Another example is a family from Elk River, MN. Due to their son's allergies, they must buy four EpiPens a year—two for home, one for school, and one for daycare. That is not overdoing it. I can tell you, having had a child with allergies since she was 4 years old, you don't just buy one. You have to buy one for school, then you also have to maybe buy one for grandma's house, and then one gets lost—so you end up not buying just one EpiPen. In reality, most families are buying four to six, which are two packs, three packs, sometimes even four packs. This family from Elk River, MN, buys four EpiPens a year: two for home, one for school, and one for daycare.

This year the family paid \$533 for a two-pack, even after using Mylan's coupon. They shouldn't be forced to spend over \$1,000 each year just to make sure their son is safe every single day.

I recently heard from a family in Lakeville, MN, whose daughter was diagnosed with type 1 diabetes. She needs insulin on a daily basis. This means paying \$100 a month for Humalog, which is a fast-acting form of insulin. This significant financial burden is on top of all the other costs they pay for their daughter's diabetes, including test strips, an insulin pump, and a glucose monitor.

Unfortunately, these families are not alone. A recent study showed that one out of four Americans whose prescription drug costs went up said they were unable to pay their bills. One out of five were forced to skip doses of their medication. Seven percent of people even missed a mortgage payment due to rising prescription drug costs. That is just not right, and our country must do better.

I think one of the most frustrating things about it, having heard about the EpiPen—all because of my role with

this all during the last few weeks—is that I got screen shots of photos of this exact same product in Australia for \$150 from someone who saw it online.

In Great Britain, I was on a show broadcast out of Europe, and there the host had it right there on the screen at 150 bucks. In fact, the Canadian prices—Minnesota being so close to Canada—are, on average, 50 percent of American drugs across the board.

Of course, the burden extends beyond patients, the States, and the Federal Government. Programs such as Medicare, Medicaid, and the State Children's Health Insurance Program, or SCHIP, paid roughly 41 percent of the Nation's prescription drug costs. When drug prices increase with abandon, American taxpayers are left footing the bill. So people who think, well, I don't need one of those EpiPens, they are paying for it because Medicaid is buying them because SCHIP is buying them and because Medicare is buying them.

Just last week, we learned that the company that manufactures EpiPen and perhaps other companies have found ways to make taxpayers pay even more. Mylan marketed EpiPen like a brand-name drug, right? We heard about it this week because they just—and we will appreciate that—introduced a generic version. However, their other version, their marketing version, controlled at least 85 percent of the market. They would claim they were having some innovations, and that is how they justified that enormous price increase from \$100 to about \$600 from 2009 to the present.

However, through the Medicaid Program—so, remember, they are marketing it not as a generic. Everyone knew that because they just introduced a generic. Well, in the Medicaid Drug Rebate Program they wrongly classified—we found out this week, when I sent a letter with Senator GRASSLEY and Senator BLUMENTHAL, that they wrongly classified EpiPen as a generic drug to the government. To the government, they claimed it was a generic drug. This classification means that Mylan has been paying lower rebates to Medicaid, increasing the burden on taxpayers.

So you think, OK, misclassification, what does that mean? Well, I can tell you what that means.

In Minnesota alone—because I specifically asked about Minnesota—in 1 year, my State overpaid an estimated \$4.3 million. Why don't we multiply that out by all the States in the Union and all the years it has been happening? At this point, we do not know the total amount taxpayers have overpaid on EpiPen or how many other drugs from other companies are misclassified. That is why I have called on the Department of Health and Human Services to conduct a nationwide investigation to determine how

much the misclassification of, first, EpiPen has cost States and the Federal Government, and, two, to identify other misclassified drugs from other companies.

Take these examples from the Canadian International Pharmacy Association. In the United States, a 90-day supply of ABILIFY, a drug used to treat depression and other mental health disorders, costs \$2,621. In Canada, a 90-day supply of the exact same drug is only \$467, which is over 80 percent cheaper.

So you see these examples of these high-priced drugs. I think one of the things we need to do—and I don't know how those are classified—is to see how these are being classified for Medicaid purposes.

Working with the Department of Justice, HHS should use all the tools it has to recover any overpayments. We have asked specifically about EpiPen. Well, Mylan paid almost \$120 million—I don't think this has been that well known—back in 2009 to correct a misclassification of drugs. That was in 2009. Now we find out with EpiPen, which is about 10 percent of their profits, that this has been misclassified for years and years and years.

Misclassification is just one way the government and, as a result, taxpayers are paying more than necessary for prescription drugs. One thing is absolutely clear: We must act now to make the cost of prescription drugs more affordable for all Americans. There is not one silver bullet that will fix the problem across the board, but there are some commonsense solutions to address the problem. Today I am going to offer four such solutions, any one of which would provide real relief, but the best way is to do all of them.

The first is this. I mentioned Canada a few times. In fact, I just mentioned some of the Canadian prices for the drugs. In Minnesota we can see Canada from our porch. They spend a lot less money than we do on prescription drugs. As I mentioned, last year average prescription drug prices in Canada were less than half as expensive as they were in the United States—a price gap that has expanded significantly over the last 10 years. I mentioned a few of them—Abilify. There is Celebrex, an anti-inflammatory drug, which costs \$884 in the United States for a 90-day supply. In Canada it is \$180. That is nearly 80 percent less. I mentioned EpiPen, at \$623. Of course, now we are going to get the rebate and the generic introduced after a public outcry, which is not the way it should be working. A two-pack in Canada costs 62 percent less, at \$237.

These staggering differences are why I introduced bipartisan legislation with Republican Senator JOHN MCCAIN to allow Americans to safely import prescription drugs from Canada. The Safe and Affordable Drugs from Canada Act

would require the FDA to establish a personal importation program that would allow Americans to import a 90-day supply of prescription drugs from an approved Canadian pharmacy.

Now, there may be other safe drug suppliers in other countries. I think we know that. But we thought, in order to get the noise down, let's focus on one country, our neighbor and one of our best trading partners, and why not just go with the friendly people of Canada for an experiment to see how this works to allow some competition by allowing these drugs in from Canada.

To provide needed safeguards, the FDA would publish an online list of approved Canadian pharmacies so people know where they can purchase safe drugs. These approved pharmacies would need to have both a brick-and-mortar and an online presence, and they must have been in business for at least 5 years. Also, these pharmacies would not be permitted to resell products purchased outside of Canada. The drugs from Canada would need to be dispensed by a licensed pharmacist and be required to have the same active ingredient, route of administration, and dosage form and strength as an FDA-approved drug.

There would also be safeguards to ensure that the personal importation program is not subject to abuse. Patients must have a valid prescription from a doctor. Certain types of drugs, including controlled substances, would not be permitted.

This is a safe and commonsense step that would save families real money and inject greater competition. We are about competition in this country. That is how we bring prices down. We have a friendly neighbor to the north that clearly has lower priced drugs than ours, and that is why Senator MCCAIN and I have joined, along with Senators SUSAN COLLINS and ANGUS KING of Maine and many others, to say: Let's do this. That is one solution.

A second solution is this: Pay for delay. This is of one of those things that, when I told our citizens in Minnesota about this at our State fair, they could not believe it. Beyond the drug importation legislation, we can crack down on illegal pay-for-delay deals that prevent less expensive generic drugs from entering the market.

Pay-for-delay agreements occur when a brand-name drug company—a pharmaceutical company—pays a generic drug competitor—a potential competitor—not to sell its products. This is going on in the United States of America.

My booth at the State fair is next to Bob's Snake Zoo, and sometimes people come out yelling and screaming because they get a little scared from the snakes, but this is scarier than that. In fact, pharma companies are paying generic companies to keep their products out of the marketplace.

That is why I have introduced the Preserve Access to Affordable Generics Act with Republican Senator CHUCK GRASSLEY of Iowa. This gives the Federal Trade Commission greater ability to block these anti-competitive agreements.

By allowing generic drugs to enter the market more quickly, the government would save money through the purchase of lower cost generic substitutes. That is why it is estimated that limiting these sweetheart deals would generate over \$2.9 billion in budget savings over 10 years and save American consumers billions on their prescription drug costs.

Who can be against this? You literally have two competitors, one accepting money and one paying them off to keep their products off the market. The Supreme Court heard a case which made some difference. The SEC has a bunch of open cases, but it has been agreed at hearing after hearing that Senator GRASSLEY and I have held that this would be a smart thing to do. Remember, it would save the government \$2.9 billion, but it would also save the consumers.

The third good idea is allowing Medicare to negotiate prices. This is another thing where Minnesotans and Americans cannot believe this is the case, but in fact the combined incredible market power of the seniors of America has not been unleashed in terms of getting good deals for the seniors of America.

Under current law, prescription drugs for Medicare beneficiaries are provided through private prescription drug plans. The plans are responsible for crafting benefit packages and negotiating with pharmaceutical companies for prices and discounts. The Department of Veterans Affairs and Medicaid can currently negotiate drug prices with pharmaceutical companies, but the law bans Medicare from doing so. This makes no sense, and it is a bad deal not just for our seniors but for all taxpayers.

That is why I introduced the Medicare Prescription Drug Price Negotiation Act. This legislation would allow Medicare to directly negotiate with drug companies for price discounts. The Federal Government would leverage its large market share to negotiate better prices for more than 30 million seniors—that is market power—covered under Medicare Part D.

Last and finally, there is the CREATES Act. I worked on this bill with Senator PATRICK LEAHY, Senator GRASSLEY, and Senator MIKE LEE to introduce the bipartisan Creating and Restoring Equal Access to Equivalent Samples Act. That is a mouthful, but what it would do is to put an end to strategies that delay generic competition and cost American consumers billions of dollars.

To receive approval from the Food and Drug Administration, a generic

must test its products against the brand name product to establish equivalence. You would want that. Without access to brand name samples, there can be no generic product.

For a long time, generic companies would simply buy these samples from a wholesaler. Now, some brand name companies prevent generic companies from obtaining samples, or the brand name company simply refuses to negotiate safety protocols with the generic company. In either case, the longer the brand name company can delay the generic company's approval, the longer the brand name maintains its monopoly.

The CREATES Act would allow a generic drug manufacturer facing one of these delay tactics to bring an action in Federal court in order to obtain the needed samples or stop a branded company from dragging its heels on negotiating safety protocols. The bill would also allow a Federal judge to award damages in order to deter future delaying conduct.

The Congressional Budget Office estimates that this bill would save the government \$2.9 billion over 10 years. The savings to consumers and private insurance companies would likely be far greater.

So let's review this, as my colleagues come to the floor. Solution No. 1 is to allow for safe drugs from Canada. It would bring down the prices and would bring in competition. This is a bipartisan bill—Democrats and Republicans—that I have with Senator JOHN MCCAIN.

Solution No. 2 is to allow for more generic competition by passing the CREATES Act, which I just mentioned. That bill is with Senators LEAHY, GRASSLEY, LEE, and myself. That is a bipartisan bill that allows for samples to go quickly to the generic companies so they can actually create the drugs that will compete and bring the prices down.

Solution No. 3 is to stop those pay-for-delay deals that are unbelievable. That would bring in, according to CBO estimates, \$2.9 billion over 10 years, by saying to the generics and the pharma companies: You can't pay each other to stop competition. Competition helps consumers.

And here is the final idea, which I think is the biggest idea: negotiation under Medicare Part D. This would finally take the kind of negotiation we see at the Veterans Administration, which has brought down the prices for the veterans of America, and harness the bargaining power of 39 million seniors so that we get better prices.

These are four ideas, and three of them have Democratic and Republican sponsors. I want to vote on these proposals because I believe, based on what I saw at our State fair booth—again, with just a few days of the cards we received—that these anticompetitive

practices have to stop and we need to bring down the prices of prescription drugs for the hardworking Americans in this country.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, being one of the managers of the bill, the WRDA bill that we are all anxious to consider, along with Senator BOXER—she and I as well as the leadership, are in agreement, that we should take this bill and consider it. I do have a talk I want to give concerning the bill but with the understanding that I have been asking for amendments to come forward from the Republicans primarily. She has done the same with Democrats. I believe there are a number of amendments that have come forward. However, the way we are going to run this is that any amendments that are going to be considered, No. 1, must be germane and, No. 2, have to be acceptable by both managers of the bill—Senator BOXER and myself.

With that, I ask that we move forward on this bill and yield to the leadership.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am in full agreement with the remarks of my chairman, Senator INHOFE. Once again, I think we have proven we can get this done. We can get infrastructure done. I think the way the agreement came together with the two leaders is excellent. We are going to go to the bill and any amendments have to be looked at by the two managers, and we have to agree before those amendments go into the managers' package.

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, we have given everyone our amendments. There are seven. I think that everything can be worked out on all of them. There is one that is relevant to the underlying legislation that is offered by the Senator from Connecticut, Mr. BLUMENTHAL. I am not sure that I want to go into this deal where both of you have to approve that amendment. I think he should at least be allowed to have a vote. We have agreed that a half-hour debate on it is plenty, at least on that one. If you can't work something out, I want to have a vote on Blumenthal. That doesn't sound unreasonable. On six of them, Senator BOXER can do what she thinks is appropriate. On Blumenthal, if you can't work something out to his satisfaction, I want a half-hour debate and a vote on it.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I think we have a broad bipartisan agreement here that we would like to pass the bill. Nobody wants to be unreasonable. We have heard from both

the chairman and the ranking member that whatever interest there is in the bill is related to the bill. What I am going to propound here is an opportunity for us to get onto the bill and to move forward. I think this is as close to a good-faith situation as I can imagine, and I hope we trust each other enough to go forward and complete a bill that almost everybody seems to be in favor of. I don't know how to reassure my good friend, the Democratic leader, but I hope I have.

Mr. REID. Mr. President, I do not understand why we can't have the two managers agree that they will do their best to work out these amendments of ours and of theirs. But if we can't, I want to at least have a vote, and you can vote it down if you have to, but I want to make sure that Blumenthal is protected. If we can't work something out, then we have a vote on it—one vote.

Mr. MCCONNELL. All I would say is there may well be some votes. I would recommend people talk to the chairman and the ranking member, and let's process the bill.

Mr. REID. Why can't we have a vote on Blumenthal? That is all—one vote, 30 minutes. If you work it out to satisfaction, we don't need to have that vote. What could be more reasonable than that?

Mrs. BOXER. Mr. President, my understanding about this amendment is that it is a jurisdictional dispute between Democratic Senators. I think the best way to go is to see if we, JIM and I, can do what we have done before when we have had conflict among our colleagues. We worked it out with Senators on the other side of the aisle last time we did WRDA. We should have a chance. I don't think that—

Mr. REID. If I can interrupt my friend from California—

Mrs. BOXER. I will stop.

Mr. REID. I don't object. Let's go ahead with the bill.

Mr. MCCONNELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. The motion to proceed to S. 2848.

Mr. MCCONNELL. I know of no further debate on the motion to proceed.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to proceed.

The motion was agreed to.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Water Resources Development Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Limitations.

TITLE I—PROGRAM REFORMS

- Sec. 1001. Study of water resources development projects by non-Federal interests.
- Sec. 1002. Advanced funds for water resources development studies and projects.
- Sec. 1003. Authority to accept and use materials and services.
- Sec. 1004. Partnerships with non-Federal entities to protect the Federal investment.
- Sec. 1005. Non-Federal study and construction of projects.
- Sec. 1006. Munitions disposal.
- Sec. 1007. Challenge cost-sharing program for management of recreation facilities.
- Sec. 1008. Structures and facilities constructed by the Secretary.
- Sec. 1009. Project completion.
- Sec. 1010. Contributed funds.
- Sec. 1011. Application of certain benefits and costs included in final feasibility studies.
- Sec. 1012. Leveraging Federal infrastructure for increased water supply.
- Sec. 1013. New England District headquarters.
- Sec. 1014. Buffalo District headquarters.
- Sec. 1015. Completion of ecosystem restoration projects.
- Sec. 1016. Credit for donated goods.
- Sec. 1017. Structural health monitoring.
- Sec. 1018. Fish and wildlife mitigation.
- Sec. 1019. Non-Federal interests.
- Sec. 1020. Discrete segment.
- Sec. 1021. Funding to process permits.
- Sec. 1022. International Outreach Program.
- Sec. 1023. Wetlands mitigation.
- Sec. 1024. Use of Youth Service and Conservation Corps.
- Sec. 1025. Debris removal.
- Sec. 1026. Oyster aquaculture study.
- Sec. 1026. *Aquaculture study.*
- Sec. 1027. Levee vegetation.
- Sec. 1028. Planning assistance to States.
- Sec. 1029. Prioritization.
- Sec. 1030. Kennewick Man.
- Sec. 1031. Review of Corps of Engineers assets.
- Sec. 1032. Review of reservoir operations.
- Sec. 1033. Transfer of excess credit.
- Sec. 1034. Surplus water storage.
- Sec. 1035. Hurricane and storm damage reduction.
- Sec. 1036. Fish hatcheries.
- Sec. 1037. Feasibility studies and watershed assessments.
- Sec. 1038. *Shore damage prevention or mitigation.*

TITLE II—NAVIGATION

- Sec. 2001. Projects funded by the Inland Waterways Trust Fund.
- Sec. 2002. Operation and maintenance of fuel-taxed inland waterways.
- Sec. 2003. Funding for harbor maintenance programs.
- Sec. 2004. Dredged material disposal.
- Sec. 2005. Cape Arundel disposal site, Maine.
- Sec. 2006. Maintenance of harbors of refuge.
- Sec. 2007. Aids to navigation.
- Sec. 2008. Beneficial use of dredged material.
- Sec. 2009. Operation and maintenance of harbor projects.
- Sec. 2010. Additional measures at donor ports and energy transfer ports.
- Sec. 2011. Harbor deepening.
- Sec. 2012. Operations and maintenance of inland Mississippi River ports.
- Sec. 2013. Implementation guidance.
- Sec. 2014. Remote and subsistence harbors.
- Sec. 2015. Non-Federal interest dredging authority.
- Sec. 2016. Transportation cost savings.
- Sec. 2017. Dredged material.

TITLE III—SAFETY IMPROVEMENTS

- Sec. 3001. Rehabilitation assistance for non-Federal flood control projects.
- Sec. 3002. Rehabilitation of existing levees.
- Sec. 3003. Maintenance of high risk flood control projects.
- Sec. 3004. Rehabilitation of high hazard potential dams.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

- Sec. 4001. Gulf Coast oyster bed recovery plan.
- Sec. 4002. Columbia River.
- Sec. 4003. Missouri River.
- Sec. 4004. Puget Sound nearshore ecosystem restoration.
- Sec. 4005. Ice jam prevention and mitigation.
- Sec. 4006. Chesapeake Bay oyster restoration.
- Sec. 4007. North Atlantic coastal region.
- Sec. 4008. Rio Grande.
- Sec. 4009. Texas coastal area.
- Sec. 4010. Upper Mississippi and Illinois Rivers flood risk management.
- Sec. 4011. Salton Sea, California.
- Sec. 4012. Adjustment.
- Sec. 4013. Coastal resiliency.
- Sec. 4014. *Regional intergovernmental collaboration on coastal resilience.*

TITLE V—DEAUTHORIZATIONS

- Sec. 5001. Deauthorizations.
- Sec. 5002. Conveyances.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

- Sec. 6001. Authorization of final feasibility studies.
- Sec. 6002. Authorization of project modifications recommended by the Secretary.
- Sec. 6003. Authorization of study and modification proposals submitted to Congress by the Secretary.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

- Sec. 7001. Definition of Administrator.
- Sec. 7002. Sense of the Senate on appropriations levels and findings on economic impacts.

Subtitle A—Drinking Water

- Sec. 7101. Preconstruction work.
- Sec. 7102. Priority system requirements.
- Sec. 7103. Administration of State loan funds.
- Sec. 7104. Other authorized activities.
- Sec. 7105. Negotiation of contracts.

- Sec. 7106. Assistance for small and disadvantaged communities.
- Sec. 7107. Reducing lead in drinking water.
- Sec. 7108. Regional liaisons for minority, tribal, and low-income communities.
- Sec. 7109. Notice to persons served.
- Sec. 7110. Electronic reporting of drinking water data.
- Sec. 7111. Lead testing in school and child care drinking water.
- Sec. 7112. WaterSense program.
- Sec. 7113. Water supply cost savings.
- Subtitle B—Clean Water
- Sec. 7201. Sewer overflow control grants.
- Sec. 7202. Small treatment works.
- Sec. 7202. *Small and medium treatment works.*
- Sec. 7203. Integrated plans.
- Sec. 7204. Green infrastructure promotion.
- Sec. 7205. Financial capability guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

- Sec. 7301. Water infrastructure public-private partnership pilot program.
- Sec. 7302. Water infrastructure finance and innovation.
- Sec. 7303. Water Infrastructure Investment Trust Fund.
- Sec. 7304. Innovative water technology grant program.
- Sec. 7305. Water Resources Research Act amendments.
- Sec. 7306. Reauthorization of Water Desalination Act of 1996.
- Sec. 7307. National drought resilience guidelines.
- Sec. 7308. Innovation in Clean Water State Revolving Funds.
- Sec. 7309. Innovation in the Drinking Water State Revolving Fund.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

- Sec. 7401. Drinking water infrastructure.
- Sec. 7402. Loan forgiveness.
- Sec. 7403. Registry for lead exposure and advisory committee.
- Sec. 7404. Additional funding for certain childhood health programs.
- Sec. 7405. Review and report.

Subtitle E—Report on Groundwater Contamination

- Sec. 7501. Definitions.
- Sec. 7502. Report on groundwater contamination.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

- Sec. 7611. Great Lakes Restoration Initiative.

PART II—LAKE TAHOE RESTORATION

- Sec. 7621. Findings and purposes.
- Sec. 7622. Definitions.
- Sec. 7623. Improved administration of the Lake Tahoe Basin Management Unit.
- Sec. 7624. Authorized programs.
- Sec. 7625. Program performance and accountability.
- Sec. 7626. Conforming amendments; updates to related laws.
- Sec. 7627. Authorization of appropriations.
- Sec. 7628. Land transfers to improve management efficiencies of Federal and State land.

PART III—LONG ISLAND SOUND RESTORATION

- Sec. 7631. Restoration and stewardship programs.
- Sec. 7632. Reauthorization.

Subtitle G—Offset

- Sec. 7701. Offset.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.”.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h-1), is amended—

(1) in the first sentence—

(A) by striking “Whenever any” and inserting the following:

“(a) IN GENERAL.—Whenever any”;

(B) by striking “a flood-control project duly adopted and authorized by law” and inserting “an authorized water resources development study or project,”; and

(C) by striking “such work” and inserting “such study or project”;

(2) in the second sentence—

(A) by striking “The Secretary of the Army” and inserting the following:

“(b) REPAYMENT.—The Secretary of the Army”; and

(B) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if specific appropriations are provided by Congress for such purpose”; and

(3) by adding at the end the following:

“(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—

“(1) a State;

“(2) the District of Columbia;

“(3) the Commonwealth of Puerto Rico;

“(4) any other territory or possession of the United States; and

“(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”.

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit

entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

“(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

“(2) acceptance of the materials and services or funds is in the public interest.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Not later than 60 days after initiating an activity under this section,” and inserting “Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section.”; and

(B) by striking “a report” and inserting “an annual report”.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

[SEC. 1006. MUNITIONS DISPOSAL.

[Section 1027(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2(b)) is amended by striking “funded” and inserting “reimbursed”.]

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “, at full Federal expense,” after “The Secretary may”; and

(2) in subsection (b), by striking “funded” and inserting “reimbursed”.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity

that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

“(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

“(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.”.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the “Rivers and Harbors Act of 1899”), is amended—

(1) by striking “That it shall not be lawful” and inserting the following:

“(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful”; and

(2) by adding at the end the following:

“(b) LOCAL FLOOD PROTECTION WORKS.—Permission under subsection (a) for alterations to a Federal levee, floodwall, or flood risk management channel project [and associated features] may be granted by a District Engineer of the Department of the Army [or an authorized representative.]

“(c) CONCURRENT REVIEW.—

“(1) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

“(2) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in paragraph (1), the Chief of Engineers shall, to the maximum extent practicable—

“(A) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

“(B) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(ii) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).”.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is in-

creased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) USE OF CONTRIBUTED FUNDS IN ADVANCE OF APPROPRIATIONS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the “Flood Control Act of 1936”), is amended by striking “funds appropriated by the United States for”.

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

“(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

“(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘Flood Control Act of 1936’); and

“(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).”.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary shall review proposals to increase the quantity of available supplies of water through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.
(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

- (1) increasing the storage capacity of a reservoir owned by the Corps of Engineers;
- (2) diversion of water released from a reservoir owned by the Corps of Engineers—
 - (A) to recharge groundwater;
 - (B) to aquifer storage and recovery; or
 - (C) to any other storage facility;
- (3) construction of facilities for delivery of water from pumping stations constructed by the Corps of Engineers;
- (4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed or approved, as appropriate, under—

- (1) sections 203 and 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232);
- (2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);
- (3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and
- (4) section 14 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 408).

(d) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal under subsection (a) shall be provided by an entity other than the Federal Government.

(2) COST ALLOCATION.—A non-Federal entity shall only be required to pay to the Secretary the separable costs associated with operation and maintenance of a dam that are necessary to implement a proposal under subsection (a).

(e) CONTRIBUTED FUNDS.—The Secretary may receive from a non-Federal interest funds contributed by the non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(f) STUDIES AND ENGINEERING.—

(1) IN GENERAL.—On request by an appropriate non-Federal interest and subject to paragraph (2), the Secretary may—

(A) undertake all necessary studies and engineering for construction of a proposal approved by the Secretary under this section; and

(B) provide technical assistance in obtaining all necessary permits for the construction.

(2) REQUIREMENT.—Paragraph (1) shall only apply if the non-Federal interest contracts with the Secretary to provide funds for the studies, engineering, or technical assistance for the period during which the studies and engineering are being conducted.

(g) EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

- (1) the Upper Missouri River;
- (2) the [Apalachicola-Chattahoochee] *Apalachicola-Chattahoochee-Flint* river system; and
- (3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

“(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

- “(1) the types and number of restoration activities to be conducted;
- “(2) the physical action to be undertaken to achieve the restoration objectives of the project;
- “(3) the functions and values that will result from the restoration plan; and
- “(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

“(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).”

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

- (1) by inserting “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and
- (2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the

condition of infrastructure constructed and maintained by the Corps of Engineers, including [design and development] *research, design, and development* of systems and frameworks for—

- (1) response to flood and earthquake events;
- (2) pre-disaster mitigation measures; [and]
- (3) lengthening the useful life of the infrastructure; and
- (4) *identifying risks due to sea level rise.*

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) include measures to protect or restore habitat connectivity”; and

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(2) by adding at the end the following:

“(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.”

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”; and

(2) by striking “project, or separable element thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”;

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) DISCRETE SEGMENT.—The term ‘discrete segment’, with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment

in advance of completion of the total project or separable element of the project.

“(2) WATER RESOURCES DEVELOPMENT PROJECT.—The”;

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “project, or separate element thereof” and inserting “project, separable element, or discrete segment of a project”; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking “project” and inserting “project, separable element, or discrete segment”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “project, or a separable element of a water resources development project,” and inserting “project, separable element, or discrete segment of a project”; and

(C) by adding at the end the following:

“(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.”.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(C) RAIL CARRIER.—The term ‘rail carrier’ has the meaning given the term in section 10102 of title 49, United States Code.”;

(2) in paragraph (2), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”;

(3) in paragraph (3), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(4) in paragraph (5), by striking “and natural gas companies” and inserting “, natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws”.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by inserting subsection (a) and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

“(2) INCLUSIONS.—Activities under paragraph (1) may include—

“(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

“(B) research, development, training, and other forms of technology transfer and exchange; and

“(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.”.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

“(4) MITIGATION BANKS.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this para-

graph, the Secretary shall issue implementation guidance that provides for the consideration of the entire amount of potential credits available at in-kind, in-basin mitigation banks and in-lieu fee programs for water resource development project feasibility studies.

“(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

“(i) has an approved mitigation banking instrument; and

“(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.”.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

“(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.”.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking “\$1,000,000” and inserting “\$5,000,000”; [and]

(2) by [inserting] striking “accumulated snags and other debris” and inserting “accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel”; and

(3) by striking “or flood control” and inserting “, flood control, or recreation”.

SEC. 1026. OYSTER AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the oyster aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number, structure, funding, and regulation of oyster hatcheries in each State;

(3) the number of oyster aquaculture leases in place in each relevant district of the Corps of Engineers;

(4) the period of time required to secure an oyster aquaculture lease from each relevant jurisdiction; and

(5) the experience of the private sector in applying for oyster aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) Puget Sound.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).]

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121) is amended—

(1) by inserting “remove existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortia of States” after “working with a State”; and

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “restore or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Development Act of 2016”; and

(ii) in subparagraph (A)(ii), by striking “that—” and all that follows through “(II)” and inserting “that”; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “For” and inserting the following:

“(1) IN GENERAL.—For”; and

(D) by adding at the end the following:

“(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

“(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

“(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1041) or any subsequent Act; and

“(ii) that meet the criteria described in paragraph (1); and

“(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.”.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law or law of the State of Washington, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) CORPS OF ENGINEERS.—The Corps of Engineers shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. REVIEW OF CORPS OF ENGINEERS ASSETS.

Section 6002(b) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349) is amended by adding at the end the following:

“(6) The extent to which the property has economic, cultural, historic, or recreational

significance or impacts at the national, State, or local level.”.

SEC. 1032. REVIEW OF RESERVOIR OPERATIONS.

(a) IN GENERAL.—The Secretary, in consultation with the heads of other Federal agencies, as appropriate, shall review the operation of a reservoir, including the water control manual and rule curves, using the best available science, including improved weather forecasts and run-off forecasting methods in any case in which the Secretary receives a request for such a review from a non-Federal entity.

(b) PRIORITY.—In conducting reviews under subsection (a), the Secretary shall give priority to reservoirs—

(1) located in areas with prolonged drought conditions; and

(2) for which no such review has occurred during the 10-year period preceding the date of the request.

(c) DESCRIPTION OF BENEFITS.—In conducting the review under subsection (a), the Secretary shall determine if a change in operations, including the use of improved weather forecasts and run-off forecasting methods, will enhance 1 or more existing authorized project purposes, including—

(1) flood risk reduction;

(2) water supply;

(3) recreation; and

(4) fish and wildlife protection and mitigation.

(d) CONSULTATION.—In carrying out a review under subsection (a) and prior to implementing a change in operations under subsection (f), the Secretary shall consult with all affected interests, including—

(1) non-Federal entities responsible for operations and maintenance costs of a Federal facility;

(2) individuals and entities with storage entitlements; and

(3) local agencies with flood control responsibilities downstream of a facility.

(e) RESULTS REPORTED.—Not later than 90 days

[(d) RESULTS REPORTED.—Not later than 90 days] after completion of a review under this section, the Secretary shall post a report on the Internet regarding the results of the review.

[(e)](f) MANUAL UPDATE.—As soon as practicable, but not later than 3 years after the date on which a report under subsection [(d)] (e) is posted on the Internet, pursuant to the procedures required under existing authorities, if the Secretary determines based on that report that using the best available science, including improved weather and run-off forecasting methods, improves 1 or more existing authorized purposes at a reservoir, the Secretary shall—

(1) incorporate those methods in the operation of the reservoir; and

(2) as appropriate, update or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, and operational agreements with non-Federal entities.

[(f)](g) FUNDING.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to fund all or a portion of the cost of carrying out a review under subsection (a) or an update or revision of operational documents under subsection [(e)] (f), including any associated environmental documentation.

[(g)](h) EFFECT.—

(1) MANUAL UPDATES.—An update under subsection [(e)](2) [(f)](2) shall not interfere with the authorized purposes of a project.

(2) EFFECT OF SECTION.—Nothing in this section—

(A) authorizes the Secretary to carry out any project or activity for a purpose not otherwise authorized as of the date of enactment of this Act; or

(B) affects or modifies any obligation of the Secretary under Federal or State law.

[(h)](i) EXCLUSION.—This section shall not apply to reservoirs owned and operated by the Corps of Engineers in—

(1) the Upper Missouri River;

(2) the [Apalachicola-Chattahoochee] Apalachicola-Chattahoochee-Flint river system; and

(3) the Alabama-Coosa-Tallapoosa river system.

SEC. 1033. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through “Subject to subsection (b)” and inserting the following:

“(a) APPLICATION OF CREDIT.—

“(1) IN GENERAL.—Subject to subsection (b)”; and

(B) by adding at the end the following:

“(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1034. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1254) is amended by adding at the end the following:

“(5) TIME LIMIT.—

“(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

“(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

“(i) an identification of any outstanding information that is needed to make a final decision;

“(ii) the date by which the information referred to in clause (i) shall be obtained; and

“(iii) the date by which the Secretary will make a final decision on the request.”.

SEC. 1035. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 1036. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be

responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1037. FEASIBILITY STUDIES AND WATER-SHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

“(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.”.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through “The Secretary” and inserting the following:

“(A) REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary”; and

(2) by adding at the end the following:

“(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first \$100,000 of the feasibility study shall be a Federal expense.”.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end “, except that the first \$100,000 of the assessment shall be a Federal expense”.

SEC. 1038. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking “measures” and all that follows through “project” and inserting “measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project”; and

(2) by adding at the end the following:

“(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).”.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

“(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

“(A) the non-Federal share of future operation and maintenance under this subsection; or

“(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121).”.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The target total” and inserting “Except as provided in subsection (c), the target total”; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

“(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

“(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.”.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 158) (referred to in this section as the “Site”) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)) is amended by adding at the end the following:

“(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

“(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).”.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended—

(1) by striking “2022” and inserting “2025”; and

(2) by striking “2012” and inserting “2015”.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)(4)(A), by striking “Code of Federal Regulation” and inserting “Code of Federal Regulations”; and

(2) in subsection (f)—

(A) in paragraph (1), by striking “2018” and inserting “2025”; and

(B) in paragraph (3)—

(i) by striking “2015 through 2018” and inserting “2016 through 2020”; and

(ii) by striking “2019 through 2022” and inserting “2021 through 2025”.

SEC. 2011. HARBOR DEEPENING.

[Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—]

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1193)”;

(2) in subparagraph (B), by striking “45 feet” and inserting “50 feet”; and

(3) in subparagraph (C), by striking “45 feet” and inserting “50 feet”.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking “45 feet” and inserting “50 feet”.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) **DEFINITIONS.**—In this section:

(1) **INLAND MISSISSIPPI RIVER.**—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) **SHALLOW DRAFT.**—The term “shallow draft” means a project that has a depth of less than 14 feet.

(b) **DREDGING ACTIVITIES.**—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1273) is amended by adding at the end the following:

“(d) **GUIDANCE.**—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.”

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting “in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project” after “community”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or of a community that is located in the region to be served by the project and that will rely on the project” after “community”;

(B) in paragraph (4), by striking “local population” and inserting “regional population to be served by the project”; and

(C) in paragraph (5), by striking “community” and inserting “local community or to a community that is located in the region to be served by the project and that will rely on the project”.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) **IN GENERAL.**—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) **COST LIMITATIONS.**—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) **AGREEMENT.**—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) **PROVISION OF EQUIPMENT.**—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

[(e) **REIMBURSEMENT ELIGIBILITY LIMITATIONS.**—Costs that are directly related to the operation and maintenance of a dredge, based on the period of time the dredge is used in the performance of work for the Federal Government during a given fiscal year, are eligible for reimbursement under this section.]

(e) **REIMBURSEMENT ELIGIBILITY LIMITATIONS.**—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) **[MONITORING] AUDIT.**—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) **TERMINATION OF AUTHORITY.**—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

[SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)(A)) is amended—

(1) in clause (iii), by striking “and” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(v) identifies, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”]

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) **ADDITIONAL REQUIREMENT.**—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”

SEC. 2017. DREDGED MATERIAL.

(a) **IN GENERAL.**—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an author-

ized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) **ADDITIONAL COSTS.**—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

TITLE III—SAFETY IMPROVEMENTS**SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.**

(a) **IN GENERAL.**—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

“(3) **DEFINITION OF NONSTRUCTURAL ALTERNATIVES.**—In this subsection, ‘nonstructural alternatives’ includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.”; and

(2) by adding at the end the following:

“(d) **INCREASED LEVEL OF PROTECTION.**—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

“(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

“(A) the authority under this section has been used more than once at the same location;

“(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

“(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

“(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

“(e) **NOTICE.**—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).”

(b) **PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.**—

(1) **IN GENERAL.**—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that

the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) **COST-SHARING.**—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking “if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified”;

(2) in subsection (b)—

(A) by striking “This section” and inserting the following:

“(1) **IN GENERAL.**—This section”;

(B) by adding at the end the following:

“(2) **REQUIREMENT.**—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).”;

(3) in subsection (c)(1), by striking “The non-Federal” and inserting “Notwithstanding subsection (b)(2), the non-Federal”;

(4) by adding at the end the following:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000.”.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary is responsible, as of the date of enactment of this Act, for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; and

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) **DEFINITIONS.**—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

“(4) **ELIGIBLE HIGH HAZARD POTENTIAL DAM.**—

“(A) **IN GENERAL.**—The term ‘eligible high hazard potential dam’ means a non-Federal dam that—

“(i) is located in a State with a State dam safety program;

“(ii) is classified as ‘high hazard potential’ by the State dam safety agency in the State in which the dam is located;

“(iii) has an emergency action plan approved by the relevant State dam safety agency; and

“(iv) the State in which the dam is located determines—

“(I) fails to meet minimum dam safety standards of the State; and

“(II) poses an unacceptable risk to the public.

“(B) **EXCLUSION.**—The term ‘eligible high hazard potential dam’ does not include—

“(i) a licensed hydroelectric dam; or

“(ii) a dam built under the authority of the Secretary of Agriculture.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) **NON-FEDERAL SPONSOR.**—The term ‘non-Federal sponsor’, in the case of a project receiving assistance under section 8A, includes—

“(A) a governmental organization; and

“(B) a nonprofit organization.” and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) **REHABILITATION.**—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) **PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.**—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

“(a) **ESTABLISHMENT OF PROGRAM.**—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

“(b) **ELIGIBLE ACTIVITIES.**—A grant awarded under this section for a project may be used for—

“(1) repair;

“(2) removal; or

“(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

“(c) **AWARD OF GRANTS.**—

“(1) **APPLICATION.**—

“(A) **IN GENERAL.**—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

“(B) **REQUIREMENTS.**—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

“(2) **GRANT.**—

“(A) **IN GENERAL.**—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

“(B) **PROJECT GRANT AGREEMENT.**—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

“(C) **GRANT ASSURANCE.**—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

“(D) **LIMITATION.**—A grant provided under this section shall not exceed the lesser of—

“(i) 12.5 percent of the total amount of funds made available to carry out this section; or

“(ii) \$7,500,000.

“(d) **REQUIREMENTS.**—

“(1) **APPROVAL.**—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

“(2) **NON-FEDERAL SPONSOR REQUIREMENTS.**—To receive a grant under this section, the non-Federal sponsor shall—

“(A) participate in, and comply with, all applicable Federal flood insurance programs;

“(B) have in place a hazard mitigation plan that—

“(i) includes all dam risks; and

“(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

“(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

“(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

“(i) acts in accordance with the State dam safety program; and

“(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

“(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

“(e) **FLOODPLAIN MANAGEMENT PLANS.**—

“(1) **IN GENERAL.**—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

“(A) is in place; or

“(B) will be—

“(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

“(ii) implemented not later than 1 year after the date of completion of construction of the project.

“(2) **INCLUSIONS.**—A plan under paragraph (1) shall address—

“(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

“(B) plans for flood fighting and evacuation; and

“(C) public education and awareness of flood risks.

“(3) **TECHNICAL SUPPORT.**—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

“(f) **PRIORITY SYSTEM.**—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

“(g) **FUNDING.**—

“(1) **COST SHARING.**—

“(A) **IN GENERAL.**—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

“(B) **IN-KIND CONTRIBUTIONS.**—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

“(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

“(A) EQUAL DISTRIBUTION.— $\frac{1}{3}$ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

“(B) NEED-BASED.— $\frac{2}{3}$ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

“(i) the number of eligible high hazard potential dams in the State; bears to

“(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

“(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

“(1) to rehabilitate a Federal dam;

“(2) to perform routine operation or maintenance of a dam;

“(3) to modify a dam to produce hydroelectric power;

“(4) to increase water supply storage capacity; or

“(5) to make any other modification to a dam that does not also improve the safety of the dam.

“(i) CONTRACTUAL REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than \$1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

“(A) chapter 11 of title 40, United States Code; or

“(B) an equivalent qualifications-based requirement prescribed by the relevant State.

“(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$10,000,000 for fiscal years 2017 and 2018;

“(2) \$25,000,000 for fiscal year 2019;

“(3) \$40,000,000 for fiscal year 2020; and

“(4) \$60,000,000 for each of fiscal years 2021 through 2026.”.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) WATERCRAFT INSPECTION STATIONS, COLUMBIA RIVER BASIN.—Section 104(d) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)) is amended—

(1) in paragraph (1), by striking “stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington” and inserting “stations to protect the Columbia River Basin”; and

(2) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) the Governor of each State in which a station is established under paragraph (1);”.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term “report” means the final report of the Portland District, Corps of Engineers, entitled “Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing” and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance [to relocate to] on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100-581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families [identified] estimated in the report as having received no relocation assistance [in the report].

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study

to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term “sediment management plan” means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH THE SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend \$30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking “\$60,000,000” and inserting “\$100,000,000”.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended by inserting “at Federal expense” after “study”.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) IN GENERAL.—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data, including the Upper Mississippi River Comprehensive Plan authorized in section 429 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 326).

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1113) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “PILOT PROJECTS” and inserting “PROJECTS”;

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “the pilot”; and

(ii) in subparagraph (B)—

(I) in clause (i), in the matter preceding subclause (I), by striking “the pilot”;

(II) in subclause (I), by inserting “, Salton Sea Authority, or other non-Federal interest” before the semicolon at the end; and

(III) in subclause (II), by striking “pilot”;

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “pilot”; and

(D) in paragraph (3)—

(i) by striking “pilot” each place it appears; and

(ii) by inserting “, Salton Sea Authority, or other non-Federal interest” after “State”; and

(2) in subsection (c), by striking “pilot”.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102-580; 113 Stat. 336) is amended—

(1) by inserting “Berkeley” before “Calhoun”; and

(2) by striking “Orangeberg, and Sumter” and inserting “and Orangeberg”.

SEC. 4013. COASTAL RESILIENCY.

[Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—]

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials.”.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate

engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) *REPORTS.*—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86" N., by long. 93°46'16.82" W., and ends at lat. 32°31'22.79" N., by long. 93°45'2.47" W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682.146.42, E. 1231.378.69, running north 83.587 degrees west 166.79' to a point N. 682.165.05, E. 1,231.212.94, running north 69.209 degrees west 380.89' to a point N. 682.300.25, E. 1,230.856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER LOCK AND DAM 3, OHIO AND MUHLENBERG COUNTIES, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 3 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015 shall be transferred under this subsection, and the land shall no longer be a portion of the Green River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Rochester Dam Regional Water Commission by quitclaim deed and without consideration, all right, title, and interest of the United States in 3 adjacent parcels of land situated on the Ohio County side of the Green River together with any improvements on the land.

(3) LANDS TO BE CONVEYED.—

(A) IN GENERAL.—The 3 adjacent parcels of land to be conveyed under this subsection total approximately 6.72 acres of land in Ohio County, with all 3 parcels being associated with the deauthorized Green River Lock and Dam 3.

(B) USE.—The 3 parcels of land described in subparagraph (A) may be used by the Rochester Dam Regional Water Commission in such a manner as to ensure a water supply for local communities.

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(f) GREEN RIVER LOCK AND DAM 5, BUTLER AND WARREN COUNTIES, KENTUCKY.—

(1) IN GENERAL.—If the Secretary determines that the Corps of Engineers will not oversee and conduct the removal of the lock and dam structure for Green River Lock and Dam 5 deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, the lock and dam structure and associated land shall be transferred through established General Services Administration procedures to another entity for the express purposes of—

(A) removing the structure from the river at the earliest feasible time; and

(B) making the land available for conservation and public recreation and river access in the future.

(2) DEAUTHORIZATION.—On a transfer under paragraph (1), the land described in that paragraph shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of July 13, 1892 (27 Stat. 105; chapter 158).

(g) GREEN RIVER LOCK AND DAM 6, EDMONSON COUNTY, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Green River Lock and Dam 6 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be transferred under this subsection and the land shall no longer be a portion of the Green River project for navigation, authorized by the first section of the Act of June 13, 1902 (32 Stat. 359; chapter 1079).

(2) TRANSFER.—

(A) TRANSFER TO DEPARTMENT OF THE INTERIOR.—Subject to this subsection, the Secretary shall transfer to the Department of Interior, Mammoth Cave National Park, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 4.19 acre parcel of land situated on left descending bank (south side) of the Green River together with any improvements on the land.

(B) TRANSFER TO THE COMMONWEALTH OF KENTUCKY.—Subject to this subsection, the Secretary shall transfer to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and interest of the United States in the 18.0 acre parcel of land on the right descending bank (north side) of the river and the deauthorized lock and dam structure.

(3) LAND TO BE CONVEYED.—

(A) IN GENERAL.—The 2 parcels of land to be conveyed under this subsection, located on each side of the Green River and associated with the deauthorized Green River Lock and Dam 6 in Edmonson County, Kentucky, include—

(i) a parcel consisting of approximately 4.19 acres of land; and

(ii) a parcel consisting of approximately 18.0 acres of land and the deauthorized lock and dam structure.

(B) USE.—

(i) MAMMOTH CAVE NATIONAL PARK.—The 4.19-acre parcel of land described in subparagraph (A)(i) shall be used for established purposes of Mammoth Cave National Park.

(ii) DEPARTMENT OF FISH AND WILDLIFE RESOURCES.—The 18.0-acre parcel of land and deauthorized lock and dam structure described in subparagraph (A)(ii) may—

(I) be used for the purposes of removal of the deauthorized structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(II) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in subclause (I), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in subclause (I).

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(h) BARREN RIVER LOCK AND DAM 1, WARREN COUNTY, KENTUCKY.—

(1) IN GENERAL.—The structure and land associated with Barren River Lock and Dam 1 and deauthorized under section 6001(1) pursuant to the report of the Chief of Engineers relating to Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky, dated April 30, 2015, shall be conveyed under this subsection and the land shall no longer be a portion of the Barren River project for navigation, built by the Commonwealth of Kentucky prior to 1886 and purchased by and ceded to the Federal Government under the first section of the Act of August 11, 1888 (25 Stat. 416; chapter 860).

(2) TRANSFER.—Subject to this subsection, the Secretary shall convey to the Commonwealth of Kentucky, Department of Fish and Wildlife Resources, by quitclaim deed and without consideration, all right, title, and

interest of the United States in 1 parcel of land situated on the right bank of the Barren River together with any improvements on the land.

(3) LAND TO BE CONVEYED.—

(A) IN GENERAL.—The parcel of land to be conveyed under this subsection includes approximately 16.63 acres of land, located on the right bank of the Barren River and associated with the deauthorized Barren River Lock and Dam 1 in Warren County, Kentucky.

(B) USE.—The parcel of land described in subparagraph (A) may—

(i) be used by the Commonwealth of Kentucky for the purposes of removal of structures to restore natural river functions while providing green space and ecotourism development, including the provision of roads, parking, camping, and boat access; or

(ii) if the Department of Fish and Wildlife Resources, Commonwealth of Kentucky, cannot fulfill the uses described in clause (i), be transferred to county or local governments or private conservation entities for continued public green space utilization as described in clause (i).

(4) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (3)(B), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States.

(i) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental

regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(j) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbors Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(k) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to

be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89-789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, \$31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63-76-C-0106 as of the date of enactment of this Act.

**TITLE VI—WATER RESOURCES
INFRASTRUCTURE**

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conserva-

tion and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: \$116,116,000 Non-Federal: \$135,836,000 Total: \$251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: \$16,700,000 Non-Federal: \$0 Total: \$16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
5. FL	Port Everglades	June 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
6. AK	Little Diomedes	August 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000

[(2) FLOOD RISK MANAGEMENT.—]

[A. State]	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000]

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	March 29, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conserva-

tion and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the

Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$96,880,750 Estimated Non-Federal: \$52,954,250 Total: \$149,835,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,537,000 Estimated Non-Federal: \$11,512,000 Total: \$46,049,000

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$311,269,000 Estimated Non-Federal: \$311,269,000 Total: \$622,538,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b))” each place it appears and inserting “(25 U.S.C. 250b)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))”; and

(2) by adding at the end the following:

“(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California,

authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPELLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106-53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89-298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99-662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) CINCINNATI, OHIO.—

(1) IN GENERAL.—The Secretary shall review the ecosystem restoration and flood risk reduction components of the Central Riverfront Park Master Plan, dated December 1999, for the purpose of determining whether or not the study, and the process under which the study was developed, each comply with Federal law (including regulations) applicable to feasibility studies for water resources development projects.

(2) RECOMMENDATION.—Not later than 180 days after reviewing the Master Plan under paragraph (1), the Secretary shall submit to Congress—

(A) the results of the review of the Master Plan, including a determination of whether any project identified in the plan is feasible;

(B) any recommendations of the Secretary related to any modifications to section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) necessary to carry out any projects determined to be feasible.

(t) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(u) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the “Flood Control Act of 1936”), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(v) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(w) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(x) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and

Research of the University of North Texas entitled “Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas” and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89-298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled “Final Supplemental No. 1” is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed \$520,000,000, of which not more than \$5,500,000 may be expended to carry out recreation features of the project.

(y) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the “Assateague Island National Seashore Act”) for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(z) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the

public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns \$0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns \$0.93 in Federal tax revenue.

(B) A combined \$34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate \$7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in \$32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every \$1,000,000 in State revolving loan fund spending generates 16½ jobs.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 566,000 jobs.

(3) An increase in economic output:

(A) Every \$1,000,000 in State revolving loan fund spending results in \$2,950,000 in output for the economy of the United States.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate \$102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1))—

(A) by striking “(not)” and inserting “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not”;

(B) by inserting before the period at the end the following: “or to replace or rehabilitate aging treatment, storage, or distribution facilities of public water systems or provide for capital projects (excluding any expenditure for operations and maintenance) to upgrade the security of public water systems”; and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

“(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.”.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

“(A) DEFINITION OF RESTRUCTURING.—In this paragraph, the term ‘restructuring’ means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

“(B) PRIORITY SYSTEM.—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

“(i) address the most serious risk to human health;

“(ii) are necessary to ensure compliance with this title (including requirements for filtration);

“(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

“(iv) improve the sustainability of systems.

“(C) WEIGHT GIVEN TO APPLICATIONS.—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

“(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

“(I) an inventory of assets, including a description of the condition of the assets;

“(II) a schedule for replacement of assets;

“(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

“(IV) a review of options for restructuring the public water system;

“(ii) demonstration of consistency with State, regional, and municipal watershed plans;

“(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

“(iv) approaches to improve the sustainability of the system, including—

“(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

“(II) use of reclaimed water;

“(III) actions to increase energy efficiency; and

“(IV) implementation of source water protection plans.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking “periodically” and inserting “at least biennially”.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking “up to 4 percent of the funds allotted to the State under this section” and inserting “, for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of \$400,000, ½ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year.”; and

(2) by striking “1419,” and all that follows through “1993.” and inserting “1419.”.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k)(2)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)(2)(D)) is amended by inserting before the period at the end the following: “(including implementation of source water protection plans)”.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

“(s) NEGOTIATION OF CONTRACTS.—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

“(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

“(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).”.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

“(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section:

“(1) IN GENERAL.—The term ‘underserved community’ means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

“(2) INCLUSIONS.—The term ‘underserved community’ includes a local political subdivision that, as determined by the Administrator—

“(A) does not have household drinking water or wastewater services; and

“(B) has a drinking water system that fails to meet health-based standards under this Act, including—

“(i) a maximum contaminant level for a primary drinking water contaminant;

“(ii) a treatment technique violation; and

“(iii) an action level exceedance.

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist community water systems in meeting the requirements of this Act.

“(2) INCLUSIONS.—Projects and activities under paragraph (1) include—

“(A) infrastructure investments necessary to comply with the requirements of this Act,

“(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

“(C) programs to provide water quality testing.

“(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section—

“(1) is—

“(A) a community water system as defined in section 1401; or

“(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); and

“(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

“(A) to be a disadvantaged community;

“(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

“(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

“(d) PRIORITY.—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

“(e) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

“(f) COST SHARING.—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

“(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

“(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

“(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

“(g) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$230,000,000 for fiscal year 2017; and

“(2) \$300,000,000 for each of fiscal years 2018 through 2021.”.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

“SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a community water system;

“(B) a system located in an area governed by an Indian Tribe;

“(C) a nontransient noncommunity water system;

“(D) a qualified nonprofit organization, as determined by the Administrator; and

“(E) a municipality or State, interstate, or intermunicipal agency.

“(2) LEAD REDUCTION PROJECT.—

“(A) IN GENERAL.—The term ‘lead reduction project’ means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

“(i) replacement of publicly owned lead service lines;

“(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

“(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

“(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

“(B) LIMITATION.—The term ‘lead reduction project’ does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

“(3) LOW-INCOME.—The term ‘low-income’, with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

“(4) MUNICIPALITY.—The term ‘municipality’ means—

“(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) GRANT PROGRAM.—

“(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

“(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

“(A) the source of lead in water for human consumption; and

“(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

“(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

“[(A) demonstrates that the eligible entity is unable to fund the proposed lead reduction project through other sources of funding; and]

“(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

“(B) proposes to—

“(i) carry out a lead reduction project at a public water system or nontransient non-community water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

“(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or another vulnerable human subpopulation; or

“(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

“(4) COST SHARING.—

“(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

“(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

“(5) LOW-INCOME ASSISTANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

“(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

“(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

“(A) notify customers of the replacement of any publicly owned portion of the lead service line;

“(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

“(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

“(i) the cost of replacement; and

“(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

“(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

“(E) demonstrate that the eligible entity has considered multiple options for reducing lead in drinking water, including an evaluation of options for corrosion control.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2017 through 2021.”

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking “Administrator or” and inserting “Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,”; and

(II) by inserting “and the appropriate State and county health agencies” after “1413”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.

“(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.”.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (3)(B), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g-3) is amended by adding at the end the following:

“(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

“(1) IN GENERAL.—As a condition on the receipt of funds under this Act, the Administrator shall require electronic submission of available compliance monitoring data, if practicable—

“(A) by public water systems—

“(i) to the Administrator; or

“(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

“(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator.

“(2) CONSIDERATIONS.—In determining whether the condition referred to in paragraph (1) is practicable, the Administrator shall consider—

“(A) the ability of a public water system or State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

“(B) information system compatibility;

“(C) the size of the public water system; and

“(D) the size of the community served by the public water system.”.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended by striking subsection (d) and inserting the following:

“(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHILD CARE PROGRAM.—The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(B) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ means—

“(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

“(iii) an operator of a child care program facility.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

“(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

“(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

“(ii) any direct implementation area.

“(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—A State or local educational agency that receives a grant under this subsection may use grant funds for the voluntary testing described in paragraph (2)(A).

“(B) LIMITATION.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

“(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

“(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

“(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

“(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2017 through 2021.”.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j-25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

(A) reduce water use;

(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

(C) conserve energy used to pump, heat, transport, and treat water; and

(D) preserve water resources for future generations.

(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

(A) irrigation technologies and services;

(B) point-of-use water treatment devices;

(C) plumbing products;

(D) reuse and recycling technologies;

(E) landscaping and gardening products, including moisture control or water enhancing technologies;

(F) xeriscaping and other landscape conversions that reduce water use;

(G) whole house humidifiers; and

(H) water-efficient buildings or facilities.

(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary, shall—

(1) establish—

(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

(B) the procedure, including the methods and means, and criteria by which an item

may be certified to display the WaterSense label;

(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

(3) preserve the integrity of the WaterSense label by—

(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

(B) overseeing WaterSense certifications made by third parties;

(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

(5) in revising a WaterSense specification—

(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

(B) solicit comments from interested parties and the public prior to any changes;

(C) as appropriate, respond to comments submitted by interested parties and the public; and

(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately \$384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection

Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at \$64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

- (1) individual wells;
- (2) shared wells; and
- (3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

- (1) the use of innovative and alternative drinking water systems described in this section;
- (2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and
- (3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS. Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through “subject to subsection (g), the Administrator may” in paragraph (2) and inserting the following:

“(a) **AUTHORITY.**—The Administrator may—

“(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

“(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

“(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

“(2) subject to subsection (g),”;;

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “; or”;;

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

“(e) **ADMINISTRATIVE REQUIREMENTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

“(2) **DETERMINATION OF GOVERNOR.**—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section, to remain available until expended—

- “(1) \$250,000,000 for fiscal year 2017;
- “(2) \$300,000,000 for fiscal year 2018;
- “(3) \$350,000,000 for fiscal year 2019;
- “(4) \$400,000,000 for fiscal year 2020; and
- “(5) \$500,000,000 for fiscal year 2021.

“(g) **ALLOCATION OF FUNDS.**—

“(1) **FISCAL YEAR 2017 AND 2018.**—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

“(A) in accordance with the priority criteria described in subsection (b); and

“(B) with additional priority given to proposed projects that involve the use of—

“(i) nonstructural, low-impact development;

“(ii) water conservation, efficiency, or reuse; or

“(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

“(2) **FISCAL YEAR 2019 AND THEREAFTER.**—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

“(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

“(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

“(i) conducted under section 210; and

“(ii) included in a report required under section 516(b)(1)(B).”; and

(4) by striking subsection (i).

[SEC. 7202. SMALL TREATMENT WORKS.]

(a) **IN GENERAL.**—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL TREATMENT WORKS.

“(a) **DEFINITIONS.**—In this section:

“(1) **QUALIFIED NONPROFIT TECHNICAL ASSISTANCE PROVIDER.**—The term ‘qualified nonprofit technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(2) **SMALL TREATMENT WORKS.**—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) **TECHNICAL ASSISTANCE.**—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit technical assistance providers to provide to owners and operators of small treatment works onsite technical assistance, circuit-rider technical assistance programs, multistate, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2017 through 2021.”.

(b) **WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.**—

(1) **IN GENERAL.**—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;;

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) **ADDITIONAL USE OF FUNDS.**—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit technical assistance providers (as defined in section 222) to provide technical assistance to public water systems serving not more than 10,000 individuals in the State.”.

(2) **CONFORMING AMENDMENT.**—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.**]**

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) **IN GENERAL.**—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

“(a) **DEFINITIONS.**—In this section:

“(1) **MEDIUM TREATMENT WORKS.**—The term ‘medium treatment works’ means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.

“(2) **QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.**—The term ‘qualified nonprofit medium treatment works technical assistance provider’ means a

qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

“(3) **QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.**—The term ‘qualified nonprofit small treatment works technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(4) **SMALL TREATMENT WORKS.**—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) **TECHNICAL ASSISTANCE.**—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) for grants for small treatment works technical assistance, \$15,000,000 for each of fiscal years 2017 through 2021; and

“(2) for grants for medium treatment works technical assistance, \$10,000,000 for each of fiscal years 2017 through 2021.”.

(b) **WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.**—

(1) **IN GENERAL.**—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;;

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) **ADDITIONAL USE OF FUNDS.**—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works in the State.”.

(2) **CONFORMING AMENDMENT.**—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) **INTEGRATED PLANS.**—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) **INTEGRATED PLAN PERMITS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **GREEN INFRASTRUCTURE.**—The term ‘green infrastructure’ means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

“(B) **INTEGRATED PLAN.**—The term ‘integrated plan’ has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated May 2012.

“(C) **MUNICIPAL DISCHARGE.**—

“(i) **IN GENERAL.**—The term ‘municipal discharge’ means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection (p).

“(ii) **INCLUSION.**—The term ‘municipal discharge’ includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

“(2) **INTEGRATED PLAN.**—

“(A) **IN GENERAL.**—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

“(B) **SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.**—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

“(i) a combined sewer overflow;

“(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

“(iii) a municipal stormwater discharge;

“(iv) a municipal wastewater discharge; and

“(v) a water quality-based effluent limitation to implement an applicable wastewater allocation in a total maximum daily load.

“(3) **COMPLIANCE SCHEDULES.**—

“(A) **IN GENERAL.**—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

“(B) **INCLUSION.**—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

“(C) **REVIEW.**—A schedule of compliance may be reviewed each time the permit is renewed.

“(4) **EXISTING AUTHORITIES RETAINED.**—

“(A) **APPLICABLE STANDARDS.**—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

“(B) **FLEXIBILITY.**—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c).

“(5) **CLARIFICATION OF STATE AUTHORITY.**—

“(A) **IN GENERAL.**—Nothing in section 301(b)(1)(C) precludes a State from author-

izing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

“(B) **TRANSITION RULE.**—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.”.

(b) **MUNICIPAL OMBUDSMAN.**—

(1) **ESTABLISHMENT.**—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) **GENERAL DUTIES.**—The municipal ombudsman shall—

(A) provide technical assistance to municipalities seeking to comply with the requirements of laws implemented by the Environmental Protection Agency; and

(B) provide information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) **ACTIONS REQUIRED.**—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) **PRIORITY.**—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(c) **MUNICIPAL ENFORCEMENT.**—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

“(h) **IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.**—

“(1) **IN GENERAL.**—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

“(2) **MODIFICATION.**—Any municipality under an administrative order under subsection (a) or settlement agreement under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.”.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

“SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

“(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

“(b) DUTIES.—The Administrator shall ensure that the Office of Water—

“(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

“(2) coordinates efforts to increase the use of green infrastructure with—

“(A) other Federal departments and agencies;

“(B) State, tribal, and local governments; and

“(C) the private sector.

“(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

“(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

“(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

“(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

“(1) reducing water pollution;

“(2) protecting water resources;

“(3) complying with regulatory requirements; and

“(4) achieving other environmental, public health, and community goals.”.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term “affordability” means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term “financial capability” means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term “guidance” means the guidance published by the Administrator entitled “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled “Financial Capability Assessment Framework” and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) UPDATING.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance.

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any guidance issued to replace the guidance shall be developed in consultation with interested parties.

(e) PUBLICATION AND SUBMISSION.—On completion of the updating of guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the updated guidance.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended by striking “Any activity undertaken under this section is authorized only to the extent” and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 5026(6) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905(6)) is amended—

(1) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(2) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”.

(c) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) FINANCING FEES.—On request of a community with a population of not more than 10,000 individuals, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

(d) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

“Subtitle C—Innovative Financing Projects”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.”.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113-121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

“Subtitle C—Innovative Financing Projects”.; and

(B) by striking the item relating to section 5034 and inserting the following:

“Sec. 5034. Reports on program implementation.”.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund”, consisting of such amounts as may be appropriated or credited to such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—There are hereby appropriated to the Water Infrastructure Investment Trust Fund amounts equivalent to the fees received in the Treasury before January 1, 2022, under subsection (f).

(c) EXPENDITURES.—Except as provided by subsection (d), amounts in the Water Infrastructure Investment Trust Fund shall be available, without further appropriation, as follows:

(1) [85] 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) [15] 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) INVESTMENT.—Amounts in the Water Infrastructure Investment Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this Act and the amendments made by this Act.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Water Infrastructure Investment Trust Fund may not be made available for a fiscal year unless the funds appropriated to the Clean Water State Revolving Fund through annual capitalization grants is not less than the average of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Secretary provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Water Infrastructure Investment Trust Fund and is contributing to the clean water of the United States.

(2) FEE.—

(A) IN GENERAL.—The Secretary shall provide a label for a fee of 3 cents per unit.

(B) DEPOSIT.—Amounts received by the Secretary under subparagraph (A) shall be deposited in the general fund of the Treasury.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources; or

(N) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a

grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be \$5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section \$10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking “and” at the end; and

(3) by inserting after paragraph (6) the following:

“(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

“(A) nonstructural alternatives;

“(B) decentralized approaches;

“(C) water use efficiency and conservation; and

“(D) actions to reduce energy consumption or extract energy from wastewater.”;

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(B) in subparagraph (D), by striking the period at the end and inserting “; and”;

(2) in subsection (c)—

(A) by striking “From the” and inserting the following:

“(1) IN GENERAL.—From the”; and

(B) by adding at the end the following:

“(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”;

(3) by striking subsection (e) and inserting the following:

“(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”;

(4) in subsection (f)(1), by striking “\$12,000,000 for each of fiscal years 2007 through 2011” and inserting “\$7,500,000 for each of fiscal years 2017 through 2021”; and

(5) in subsection (g)(1), in the first sentence, by striking “\$6,000,000 for each of fiscal years 2007 through 2011” and inserting “\$1,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

“(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

“(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

“(3) to improve existing reverse osmosis and membrane technology;

“(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

“(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

“(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.”.

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

“(1) in drought-stricken States and communities;

“(2) in States that have authorized funding for research and development of desalination technologies and projects;

“(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking “\$5,000,000” and inserting “\$8,000,000”; and

(B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) by striking the section designation and heading and all that follows through “In carrying out” in the first sentence and inserting the following:

“SEC. 9. CONSULTATION AND COORDINATION.

“(a) CONSULTATION.—In carrying out”;

(2) in the second sentence, by striking “The authorization” and inserting the following:

“(c) OTHER DESALINATION PROGRAMS.—The authorization”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

“(A) establishes priorities for future Federal investments in desalination;

“(B) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration; and

“(C) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology.”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Administrator, in conjunction with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agency heads along with State and local governments, shall develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers.

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

- (1) State and local governments;
- (2) water utilities;
- (3) scientists;
- (4) institutions of higher education;
- (5) relevant private entities; and
- (6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

- (i) public health and safety;
- (ii) municipal and industrial water supply;
- (iii) agricultural water supply;
- (iv) water quality;
- (v) ecosystem health; and
- (vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

(ii) water recycling;

(iii) groundwater clean-up and storage;

(iv) new technologies, such as behavioral water efficiency; and

(v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

(A) the establishment of planning goals;

(B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN CLEAN WATER STATE REVOLVING FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking “or” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

“(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

“(1) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

SEC. 7309. INNOVATION IN THE DRINKING WATER STATE REVOLVING FUND.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) (as amended by section 7105) is amended—

(1) in subsection (d)—
(A) by striking the heading and inserting “ADDITIONAL ASSISTANCE.—”;

(B) in paragraph (1)—
(i) by striking “Notwithstanding” and inserting the following:

“(A) IN GENERAL.—Notwithstanding”; and
(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)—
(i) by striking “For each fiscal year” and inserting the following:

“(A) IN GENERAL.—For each fiscal year”;

and
(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”; and
(D) in paragraph (3), in the first sentence, by inserting “, or portion of a service area,” after “service area”; and

(2) by adding at the end the following:

“(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

“(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments**SEC. 7401. DRINKING WATER INFRASTRUCTURE.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of \$100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), to be available during the period of fiscal years 2016 and 2017 for the purposes described in subsection (b)(2).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;
(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;
(iii) the estimated cost of the project; and
(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available shall be available to provide additional grants to States to capitalize State loan funds as provided under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least \$700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), \$20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances

and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) **CONSULTATIONS.**—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means a city exposed to lead contamination in the local drinking water system.

(2) **COMMITTEE.**—The term “Committee” means the Advisory Committee established under subsection (c).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(b) **LEAD EXPOSURE REGISTRY.**—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) **ADVISORY COMMITTEE.**—

(1) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

- (i) an epidemiologist;
- (ii) a toxicologist;
- (iii) a mental health professional;
- (iv) a pediatrician;
- (v) an early childhood education expert;
- (vi) a special education expert;
- (vii) a dietician; and
- (viii) an environmental health expert.

(B) **REQUIREMENTS.**—Membership in the Committee shall not exceed 15 members and not less than $\frac{1}{2}$ of the members shall be Federal members.

(2) **CHAIR.**—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) **TERMS.**—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) **APPLICATION OF FACA.**—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) **RESPONSIBILITIES.**—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) **REPORT.**—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) **MANDATORY FUNDING.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) \$17,500,000 to carry out subsection (b); and

(B) \$2,500,000 to carry out subsection (c).

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subsections (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) **CHILDHOOD LEAD POISONING PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 for the childhood lead poisoning prevention program

authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

(2) **RECEIPT AND ACCEPTANCE.**—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1) the funds transferred under paragraph (1), without further appropriation.

(b) **HEALTHY HOMES PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) **HEALTHY START PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

(2) **RECEIPT AND ACCEPTANCE.**—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under

subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) **COMPREHENSIVE STRATEGY.**—The term “comprehensive strategy” means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) **GROUNDWATER.**—The term “groundwater” means water in a saturated zone or stratum beneath the surface of land or water.

(3) **PLUME.**—The term “plume” means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) **SITE.**—The term “site” means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume; (2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) **GREAT LAKES RESTORATION INITIATIVE.**—

“(A) **ESTABLISHMENT.**—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the ‘Initiative’) to carry out programs and projects for Great Lakes protection and restoration.

“(B) **FOCUS AREAS.**—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal

partners, that address priority areas, such as—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) **PROJECTS.**—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

“(ii) the feasibility of—

“(I) prompt implementation;

“(II) timely achievement of results; and

“(III) resource leveraging; and

“(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(D) **IMPLEMENTATION OF PROJECTS.**—

“(i) **IN GENERAL.**—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects; and

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

“(ii) **TRANSFER OF FUNDS.**—With amounts made available for the Initiative each fiscal year, the Administrator may—

“(I) transfer not more than \$300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

“(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

“(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

“(E) **SCOPE.**—

“(i) **IN GENERAL.**—Projects shall be carried out under the Initiative on multiple levels, including—

“(I) Great Lakes-wide; and

“(II) Great Lakes basin-wide.

“(ii) **LIMITATION.**—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

“(I) a State water pollution control revolving fund established under title VI; or

“(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

“(F) **ACTIVITIES BY OTHER FEDERAL AGENCIES.**—Each relevant Federal department or

agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

“(G) **FUNDING.**—

“(i) **IN GENERAL.**—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) **LIMITATION.**—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) **FINDINGS.**—Congress finds that—

“(1) Lake Tahoe—

“(A) is one of the largest, deepest, and clearest lakes in the world;

“(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

“(C) is recognized nationally and worldwide as a natural resource of special significance;

“(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

“(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

“(B) contributes significantly to the economies of California, Nevada, and the United States;

“(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

“(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

“(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

“(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

“(A) high tree density and mortality;

“(B) the loss of biological diversity; and

“(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

“(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

“(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

“(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

“(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

“(A) congressional consent to the establishment of the Planning Agency with—

“(i) the enactment in 1969 of Public Law 91-148 (83 Stat. 360); and

“(ii) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

“(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

“(C) the enactment of Public Law 96-586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

“(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

“(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

“(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

“(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

“(A) stream and wetland restoration; and

“(B) programmatic technical assistance;

“(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

“(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

“(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

“(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

“(A) renewed their commitment to Lake Tahoe; and

“(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

“(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,740,000,000 to the Lake Tahoe Basin, including—

“(A) \$576,300,000 from the Federal Government;

“(B) \$654,600,000 from the State of California;

“(C) \$112,500,000 from the State of Nevada;

“(D) \$74,900,000 from units of local government; and

“(E) \$323,700,000 from private interests;

“(16) significant additional investment from Federal, State, local, and private sources is necessary—

“(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

“(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

“(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

“(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

“(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

“(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

“(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

“(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

“(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.”

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of the Army for Civil Works.

“(3) CHAIR.—The term ‘Chair’ means the Chair of the Federal Partnership.

“(4) COMPACT.—The term ‘Compact’ means the Tahoe Regional Planning Compact included in the first section of Public Law 96-551 (94 Stat. 3233).

“(5) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the United States Fish and Wildlife Service; and

“(B) the Director of the United States Geological Survey.

“(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means—

“(A) the Environmental Improvement Program adopted by the Planning Agency; and

“(B) any amendments to the Program.

“(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term ‘environmental threshold carrying capacity’ has the meaning given the term in Article II of the Compact.

“(8) FEDERAL PARTNERSHIP.—The term ‘Federal Partnership’ means the Lake Tahoe

Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

“(9) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ includes—

“(A) prescribed burning for ecosystem health and hazardous fuels reduction;

“(B) mechanical and minimum tool treatment;

“(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

“(D) nonnative invasive species management; and

“(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

“(10) MAPS.—The term ‘Maps’ means the maps—

“(A) entitled—

“(i) ‘LTRA USFS-CA Land Exchange/North Shore’;

“(ii) ‘USFS-CA Land Exchange/West Shore’; and

“(iii) ‘USFS-CA Land Exchange/South Shore’; and

“(B) dated April 12, 2013, and on file and available for public inspection in the appropriate offices of—

“(i) the Forest Service;

“(ii) the California Tahoe Conservancy; and

“(iii) the California Department of Parks and Recreation.

“(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

“(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

“(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

“(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

“(12) PLANNING AGENCY.—The term ‘Planning Agency’ means the Tahoe Regional Planning Agency established under Public Law 91-148 (83 Stat. 360) and Public Law 96-551 (94 Stat. 3233).

“(13) PRIORITY LIST.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(15) STREAM ENVIRONMENT ZONE.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

“(16) TOTAL MAXIMUM DAILY LOAD.—The term ‘total maximum daily load’ means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

“(17) WATERCRAFT.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.”

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking “basin” and inserting “Basin”; and

(2) by adding at the end the following:

“(c) FOREST MANAGEMENT ACTIVITIES.—

“(1) COORDINATION.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe

Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

“(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

“(2) MULTIPLE BENEFITS.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

“(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

“(I) reducing forest fuels;

“(II) maintaining biological diversity;

“(III) improving wetland and water quality, including in Stream Environment Zones; and

“(IV) increasing resilience to changing water temperature and precipitation; and

“(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

“(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

“(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

“(B) provide for monitoring to ascertain the attainment of the post-program conditions.

“(d) WITHDRAWAL OF FEDERAL LAND.—

“(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

“(A) all forms of entry, appropriation, or disposal under the public land laws;

“(B) location, entry, and patent under the mining laws; and

“(C) disposition under all laws relating to mineral and geothermal leasing.

“(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

“(A) this Act; or

“(B) Public Law 96-586 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

“(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

“(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.”.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by

striking section 5 and inserting the following:

“SEC. 5. AUTHORIZED PROGRAMS.

“(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

“(1) is described in subsection (d);

“(2) is included in the Priority List under subsection (b); and

“(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

“(b) PRIORITY LIST.—

“(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for each program category described in subsection (d).

“(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

“(A) The 4-year threshold carrying capacity evaluation.

“(B) The ability to measure progress or success of the program.

“(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

“(D) The ability of a program to provide multiple benefits.

“(E) The ability of a program to leverage non-Federal contributions.

“(F) Stakeholder support for the program.

“(G) The justification of Federal interest.

“(H) Agency priority.

“(I) Agency capacity.

“(J) Cost-effectiveness.

“(K) Federal funding history.

“(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

“(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

“(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

“(d) DESCRIPTION OF ACTIVITIES.—

“(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

“(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

“(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

“(iii) Biomass programs, including feasibility assessments.

“(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

“(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

“(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

“(vii) Development of updated community wildfire protection plans by local fire districts.

“(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

“(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

“(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least \$100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

“(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

“(D) COST-SHARING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

“(ii) FORM OF NON-FEDERAL SHARE.—

“(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

“(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

“(III) DOCUMENTATION.—Communities and local fire districts shall—

“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) INVASIVE SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

“(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

“(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

“(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

“(G) CIVIL PENALTIES.—

“(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

“(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

“(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

“(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

“(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

“(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), \$113,000,000 shall be made available—

“(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

“(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

“(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

“(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

“(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.”.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than \$5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied

research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(A) the program scope;

“(B) the budget for the program; and

“(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

“(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

“(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

“(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.”.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “, Director, or Administrator” after “Secretary”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3240) is amended in the third sentence by inserting “and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce” after “maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting “and 25 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “65,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

“(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts $\frac{3}{4}$ of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) erosion control programs under section 2 of Public Law 96-586 (94 Stat. 3381).

“(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96-586 (94 Stat. 3384) (commonly known as the “Santini-Burton Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) ADMINISTRATION OF ACQUIRED LAND.—

“(1) IN GENERAL.—Land”; and

(2) by adding at the end the following:

“(2) CALIFORNIA CONVEYANCES.—

“(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States acceptable title to the non-Federal land described in subparagraph (B)(i), the Secretary—

“(i) may accept the offer; and

“(ii) not later than 180 days after the date on which the Secretary receives acceptable title to the non-Federal land described in subparagraph (B)(i), convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land that is acceptable to the State of California.

“(B) DESCRIPTION OF LAND.—

“(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

“(I) the approximately 1,981 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Conservancy to the United States Forest Service’; and

“(II) the approximately 187 acres of land administered by California State Parks and identified on the Maps as ‘State Parks to the U.S. Forest Service’.

“(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(3) NEVADA CONVEYANCES.—

“(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

“(i) the approximately 38.68 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Van Sickle Unit USFS Inholding’; and

“(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(4) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(5) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351), \$2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2) and (3).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).”.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through “The Office shall” and inserting the following:

“(b) OFFICE.—

“(1) ESTABLISHMENT.—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) ADMINISTRATION AND STAFFING.—The Office shall”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Management Conference of the Long Island Sound Study” and inserting “conference study”;

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(J) environmental impacts on the Long Island Sound watershed, including—

“(i) the identification and assessment of vulnerabilities in the watershed;

“(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

“(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

“(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives.”;

(C) by striking paragraph (4) and inserting the following:

“(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound.”;

(D) in paragraph (5), by inserting “study” after “conference”;

(E) in paragraph (6)—

(i) by inserting “(including on the Internet)” after “the public”; and

(ii) by inserting “study” after “conference”; and

(F) by striking paragraph (7) and inserting the following:

“(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and”;

(3) in subsection (d)(3), in the second sentence, by striking “50 per centum” and inserting “60 percent”;

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

“(f) REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

“(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

“(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

“(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

“(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

“(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

“(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

“(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

“(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

“(1) an interagency crosscut budget that displays for each department and agency—

“(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

“(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

“(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

“(2) a summary of any proposed modifications to the Long Island Sound Comprehensive

Conservation and Management Plan for the following fiscal year.

“(h) FEDERAL ENTITIES.—

“(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

“(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

“(A) enter into interagency agreements; and

“(B) make intergovernmental personnel appointments.

“(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

“(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).”.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) in subsection (g), by striking “2011” and inserting “2021”; and

(B) by adding at the end the following:

“(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

“(1) the Advisory Committee; or

“(2) any board, committee, or other group established under this Act.”.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended in the matter preceding subparagraph (A) by striking “2011” and inserting “2021”.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking “under this section each” and inserting “to carry out this Act for a”.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Admin-

istrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) \$40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) \$25,000,000 for each of fiscal years 2017 through 2021.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

COMMITTEE-REPORTED AMENDMENTS

WITHDRAWN

Mr. INHOFE. On behalf of the committee, I withdraw the committee-reported amendments.

The PRESIDING OFFICER. The amendments are withdrawn.

AMENDMENT NO. 4979

(Purpose: In the nature of a substitute)

Mr. McCONNELL. Mr. President, I call up the Inhofe-Boxer substitute amendment No. 4979.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. INHOFE, proposes an amendment numbered 4979.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

AMENDMENT NO. 4980 TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I call up amendment No. 4980.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 4980 to amendment No. 4979.

Mr. INHOFE. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical correction)

Strike section 6002 and insert the following:

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$35,322,350 Total: \$100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent I be recognized for as much time as I shall consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, first of all, let me say something about this. I would ask if Senator BOXER would like to be heard before I make some remarks on this or if we can have a colloquy, in which case I would ask a question. We have done some good things in our committee, and we have two different people who don't think alike on a lot of issues. However, we both agree that infrastructure is important. We got through a highway bill that many people said couldn't be done. It hadn't been done since 1998, and we were able to do that significantly. We got through the chemical bill, about which a lot of people said "No, that is not going to be done," and yet we did.

I look at this, and we have many things right now that should go into a WRDA bill. Initially, the Water Resources Development Act was going to be coming up every 2 years. We went through a period of time when that wasn't the case. Both the minority and the majority of our committee, the Environment and Public Works Committee, have agreed that we should get back to that 2-year cycle. That is what we are doing today.

I would ask Senator BOXER: Do you agree that we have done a pretty good job on some of these and we need to keep going?

Mrs. BOXER. If I might respond to my friend through the Chair, he speaks

for me on a lot of these infrastructure issues. It does shock a lot of people because they know that the most conservative, the most progressive—how could they ever get along? What I tell people is that we respect each other's points of view. When we can't agree, we don't get personal about it; we accept each other's opinion. Where we can work together, we find the sweet spot, and we have done it several times.

In terms of water infrastructure, I want to say that the people in this country have a right to have clean water. They have to have ports that work and the dredging is kept up with. They have to have ecosystem restoration where our marshlands are—we are losing them, and they are flood controlled. And many, many Corps of Engineers reports that have been done—we don't want them to sit around because, as my dear friend knows, if we don't pass WRDA, there is no authority for the Corps to move forward.

We have these projects all over. So this bill is about saving lives from floods, saving lives from lead in water. It is about major economic benefits to our Nation.

I would say, with my friend's support and my support back to him, we created this WIFIA program that we based on the TIFIA program—transportation infrastructure financing. Now we have water infrastructure financing. What this does is allow communities to leverage the funds that they have, get a very low-interest loan, and move forward and make sure that they modernize their water systems.

I am so pleased that we were able to have this agreement. This is another one of our usual "Perils of Pauline"

where we think we are going to the bill, and then we are not. Everybody acted in good faith—Senator REID, Senator MCCONNELL, Senator INHOFE and I, and Senators from Michigan and Senators from all over the country.

As I wind down my days here, I am so honored to have this opportunity to once again work with my dear friend, and what a pleasure it is. People don't get it. They don't get the fact that we actually can set aside our differences, which are great, and come together. I know he is going to be—regardless of what happens in the election, I think the Senator is going to be I think the chairman of Armed Services. Is that correct? Maybe—or maybe ranking.

Mr. INHOFE. A lot of things have not transpired yet.

Mrs. BOXER. We don't know where he is going to land. What I want to say is that wherever he does land, it is going to be a fortunate thing for the Democrat who is his partner.

Working with Senator INHOFE has been so amazing and so productive, and this bill is a great symbol of the work we have done together. I am so thrilled. I hope that our colleagues will work with us because we want to help everybody, but we also want to make sure there are no poison pills and no crazy amendments that set us back. We will work together on that in good faith.

WATER RESOURCES DEVELOPMENT ACT

Mr. President, I rise today to speak in support of S. 2848, the Water Resources Development Act of 2016—WRDA—a bill that will repair our aging infrastructure, grow the economy, and create jobs. This legislation is the latest in a long list of bipartisan

infrastructure bills produced by the Environment and Public Works Committee. In April, this bill passed out of the EPW Committee with overwhelming support—19 to 1. We have a long track record of passing these infrastructure bills into law, and I am confident we can do it again with WRDA 2016.

This bill is desperately needed. As I have often said in recent months, the drinking water crisis in Flint, MI, puts a spotlight on our Nation's infrastructure challenges. The American Society of Civil Engineers rates the Nation's infrastructure a D-plus—hardly a grade to be proud of.

WRDA 2016 responds to our nation's infrastructure crisis. It allows additional investment to strengthen levees, dams, and navigation channels. It also addresses lead contamination in Flint and similar cities across the country that are dealing with aging lead pipes, such as Jackson, MS, Sebring, OH, and Durham, NC.

The American people have a right to expect safe, clean water when they turn on their faucets, and sadly, millions of homes across America still receive their water from crumbling pipes containing toxins such as lead. The American Water Works Association estimates that as many as 22 million people live in homes that receive water from lead service lines.

This bill begins the much-needed work to ensure safe, reliable drinking water for all Americans. It provides \$100 million in State Revolving Fund loans and grants for communities with a declared drinking water emergency. It also provides more than \$700 million in loans under the Water Infrastructure Finance and Innovation Act, or WIFIA, for projects to replace crumbling infrastructure. The WRDA bill helps those communities dealing with the horrible effects of lead poisoning by investing in public health programs to help families deal with the impacts. The bill also changes the law to require that communities are quickly notified if high lead levels are found in their drinking water to help prevent the mistakes made in Flint from being repeated. This bill is a comprehensive response to the national infrastructure crisis that was brought to light by the disaster in Flint.

This WRDA bill will also provide many other important benefits to the American people, local businesses, and the Nation's economy through the critical programs of the U.S. Army Corps of Engineers. For example, the bill authorizes over \$12 billion for 29 Chief's Reports in 18 States. These projects address critical needs for navigation, flood risk management, coastal storm damage reduction, and ecosystem restoration.

The bill authorizes important projects to maintain vital navigation routes for commerce and the move-

ment of goods, and builds on the reforms to the Harbor Maintenance Trust Fund, HMTF, in the 2014 WRDA bill. These include permanently extending prioritization for donor and energy transfer ports and emerging harbors, allowing additional ports to qualify for these funds, and making clear that the Corps can maintain harbors of refuge. Our ports and waterways—which are essential to the U.S. economy—moved 2.3 billion tons of goods in 2014.

In addition to providing major economic benefits, this legislation will save lives. Storms and floods in recent years have resulted in the loss of life, caused billions of dollars of damage, and wiped out entire communities. This bill will help rebuild critical levee systems around the country, including levees to protect the capital of my State and surrounding communities. WRDA also establishes a new program at FEMA to fund the repair of high hazard dams that present a public safety threat. These hazardous dams are threatening numerous communities across the Nation.

This bill authorizes and updates programs to advance the restoration of some of the nation's most iconic ecosystems, such as Lake Tahoe, the Great Lakes, Long Island Sound, the Delaware River, Chesapeake Bay, and Puget Sound. It will also help to revitalize the Los Angeles River, restore wetlands in San Francisco Bay, and provide critical habitat and improve air quality near the Salton Sea in California.

WRDA also responds to the serious challenges many of our communities are facing from ongoing drought. It expands opportunities for local communities to work with the Corps to improve operation of dams and reservoirs to increase water supplies and better conserve existing water resources.

The bill also builds on legislation I introduced called the Water in the 21st Century Act, or W21, to provide essential support for development of innovative water technologies, such as desalination and water recycling. The bill allows States to provide additional incentives for the use of innovative technologies through the State Revolving Fund programs, establishes a new innovative water technology grant program, and reauthorizes successful existing programs, such as the Water Desalination Act.

WRDA 2016 will invest in our Nation's water infrastructure, create jobs in the construction industry, protect our people from flooding, enable commerce to move through our ports, encourage innovative financing, and begin the hard work of preparing for and responding to extreme weather. WRDA 2016 is a truly bipartisan bill that benefits every region of this country.

Let me close by thanking my EPW chairman, Senator INHOFE, for his work

on this bill. While we do not always agree on every issue, I am glad we were able to come together on this vital legislation to pass it out of our committee with an overwhelmingly bipartisan vote.

I urge the Senate to quickly pass this critical legislation, and the House to follow suit, so that we can send this bill to the President's desk.

With that, I yield the floor back to my friend. I thank him for yielding to me. I look forward to rolling up our sleeves and getting this done.

Mr. INHOFE. Let me thank the Senator from California. Let's continue this productivity. We have a chance to do it now on this very significant bill. We had a conversation with the leadership, and I think she and I and the leadership agree that we can have some limitations on amendments. I have been over here asking for our Members to bring amendments several times now. Actually, we started this about 3 weeks ago. I don't have them in my hands yet. I would suggest since we have this tentative agreement that all amendments would go through the managers—that is, through Senator BOXER and me—that we go ahead and say they have to be germane, and if they are not in by noon on Friday, no more amendments could come in.

It seems as though we always have to have deadlines around here to get things done. I will be proposing that after I make a few remarks, and I think our Members can depend on that being a condition.

Does that sound reasonable to the Senator?

Mrs. BOXER. It sounds very fair to me actually.

Mr. INHOFE. That's good.

Let's talk a little bit about this because yesterday I talked about what is going to happen if we don't pass a WRDA bill. Keep in mind that we have gone sometimes as long as 7 or 8 years without passing one. We are supposed to do it every 2 years, and I think this could be the time that it will become a reality.

I will repeat what I said yesterday: What will happen if we don't have a bill? I think every Member, Democrat and Republican, will be affected by this and will be concerned if we don't get this legislation passed. First of all, there are 29 navigation flood control and environmental restoration projects that will not happen unless we pass this bill. There will be no new Corps reforms that will let local sponsors improve infrastructure at their own expense. I will talk a little bit about that because it is not very often that we have a bill where we have to encourage people to let other people pay for what the government would normally be paying for. We have come to an agreement in this bill, which is a good thing, and it is a good provision.

If we don't pass the bill, there is not going to be any FEMA assistance to

the States that need to rehabilitate the unsafe dams.

If we don't pass the bill, there will be no reforms to help communities address clean and safe drinking water infrastructures. I come from a State where we have a lot of small rural communities, which don't have an abundance of resources. Back when I was mayor of Tulsa, the biggest enemy I had was unfunded mandates. The Federal Government would come along and say "You have to do this," and yet we had to figure out a way to pay for it. That is what we are trying to get away from, and this bill helps us do that.

If we don't pass the bill, there will not be new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for the coal utilities from runaway coal-ash lawsuits. We have specifically addressed that.

I have to admit that there are a lot of things we worked out in this bill that Democrats like and the Republicans don't like and Republicans don't like and Democrats like, but that is how we got things done. Sooner or later there is an outcry out there for us to get things done, and this is certainly a good way to encourage these people to understand that there is hope in what we are doing.

I have some charts, and the first one I want to show is the map of the inland waterway system. There are 40 States that are directly served by ports and waterways maintained by the Corps of Engineers. This system handles over 2.3 billion tons of freight each year, and this commerce is critical to the United States.

I invite everyone to look at this chart. This is Tulsa, OK. Everyone knows where Oklahoma is. It is kind of in the middle of the United States. How many people in America know that we are navigable in Tulsa, OK? We have a navigation way that goes all the way up. We are fighting to keep the navigation way strong, and that is what this bill is all about. If you look at all of the things that are being serviced here—that is what this bill is all about. That is how far-reaching it is.

We have to keep our water transportation system operational. For example, the senior vice president of Marathon Petroleum Corporation told the Environmental Protection Committee, my committee, that they have a number of situations up and down the Ohio River where lock gates have failed to function and Marathon's barges were stopped for 50 or 60 days at the cost of millions and millions of dollars. He told us there was one lock where the gate literally fell off and took months to repair.

The second chart we have is the Ohio lock repairs. This could be anywhere, but this is what it looks like when you get down there. When we have lock problems in my State of Oklahoma, I

go out there and get down there with them and look to see what we can do. But that is fairly recent in Oklahoma.

Look at the Ohio River. I can't tell you how old it is, but you can see the repairs that need to take place. This problem is not exclusive to the Ohio River. It exists in most major locks throughout the inland waterway. These projects are experiencing a slow creep of Federal inaction.

Under the current law, a local sponsor, such as a port, has to wait for the Corps to get Federal appropriations and issue Federal contracts before locks, dams, and ports can be maintained. Even when a lock gate is literally falling off, under current law, they are not allowed to use their own money to help out.

The Corps maintenance budget is stretched thin so WRDA 2016 comes up with a solution, and this is a logical solution. In WRDA, the bill that we are going to consider and will hopefully pass, we let local sponsors, such as ports, either give money to the Corps to carry out maintenance or do their own maintenance using their own dollars. This is an opportunity. These are not taxpayer dollars, but the need is so critical that there are people out there willing to do this, and we will be able to do that with the passage of this bill.

We also have to modernize our ports. We have to invest in our Nation's ports now so that American ports can handle larger post-Panamax vessels. The new vessels that are coming through the Panama Canal now are vessels that require a greater depth. Here is a comparison. The top is the post-Panamax, and the bottom is what we are using today. You can get an idea of the number of containers that they can transport.

This picture shows the current Panamax vessel on the bottom and the new post-Panamax vessel on top. As you can see, the post-Panamax vessel can handle double the cargo of their predecessor. This increase in cargo volume means cheaper shipping costs, which translates into cheaper costs for consumers, but in order to achieve this, we have to deepen our Nation's strategic ports to accommodate it. WRDA 2016, the bill we are talking about now, has a number of provisions that will ensure that we grow the economy, increase our competitiveness in the global marketplace, and promote long-term prosperity. These provisions include important harbor deepening projects for Charleston, SC, Port Everglades, FL, Brownsville, TX, and throughout America.

This chart shows the Charleston Harbor. It is authorized to be deepened under this bill. Right now it is 45 feet deep. In order to use the Panamax to come into that particular port, it has to be closer to 51 feet instead of 45 feet. What happens if that doesn't happen? If it doesn't happen, they have to go to

someplace in the Caribbean where they offload the large vessel and divide it up into small vessels, which dramatically increases the costs. Anyone who is concerned about low costs has to keep in mind that this is a major opportunity not just for Charleston Harbor, but for harbors throughout the United States.

Let's talk about flood control. Let's start with the levees. The Corps built 14,700 miles of levees that protect billions of dollars of infrastructure and homes. We have some of these levees in my hometown of Tulsa, OK. The Corps projects prevent nearly \$50 billion a year in damages. Many of these levees were built a long time ago, and some have recently failed.

This chart shows the Iowa River levee breach. This is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases levees like this were constructed by the Army Corps of Engineers decades ago and no longer meet the Corps post-Katrina engineering design guidelines. Also, FEMA has decided that many of these levees don't meet FEMA flood insurance standards. Even though they own the levees, a levee district needs permission from the Corps to upgrade a levee to meet FEMA standards. Several Members of this body have told me that their local levee districts are caught up in a bureaucratic nightmare when they try to get that permission from the Corps. Well, you shouldn't have to do that. Everyone benefits from this. We are streamlining the process to allow levee districts to improve their own levees by using their own money to do it in WRDA 2016. This is nontaxpayer money, and I don't know who could oppose this effort.

There is also an issue with how the Corps rebuilds levees that have been damaged by flood. Right now the Corps will rebuild only to the preexisting level protection, which may be inadequate and may not meet FEMA standards. Einstein defined insanity as doing the same thing over and over again and expecting to have different results. To stop this insanity of wasting Federal dollars by rebuilding the same inadequate levee over and over again, WRDA 2016 allows local levee districts to increase the level of flood protection at their expense when the Corps is rebuilding a levee after a flood. No one can argue with that one.

Let's talk about dams. According to the Corps National Inventory of Dams, there are 14,726 high hazard potential dams in the United States. A high hazard potential dam is defined as a dam that will result in the loss of lives. If you look at this, this is a dam that broke. When that happens downstream, you know people are going to die. This is an area where we can't imagine that anyone would object to it.

This is a picture of a dam in Iowa that failed in June of 2010 after the

area received 10 inches of rain. We can avoid disasters like this by making the necessary investments in our water resources infrastructure. By not passing WRDA, we leave communities like this one, and many others throughout the country, vulnerable to catastrophic events. WRDA 2016 helps avoid disasters like this by providing two new dam safety programs.

Keep in mind, we are talking about 14,000 high hazard potential dams—life-threatening dams—right now. One is operated by FEMA to support State dam programs, and one is operated by the Bureau of Indian Affairs to support tribes. Those are the two efforts that we are making.

Let's talk about the EPA clean water and drinking water mandates. Communities around the country are trying to keep up with more and more of the Federal mandates coming from the EPA. I had to deal with this when I was the mayor of Tulsa. It was the unfunded mandates that were the greatest problems that we had, and one of the goals I had in coming to Congress was to stop the mandates. We thought we had done that at one time. This is going to be a great help. Even though our water is much cleaner and our drinking water is much safer than it was 30 or 40 years ago, back when I was mayor of Tulsa, the EPA keeps adding more and more regulations, and these new mandates drive up our water and sewer bills to the point that they become unaffordable to many families. Under the threat of EPA penalties, communities can be forced to choose between meeting new, unfunded Federal mandates or keeping up with basic maintenance repair and replacement activities that keep our drinking water and wastewater operational.

Our seventh chart here is the Philadelphia main break that took place. If we don't maintain our infrastructure, it will fail just as this water main did in Philadelphia. If we don't replace our infrastructure, aging sewer pipes will leak and result in sewer overflows. Atlanta, Omaha, Baltimore, Cincinnati, Houston, and communities all around the country are facing these problems.

This chart shows the tunnel-boring machine for DC's \$2.6 billion sewer. You can see what is involved in this project. These sewer projects are huge and very costly. For example, there is a picture of a tunnel that is being built here in DC as part of a \$2.6 billion project to address sewer overflows. The WRDA bill, S. 2848, addresses these issues in two ways. It targets Federal assistance and tools that empower local governments.

As far as Federal assistance, our 2016 WRDA bill provides \$70 million to capitalize WIFIA. You heard the Senator from California, Mrs. BOXER, talk about how we used TIFIA in our highway bill. We are using WIFIA in the same way. The \$70 million of Federal

funds can provide up to \$4.2 billion in secured loans. It is something that worked in the highway bill, and it will work in this one. Those loans have gotten a match by another \$4.4 billion, so there is \$70 million in Federal investment that will result in some \$8.6 billion in infrastructure. That is in this bill.

This funding is fully offset by reductions in DOE's Advanced Technology Vehicles Manufacturing Program. I might add that the Senator from Michigan has assured me that they are very supportive of this, in spite of the fact that that is where a lot of the manufacturing of our vehicles takes place.

While the Federal assistance in this bill is targeted, all communities need tools to fight back when EPA enforcement officials try to take control of their water and sewer system. The WRDA bill also requires the EPA to update its affordability guidance, so when EPA imposes costly sewer upgrades on a community, EPA will have to consider the real impacts on real households, including low-income households.

Finally, we talk about coal ash. That has been very controversial for a long time. WRDA includes compromise legislation that we negotiated and considered with Senator BOXER and others on the EPW Committee to authorize State permit programs to manage fly ash from coal-fired powerplants.

Coal ash is a critical ingredient in making concrete for roads and bridges. It is more durable, it is less expensive than the alternatives, and many States actually require coal ash to be used in their highway projects. When EPA's coal ash rule went into effect last October, it created huge uncertainty for both the disposal and the beneficial use of coal ash because, unlike other environmental regulations, the EPA rule is enforced through citizen lawsuits. This is something we have to stop. This bill fixes that by giving States the authority to issue State coal ash permits that will provide protection from citizen suits.

There is a tremendous amount in this bill that is important to every State in our country. I can't imagine that we are not going to be able to get this passed. Our goal—and this is a goal of Democrats and Republicans, the majority and the minority—is to get this done and get it done in this work period, and I think we can get it done by next week.

We are to the point now where I want to repeat that we have the opportunity to do what we are supposed to be doing in managing our infrastructure. This is something we have an opportunity to do now and do well. Again, one of the requirements is—and the leadership has agreed to this, as have the managers, Senator BOXER and myself—that we are going to have to get all of the

amendments in from anybody who wants them by noon on Friday. Nothing will be considered after that, nor will anything be considered that is not germane. We are going to be passing judgment on these amendments as they come in, but bring them in because after noon on Friday, it will be too late.

Anyway, we have this opportunity on the floor to get this done, and I think this will be one of the last really great accomplishments we will be able to do in this legislation session.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

CLINTON FOUNDATION

Mr. CORNYN. Mr. President, this summer the American people have heard a lot about Secretary Clinton and how she went to great lengths to set up a private email server in violation of Federal law and accepted protocols not only at the State Department but in the U.S. Government.

In early July FBI Director Comey announced findings from the Bureau's investigation into her server that confirmed what many people knew all along; that is, that Secretary Clinton simply misled the American people about it from day one. She didn't tell the truth, and she tried to cover it up.

Contrary to her previous statements from her and her staff, Secretary Clinton did send and receive classified information on her private email server, including some at the very highest levels of classification. We learned that, contrary to her representations, her server did not provide adequate security, leaving sensitive information vulnerable to our Nation's enemies. We also learned that neither she nor her lawyers really actually reviewed the emails to determine whether they were work-related and needed to be turned over to the State Department and the Federal courts under our freedom of information laws. And we learned that she didn't give the authorities full access to all of her work-related emails. In fact, Director Comey said the FBI discovered thousands of emails that she simply had not produced even though she was required to do so.

All of this may seem like old news, but the fact is, it is simply unacceptable. I am glad the FBI released much of its investigation on Friday, but, as was observed by a number of people, this was sort of a typical Washington news dump—get it out on Friday and hope that by Monday morning, people have moved on to other things or forgotten about it.

But these regular scandals that seem to be associated with the Clintons—while they addressed the emails, they obviously evidenced contempt for our freedom of information laws and the kind of transparency that President Obama touted when he became President and spoke about on the day of his

inauguration on January 20, 2009—most of the American people have come to believe they simply can't trust Secretary Clinton. According to a recent CNN poll, about 70 percent said that she isn't honest and trustworthy—almost 70 percent, which is an astoundingly high number. But I really can't blame folks. In fact, Secretary Clinton has no one else to blame but herself.

Unfortunately, Director Comey's announcement back in the July wasn't the end of the story, though, because last month even more emails came to light that revealed the line blurred between the Clinton Foundation and the State Department under Secretary Clinton. Many of the new emails were between top Clinton aides and an executive at the Clinton Foundation requesting favors of Secretary Clinton in her official capacity. There is a lot of information out there, but I have just highlighted about three of the items here.

One exchange requests a meeting between Secretary Clinton and the Crown Prince of Bahrain. According to the emails, after the Clinton Foundation staffer intervened, a meeting was quickly put together. The Washington Post has noted that the Crown Prince spent upwards of \$32 million on an education program connected with—you guessed it—the Clinton Foundation.

Another is from a person whom we will identify as just a sports executive trying to get an expedited visa for a British soccer player. He donated between \$5 million and \$10 million to the Clinton Foundation.

Several other requests were for last-minute meetings and other favors, including one business executive who apparently got quick access to Secretary Clinton. He donated between \$5 million and \$10 million to the Clinton Foundation.

So what do all of these examples have in common? Obviously they are asking for help through Secretary Clinton's direct line at the State Department and they gave millions of dollars to the foundation. These obviously were big-time donors.

Let me add that I don't know a lot about the details involving these donations because the Clinton Foundation doesn't provide the date and exact amount but just ranges.

Here is the point: Secretary Clinton and her team were quick to prioritize these big donors and respond to them quickly and even, if possible, follow through with whatever request was made of them. It is clear that major Clinton Foundation donors enjoyed great access to Secretary Clinton while she was serving as our Nation's premier diplomat. The Clinton Foundation interfered with official day-to-day work at the State Department when the Secretary and her staff should have been focused on keeping Americans safe and making sound foreign policy.

One of the reasons I bring this up today is that this was an original concern of mine before Secretary Clinton was even confirmed as Secretary of State. After President Obama's election in 2009, during the Senate confirmation process, I objected to fast-tracking a vote on her nomination because I saw the real and myriad possibilities for conflicts of interest in the relationship between Secretary Clinton as Secretary of State and the Clinton family foundation. I told then-Secretary Nominee Clinton that we needed greater transparency and we needed more assurances as to the integrity of this whole arrangement. When I questioned her about it, I was assured by Secretary Clinton herself that the Clinton Foundation would take steps necessary to mitigate my concerns about conflicts of interest and perceived conflicts of interest.

I would note that this was not just my concern; it was a concern raised by the then-chairman of the Foreign Relations Committee, Senator Richard Lugar. It was also raised by President Obama and his White House itself. And what was produced out of those concerns was a very lawyerly-like memorandum of understanding between the Clinton Foundation and the Obama administration. In fact, I believe this is a precondition to Secretary Clinton getting the nomination from President Obama, because he didn't want the conflicts of interest that he knew could arise as a result of the foundation's activities to impugn the integrity of the Obama administration.

This memorandum of understanding assured the President and the American people that the foundation would follow certain transparency measures to make sure that Secretary Clinton conducted American diplomacy with the utmost integrity. In doing so, the foundation agreed it would make public the names of all donors, including new ones.

What was the result? In the ensuing years, Secretary Clinton and her family foundation made a habit of regularly crossing the lines that were drawn in that memorandum of understanding and with her verbal arrangements and understanding with me. Even though the foundation agreed to disclose all foreign donations—this is from foreign countries to a family foundation run, in part, by the Secretary of State of the U.S. Government. So even though they agreed to disclose all foreign contributions, they didn't, and even though some foreign donations were supposed to be submitted for review to the State Department, they weren't.

According to reports, at least one organization within the foundation failed to annually disclose its list of donors, and today the American people still lack basic information about many of the donations, like the exact amounts

that were donated to the foundation, as I already mentioned.

I don't know anybody who feels comfortable with or who can defend these obvious conflicts of interest between the Secretary of State representing the United States and her family foundation soliciting and receiving multimillion-dollar donations from heads of state of foreign countries, not to mention other people who obviously were trying to get the help of Secretary Clinton in some official capacity. Secretary Clinton was performing her job as Secretary of State, and at the same time, the Clinton Foundation was shaking down donors who at least thought they were buying access. I don't know how to describe that in any other terms other than it is deplorable and it completely undercuts the integrity of our democratic process.

This isn't funny, as former President Clinton suggested. Lying to the American people doesn't make you some kind of Robin Hood either, as he claimed to be. He said the only difference between him and Robin Hood is he didn't steal from anybody.

Well, this whole scandal further underscores the Clinton philosophy that anything goes. She clearly feels like the laws that apply to you and me don't apply to her, and it is no wonder the American people have come to distrust her and believe that she is simply incapable in many instances of telling the truth.

I hope the American people keep asking questions of Secretary Clinton and her foundation, and I hope soon that we all get some answers. The American people deserve complete unobstructed transparency into this matter, and it is clear they won't get that from Secretary Clinton herself.

Regarding the vote to confirm Secretary Clinton, it did occur. In reliance upon her assurances of transparency and to maintain the independence of her office of Secretary of State from the activities of the foundation, I, among many others of my colleagues, voted to confirm Secretary Clinton as Secretary of State, but my belief today is that she simply did not keep up her end of the bargain. Thus, if that vote were held today, I could not and would not vote to confirm her as Secretary of State.

MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes after several weeks of work in our home States, I am back for the 145th time asking my colleagues to wake up to the pressing reality of climate change. We are sleepwalking through this moment, willfully ignoring the warning signs of an already altered Earth, largely because of a decades-long corporate campaign of misinformation on the dangers of carbon pollution.

Just last week, while we were back home, scientists at the International Geological Congress presented the beginning of a new geological epoch, the Anthropocene. Transitions between geological epochs are marked by a signal—a signal in the global geologic record, like the traces of the meteorite that wiped out the dinosaurs at the end of the Cretaceous epoch.

What are the signals of the beginning of the Anthropocene?

Humans—anthropods—have increased carbon dioxide in the Earth's atmosphere from 280 parts per million before the Industrial Revolution to 400 parts per million and rising today—a pace of increase not seen for 66 million years and a level never seen before in human history on this planet.

We have also dumped so much plastic into our waterways and oceans that microplastic particles can be found virtually everywhere and are now even infiltrating our food chain. We have poured so much pollution into our atmosphere—that thin blue shell under which we currently thrive—that permanent layers of particulates, such as black carbon from burning fossil fuels, are left in sediments and glacial ice. The signals we are leaving are many, and they are clear.

Dr. Paul Crutzen, the Nobel Prize-winning chemist who coined the term “Anthropocene” remarked back in 2011: “This name change stresses the enormity of humanity's responsibility as stewards of the Earth.” His words echo those of Pope Francis, who tells us this in his encyclical “*Laudato Si*”: “Humanity is called to recognize the need for changes of lifestyle, production, and consumption, in order to combat this warming or at least the human causes which produce or aggravate it.”

Yet attempts to address climate change are stifled in this Chamber by an industry-controlled, many-tentacled apparatus deliberately polluting our discourse with phony climate denial as it pollutes our atmosphere and oceans with carbon. Polls show more than 80 percent of Americans favor action to reduce carbon pollution. So our inaction signals the filthy grip these bad actors have on this Chamber.

Before the recess, 19 colleagues came to the floor to shine a little light on this web of climate denial spun by those actors. All told, we delivered

over 5½ hours of remarks describing the activities, the backers, and the linkages of dozens of denier groups.

A growing body of scholarship examines this climate denial apparatus, including work by Harvard's Naomi Oreskes, Michigan State's Aaron McCright, Oklahoma State University's Riley Dunlap, Yale's Justin Farrell, and Drexel's Robert Brulle. Their work reveals an intricate, interconnected propaganda web that encompasses over 100 organizations, trade associations, conservative think tanks, foundations, public relations firms, and plain old phony-baloney polluter front groups. In the words of Professor Farrell, the apparatus is “overtly producing and promoting skepticism and doubt about scientific consensus on climate change.”

Well, our little floor effort got the attention of the climate deniers. Shortly after our “web of denial” floor action, Senator SCHATZ and I received a letter from ExxonMobil telling us that it believes the risks of climate change are real, that it no longer funds groups that deny the science of climate change, and that it supports a carbon fee, like our American Opportunity Carbon Fee Act.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of this letter.

There being no objection, the material was ordered to be printed in the RECORD as follows:

EXXON MOBIL CORPORATION,
Washington, DC, July 21, 2016.

Hon. SHELDON WHITEHOUSE,
U.S. Senate,
Washington, DC.

DEAR SENATOR WHITEHOUSE: I am writing in response to comments you recently made on the Senate floor about ExxonMobil and our position on climate change and felt it important to better inform you of our position. ExxonMobil shares the same concerns as people everywhere—how to provide the world with the energy it needs to support economic growth and improve living standards, while reducing greenhouse gas (GHG) emissions. It is a dual challenge. Technological advancements in the ways in which we produce, deliver, and use energy are critical to our ability to meet this challenge.

ExxonMobil believes the risks of climate change are real and warrant thoughtful action.

As a global issue, addressing the risks of climate change requires broad-based, practical solutions around the world. ExxonMobil believes that effective policies to address climate change should:

Ensure a uniform and predictable cost of carbon across the economy;

Be global in application;

Allow market prices to drive the selection of solutions;

Minimize complexity and administrative costs;

Maximize transparency; and

Provide flexibility for future adjustments to react to developments in climate science and the economic impacts of climate policies.

As policymakers develop mechanisms to address climate change risk, they should

focus on reducing the greatest amount of emissions at the lowest cost to society. Of the policy options being considered by governments, we believe a revenue-neutral carbon tax is the best—a position we first took more than seven years ago.

We are actively working to reduce greenhouse gas emissions in our own operations and to help our customers reduce their emissions as well. That means developing technologies that reduce emissions, including working to improve energy efficiency and advance cogeneration. In fact, our cogeneration facilities alone enable the avoidance of approximately 6 million metric tons of greenhouse gas emissions each year, and allow us to feed power back to the grid in certain instances.

Since 2000, ExxonMobil has spent approximately \$7 billion to develop lower-emission energy solutions. That figure does not include the fact that as the nation's leading producer of natural gas, ExxonMobil has contributed substantially to the overall drop in U.S. energy-related CO2 emissions over the past decade.

We are also advancing conventional carbon-capture-and-storage technology while at the same time pursuing innovative carbon-capture solutions involving carbonate fuel cells. This far-sighted research aims to reduce the cost of carbon capture to keep CO2 out of the atmosphere. Advancing economic and scalable technologies to capture carbon dioxide from large emitters, such as power plants, is an important part of ExxonMobil's suite of research into lower-emissions solutions to mitigate the risk of climate change.

And we are pioneering development of next-generation biofuels from algae that could reduce emissions without competing with food and water resources.

We reject long-discredited efforts to portray legitimate scientific inquiry and dialogue and differences on policy approaches as “climate denial.” We rejected them when they were made a decade ago and we reject them today.

To advance the quality of analysis and discussion of leading public policy challenges, we provide funding to a broad range of non-profit organizations that engage in the development and consideration of options to address them responsibly and effectively. Often these organizations support free market solutions and expanded economic growth. We consider our support for such organizations from year to year to assess their continuing contribution to the public discussion of social, environmental, and economic issues. As you know, several years ago, we discontinued funding several non-profit organizations when we determined that our support for them was unfortunately becoming a distraction from the important public discussion over practical efforts to mitigate the risks of climate change.

If you, or your staff, would like to discuss this or any other matter, please let me know and, as always, we would be pleased to meet.

Sincerely,

THERESA FARIELLO,
Vice President,
Washington Office.

Mr. WHITEHOUSE. It is a nice letter, but its claims simply do not conform to our experience.

In 2015, for instance, ExxonMobil repeatedly funneled millions to groups peddling climate denial. According to its own publicly available “2015 Worldwide Giving Report,” ExxonMobil contributed over \$1.6 million to organizations that were profiled in our floor

statements, including the American Legislative Exchange Council and the U.S. Chamber of Commerce.

ExxonMobil's letter claims that the company's support for a revenue-neutral carbon tax dates back 7 years. If that were so, you would think at some point during those 7 years Exxon executives would have expressed that support to the authors of a carbon fee bill. My and Senator SCHATZ's American Opportunity Carbon Fee Act meets all the relevant criteria mentioned in the letter, yet ExxonMobil has not endorsed the bill or lobbied our colleagues on its behalf or even expressed interest in meeting with either of us to discuss the White House-Schatz proposal and how to make it become law.

Behind ExxonMobil's professed support for a carbon fee, here is what we really see: zero support from the corporation and implacable opposition from all ExxonMobil's main lobbying groups—the American Petroleum Institute, for instance, the U.S. Chamber of Commerce and its array of various front groups. The actual lobbying position of ExxonMobil is vehemently against the revenue-neutral carbon tax ExxonMobil claims to support.

The letter from ExxonMobil was not the only letter in response to our July floor speeches. Twenty-two organizations in the Koch-funded network with lengthy records of climate change denial also sent a letter objecting to being characterized as Koch-linked climate deniers. This group of organizations, which purportedly is not a group, sent their letter out on a common letterhead. Since the web of climate change denial is designed to be so big and sophisticated, with so many parts that the public is made to believe it is not a single, special-interest-funded front, that may not have been their smartest move. Interestingly, some of the groups that participated in this letter were not even mentioned in our floor remarks. Such is the web of denial.

In our reply to them, Senators REID, SCHUMER, BOXER, DURBIN, SANDERS, FRANKEN, WARREN, MARKEY and I noted that they are all well supported in the web of climate denial, to the tune of at least \$92 million, in a network bound together by common funders, shared staff, and matched messages. It is one beast, though it may have many heads.

We offered these organizations a simple test. If you are for real, disclose all of your donors. There is a lot of dark money going into these groups. So we asked: Show us that you represent many, many millions of Americans—as they claimed in the letter—not just many, many millions of dollars from the Koch brothers' fossil fuel network.

I contend that these organizations are well-funded agents of hidden backers with a massive conflict of interest, and that it is their job to subject our

country to an organized campaign to deceive and mislead us regarding the scientific consensus surrounding climate change and to do so with the purpose to sabotage American response to the climate crisis.

I contend that the conflict of interest of their hidden backers runs into the hundreds of billions of dollars. If you use the Office of Management and Budget's social cost of carbon, one can calculate the annual polluter cost to the rest of us from their carbon pollution at over \$200 billion per year. Think what mischief people would be willing to get up to for \$200 billion per year. The International Monetary Fund estimates that the effective subsidy for American fossil fuels is actually even higher—\$700 billion per year. For that kind of money, you can fund a lot of front groups.

The front group's letter points out that our Founders intended for public policies to be well informed and well debated. Well, I could not agree more.

On July 31, leading national scientific organizations, including the American Association for the Advancement of Science, the American Meteorological Society, and the American Geophysical Union, sent Members of Congress a no-nonsense message that human-caused climate change is real, that it poses serious risks to modern society, and that we need to substantially reduce greenhouse gas emissions.

Observations throughout the world make it clear that climate change is occurring, and rigorous scientific research concludes that the greenhouse gases emitted by human activities are the primary driver. This conclusion is based on multiple independent lines of evidence and the vast body of peer-reviewed science.

That is the voice of fact, analysis, and reason. We are well informed by the real scientists. The scientists have the expertise, the knowledge, and the facts. What they don't have is that massive conflict of interest that requires setting up an armada of front groups and that gives them the \$100 billion motivation to run this scheme. It is time to let the scientists and the facts take their place.

This issue has been thoroughly debated and vetted in the legitimate world. It is time now for us here in Congress to wake up to our duties and at last to act.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 3292 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PORTMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING THE SUPREME COURT VACANCY

Mr. PERDUE. Mr. President, I rise tonight after having listened to several floor speeches today. I don't understand it. Here we are again with problems such as the debt, the Zika virus, funding our military, and yet we spent the majority of the day in this body talking about something I think we have already decided is not going to change this year, and that is the potential nomination to the vacancy on the Supreme Court.

I just think I need to do this one more time. I have spoken before about my position, and I want to rise in support of Senator GRASSLEY, the chairman of the Senate Judiciary Committee. I think it is important that I again discuss why I believe the Senate should not hold hearings or schedule a vote on any Supreme Court nominee until the American people have chosen whom they want to be their next President.

I would first like to address this issue of the Senate's responsibility under the Constitution with respect to judicial matters and judicial nominees in particular. According to article II, section 2, the President has the power to nominate Supreme Court Justices—nothing new there. We in this body have the power to either consent or withhold our consent from this nominee.

The minority leader himself said at that time when referring to the Senate's constitutional responsibility to confirm President George W. Bush's judicial nominee:

Nowhere in that document does it say the Senate has a duty to give presidential nominees a vote.

He then went on to say:

The Senate is not a rubber stamp for the executive branch.

There is also no provision in the Constitution requiring the Senate Judiciary Committee to hold hearings for all judicial nominees. In fact, the Constitution and its provisions laying out the process for confirming judicial nominees were ratified 28 years before the Senate Judiciary Committee even came into existence. Therefore, it is clear to me that the Senate's action in withholding consent from this nominee is entirely consistent with our rights and responsibilities as a coequal branch of government under the Constitution.

By choosing to withhold our consent in this case, we are doing our job, just as we have said all along and just as our jobs are laid out in the Constitution.

I would also like to address the argument that the lack of hearings for a

Supreme Court nominee this year is somehow unprecedented. That is just nonsense. In modern times, the opposite is actually true. The last time a Supreme Court vacancy arose and a nominee was confirmed in a Presidential election year was actually in 1932. But the last time this situation occurred where we had a divided government and we had a Supreme Court Justice nominated and confirmed in that year was 1888. Mr. President, a lot of water has gone under the bridge since then, and both sides have taken this position.

Furthermore, my colleagues across the aisle have consistently argued over the years that the Senate should not act on a Supreme Court nomination during a Presidential election year. The hypocrisy of this situation is just amazing to me. As an outsider to this process, this is what drives my friends and people back home absolutely mad.

It was then-Senator BIDEN—our current Vice President—who was chairman of the Judiciary Committee at the time, who said that President George H.W. Bush should avoid a Supreme Court nomination until after the 1992 Presidential election. Then-Senator BIDEN went further than what we are doing today: He then said the President shouldn't even nominate someone. He made the same point my colleagues and I are making today when he said:

It is my view that if a Supreme Court justice resigns tomorrow or within the next several weeks, or resigns at the end of the year, President Bush should consider following the practice of a majority of his predecessors and not—and not—name a nominee until after the November election is completed.

I don't know what else to say, Mr. President. Both sides have made this same argument we are making today in the past.

Finally, I believe the decision to not hold hearings for a Supreme Court nominee this year is a wise course of action in the midst of a Presidential election. As I have said all along, this is not the time we want to interject into this political process the decision to make a lifetime appointment to the Supreme Court—a decision that may tip the balance of this particular Court.

Then-Senator BIDEN also said, when discussing the potential of holding Supreme Court confirmation hearings against the backdrop of election-year politics:

A process that is already in doubt in the minds of many will become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the President, to the nominee, or to the Senate itself.

I agree with then-Senator BIDEN that the confirmation of a lifetime appointee to our Nation's highest Court is far too important to become entangled in the partisan wrangling during a Presidential election year.

As a member of the Judiciary Committee, I am, therefore, proud to stand

with Chairman GRASSLEY and my colleagues in the committee in saying no Supreme Court nominee should be considered by the Senate before the next President is sworn into office. I also believe that it shouldn't be taken up in a lameduck session. You can't have it both ways, Mr. President.

OBAMACARE

Mr. PERDUE. Mr. President, I have one other topic I would like to cover, if I may, and that is about the other conversation we hear about from back home, and that is ObamaCare.

We just spent several weeks back home in the State working, and I personally spent the last 3 weeks touring our State, from Hahira to Hiawasse, and I can tell you that I get one question out of every group to which I speak, and that is this: What can be done about ObamaCare? My premiums are going up. My insurance was canceled. It said that I could keep my doctor if I wanted to. It said I could keep my insurance company if I wanted to. Yet I lost my doctor and I am losing my insurance.

I really believe this is a critical issue we need to talk about. Americans have never settled for failure. Yet right now people are saying that we need to accept ObamaCare, that it is the law. Yet I am saying it is collapsing under its own weight. In four decades of business, I don't think I have ever seen anything as perverse as ObamaCare and the effect it is having not only on our business community but on the people back home.

We are still talking ObamaCare today, Mr. President, because it is a complete disaster. It has failed the very people this President and the Democrats in this body claimed to champion—the working men and women of America. It did nothing to go after overall costs and the spiraling nature of health care costs, which continue to explode and are the No. 1 driver of the fact that in the next 10 years, unless we do something, this President has a budget that will add \$10 trillion more to our current debt.

ObamaCare did nothing at all to deal with the number of doctors in this country. It inserted government between patients and their doctors and created a shortage of doctors. Right now we are averaging around 10,000—we are losing about 10,000 doctors a year under ObamaCare. In fact, projections are that a doctor shortage in just the next 10 years could top 90,000 doctors. That is staggering.

ObamaCare raises taxes, increases premiums, and it chokes out our choices. Not only that, but deductibles are up dramatically. My home State of Georgia is feeling the weight of this failure. UnitedHealthcare and Cigna are leaving the ObamaCare exchange at the end of the year. Last month, Aetna announced it was joining them.

At the start of this year—this is an astounding number—all 159 counties in Georgia had at least 2 carriers to depend on. Now, after 9 months, 96 of the 159 counties in Georgia have only 1 option. I repeat: 96 of the 159 counties have only 1 option.

Georgians are being robbed of health care choices. They are also facing even higher premium and deductible costs. Premiums have risen in Georgia by an average of 33 percent. Every provider left in Georgia is raising premiums by double digits next year. I will highlight a couple of them: Blue Cross Blue Shield, 21 percent; Alliant, 21 percent; Ambetter, 13.7 percent; Kaiser, 18 percent; Harken Health, 51 percent; Humana, 67 percent.

In 2009, President Obama railed against fewer choices. While selling ObamaCare, he said: "In 34 States, 75 percent of the insurance market is controlled by five or fewer companies . . . and without competition, the price of insurance goes up and quality goes down."

Gee, it sounds like he knew what was coming, except he was complaining about that at the time, and today it has gotten worse. That is exactly what is happening in Georgia because of ObamaCare. These are problems that are not limited to just Georgia. Aetna is leaving 10 other States as we speak. Today, 31 percent of all counties nationwide, comprising almost 2½ million Americans enrolled in ObamaCare exchanges, are more likely than not to have just one choice in provider. That is what the President was complaining about in 2009.

Insurance companies across the country are facing hundreds of millions in losses. It means fewer choices and higher costs for patients. The GAO recently reported that the pre-ObamaCare plans available in most States were more affordable and had lower deductibles than the options now available in ObamaCare exchanges. Profound.

Nationally, premiums have risen by an average of 26 percent. Deductibles have risen for individuals with an average income of more than 60 percent than when ObamaCare became law. Premiums are up 26 percent. Deductibles are up over 60 percent. There is no way around it. ObamaCare is a Washington takeover of our health care system that isn't working for average Americans.

When they were talking about this back in the day, my comment all along was: How do you feel about ObamaCare? I said: Well, if you like the way the VA is being run, you are going to love ObamaCare. Those words are coming true today. It is collapsing under its own weight. It is failing the very people whom the other side claims to champion—the working poor and the working middle class of our country who are bearing the burden of this nonsense.

Monopolies are festering and prices have skyrocketed. As I said, ObamaCare is yet another example of liberal policies failing the very people they claim to champion. The diagnosis is in. None of these problems are going away. That is our problem. In fact, they are getting worse. ObamaCare cannot be allowed to stand.

This is not a question of tweaking it around the edges. It is profoundly built incorrectly. We have to repeal the individual and poor mandates and pass an alternative that goes after real drivers of spiraling health care costs. Instead, we should offer transportability, insurability, and accessibility—all the things that were missing prior to ObamaCare but have been proposed fixes that have been in for over 10 years on the Republican side.

Accessibility is one of the main things to those who want to purchase coverage without mandating it. This would ensure that no one is priced out of the market, including those with preexisting conditions. We should offer more access to health savings accounts to help drive down costs and allow for the purchase of insurance across State lines to increase competition.

Finally, we have to address the frivolous lawsuits that have forced some doctors to practice defensive medicine out of fear of being sued. All these steps are within our grasp. So don't believe those who say there isn't an ObamaCare alternative out there. My friend and Georgia representative, TOM PRICE, has championed H. 2300, the Empowering Patients First Act, for years. It contains all the solutions I just mentioned and more. I am proud to cosponsor that with JOHN MCCAIN in the Senate. Our health care system is too important for too many Americans and too many to settle for this failure. I wasn't sent to the U.S. Senate to settle for the status quo.

I want to say one thing in closing. In the last 8 years, we have been told over and over again that the status quo is the new norm. This is one where the American people are telling me and telling you that they are not accepting this new norm.

Mr. President, I yield my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JAMES DUNN

Mr. ROUNDS. Mr. President, today I wish to commemorate the life and legacy of former South Dakota State Senator James Dunn.

Jim was born in Lead, SD, on June 27, 1927, and died in Sturgis, SD, on August 11, 2016, at the age of 89.

Immediately after graduating from high school, he joined the U.S. Army Signal Corps and served from 1945 through 1947.

He returned home to Lead and worked at the Homestake Gold Mine for the next 38 years. During that time, he also raised four children with his wife, Betty, and earned a bachelor's degree in business administration and economics. At the mine, he was a crewman, a machinist, the assistant director of public affairs, and then the director of public affairs.

Jim inspired his coworkers with his intelligence, his humor, and his leadership. He became a constant promoter for the Black Hills and all of South Dakota. He inspired magazine articles, books, films, and other publicity about South Dakota.

He was also an enthusiastic supporter and volunteer worker for dozens of local and State organizations during his 89 years. He was even the first male president of the Black Hills Girl Scout Council.

In 1971, he was elected to the South Dakota House of Representatives. In 1973, he was elected to the South Dakota Senate and served until his retirement in 2000. His 30 years of consecutive service is matched by only three other legislators.

Jim Dunn was elected to many legislative leadership positions, including the chairmanship of the executive board of the legislature. However, his leadership went beyond any position he held.

He was a great mentor to all the legislators who served with him, including me. For my first 4 years of working as the majority leader, he sat next to me. The wisdom of his additional 20 years of experience kept me out of trouble. No one saw the many times I wanted to jump up and join a floor fight, but Jim would calmly grab my arm and say, "Not yet, wait." His deep, raspy whispers guided me and taught me how to be a leader.

Jim removed the rancor from committee and floor debates with his knowledge and explanation of the facts. He guided our discussions back to what was really important. Then he would lead us to consensus.

He was a tough negotiator, but also a practical compromiser. He always brought the focus to what was best for the people back home and all the people of South Dakota.

He was always there for us in solving problems and creating new opportunities, such as saving the State's railroads, increasing tourism as the prime sponsor of the Deadwood gaming law, substantial expansion of the financial services industry, implementing welfare reform, reducing property taxes, and promoting the transformation of the Homestake Gold Mine into the deepest underground physics laboratory in the world.

But more important than all of his career accomplishments is the kind of person Jim Dunn was.

He was a loving husband, father, grandfather, great-grandfather, and friend to all who knew him. He had an enormously positive impact on the many thousands of people he met and touched with his kindness and generosity.

South Dakota is a better State and we are a better people because of Jim Dunn.

With this, I welcome the opportunity to recognize and commemorate the life of this public servant and great human being, my friend, Jim Dunn.

Thank you, Mr. President.

RECOGNIZING LITTLE ROCK CENTRAL HIGH SCHOOL

Mr. COTTON. Mr. President, in honor of the National Park Service's 100th birthday year, I want to recognize one of Arkansas' most recognized and historic sites: Little Rock Central High School. As one of the most well-known high schools in the United States, Little Rock Central's story is an important one in the history of our Nation.

Central High School played a pivotal role in the desegregation of public schools in the United States. On September 23, 1957, following the Supreme Court's decision in *Brown v. Board of Education* in 1954, nine African-American students attempted to attend class at Little Rock Central High School. Now known as the Little Rock Nine, these students were met with heavy public disapproval by an angry mob. President Eisenhower ultimately ordered Federal troops into Little Rock to escort the students into the school for their first day of class on September 25, 1957.

These courageous nine students changed the course of history. They showed us that we should always pursue what is just, no matter how hard the journey is.

Former President and Arkansas Governor Bill Clinton signed legislation in 1998 designating the school a national historic site. To this day, Little Rock Central High School is the only functioning secondary school in the United States to have this distinction. Preserving Little Rock Central High School and presenting its history so that others might learn from it is an important mission, one that we should never abandon.

Named "America's Most Beautiful High School" by the American Institute of Architects, Little Rock Central High School certainly has a storied history, and when you find yourself in Little Rock, be sure to take an afternoon to visit the Little Rock Central High School National Historic Site.

ADDITIONAL STATEMENTS

RECOGNIZING ARKANSAS' FIRST DUAL PURPLE HEART CITY AND COUNTY

• Mr. BOOZMAN. Mr. President, today I wish to recognize Izard County and the city of Horseshoe Bend on becoming the first dual Purple Heart city and county in the State of Arkansas.

Created by George Washington in 1782, the Purple Heart is our Nation's oldest military medal. The Purple Heart is awarded to members of the Armed Forces who are wounded or killed in combat. These men and women are some of the finest heroes in our Nation.

Similarly, Izard County has also committed to show its respect and appreciation for our veterans by becoming a Purple Heart County. Showing our admiration for the heroes who have served and sacrificed so much for our freedom is such a worthy endeavor and this recognition is well-deserved. I commend Izard County and the city of Horseshoe Bend for publically acknowledging these heroes, declaring unwavering support of them, and showing how grateful we are for our veterans and their willingness to serve their country. There truly is no greater display of service and sacrifice than that.

I want to take this opportunity to applaud the city of Horseshoe Bend and Izard County for publically recognizing our veterans and Purple Heart recipients by becoming a Purple Heart City and Purple Heart County. Arkansas is proud that our local communities are paying respect to our veterans and standing behind them.●

RECOGNIZING MARION COUNTY

• Mr. BOOZMAN. Mr. President, today I wish to recognize Marion County, AR, which became a Purple Heart County on November 15, 2015.

Created by George Washington in 1782, the Purple Heart is our Nation's oldest military medal. The Purple Heart is awarded to members of the Armed Forces who are wounded or killed in combat. These men and women are some of the finest heroes that our Nation has to offer.

Last year, Marion County chose to honor the service and sacrifice our Purple Heart heroes in Arkansas by becoming a Purple Heart County. Marion County's unwavering support of the heroic actions of our Purple Heart recipients stands as a reflection of the appreciation and gratitude of its residents.

Marion County recently held a celebration of its designation as a Purple Heart County that brought the community together to honor Purple Heart recipients. Showing our admiration for those who have served and sacrificed so much for our freedom is such a worthy endeavor, and this recognition is well-deserved.

On behalf of all Arkansans, I echo the sentiments of the citizens of Marion County in saying how grateful we are for our veterans and their willingness to serve their country. There truly is no greater display of service and sacrifice than that.

I would like to take this opportunity to applaud Marion County for publicly recognizing our veterans and Purple Heart recipients by becoming a Purple Heart County. Arkansas is proud that our local communities are paying respect to our veterans and standing behind them.●

TRIBUTE TO KEN GORMLEY

• Mr. CASEY. Mr. President, today I wish to honor the 13th president of Duquesne University, Ken Gormley, a renowned lawyer, scholar, teacher, and author. A native western Pennsylvanian, Ken has dedicated his life to public service and education. He was sworn in as president of Duquesne University on July 1, 2016, after serving as interim dean and dean of Duquesne's School of Law from 2008 until 2015. The inauguration of Duquesne University's 13th dean, and just its third lay dean, highlights the impact this 138-year-old institution has made on the city of Pittsburgh and its students, displaying a constant and deep commitment to Spiritan values and academic rigor. Founded in 1878 by the Congregation of the Holy Spirit to educate the children of immigrant steel mill workers, Duquesne now enrolls nearly 10,000 students from throughout the country and the world.

Ken first began his tenure at Duquesne in 1994 after a career in private practice and teaching at the University of Pittsburgh School of Law, where he founded a successful legal writing program for minority students and women returning to professional school after raising their children. Under his leadership as dean of Duquesne's School of Law, the institution ascended to the top tier of law schools and has become nationally ranked. Ken's commitment to public service is deeply rooted in western Pennsylvania. From 1998–2001, he served as mayor of Forest Hills, PA, where he helped to establish a community development corporation to focus on the borough's business corridor. He has also served as the president of the Allegheny County Bar Association, where he helped establish the Gender Equality Institute to work to advance women in the legal profession.

Ken Gormley earned his bachelor's degree from the University of Pittsburgh and his J.D. from Harvard Law School. He quickly earned a reputation as a leading constitutional scholar, writing for such esteemed publications as the *Stanford Law Review*, the *Rutgers Law Journal*, the *Pennsylvania Lawyer*, and *Politico*. He is an expert

on the U.S. Supreme Court and has testified before the Pennsylvania Senate Judiciary Committee and here in the U.S. Senate. Ken is also an accomplished author, having penned the biography of Archibald Cox, one of the great constitutional lawyers of the 20th century, for whom he served as a teaching assistant at Harvard. The book was awarded the 1999 Bruce K. Gould Book Award for outstanding publication relating to the law and was nominated for a Pulitzer Prize. Ken's most recent book, "The Presidents and the Constitution: A Living History," draws upon the Nation's top experts on the American Presidency and the U.S. Constitution to tell the incredibly important story of how each President has confronted and shaped the Constitution.

I am proud to rise today to honor Dean Ken Gormley and to recognize his wife, Laura, and their children Carolyn, Luke, Rebecca, and Madeleine. I thank Ken for his decades of service to Pennsylvania and this Nation and wish him luck for his significant work to come on behalf of Duquesne University.●

TRIBUTE TO MINNESOTA POLICE OFFICERS

• Mr. FRANKEN. Mr. President, today I would like to recognize three outstanding Minnesota police officers. The Minnesota Police and Peace Officers Association, the largest association representing Minnesota's rank-and-file police officers, met earlier this year for their annual conference and named Officer Sayareth Toy Vixayvong of the St. Paul Police Department "Police Officer of the Year" and gave "Honorable Mention Awards" to Officer Tony Holter of the St. Paul Police Department and Detective Bryan Bye of the Burnsville Police Department.

Officer Vixayvong is a 15-year veteran of the St. Paul Police Department and, until recently, was assigned to the FBI Safe Streets Task Force, where he worked tirelessly to make St. Paul a safer place to live and work. Officer Vixayvong has spent his career fighting drug trafficking and has put numerous high-profile criminals behind bars and worked to prevent others from becoming involved in the illegal drug trade. Working undercover with the task force, he put his life on the line repeatedly to protect and serve his community of St. Paul.

St. Paul Police Officer Tony Holter is a dedicated member of the St. Paul Police Department. He has served for 15 years and is currently the senior investigator in the Ramsey County Violent Crime Enforcement Team. Throughout the past year, Officer Holter has served as the primary undercover officer in a number of narcotic investigations focusing on members of international drug cartels and other dangerous drug dealers and gang members.

Since 2002, Burnsville Detective Bryan Bye has loyally served his community as a member of the Burnsville Police Department. His work with Burnsville's Emergency Action Group tactical team has earned him five distinguished service awards for his tactical response. In 2015, the Burnsville Police Department named Detective Bye "Police Officer of the Year."

I join with the Minnesota Police and Peace Officers Association and all of my fellow Minnesotans in applauding these three distinguished public servants. I would also like to thank not only these three individuals, but all of Minnesota's brave law enforcement officers who work tirelessly to keep our communities safe from harm. They put their lives on the line to protect our safety and that of our families every day.●

HONOR FLIGHT NORTHERN COLORADO'S 16TH FLIGHT TO DC

● Mr. GARDNER. Mr. President, today I wish to honor the veterans of Honor Flight Northern Colorado and the organization's 16th trip to Washington, DC. This group includes veterans from various wars and generations, who are all joined together by their service to our country.

In 2008, Honor Flight Northern Colorado was created as a local chapter of the National Honor Flight Network. The organization flies World War II veterans to Washington, DC, to allow these veterans the opportunity to see the national memorial built in their honor.

Honor Flight Northern Colorado now welcomes veterans of any war the chance to fly to Washington, DC, free of charge, to visit the memorials of the wars in which they fought.

Currently, there are more than 21.8 million veterans living in the United States. No matter the conflict, these veterans made exceptional sacrifices in order to serve and defend our country, and we owe them a debt of gratitude.

Of the 123 veterans on the most recent honor flight, 23 served in World War II, 53 served in Korea, 47 served in Vietnam, and 1 served in Iraq.

Please join me in honoring Robert Armstrong, Leonard Branecki, Richard Ciesielski, Lawrence Colby, John Davis, Melvin Engeman, Irene Hunter, Walter Hunter, Malachi Kenney, William Klun, Donald Kreutzer, Alfred Martin, Joseph Moren, Thomas Paterson, Stanley Raddatz, Raymond Rader, Gerald Ravenscroft, Harold Stoll, Douglas Stratton, Henry Tagtmeyer, Sidney Waldrop, Peter Zarlengo, Donald Ziemer, Louis Balogh, Donald Begalle, Robert Braden, Walter Brown, William Budd, Robert Burgess, Gerald Clinton, Thomas Dixon, Edward Dreher, Jim Ferguson, William Gaede, Ronald Henderer, Clarence Hill, Wallace

Horihan, Clifford Hughes, Dale Johnke, Gordon Kilgore, John Knapp, Arthur Kompolt, James Lambert, James Leavell, Clint Lincoln, Joseph Lutz, Elvin McIntosh, Elmer McLane, Jack Middleton, Leonard Muniz, John Obourn, Bill Overmyer, James Parker, Wallace Pond, Douglas Quigley, Leroy Rady, Lloyd Rausch, Katherine Ravithis, Eugene Reller, Morris Rider, Arthur Schildgen, Darvin Schoemaker, Yersel Scott, Donald Sewald, Robert Smith, Carl Sorensen, Elvin Spreng, Carol Stickler, James Thomason, Albert Tighe, Harvey Tomky, Robert Wagner, Albert Weber, Robert White, Duane Wilsey, Norbert Wilson, Jay Adams, Myron Adams, Darrell Armstrong, James Becker, Gordon Benton, Elden Billington, Jeff Birdwell, Roger Bollenbacher, Jerral Brasher, Gary Curry, Danny DeJacommo, Jon Erickson, Carl Erikson, Vernon Fresquez, Ronald Fritzler, Kenneth Gillpatrick, Jr., Larry Hull, Frederick Harlow, Marion Herman, Richard Herrera, Dale Hicks, Wilbur Hosman, William Howes, Jerry Iossi, Jerry Kennedy, Gerald King, Leonard Kippes, Philip Lucas, Robert Martinez, Michael Miller, David Moore, John Pickett II, Raul Saenz, Richard Schaueremann, James Schlote, John Heitman, Kenneth Seifert, Francis Skolnick, Leonard Sokoloski, Kenneth Spooner, Larry Spooner, Dean Taylor, John Trierweiler, Jimmy Wiles, Michael Wilkinson, Wallace Young, and Steven Larsen.●

RECOGNIZING KINGFIELD, MAINE

● Mr. KING. Mr. President, today I wish to recognize the town of Kingfield, ME, which has recently been designated by the Appalachian Trail Conservancy as an Appalachian Trail Community. This will provide better economic development opportunity for Kingfield and contribute to its cherished position in Maine and along the Appalachian Trail. I am pleased to congratulate Kingfield on this well-deserved designation, which also coincides with the community's bicentennial celebration on September 10.

Kingfield's roots go back to 1807, when William King, later to be Maine's first Governor purchased land in the relatively uncharted Carrabassett River Valley. Over the next 10 years, the humble settlement grew into a vibrant industrial town, including several mills and factories. Through the early 20th century, Kingfield became an anchor town in the western foothills and has maintained its sterling reputation as a small, but strong, tight-knit community to this day.

Today Kingfield is known for its picturesque scenery and the plethora of outdoor recreation opportunities it provides. The recreation industry has brought revitalization to the western foothills of Maine, and Kingfield stands

at the forefront of that effort. Nearby Sugarloaf Mountain is one of the most popular skiing destinations on the East Coast, attracting hundreds of thousands of visitors to the area every year. During the rest of the year, Kingfield is a haven for fishing, hunting, and wildlife watching, as well as a popular stop along the Appalachian Trail.

The Appalachian Trail has brought tens of thousands of people through western Maine, and many have stopped in Kingfield for respite from the challenging terrain. Through the official designation of Kingfield as an Appalachian Trail Community, visitors will now have access to the best resources to help them complete their journey, and residents can benefit from the engagement with trail visitors and trail stewards that this designation allows. The town will be able to gain a fuller partnership with the Appalachian Trail Conservancy, while implementing environmentally and culturally sustainable practices. This is the dawn of a new era in the partnership between the Appalachian Trail Conservancy and the town of Kingfield and is sure to have a lasting and meaningful impact for years to come.

I commend all that the people of Kingfield have done to make their town such a special place to live and experience nature. Their shared love for their hometown has made them one of Maine's great communities, and I am confident that this designation as an Appalachian Trail Community will further the town's reputation. I thank the ATC for their recognition of Kingfield's important role in supporting hikers along the trail. I am proud to recognize this historic milestone, and I wish the town many more years of success.●

RECOGNIZING FRANKLIN PRIMARY HEALTH CENTER

● Mr. SESSIONS. Mr. President, today I wish to recognize Franklin Primary Health Center, Inc. Franklin Primary Health Center is a nonprofit, federally qualified health center founded in 1975 by Dr. Marilyn Aiello and a group of Alabamians who recognized the need for quality health care in the underserved counties of southwest Alabama.

Franklin Primary Health Center is named after Dr. James Alexander Franklin, a physician, scholar, and humanitarian who faithfully served his community for over 60 years. The small nonprofit community health center was founded in 1975 to care for the underserved Davis Avenue community, and in the early days, a small staff struggled to see as many patients as possible.

Since 1982, the health center has been led by CEO Charles White. Mr. White is a well-known and respected member of the southwest Alabama community, and the health center has thrived and

grown under his years of leadership. The health center now consists of 21 locations in six counties in Alabama, including Mobile, Baldwin, Choctaw, Escambia, Monroe, and Conecuh. It is the first community health center in Alabama to become accredited by the Joint Commission on Accreditation of Healthcare Organizations, JCAHO.

I recently had the opportunity to attend the grand opening and ribbon-cutting ceremony for Franklin's newest branch, the Hadley Family Medical Center in Mobile. I remain impressed with and proud of Franklin's impact and outreach in southwest Alabama. Because of Franklin Primary Health Center, underserved residents of this area of the State can access quality care in their own communities.

Franklin Health Center provides a wide array of services such as pediatrics, OB/GYN, family medicine, internal medicine, geriatrics, rheumatology, dentistry, optometry, physical therapy, nutrition services, wellness and fitness, social services, substance abuse prevention and treatment, HIV/AIDS services, health education, pharmacy, laboratory, x-ray, and transportation services for the homeless.

The health center's total staff of over 200 employees serves nearly 40,000 patients annually. These employees focus on the center's values of dedication, integrity, respect, excellence, creativity, and teamwork in fulfilling its mission.

I would like to extend my sincerest appreciation to Franklin Primary Health Center for its 41 years of excellence in care and service to the community and to celebrate their continued expansion.●

TRIBUTE TO JOSEPH BAKA

● Mr. THUNE. Mr. President, today I recognize Joseph Baka, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Joseph is a graduate of Northwestern University in Evanston, IL, having earned a degree in Middle East and North African studies and statistics. Joseph is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Joseph Baka for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DANIEL DUFFY

● Mr. THUNE. Mr. President, today I recognize Daniel Duffy, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Daniel is a graduate of St. Thomas More High School in Rapid City, SD. Currently, Daniel is attending Stanford University, where he is majoring in ec-

onomics. Daniel is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Daniel Duffy for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO CHASE GLAZIER

● Mr. THUNE. Mr. President, today I recognize Chase Glazier, an intern in my Rapid City, SD, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Chase is a graduate of Custer High School in Custer, SD. Currently, Chase is attending South Dakota State University, where he is majoring in communications. Chase is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Chase Glazier for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MORGAN JONES

● Mr. THUNE. Mr. President, today I recognize Morgan Jones, an intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Morgan is a graduate of Milbank High School in Milbank, SD. Currently, Morgan is attending the University of Minnesota—Twin Cities, where she is majoring in animal science. Morgan is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Morgan Jones for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO JALATAMA OMAR

● Mr. THUNE. Mr. President, today I recognize Jalatama Omar, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Jalatama is a graduate of Washington High School, in Sioux Falls, SD. Currently, Jalatama is attending the University of South Dakota, where he is majoring in political science. Jalatama is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Jalatama Omar for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 841. Resolution relative to the death of the Honorable Mark Takai, a Representative from the State of Hawaii.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2830. An act to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code.

H.R. 2831. An act to make technical amendments to update statutory references to provisions classified to chapters 44, 45, 46, and 47 of title 50, United States Code.

H.R. 2832. An act to make technical amendments to update statutory references to certain provisions classified to title 52, United States Code.

H.R. 3480. An act to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes.

H.R. 3839. An act to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

H.R. 3881. An act to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest.

H.R. 4202. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 4245. An act to exempt exportation of certain echinoderms and mollusks from licensing requirements under the Endangered Species Act of 1973.

H.R. 4510. An act to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.

H.R. 4511. An act to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war.

H.R. 4789. An act to authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial, and for other purposes.

H.R. 5577. An act to amend the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to conduct offshore oil and gas lease sales through Internet-based live lease sales, and for other purposes.

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2830. An act to make technical amendments to update statutory references to certain provisions classified to title 2, United States Code; to the Committee on the Judiciary.

H.R. 2831. An act to make technical amendments to update statutory references to provisions classified to chapters 44, 45, 46, and 47 of title 50, United States Code; to the Committee on the Judiciary.

H.R. 2832. An act to make technical amendments to update statutory references to certain provisions classified to title 52, United States Code; to the Committee on the Judiciary.

H.R. 3480. An act to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3881. An act to amend the Mineral Leasing Act to repeal provisions relating only to the Allegheny National Forest; to the Committee on Energy and Natural Resources.

H.R. 4202. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

H.R. 4511. An act to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war; to the Committee on Rules and Administration.

H.R. 4789. An act to authorize the Secretary of the Interior to establish a structure for visitor services on the Arlington Ridge tract, in the area of the U.S. Marine Corps War Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5577. An act to amend the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to conduct offshore oil and gas lease sales through Internet-based live lease sales, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3231. An act to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4510. An act to insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 3290. A bill to mitigate risks of the Zika virus to members of the Armed Forces and Department of Defense civilian personnel stationed in or deployed to areas affected by or that may soon be affected by the Zika virus, to authorize the Secretary of Defense to transfer funds to counter or control the Zika virus, and for other purposes; to the Committee on Armed Services.

By Mr. KIRK:

S. 3291. A bill to establish tax, regulatory, and legal structure in the United States that encourages small businesses to expand and innovate, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. JOHNSON, and Ms. AYOTTE):

S. 3292. A bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 3293. A bill to require the Secretary of the Interior to transfer to the Shoshone-Paiute Tribes of the Duck Valley Reservation investment income held in certain funds; to the Committee on Indian Affairs.

By Mr. COATS:

S. 3294. A bill to establish the Mandatory Bureaucratic Realignment and Consolidation Commission to reduce outlays flowing from direct spending; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN:

S. 3295. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON):

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange; read the first time.

By Mr. COTTON (for himself, Ms. AYOTTE, Mr. MCCAIN, Mr. LANKFORD, Mr. JOHNSON, Mr. BURR, Mr. BARRASSO, Mr. ISAKSON, Mr. KIRK, and Mr. WICKER):

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes; read the first time.

By Mrs. SHAHEEN:

S. 3298. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of any drug containing an opiate to prominently state that addiction is possible; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. UDALL, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 6, a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government.

S. 39

At the request of Mr. HELLER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 39, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 149

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 311

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 772

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 772, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 812

At the request of Mr. MORAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1446

At the request of Ms. HEITKAMP, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1446, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 1503

At the request of Mr. BLUMENTHAL, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1503, a bill to provide for enhanced Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme disease and other tick-

borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2584

At the request of Mr. KIRK, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2584, a bill to promote and protect from discrimination living organ donors.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2655

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2655, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2659

At the request of Mr. BURR, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2683

At the request of Ms. HIRONO, the names of the Senator from Montana (Mr. TESTER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2683, a bill to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

S. 2690

At the request of Mr. RISCH, the name of the Senator from New Mexico

(Mr. HEINRICH) was added as a cosponsor of S. 2690, a bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes.

S. 2786

At the request of Mrs. CAPITO, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2786, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2957

At the request of Mr. NELSON, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3026

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3026, a bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes.

S. 3034

At the request of Mr. CRUZ, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 3034, a bill to prohibit the National Telecommunications and Information Administration from allowing the Internet Assigned Numbers Authority functions contract to lapse unless specifically authorized to do so by an Act of Congress.

S. 3065

At the request of Mr. HATCH, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Pennsylvania (Mr. CASEY) were added

as cosponsors of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3124

At the request of Mrs. ERNST, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3124, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3129

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3129, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

S. 3132

At the request of Mrs. FISCHER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3155

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3182

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3182, a bill to provide further means of accountability of the United States debt and promote fiscal responsibility.

S. 3205

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 3205, a bill to allow local Federal officials to determine the manner in which nonmotorized uses may be permitted in wilderness areas, and for other purposes.

S. 3213

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3213, a bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

S. 3261

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3261, a bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

S. 3281

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. CON. RES. 48

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution expressing the sense of Congress that the Italian Supreme Court of Cassation should domesticate and recognize judgments issued by United States courts on behalf of United States victims of terrorism, and that the Italian Ministry of Foreign Affairs should cease its political interference with Italy's independent judiciary, which it carries out in the interests of state sponsors of terrorism such as the Islamic Republic of Iran.

S. RES. 485

At the request of Mr. FLAKE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 485, a resolution to encourage the Government of the Democratic Republic of the Congo to abide by constitutional provisions regarding the holding of presidential elections in 2016, with the aim of ensuring a peaceful and orderly democratic transition of power.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PORTMAN (for himself, Mr. JOHNSON, and Ms. AYOTTE):

S. 3292. A bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Finance.

Mr. PORTMAN. Mr. President, I rise to talk about an epidemic that is affecting my State of Ohio and every State represented in this Chamber. Senator WHITEHOUSE just spoke. He worked with me over a period of about 3 years to put together legislation to address the heroin and prescription drug epidemic.

We had five conferences in Washington, DC, bringing in experts from around the country, including from my home State of Ohio. We looked at what is working and what is not working and came up with the best practices from around the country. That is what the legislation addresses. It is comprehensive. It deals with prevention and education. It deals with treatment. It deals with recovery. We learned longer term recovery was incredibly important to success.

It actually passed this body with a vote of 92 to 2. That never happens around here. It is because working together with both sides of the aisle we were able to look at a problem objectively, take the politics out of it, and figure out what would work to help turn the tide. It is something that is urgent. We have to address it.

I will tell you now nationally it appears overdose deaths from these opioids, heroin, prescription drugs, and now synthetic heroin is the No. 1 cause of accidental death, meaning it has surpassed car accidents. Sadly, it is getting worse, not better. So those changes this Congress voted on to modernize our Federal response to prescription drug and heroin addiction are incredibly important right now.

It was evidence-based. It was something where we again took best practices to make sure we were spending more money, but that money was going to places where it was proven to work. Now that CARA is law—the Comprehensive Addiction and Recovery Act, and it was signed into law by the President about 6 weeks ago—we are working with the administration to get it implemented as quickly as possible because there are a number of new programs, new funding sources.

It authorizes another \$181 million per year on top of what is already being spent on this issue. Again, importantly, it authorizes new programs that we think will work better to reverse the tide, to get at the horrible epidemic that is growing in our States.

We also need to work with the administration and with Congress to ensure that in the annual funding bills that are passed around here, we are fully funding this new effort.

At the year end, which is September 30, fiscal year end for the U.S. Government, there will be a funding mechanism. It is probably going to be what is called a continuing resolution, continuing funding from last year. That is good in one sense, because we did get more funding in this year's appropriations bill for this issue. We have about a 47-percent increase in funding for this year. So that would continue next year, but that is not enough.

Unfortunately, this crisis has taken hold in a way—it has gripped our country in a way that we need more. Just to be able to fully fund the CARA legislation, we need more. So we are calling on the administration to work with us to ensure that we can get more funding into whatever is going to be passed at the end of this month, likely again a continuing resolution, to provide adequate funding to ensure that at a minimum we are funding what is in the CARA legislation.

When there is a new appropriation for next year, which I assume will happen after the election, we also have hope because both the committee in the House and the committee in the Senate went through all their process, and they reported out of committee legislation that doubles the funding for opioids over a 2-year period. They included funding that is at \$471 million, a 113-percent increase over the last 2 years. So we need to have a process to get this funding done. We hope the administration will work with us on that, even in this continuing resolution.

There is a group of 100 different organizations from around the country. It is a coalition that helped pass CARA that has recently sent a letter to the White House. It includes recovery advocacy groups, it includes prevention groups, and it includes law enforcement. This group of people who are on the frontlines, in the trenches all around the country, just sent a letter to the White House thanking the President for signing CARA into law but also expressing their support for fully funding it.

What they specifically asked for was that the White House include what is called an anomaly or an add-on to the continuing resolution for this purpose. I hope the White House is listening. I hope they do it. I want to add voice to this coalition, to say this is the right thing to do. I have also brought this up with our leadership in the Congress. There will be some add-ons or anomalies to any continuing resolution. There always are. We have to be sure it is transparent, that they make sense. This one makes sense. We should make it transparent but also make it high enough so it fully funds the CARA legislation, regardless of what happens

with the appropriations bills going forward.

At the very least, let's close whatever gap there is between what is in the CR and what is needed to fully fund this legislation. Because I believe this is a crisis and an emergency, I actually would support emergency funding, going over and above what is in the CARA legislation. I think we should have a debate on that issue. We had one on the Senate floor. I voted for that. We were not able to get 60 votes for it, but I do think it is an issue that rises to that extraordinary level, like the Ebola issue, like the Zika virus, issues that are truly epidemics. This is.

Let me tell you why I call it an epidemic. We found out recently that drug overdose deaths in my home State of Ohio increased from about 2,500 deaths in 2014 to more than 3,000 in 2015, an increase of 20 percent in just 1 year.

Here is the sad news. This year, we are on track to exceed that percentage increase. In other words, we are on track this year to have better than a 20-percent increase in deaths from overdoses in Ohio. The Presiding Officer's State is probably experiencing the same thing. Nationwide, the number of heroin users tripled in just 7 years, and the number of drug overdoses every year tripled in just 4 years.

Since 2000, the number of annual opioid overdoses has quadrupled. So this problem is getting worse, not better. One reason these overdoses are increasing even faster than the number of new users is that the drugs on the street are getting stronger and stronger. So you are seeing not just more addiction, but you are seeing even higher levels of overdoses—more addictive, more dangerous, and more deadly.

Heroin is already deadly enough. It is extremely addictive, but it is now being laced with drugs like fentanyl, carfentanil, and U-4. You may have heard of this and wondered what it was. Well, it is a synthetic form of heroin. It is being made somewhere in a laboratory and being added often to heroin to poison the people we represent. It is that simple. Carfentanil, fentanyl, and U-4 are more dangerous.

In Ohio, fentanyl deaths increased nearly fivefold, from 80 in 2013 to about 500 in 2014—more than doubled to over 1,000 last year. Again, this year, we are on track to exceed that number significantly. Just 3 years ago, about 1 in 20 overdoses in Ohio were a result of fentanyl. Then it was one in five. Now it is more than one in three. You can see where this is going.

Prescription drugs are often the start of this. Four out of five heroin addicts in Ohio, they say, started with prescriptions drugs. This is an addiction that sometimes is inadvertent in the sense that someone might have a medical procedure and then be given these narcotic pain pills and develop this addiction, which is a physiological

change in your brain. Addiction is a disease. It needs to be treated as such.

Increasingly now we are seeing these synthetic heroins come into our communities to the point that 1 in 3 overdoses now, instead of just 3 years ago 1 in 20—in Ohio—are due to these synthetic drugs. In my hometown of Cincinnati now, those fentanyl overdoses exceed the heroin overdoses. According to Dr. Lakshmi Sammarco, who is Hamilton County coroner in Southwest Ohio, drug overdose deaths in Hamilton County increased by 40 percent from just 2014 to 2015, while fentanyl overdose deaths increased 153 percent.

By the way, Dr. Sammarco and her medical team are doing an excellent job in very difficult circumstances. They are on top of this epidemic, but they need our help.

These synthetic drugs are incredibly powerful. Heroin is already extremely addictive, as I said, and typically much cheaper, stronger, and more widely available than these prescription painkillers we talked about. Fentanyl can be 50, sometimes even 100, times as powerful as heroin. Think about that. Carfentanil is sometimes 10,000 times as powerful as morphine.

So, as you can see, as these synthetic drugs are coming into our communities, they are more dangerous, they are stronger, they are more addictive. Carfentanil is so powerful, it is primarily used as a tranquilizer for large animals such as elephants. It is so powerful that in cases where the police who have responded to an overdose have overdosed from just breathing fentanyl in the air or getting it on their skin at the scene.

It is so powerful that sometimes multiple doses of Narcan are required to reverse an overdose. Narcan is this miracle drug that our first responders increasingly are carrying, and thank God it is there because it reverses the effects of the overdose, but Narcan is meant for a heroin overdose. Sometimes with these synthetic drugs like fentanyl and carfentanil and U-4, you need several doses of Narcan to reverse the overdose, and sometimes it does not work. I have heard cases where seven doses of Narcan were necessary to save someone's life. These synthetic drugs are taking a heavy toll on our country and my State of Ohio.

In particular, in my hometown in Ohio recently—Cincinnati, OH—in just one 6-day span in August it had 174 overdoses: 6 days, 174 overdoses in one city. That is less than 1 week in one city: 174. It is unprecedented, at least in our State. Dr. Sammarco has confirmed this sudden spike in overdoses is the result of heroin being laced with other drugs. At least in many of these cases it is carfentanil. So somebody is actually putting this large-animal tranquilizer into the heroin, mixing it, resulting in this huge spike in overdoses.

I was glad to be helpful in providing a sample of carfentanil for Coroner Sammarco, because she could not find it anywhere in the region easily. Once she found it, we were able to get the comparison of the sample to what had happened and be able to confirm that carfentanil was behind these huge increases in overdoses.

Our first responders deserve our praise because they were able to save the vast majority of these lives. So over 170 people overdosing, and yet, sadly, tragically, although there were four or five people who died, the rest of these people, over 170 people were saved. That is amazing. It is because they responded quickly. They responded professionally.

Last Wednesday I went to Fire Station 24 in Cincinnati, OH, which handled the largest number of these overdoses—1 fire station, 34 overdoses in 6 days. They talked to me about how they saved lives. I thanked them, of course, for what they are doing every day. One thing they said to me was: Senator, this is not the answer. Saving people by using Narcan is necessary, it is absolutely necessary, but they said it is not the answer.

I agree with them. The answer is getting people into treatment, getting them back on track, getting them into longer term recovery rather than applying Narcan again and again, as they tell me, sometimes to the same person. By the way, this epidemic is taking a toll on our firefighters and other first responders—police officers also. As we said, it has made their jobs more dangerous. It is also taking more of their time and resources.

Last year the number we have is that firefighters and other first responders applied Narcan 16,000 times in one State. This year it will be far higher than that. By the way, this is why CARA provides training for Narcan, the legislation we talked about earlier, the Comprehensive Addiction and Recovery Act. It also provides more resources to our first responders to purchase Narcan. Narcan is getting more expensive, in part, because there is an increased demand. We have to be sure there are not any other reasons that those expenses are going up, and we have to be sure to provide the resources to our first responders so they can have these lifesaving drugs on hand.

By the way, firefighters all over Ohio tell me the same thing, and I have talked to a number of them. I have gone to other firehouses, and I ask the same question everywhere I go: Are you going on more fire runs or more overdose runs? The answer now—consistently, everywhere I go—is overdoses. There are more overdoses than fire runs in every firehouse I have been to in Ohio.

The scenes they encounter when they go on these runs are truly heartbreaking. They see families torn apart.

During that unprecedented 6-day period in Cincinnati, they saved the lives of two parents who had overdosed in front of their two teenage sons.

Last week in West Chester Township, OH, outside of Cincinnati, police saved the lives of a father and son who together overdosed on heroin while the father was driving on Interstate I-75. Thank God no one else was injured or killed.

A few days later, in Forest Park, OH, outside of Cincinnati, a 3-year-old girl found her grandmother, who was babysitting her, unconscious from an overdose. When police arrived with Narcan to save her grandmother's life, the story from the police officer was the little girl asked one of the police officers to please hold her while her grandmother was unconscious on the floor. It is heartbreaking.

Forest Park police responded to five other overdoses that same day, including another overdose in the same apartment complex. This is a small town with a population of about 19,000 people.

Two weeks ago, the Akron Beacon Journal published a letter from a high school girl from Akron to her dad, who was addicted to heroin. She writes to her dad, in part:

When I found out you got arrested, I was happy. . . . I was going to finally be able to sleep at night without having to worry about whether I was going to get a call the next day telling me that [heroin] had finally taken you away. I know that being in prison isn't the best life, but at least you are alive. . . . This is what heroin does: it possesses its victim and does not let go until he is dead.

To that high school girl, what we hope is that her father goes through a drug court, can get into treatment, can get into longer term recovery, reunite with his family, and get back to his life.

We know that many of the drugs that are causing so many of these overdoses in Ohio—the fentanyl, the Carfentanil, the U-4—don't come from Ohio. In fact, they don't come from any State in this body; they come from other countries. Incidentally, it doesn't mean that someday they couldn't come from this country, but right now they are coming from other countries. From all the information we have from law enforcement, we believe the vast majority of these synthetic drugs are being made in laboratories in China and in India and then shipped through the mail to our communities to meet this growing demand for drugs. The traffickers actually get this poison, this synthetic drug, through the U.S. mail system. Right now, it is difficult to detect these packages coming from overseas before it is way too late. Unlike private carriers such as UPS, FedEx, or others, the Postal Service does not require electronic Customs data for packages coming into the country, so we don't know what is coming in. This makes dangerous packages containing drugs

such as fentanyl or Carfentanil or U-4 that much harder to stop.

We have had hearings on this issue in the Senate. In June, the Judiciary Committee held a hearing on synthetic drugs. A witness testified that because of this loophole of the Postal Service not requiring the information but the private carriers requiring it, getting these drugs into our communities was easier and that the drug traffickers used the mail system. To me, it is a loophole.

The Homeland Security Committee on which I sit has also held hearings and a roundtable discussion on the flow of fentanyl and other synthetic forms of heroin into this country. We learned the same thing—that there is this discrepancy between how the mail system handles it and how private carriers handle it.

Today I have introduced legislation to address the threat of synthetic drugs by simply closing that loophole, simply saying that with regard to packages coming from overseas, the Postal Service should require advanced electronic data so we know what is in these packages. This would include information such as who and where it is coming from, where it is going, and what is in it.

As Customs and Border Patrol—the border protection people—has told us, this information will provide a much better tool to law enforcement to help them ensure that these dangerous drugs won't end up in the hands of drug traffickers who then sell these dangerous drugs in our communities. It will make our streets safer and save lives by helping to prevent overdoses. I think it is a commonsense idea that builds on CARA, the Comprehensive Addiction and Recovery Act, because while CARA addresses the demand for drugs through prevention, education, treatment, and recovery, this legislation will help to cut the supply of drugs, help to cut off the flow of this poison into our communities. I think these two ideas go hand in hand. If you are one of the 92 Senators in this body, out of 100, who voted for CARA, I hope you will support this legislation too.

Our law enforcement and first responders are doing an amazing job. They are saving lives every single day, and they are to be commended, but they need some help. They deserve our best efforts to stop these dangerous drugs from entering into the country in the first place, and so do the hundreds of thousands of families in Ohio and around the country who have been affected by this epidemic of addiction. They deserve our help as well. They deserve a safer community. They deserve peace of mind. They deserve to know that we are doing all we can to try to keep these dangerous synthetic drugs out of our communities.

Just as I did with the CARA legisla-

tions, I urge my colleagues on both sides of the aisle to support this additional legislation. Frankly, 3½ years ago when we started putting together the CARA legislation, if this synthetic drug issue had been at the level it is today, I believe it would have been included in the CARA legislation. But we are now seeing this epidemic growing—heroin and prescription drugs, yes, but increasingly synthetic drugs, as we talked about this evening. It is time for us to be sure we are doing all we can to keep this poison out of our communities.

By Mr. REID:

S. 3293. A bill to require the Secretary of the Interior to transfer to the Shoshone-Paiute Tribes of the Duck Valley Reservation investment income held in certain funds; to the Committee on Indian Affairs.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF INVESTMENT INCOME TO TRIBES.

Section 10807(e) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1409) is amended—

(1) by striking “Upon completion” and inserting the following:

“(1) IN GENERAL.—On completion”; and

(2) by adding at the end the following:

“(2) TRANSFER OF INVESTMENT INCOME.—The Secretary shall transfer to the Tribes in accordance with subsections (f) and (g) any investment or interest income held in the Funds, including any investment or interest income prior to the completion of the actions described in section 10808(d), for the use of the Tribes in accordance with subsections (b)(2) and (c)(2).”.

By Mr. CORNYN:

S. 3295. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Cybersecurity Preparedness Consortium Act of 2016”.

SEC. 2. NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM.

(a) IN GENERAL.—The Secretary of Homeland Security may work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to

address cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)), including threats of terrorism and acts of terrorism.

(b) **ASSISTANCE TO THE NCCIC.**—The Secretary of Homeland Security may work with a consortium to assist the national cybersecurity and communications integration center of the Department of Homeland Security (established pursuant to section 227 of the Homeland Security Act of 2002) to—

(1) provide training to State and local first responders and officials specifically for preparing for and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with current law;

(2) develop and update a curriculum utilizing existing programs and models in accordance with such section 227, for State and local first responders and officials, related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism;

(3) provide technical assistance services to build and sustain capabilities in support of preparedness for and response to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with such section 227;

(4) conduct cross-sector cybersecurity training and simulation exercises for entities, including State and local governments, critical infrastructure owners and operators, and private industry, to encourage community-wide coordination in defending against and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with subsection (c) of section 228 of the Homeland Security Act of 2002 (6 U.S.C. 149);

(5) help States and communities develop cybersecurity information sharing programs, in accordance with section 227 of the Homeland Security Act of 2002, for the dissemination of homeland security information related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism; and

(6) help incorporate cybersecurity risk and incident prevention and response (including related to threats of terrorism and acts of terrorism) into existing State and local emergency plans, including continuity of operations plans.

(c) **PROHIBITION ON DUPLICATION.**—In carrying out the functions under subsection (b), the Secretary of Homeland Security shall, to the greatest extent practicable, seek to prevent unnecessary duplication of existing programs or efforts of the Department of Homeland Security.

(d) **CONSIDERATIONS REGARDING SELECTION OF A CONSORTIUM.**—In selecting a consortium with which to work under this Act, the Secretary of Homeland Security shall take into consideration the following:

(1) Any prior experience conducting cybersecurity training and exercises for State and local entities.

(2) Geographic diversity of the members of any such consortium so as to cover different regions across the United States.

(e) **METRICS.**—If the Secretary of Homeland Security works with a consortium pursuant to subsection (a), the Secretary shall measure the effectiveness of the activities undertaken by such consortium under this Act.

(f) **OUTREACH.**—The Secretary of Homeland Security shall conduct outreach to universities and colleges, including historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and other minority-serving institu-

tions, regarding opportunities to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, by working with the Secretary pursuant to subsection (a).

(g) **TERMINATION.**—The authority to carry out this Act shall terminate on the date that is 5 years after the date of the enactment of this Act.

(h) **CONSORTIUM DEFINED.**—In this Act, the term “consortium” means a group primarily composed of non-profit entities, including academic institutions, that develop, update, and deliver cybersecurity training in support of homeland security.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4979. Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) proposed an amendment to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SA 4980. Mr. INHOFE proposed an amendment to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, *supra*.

SA 4981. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2848, *supra*; which was ordered to lie on the table.

SA 4982. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2848, *supra*; which was ordered to lie on the table.

SA 4983. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, *supra*; which was ordered to lie on the table.

SA 4984. Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4979. Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) proposed an amendment to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Water Resources Development Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Limitations.

TITLE I—PROGRAM REFORMS

- Sec. 1001. Study of water resources development projects by non-Federal interests.
- Sec. 1002. Advanced funds for water resources development studies and projects.

Sec. 1003. Authority to accept and use materials and services.

Sec. 1004. Partnerships with non-Federal entities to protect the Federal investment.

Sec. 1005. Non-Federal study and construction of projects.

Sec. 1006. Munitions disposal.

Sec. 1007. Challenge cost-sharing program for management of recreation facilities.

Sec. 1008. Structures and facilities constructed by the Secretary.

Sec. 1009. Project completion.

Sec. 1010. Contributed funds.

Sec. 1011. Application of certain benefits and costs included in final feasibility studies.

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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.”.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h-1), is amended—

(1) in the first sentence—

(A) by striking “Whenever any” and inserting the following:

“(a) IN GENERAL.—Whenever any”;

(B) by striking “a flood-control project duly adopted and authorized by law” and inserting “an authorized water resources development study or project,”; and

(C) by striking “such work” and inserting “such study or project”;

(2) in the second sentence—

(A) by striking “The Secretary of the Army” and inserting the following:

“(b) REPAYMENT.—The Secretary of the Army”;

and

(B) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if specific appropriations are provided by Congress for such purpose”; and

(3) by adding at the end the following:

“(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—

“(1) a State;

“(2) the District of Columbia;

“(3) the Commonwealth of Puerto Rico;

“(4) any other territory or possession of the United States; and

“(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

“(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

“(2) acceptance of the materials and services or funds is in the public interest.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Not later than 60 days after initiating an activity under this section,” and inserting “Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section.”; and

(B) by striking “a report” and inserting “an annual report”.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “, at full Federal expense,” after “The Secretary may”; and

(2) in subsection (b), by striking “funded” and inserting “reimbursed”.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or inter-agency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

“(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

“(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.”.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the “Rivers and Harbors Act of 1899”), is amended—

(1) by striking “That it shall not be lawful” and inserting the following:

“(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful”; and

(2) by adding at the end the following:

“(b) CONCURRENT REVIEW.—

“(1) NEPA REVIEW.—

“(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

“(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

“(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

“(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

“(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

“(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

“(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

“(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.”.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the “Flood Control Act of 1936”), is amended—

(1) by striking “funds appropriated by the United States for”; and

(2) in the first proviso, by inserting after “authorized purposes of the project:” the following: “*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River).”

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

“(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

“(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘Flood Control Act of 1936’); and

“(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).”.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ‘Rivers and Harbors Act of 1899’) (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and

maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District

of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) **REQUIREMENT.**—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

“(d) **INCLUSIONS.**—A monitoring plan under subsection (b) shall include a description of—

“(1) the types and number of restoration activities to be conducted;

“(2) the physical action to be undertaken to achieve the restoration objectives of the project;

“(3) the functions and values that will result from the restoration plan; and

“(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

“(e) **CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.**—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).”

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and

(2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) **IN GENERAL.**—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) **CONSULTATION AND CONSIDERATION.**—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) include measures to protect or restore habitat connectivity”;

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(C) by striking paragraph (11) and inserting the following:

“(11) **EFFECT.**—Nothing in this subsection—

“(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

“(B) affects the mitigation responsibilities of the Secretary under any other provision of law.”; and

(2) by adding at the end the following:

“(j) **USE OF FUNDS.**—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

“(k) **MEASURES.**—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.”

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”;

(2) by striking “project, or separable element thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”;

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) **DEFINITIONS.**—In this section:

“(1) **DISCRETE SEGMENT.**—The term ‘discrete segment’, with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

“(2) **WATER RESOURCES DEVELOPMENT PROJECT.**—The”;

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “project, or separate element thereof” and inserting “project, separable element, or discrete segment of a project”; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking “project” and

inserting “project, separable element, or discrete segment”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “project, or a separable element of a water resources development project,” and inserting “project, separable element, or discrete segment of a project”; and

(C) by adding at the end the following:

“(5) **REPAYMENT OF REIMBURSEMENT.**—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.”

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(C) **RAIL CARRIER.**—The term ‘rail carrier’ has the meaning given the term in section 10102 of title 49, United States Code.”;

(2) in paragraph (2), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”;

(3) in paragraph (3), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”;

(4) in paragraph (5), by striking “and natural gas companies” and inserting “, natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws”.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

“(a) **AUTHORIZATION.**—

“(1) **IN GENERAL.**—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

“(2) **INCLUSIONS.**—Activities under paragraph (1) may include—

“(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

“(B) research, development, training, and other forms of technology transfer and exchange; and

“(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.”

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

“(4) **MITIGATION BANKS.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration of the entire amount of potential credits available at in-kind, in-basin mitigation banks and in-lieu fee programs for water resource development project feasibility studies.

“(B) **REQUIREMENTS.**—All potential mitigation bank and in-lieu fee credits shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

“(i) has an approved mitigation banking instrument; and

“(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.”.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

“(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.”.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking “\$1,000,000” and inserting “\$5,000,000”;

(2) by striking “accumulated snags and other debris” and inserting “accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel”; and

(3) by striking “or flood control” and inserting “, flood control, or recreation”.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121) is amended—

(1) by inserting “remove existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortia of States” after “working with a State”; and

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “re-store or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Development Act of 2016”; and

(ii) in subparagraph (A)(ii), by striking “that—” and all that follows through “(II)” and inserting “that”; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “For” and inserting the following:

“(1) IN GENERAL.—For”; and

(D) by adding at the end the following:

“(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

“(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

“(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1041) or any subsequent Act; and

“(ii) that meet the criteria described in paragraph (1); and

“(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.”.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well

as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. REVIEW OF CORPS OF ENGINEERS ASSETS.

Section 6002(b) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349) is amended by adding at the end the following:

“(6) The extent to which the property has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.”.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through “Subject to subsection (b)” and inserting the following:

“(a) APPLICATION OF CREDIT.—

“(1) IN GENERAL.—Subject to subsection (b)”;

and

(B) by adding at the end the following:

“(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1254) is amended by adding at the end the following:

“(5) TIME LIMIT.—

“(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

“(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

“(i) an identification of any outstanding information that is needed to make a final decision;

“(ii) the date by which the information referred to in clause (i) shall be obtained; and
 “(iii) the date by which the Secretary will make a final decision on the request.”.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 1035. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATER-SHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

“(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.”.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through “The Secretary” and inserting the following:

“(A) REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary”; and

(2) by adding at the end the following:

“(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first \$100,000 of the feasibility study shall be a Federal expense.”.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end “, except that the first \$100,000 of the assessment shall be a Federal expense”.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking “measures” and all that follows through “project” and inserting “measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project”; and

(2) by adding at the end the following:

“(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).”.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the Secretary” and all that follows through “projects” and inserting “the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources.”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “(2) MATTERS TO BE STUDIED.—A study” and inserting the following:

“(2) AUTHORIZED ACTIVITIES.—Any activity”; and

(C) by adding at the end the following:

“(3) FEASIBILITY STUDY AND REPORTS.—

“(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

“(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

“(C) FUNDING.—The first \$100,000 of a study under this paragraph shall be at full Federal expense.

“(4) DESIGN AND CONSTRUCTION.—

“(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than \$10,000,000.

“(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described in subparagraph (A) is more than \$10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “studies” and inserting “any activity”; and

(B) in paragraph (2)(B), by striking “carrying out projects studied” and inserting “any activity conducted”;

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking “a study” and inserting “any activity conducted”; and

(B) by striking paragraph (2) and inserting the following:

“(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

“(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

“(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

“(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

“(6) WATER-RELATED PLANNING ACTIVITIES.—

“(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.”; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking “TERRITORIES” and inserting “TERRITORIES AND INDIAN TRIBES”; and

(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The Secretary shall waive local cost-sharing requirements up to \$200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)).—

“(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

“(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a)).”.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help

achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking “that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) before the date of enactment of this Act” and inserting “for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as it existed before the repeal made by section 1014(c)(3))”; and

(2) in subsection (b), by striking “share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies” and inserting “non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest”.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) **DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.**—In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) **NO CONSIDERATION FOR EASEMENTS.**—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of non-profit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) **ADMINISTRATIVE EXPENSES.**—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United States Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) **DEFINITION OF INNOVATIVE MATERIAL.**—In this section, the term “innovative material”, with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection

(c), to carry out the study proposed under subparagraph (A).

(2) **CONTENTS.**—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) **PUBLIC COMMENT.**—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) **CONSULTATION.**—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) **REPORT TO CONGRESS.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

“(3) **CREDIT OR REIMBURSEMENT.**—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

“(A) the non-Federal share of future operation and maintenance under this subsection; or

“(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121).”.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The target total” and inserting “Except as provided in subsection (c), the target total”; and

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) **EXCEPTION.**—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

“(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

“(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.”.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) **DEADLINE.**—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 158) (referred to in this section as the “Site”) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) **LIMITATIONS.**—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) **IN GENERAL.**—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204(d) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(d)) is amended by adding at the end the following:

“(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

“(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).”

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking “for each of fiscal years 2015 through 2022” and inserting “for each fiscal year”.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

“(2) DISCRETIONARY CARGO.—The term ‘discretionary cargo’ means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.”;

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”; and

(iii) by adding at the end the following:

“(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.”;

(D) in paragraph (5)(A) (as redesignated), by striking “Code of Federal Regulation” and inserting “Code of Federal Regulations”;

and

(E) by adding at the end the following:

“(8) MEDIUM-SIZED DONOR PORT.—The term ‘medium-sized donor port’ means a port—

“(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(B) at which the total amount of harbor maintenance taxes collected comprise annually more than \$5,000,000 but less than \$15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

“(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

“(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “donor ports” and inserting “donor ports, medium-sized donor ports,”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

“(C) for donor ports and medium-sized donor ports—

“(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

“(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.”;

(3) in subsection (c), in the matter preceding paragraph (1), by striking “donor port” and inserting “donor port, a medium-sized donor port,”;

(4) by striking subsection (d) and inserting the following:

“(d) ADMINISTRATION OF PAYMENTS.—

“(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

“(A) shipped through respective eligible ports; and

“(B) most at risk of diversion to seaports outside of the United States.

“(2) REQUIREMENT.—The Secretary, in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.”; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section \$50,000,000 from the Harbor Maintenance Trust Fund.”;

(B) by striking paragraph (2) and inserting the following:

“(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

“(A) donor ports and medium-sized donor ports; and

“(B) energy transfer ports.”; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1193);”

(2) in subparagraph (B), by striking “45 feet” and inserting “50 feet”; and

(3) in subparagraph (C), by striking “45 feet” and inserting “50 feet”.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking “45 feet” and inserting “50 feet”.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term “shallow draft” means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1273) is amended by adding at the end the following:

“(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.”.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting “in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project” after “community”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or of a community that is located in the region to be served by the project and that will rely on the project” after “community”; and

(B) in paragraph (4), by striking “local population” and inserting “regional population to be served by the project”; and

(C) in paragraph (5), by striking “community” and inserting “local community or to a community that is located in the region to be served by the project and that will rely on the project”.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for

the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) **PROVISION OF EQUIPMENT.**—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

(e) **REIMBURSEMENT ELIGIBILITY LIMITATIONS.**—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) **AUDIT.**—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) **TERMINATION OF AUTHORITY.**—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) **ADDITIONAL REQUIREMENT.**—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”

SEC. 2017. DREDGED MATERIAL.

(a) **IN GENERAL.**—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) **ADDITIONAL COSTS.**—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) **IN GENERAL.**—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

“(3) **DEFINITION OF NONSTRUCTURAL ALTERNATIVES.**—In this subsection, ‘nonstructural alternatives’ includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.”; and

(2) by adding at the end the following:

“(d) **INCREASED LEVEL OF PROTECTION.**—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

“(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

“(A) the authority under this section has been used more than once at the same location;

“(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

“(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

“(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

“(e) **NOTICE.**—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).”

(b) **PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.**—

(1) **IN GENERAL.**—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) **COST-SHARING.**—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking “if the Secretary determines the necessary work is

technically feasible, environmentally acceptable, and economically justified”;

(2) in subsection (b)—

(A) by striking “This section” and inserting the following:

“(1) **IN GENERAL.**—This section”; and

(B) by adding at the end the following:

“(2) **REQUIREMENT.**—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).”;

(3) in subsection (c)(1), by striking “The non-Federal” and inserting “Notwithstanding subsection (b)(2), the non-Federal”; and

(4) by adding at the end the following:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000.”

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary is responsible, as of the date of enactment of this Act, for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) **DEFINITIONS.**—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

“(4) **ELIGIBLE HIGH HAZARD POTENTIAL DAM.**—

“(A) **IN GENERAL.**—The term ‘eligible high hazard potential dam’ means a non-Federal dam that—

“(i) is located in a State with a State dam safety program;

“(ii) is classified as ‘high hazard potential’ by the State dam safety agency in the State in which the dam is located;

“(iii) has an emergency action plan approved by the relevant State dam safety agency; and

“(iv) the State in which the dam is located determines—

“(I) fails to meet minimum dam safety standards of the State; and

“(II) poses an unacceptable risk to the public.

“(B) **EXCLUSION.**—The term ‘eligible high hazard potential dam’ does not include—

“(i) a licensed hydroelectric dam; or

“(ii) a dam built under the authority of the Secretary of Agriculture.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) **NON-FEDERAL SPONSOR.**—The term ‘non-Federal sponsor’, in the case of a project receiving assistance under section 8A, includes—

“(A) a governmental organization; and

“(B) a nonprofit organization.” and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) REHABILITATION.—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

“(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

“(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

“(1) repair;

“(2) removal; or

“(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

“(c) AWARD OF GRANTS.—

“(1) APPLICATION.—

“(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

“(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

“(2) GRANT.—

“(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

“(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

“(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

“(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

“(i) 12.5 percent of the total amount of funds made available to carry out this section; or

“(ii) \$7,500,000.

“(d) REQUIREMENTS.—

“(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

“(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

“(A) participate in, and comply with, all applicable Federal flood insurance programs;

“(B) have in place a hazard mitigation plan that—

“(i) includes all dam risks; and

“(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

“(C) commit to provide operation and maintenance of the project for the 50-year

period following completion of rehabilitation;

“(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

“(i) acts in accordance with the State dam safety program; and

“(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

“(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

“(e) FLOODPLAIN MANAGEMENT PLANS.—

“(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

“(A) is in place; or

“(B) will be—

“(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

“(ii) implemented not later than 1 year after the date of completion of construction of the project.

“(2) INCLUSIONS.—A plan under paragraph (1) shall address—

“(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

“(B) plans for flood fighting and evacuation; and

“(C) public education and awareness of flood risks.

“(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

“(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

“(g) FUNDING.—

“(1) COST SHARING.—

“(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

“(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

“(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

“(A) EQUAL DISTRIBUTION.— $\frac{1}{3}$ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

“(B) NEED-BASED.— $\frac{2}{3}$ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

“(i) the number of eligible high hazard potential dams in the State; bears to

“(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

“(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

“(1) to rehabilitate a Federal dam;

“(2) to perform routine operation or maintenance of a dam;

“(3) to modify a dam to produce hydroelectric power;

“(4) to increase water supply storage capacity; or

“(5) to make any other modification to a dam that does not also improve the safety of the dam.

“(i) CONTRACTUAL REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than \$1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

“(A) chapter 11 of title 40, United States Code; or

“(B) an equivalent qualifications-based requirement prescribed by the relevant State.

“(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$10,000,000 for fiscal years 2017 and 2018;

“(2) \$25,000,000 for fiscal year 2019;

“(3) \$40,000,000 for fiscal year 2020; and

“(4) \$60,000,000 for each of fiscal years 2021 through 2026.”.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113-121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104-03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108-7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

All costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

SEC. 3007. INDIAN DAM SAFETY.

(A) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term “dam” has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term “dam” includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term “Fund” means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term “high hazard potential dam” means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) LOW HAZARD POTENTIAL DAM.—The term “low hazard potential dam” means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “High-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$22,750,000 of the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), to the Fund on the basis of estimates made by the Secretary of the Treasury.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “Low-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$10,000,000 of the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the revenues that would otherwise be deposited for the fiscal year in the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), to the Fund on the basis of estimates made by the Secretary of the Treasury.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093).

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than \$10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be non-reimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the “Committee”).

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plains Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson

and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(A) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, \$1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the “program”) to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, \$250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster

beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, SOUTH PLATTE RIVER, AND ARKANSAS RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) WATERCRAFT INSPECTION STATIONS.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than \$65,000,000, to carry out this section for each fiscal year, of which—

“(A) \$20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

“(B) \$25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

“(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

“(A) the urgency and need of each area; and

“(B) the availability of local funds.”; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

“(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

“(i) the Columbia River Basin;

“(ii) the South Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

“(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, and Oklahoma.

“(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.”; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) the Governor of each State in which a station is established under paragraph (1);”.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term “report” means the final report for the Portland District, Corps of Engineers, entitled “Columbia River Treaty

Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing” and dated November 19, 2013.

(2) **ASSISTANCE AUTHORIZED.**—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100-581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) **STUDY.**—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) **COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) **RESERVOIR SEDIMENT MANAGEMENT.**—

(1) **DEFINITION OF SEDIMENT MANAGEMENT PLAN.**—In this subsection, the term “sediment management plan” means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) **UPPER MISSOURI RIVER BASIN PILOT PROGRAM.**—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) **PLAN ELEMENTS.**—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) **COST SHARE.**—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) **CONTRIBUTED FUNDS.**—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) **GUIDANCE.**—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) **PARTNERSHIP WITH SECRETARY OF THE INTERIOR.**—

(A) **IN GENERAL.**—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) **LEAD AGENCY.**—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) **OTHER AUTHORITIES NOT AFFECTED.**—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) **SNOWPACK AND DROUGHT MONITORING.**—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(5) **LEAD AGENCY.**—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) **IN GENERAL.**—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) **INCLUSION.**—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) **PILOT PROGRAM.**—

(1) **AUTHORIZATION.**—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend \$30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) **PRIORITY.**—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) **SUNSET.**—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking “\$60,000,000” and inserting “\$100,000,000”.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking “conduct a study to determine the feasibility of carrying out projects” and inserting “develop a comprehensive assessment and management plan at Federal expense”;

(2) in subsection (b), by striking the subsection designation and heading and all that follows through “In carrying out the study” and inserting the following:

“(b) **ASSESSMENT AND MANAGEMENT PLAN.**—In developing the comprehensive assessment and management plan”;

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “identified in the study pursuant to subsection (a)” and inserting “identified in the comprehensive assessment and management plan under this section”.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) **IN GENERAL.**—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) **PURPOSE.**—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) **STUDY COMPONENTS.**—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, non-profit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1113) is amended—

(1) in subsection (b)—
(A) in the subsection heading, by striking “PILOT PROJECTS” and inserting “PROJECTS”;

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “the pilot”;

(ii) in subparagraph (B)—

(I) in clause (i), in the matter preceding subclause (I), by striking “the pilot”;

(II) in subclause (I), by inserting “, Salton Sea Authority, or other non-Federal interest” before the semicolon at the end; and

(III) in subclause (II), by striking “pilot”;

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “pilot”;

and

(D) in paragraph (3)—

(i) by striking “pilot” each place it appears; and

(ii) by inserting “, Salton Sea Authority, or other non-Federal interest” after “State”;

and

(2) in subsection (c), by striking “pilot”.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102-580; 113 Stat. 336) is amended—

(1) by inserting “Berkeley” before “Calhoun”; and

(2) by striking “Orangeberg, and Sumter” and inserting “and Orangeberg”.

SEC. 4013. COASTAL RESILIENCE.

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting “Indian tribes,” after “nonprofit organizations,”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

“(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials.”.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—

(1) IN GENERAL.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sus-

tainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) DEFINITIONS.—In this section:

(1) NATURAL FEATURE.—The term “natural feature” means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) NATURE-BASED FEATURE.—The term “nature-based feature” means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) REQUIREMENT.—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with

measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) FINDINGS.—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) RESILIENT WATERFRONT COMMUNITY.—The term “resilient waterfront community” means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—
(I) a Great Lake; or
(II) an ocean; or
(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) COLLABORATION.—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community

plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or
(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;
(ii) utilities; and
(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;
(II) water-oriented commerce; and
(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;
(II) public health;
(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;
(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—
(I) a Great Lake; or
(II) an ocean; or
(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;
 (iii) engineering and design;
 (iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;
 (v) updates to zoning codes;
 (vi) construction of—
 (I) public waterfront or boating amenities; and
 (II) public spaces;
 (vii) infrastructure upgrades to improve coastal resiliency;
 (viii) economic and community development marketing and outreach; and
 (ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(1) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

- (I) a nonprofit organization;
- (II) a public utility;
- (III) a private entity;
- (IV) an institution of higher education;
- (V) a State government; or
- (VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

- (i) 1 or more units of local or tribal government;
- (ii) a State government;
- (iii) a nonprofit organization;
- (iv) a private entity;
- (v) a foundation;
- (vi) a public utility; or
- (vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

- (1) the Secretary of Transportation;
- (2) the Secretary of Agriculture;
- (3) the Administrator of the Environmental Protection Agency;
- (4) the Administrator of the Federal Emergency Management Agency;
- (5) the Assistant Secretary of the Army for Civil Works;
- (6) the Secretary of the Interior; and
- (7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to naviga-

tion servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86" N., by long. 93°46'16.82" W., and ends at lat. 32° 31'22.79" N., by long. 93° 45' 2.47" W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled "Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky" and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed

under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(g) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbors Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(h) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89-789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by September 30, 2016, \$31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article

5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

**TITLE VI—WATER RESOURCES
INFRASTRUCTURE**

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conserva-

tion and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: \$116,116,000 Non-Federal: \$135,836,000 Total: \$251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: \$16,700,000 Non-Federal: \$0 Total: \$16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
5. FL	Port Everglades	June 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
6. AK	Little Diomedes	August 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
6. CA	West Sacramento	April 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: \$2,011,279,000 Non-Federal: \$1,082,997,000 Total: \$3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$127,178,000 Total: \$100,837,000

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b))” each place it appears and inserting “(25 U.S.C. 250b)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))”; and

(2) by adding at the end the following:

“(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPELLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106-53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89-298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary

shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99-662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood

risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of \$30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the “Flood Control Act of 1936”), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of

the Center for Economic Development and Research of the University of North Texas entitled “Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas” and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89-298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled “Final Supplemental No. 1” is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed \$520,000,000, of which not more than \$5,500,000 may be expended to carry out recreation features of the project.

(z) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the “Assateague Island National Seashore Act”) for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1374) is amended by striking “2018” and inserting “2020”.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns \$0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns \$0.93 in Federal tax revenue.

(B) A combined \$34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate \$7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in \$32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every \$1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every \$1,000,000 in State revolving loan fund spending results in \$2,950,000 in output for the economy of the United States.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate \$102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking “(not)” and inserting “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not”); and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

“(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of

revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.”.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

“(A) **DEFINITION OF RESTRUCTURING.**—In this paragraph, the term ‘restructuring’ means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

“(B) **PRIORITY SYSTEM.**—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

“(i) address the most serious risk to human health;

“(ii) are necessary to ensure compliance with this title (including requirements for filtration);

“(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

“(iv) improve the sustainability of systems.

“(C) **WEIGHT GIVEN TO APPLICATIONS.**—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

“(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

“(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

“(II) a schedule for replacement of assets;

“(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

“(IV) a review of options for restructuring the public water system;

“(ii) demonstration of consistency with State, regional, and municipal watershed plans;

“(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

“(iv) approaches to improve the sustainability of the system, including—

“(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

“(II) use of reclaimed water;

“(III) actions to increase energy efficiency; and

“(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking “periodically” and inserting “at least biennially”.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(g)(2)) is amended—

(1) in the first sentence, by striking “up to 4 percent of the funds allotted to the State

under this section” and inserting “, for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of \$400,000, ½ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year.”; and

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j-12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: “and the implementation of plans to protect source water identified in a source water assessment under section 1453”; and

(2) in paragraph (2)(E), by inserting after “wellhead protection programs” the following: “and implement plans to protect source water identified in a source water assessment under section 1453”.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended by adding at the end the following:

“(s) **NEGOTIATION OF CONTRACTS.**—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

“(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

“(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).”.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

“(a) **DEFINITION OF UNDERSERVED COMMUNITY.**—In this section:

“(1) **IN GENERAL.**—The term ‘underserved community’ means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

“(2) **INCLUSIONS.**—The term ‘underserved community’ includes a local political subdivision that, as determined by the Administrator—

“(A) does not have household drinking water or wastewater services; and

“(B) has a drinking water system that fails to meet health-based standards under this Act, including—

“(i) a maximum contaminant level for a primary drinking water contaminant;

“(ii) a treatment technique violation; and

“(iii) an action level exceedance.

“(b) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

“(2) **INCLUSIONS.**—Projects and activities under paragraph (1) include—

“(A) infrastructure investments necessary to comply with the requirements of this Act,

“(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

“(C) programs to provide household water quality testing.

“(c) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section—

“(1) is—

“(A) a public water system as defined in section 1401;

“(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

“(C) a State, on behalf of an underserved community; and

“(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

“(A) to be a disadvantaged community;

“(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

“(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

“(d) **PRIORITY.**—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

“(e) **LOCAL PARTICIPATION.**—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

“(f) **TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.**—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

“(g) **COST SHARING.**—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

“(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

“(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

“(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

“(h) **WAIVER.**—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) \$230,000,000 for fiscal year 2017; and

“(2) \$300,000,000 for each of fiscal years 2018 through 2021.”.

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

“SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a community water system;

“(B) a system located in an area governed by an Indian Tribe;

“(C) a nontransient noncommunity water system;

“(D) a qualified nonprofit organization, as determined by the Administrator; and

“(E) a municipality or State, interstate, or intermunicipal agency.

“(2) LEAD REDUCTION PROJECT.—

“(A) IN GENERAL.—The term ‘lead reduction project’ means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

“(i) replacement of publicly owned lead service lines;

“(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

“(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

“(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

“(B) LIMITATION.—The term ‘lead reduction project’ does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

“(3) LOW-INCOME.—The term ‘low-income’, with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

“(4) MUNICIPALITY.—The term ‘municipality’ means—

“(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) GRANT PROGRAM.—

“(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

“(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

“(A) the source of lead in water for human consumption; and

“(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

“(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

“(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

“(B) proposes to—

“(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

“(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

“(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

“(4) COST SHARING.—

“(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

“(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

“(5) LOW-INCOME ASSISTANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

“(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

“(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

“(A) notify customers of the replacement of any publicly owned portion of the lead service line;

“(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

“(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

“(i) the cost of replacement; and

“(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

“(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

“(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2017 through 2021.”

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking “Administrator or” and inserting “Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,”; and

(II) by inserting “and the appropriate State and county health agencies” after “1413”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.

“(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.”; and

(5) by adding at the end the following:

“(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.”.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g-3) is amended by adding at the end the following:

“(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

“(1) IN GENERAL.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

“(A) by public water systems (or a certified laboratory on behalf of a public water system)—

“(i) to the Administrator; or

“(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

“(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

“(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

“(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

“(B) information system compatibility;

“(C) the size of the public water system; and

“(D) the size of the community served by the public water system.”.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended by striking subsection (d) and inserting the following:

“(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHILD CARE PROGRAM.—The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(B) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ means—

“(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

“(iii) an operator of a child care program facility licensed under State law.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

“(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

“(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

“(ii) any direct implementation area.

“(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

“(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

“(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

“(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

“(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2017 through 2021.”.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j-25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

“PART G—ADDITIONAL PROVISIONS

“SEC. 1471. WATERSENSE PROGRAM.

“(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

“(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

“(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

“(1) establish—

“(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

“(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(C) **TRANSPARENCY.**—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

“(d) **DISTINCTION OF AUTHORITIES.**—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

“(e) **NO WARRANTY.**—A WaterSense label shall not create an express or implied warranty.”.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) **FINDINGS.**—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately \$384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at \$64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) **DRINKING WATER TECHNOLOGY CLEARINGHOUSE.**—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the De-

partment of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) **WATER SYSTEM ASSESSMENT.**—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

- (1) individual wells;
- (2) shared wells; and
- (3) community wells.

(e) **REPORT TO CONGRESS.**—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking “appropriated” and all that follows through “2003” and inserting “made available for each of fiscal years 2016 through 2021”.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300f(14)) is amended by striking “section 1452” and inserting “sections 1452, 1459A, and 1459B”.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) **TECHNICAL ASSISTANCE.**—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking “Tribes” and inserting “tribes, including grants to provide training and operator certification services under section 1452(i)(5)”.

(b) **INDIAN TRIBES.**—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking “Tribes and Alaska Native villages” and inserting “tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations”; and

(2) by adding at the end the following:

“(5) **TRAINING AND OPERATOR CERTIFICATION.**—

“(A) **IN GENERAL.**—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

“(B) **ELIGIBLE TRIBAL ORGANIZATIONS.**—An intertribal consortium or tribal organization

eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

“(i) is the most qualified to provide training and technical assistance to Indian tribes; and

“(ii) Indian tribes determine to be the most beneficial and effective.”.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

“(4) **REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.**—

“(A) **DEFINITION OF IRON AND STEEL PRODUCTS.**—In this paragraph, the term ‘iron and steel products’ means the following products made, in part, of iron or steel:

“(i) Lined or unlined pipe and fittings.

“(ii) Manhole covers and other municipal castings.

“(iii) Hydrants.

“(iv) Tanks.

“(v) Flanges.

“(vi) Pipe clamps and restraints.

“(vii) Valves.

“(viii) Structural steel.

“(ix) Reinforced precast concrete.

“(x) Construction materials.

“(B) **REQUIREMENT.**—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

“(C) **EXCEPTION.**—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

“(i) applying subparagraph (B) would be inconsistent with the public interest;

“(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

“(D) **PUBLIC NOTICE; WRITTEN JUSTIFICATION.**—

“(i) **PUBLIC NOTICE.**—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

“(I) make available to the public on an informal basis, including on the public website of the Administrator—

“(aa) a copy of the request; and

“(bb) any information available to the Administrator regarding the request; and

“(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

“(ii) **WRITTEN JUSTIFICATION.**—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

“(E) **APPLICATION.**—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

“(F) **MANAGEMENT AND OVERSIGHT.**—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.”.

Subtitle B—Clean Water**SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.**

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through “subject to subsection (g), the Administrator may” in paragraph (2) and inserting the following:

“(a) **AUTHORITY.**—The Administrator may—

“(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

“(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

“(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

“(2) subject to subsection (g).”;

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “; or”;

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

“(e) **ADMINISTRATIVE REQUIREMENTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

“(2) **DETERMINATION OF GOVERNOR.**—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section, to remain available until expended—

“(1) \$250,000,000 for fiscal year 2017;

“(2) \$300,000,000 for fiscal year 2018;

“(3) \$350,000,000 for fiscal year 2019;

“(4) \$400,000,000 for fiscal year 2020; and

“(5) \$500,000,000 for fiscal year 2021.

“(g) **ALLOCATION OF FUNDS.**—

“(1) **FISCAL YEAR 2017 AND 2018.**—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

“(A) in accordance with the priority criteria described in subsection (b); and

“(B) with additional priority given to proposed projects that involve the use of—

“(i) nonstructural, low-impact development;

“(ii) water conservation, efficiency, or reuse; or

“(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

“(2) **FISCAL YEAR 2019 AND THEREAFTER.**—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

“(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

“(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

“(i) conducted under section 210; and

“(ii) included in a report required under section 516(b)(1)(B).”;

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) **IN GENERAL.**—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

“(a) **DEFINITIONS.**—In this section:

“(1) **MEDIUM TREATMENT WORKS.**—The term ‘medium treatment works’ means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.

“(2) **QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.**—The term ‘qualified nonprofit medium treatment works technical assistance provider’ means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

“(3) **QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.**—The term ‘qualified nonprofit small treatment works technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(4) **SMALL TREATMENT WORKS.**—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) **TECHNICAL ASSISTANCE.**—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) for grants for small treatment works technical assistance, \$15,000,000 for each of fiscal years 2017 through 2021; and

“(2) for grants for medium treatment works technical assistance, \$10,000,000 for each of fiscal years 2017 through 2021.”.

(b) **WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.**—

(1) **IN GENERAL.**—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) **ADDITIONAL USE OF FUNDS.**—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.”.

(2) **CONFORMING AMENDMENT.**—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) **INTEGRATED PLANS.**—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) **INTEGRATED PLAN PERMITS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **GREEN INFRASTRUCTURE.**—The term ‘green infrastructure’ means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

“(B) **INTEGRATED PLAN.**—The term ‘integrated plan’ has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

“(C) **MUNICIPAL DISCHARGE.**—

“(i) **IN GENERAL.**—The term ‘municipal discharge’ means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).

“(ii) **INCLUSION.**—The term ‘municipal discharge’ includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

“(2) **INTEGRATED PLAN.**—

“(A) **IN GENERAL.**—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

“(B) **SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.**—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

“(i) a combined sewer overflow;

“(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

“(iii) a municipal stormwater discharge;

“(iv) a municipal wastewater discharge; and

“(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

“(3) **COMPLIANCE SCHEDULES.**—

“(A) **IN GENERAL.**—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a

schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

“(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

“(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

“(4) EXISTING AUTHORITIES RETAINED.—

“(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

“(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

“(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

“(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(5) CLARIFICATION OF STATE AUTHORITY.—

“(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

“(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.”.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

“(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

“(1) IN GENERAL.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

“(2) MODIFICATION.—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.”.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the “Integrated Municipal Stormwater and Wastewater Planning Approach Framework” issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

“SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

“(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of

Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

“(b) DUTIES.—The Administrator shall ensure that the Office of Water—

“(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

“(2) coordinates efforts to increase the use of green infrastructure with—

“(A) other Federal departments and agencies;

“(B) State, tribal, and local governments; and

“(C) the private sector.

“(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

“(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

“(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

“(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

“(1) reducing water pollution;

“(2) protecting water resources;

“(3) complying with regulatory requirements; and

“(4) achieving other environmental, public health, and community goals.”.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term “affordability” means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term “financial capability” means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term “guidance” means the guidance published by the Administrator entitled “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled “Financial Capability Assessment Framework” and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) REVISED GUIDANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) USE OF GUIDANCE.—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) PUBLICATION AND SUBMISSION.—

(1) IN GENERAL.—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) EXPLANATION.—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) EFFECT.—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended by striking “Any activity undertaken under this section is authorized only to the extent” and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure

Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(ii) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”;

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

“(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.”; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking “or (7)” and inserting “(7), or (8)”.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking “and (8)” and inserting “(7), and (9)”;

(ii) in paragraph (3), by striking “paragraph (7) or (9)” and inserting “paragraph (8) or (10)”.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking “section 5026(7)” and inserting “section 5026(8)”.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking “section 5026(9)” and inserting “section 5026(10)”;

(II) by striking “section 5026(8)” and inserting “section 5026(9)”;

(iii) in subsection (b)(3), by striking “section 5026(8)” and inserting “section 5026(9)”.

(e) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph 2)(A).”.

(d) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking

the subtitle designation and heading and inserting the following:

“Subtitle C—Innovative Financing Projects”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.”.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113-121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

“Subtitle C—Innovative Financing Projects”;

(B) by striking the item relating to section 5034 and inserting the following:

“Sec. 5034. Reports on program implementation.”.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund” (referred to in this section as the “Fund”), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the “Secretary”) shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund

and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) **VOLUNTARY LABELING SYSTEM.**—

(1) **IN GENERAL.**—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) **FEE.**—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) **EPA STUDY ON WATER PRICING.**—

(1) **STUDY.**—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) **GRANT PROGRAM AUTHORIZED.**—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) **GRANTS.**—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources; or

(N) address urgent water quality and human health needs.

(d) **PRIORITY FUNDING.**—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) **COST-SHARING.**—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) **LIMITATION.**—The maximum amount of a grant provided to a project under this section shall be \$5,000,000.

(g) **REPORT.**—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year.

(i) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section \$10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) **CONGRESSIONAL FINDINGS AND DECLARATIONS.**—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking “and” at the end; and

(3) by inserting after paragraph (6) the following:

“(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

“(A) nonstructural alternatives;

“(B) decentralized approaches;

“(C) water use efficiency and conservation; and

“(D) actions to reduce energy consumption or extract energy from wastewater.”.

(b) **WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.**—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(B) in subparagraph (D), by striking the period at the end and inserting “; and”;

(2) in subsection (c)—

(A) by striking “From the” and inserting the following:

“(1) **IN GENERAL.**—From the”; and

(B) by adding at the end the following:

“(2) **REPORT.**—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”;

(3) by striking subsection (e) and inserting the following:

“(e) **EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) **PROHIBITION ON FURTHER SUPPORT.**—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”;

(4) in subsection (f)(1), by striking “\$12,000,000 for each of fiscal years 2007 through 2011” and inserting “\$7,500,000 for each of fiscal years 2017 through 2021”; and

(5) in subsection (g)(1), in the first sentence, by striking “\$6,000,000 for each of fiscal years 2007 through 2011” and inserting “\$1,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) **AUTHORIZATION OF RESEARCH AND STUDIES.**—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

“(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.”; and

(2) by adding at the end the following:

“(e) **PRIORITIZATION.**—In carrying out this section, the Secretary shall prioritize funding for research—

“(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

“(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

“(3) to improve existing reverse osmosis and membrane technology;

“(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

“(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

“(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.”.

(b) **DESALINATION DEMONSTRATION AND DEVELOPMENT.**—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(c) **PRIORITIZATION.**—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

“(1) in drought-stricken States and communities;

“(2) in States that have authorized funding for research and development of desalination technologies and projects;

“(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.”.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking “\$5,000,000” and inserting “\$8,000,000”; and

(B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(d) **CONSULTATION.**—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) by striking the section designation and heading and all that follows through “In carrying out” in the first sentence and inserting the following:

“**SEC. 9. CONSULTATION AND COORDINATION.**

“(a) **CONSULTATION.**—In carrying out”;

(2) in the second sentence, by striking “The authorization” and inserting the following:

“(c) **OTHER DESALINATION PROGRAMS.**—The authorization”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) **COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.**—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

“(1) establishes priorities for future Federal investments in desalination;

“(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

“(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

“(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) **IN GENERAL.**—The Administrator, in conjunction with the Secretary of the Interior, the Secretary of Agriculture, the Director of the National Oceanic and Atmospheric Administration, and other appropriate Federal agency heads along with State and local governments, shall develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers.

(b) **CONSULTATION.**—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) **CONTENTS.**—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;

(ii) municipal and industrial water supply;

(iii) agricultural water supply;

(iv) water quality;

(v) ecosystem health; and

(vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

(ii) water recycling;

(iii) groundwater clean-up and storage;

(iv) new technologies, such as behavioral water efficiency; and

(v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

(A) the establishment of planning goals;

(B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) **IN GENERAL.**—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking “or” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) **INNOVATIVE WATER TECHNOLOGIES.**—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

“(k) **TECHNICAL ASSISTANCE.**—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

“(l) **REPORT.**—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting “**ADDITIONAL ASSISTANCE.**—”;

(B) in paragraph (1)—

(i) by striking “Notwithstanding” and inserting the following:

“(A) **IN GENERAL.**—Notwithstanding”; and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)—

(i) by striking “For each fiscal year” and inserting the following:

“(A) IN GENERAL.—For each fiscal year”;

and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”; and

(D) in paragraph (3), in the first sentence, by inserting “, or portion of a service area,” after “service area”; and

(2) by adding at the end the following:

“(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

“(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State

may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of \$100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least \$700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), \$20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate,

conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) **CONSULTATIONS.**—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means a city exposed to lead contamination in the local drinking water system.

(2) **COMMITTEE.**—The term “Committee” means the Advisory Committee established under subsection (c).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(b) **LEAD EXPOSURE REGISTRY.**—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) **ADVISORY COMMITTEE.**—

(1) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

- (i) an epidemiologist;
- (ii) a toxicologist;
- (iii) a mental health professional;
- (iv) a pediatrician;
- (v) an early childhood education expert;
- (vi) a special education expert;
- (vii) a dietician; and
- (viii) an environmental health expert.

(B) **REQUIREMENTS.**—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) **CHAIR.**—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) **TERMS.**—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) **APPLICATION OF FACA.**—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) **RESPONSIBILITIES.**—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) **REPORT.**—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) **MANDATORY FUNDING.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) \$17,500,000 to carry out subsection (b); and

(B) \$2,500,000 to carry out subsection (c).

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) **CHILDHOOD LEAD POISONING PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

(2) **RECEIPT AND ACCEPTANCE.**—The Director of the Centers for Disease Control and Pre-

vention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1) the funds transferred under paragraph (1), without further appropriation.

(b) **HEALTHY HOMES PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) **HEALTHY START PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

(2) **RECEIPT AND ACCEPTANCE.**—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) **COMPREHENSIVE STRATEGY.**—The term “comprehensive strategy” means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) **GROUNDWATER.**—The term “groundwater” means water in a saturated zone or stratum beneath the surface of land or water.

(3) **PLUME.**—The term “plume” means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) **SITE.**—The term “site” means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume; (2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION INITIATIVE

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) **GREAT LAKES RESTORATION INITIATIVE.**—

“(A) **ESTABLISHMENT.**—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the ‘Initiative’) to carry out programs and projects for Great Lakes protection and restoration.

“(B) **FOCUS AREAS.**—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) **PROJECTS.**—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

“(ii) the feasibility of—

“(I) prompt implementation;

“(II) timely achievement of results; and

“(III) resource leveraging; and

“(iii) the opportunity to improve inter-agency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(D) **IMPLEMENTATION OF PROJECTS.**—

“(i) **IN GENERAL.**—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects; and

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

“(ii) **TRANSFER OF FUNDS.**—With amounts made available for the Initiative each fiscal year, the Administrator may—

“(I) transfer not more than \$300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

“(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

“(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

“(E) **SCOPE.**—

“(i) **IN GENERAL.**—Projects shall be carried out under the Initiative on multiple levels, including—

“(I) Great Lakes-wide; and

“(II) Great Lakes basin-wide.

“(ii) **LIMITATION.**—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

“(I) a State water pollution control revolving fund established under title VI; or

“(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

“(F) **ACTIVITIES BY OTHER FEDERAL AGENCIES.**—Each relevant Federal department or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that depart-

ment or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

“(G) **FUNDING.**—

“(i) **IN GENERAL.**—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) **LIMITATION.**—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) **FINDINGS.**—Congress finds that—

“(1) Lake Tahoe—

“(A) is one of the largest, deepest, and clearest lakes in the world;

“(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

“(C) is recognized nationally and worldwide as a natural resource of special significance;

“(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

“(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

“(B) contributes significantly to the economies of California, Nevada, and the United States;

“(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

“(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

“(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

“(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

“(A) high tree density and mortality;

“(B) the loss of biological diversity; and

“(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

“(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

“(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

“(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

“(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

“(A) congressional consent to the establishment of the Planning Agency with—

“(i) the enactment in 1969 of Public Law 91-148 (83 Stat. 360); and

“(ii) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

“(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

“(C) the enactment of Public Law 96-586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

“(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

“(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

“(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

“(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

“(A) stream and wetland restoration; and

“(B) programmatic technical assistance;

“(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

“(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

“(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

“(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

“(A) renewed their commitment to Lake Tahoe; and

“(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

“(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,955,500,000 to the Lake Tahoe Basin, including—

“(A) \$635,400,000 from the Federal Government;

“(B) \$758,600,000 from the State of California;

“(C) \$123,700,000 from the State of Nevada;

“(D) \$98,900,000 from units of local government; and

“(E) \$338,900,000 from private interests;

“(16) significant additional investment from Federal, State, local, and private sources is necessary—

“(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

“(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

“(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

“(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

“(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

“(3) to support local governments in efforts related to environmental restoration, storm-water pollution control, fire risk reduction, and forest management activities; and

“(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

“(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

“(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.”

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of the Army for Civil Works.

“(3) CHAIR.—The term ‘Chair’ means the Chair of the Federal Partnership.

“(4) COMPACT.—The term ‘Compact’ means the Tahoe Regional Planning Compact included in the first section of Public Law 96-551 (94 Stat. 3233).

“(5) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the United States Fish and Wildlife Service; and

“(B) the Director of the United States Geological Survey.

“(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means—

“(A) the Environmental Improvement Program adopted by the Planning Agency; and

“(B) any amendments to the Program.

“(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term ‘environmental threshold carrying capacity’ has the meaning given the term in Article II of the Compact.

“(8) FEDERAL PARTNERSHIP.—The term ‘Federal Partnership’ means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

“(9) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ includes—

“(A) prescribed burning for ecosystem health and hazardous fuels reduction;

“(B) mechanical and minimum tool treatment;

“(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

“(D) nonnative invasive species management; and

“(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

“(10) MAPS.—The term ‘Maps’ means the maps—

“(A) entitled—

“(i) ‘LTRA USFS-CA Land Exchange/North Shore’;

“(ii) ‘LTRA USFS-CA Land Exchange/West Shore’; and

“(iii) ‘LTRA USFS-CA Land Exchange/South Shore’; and

“(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

“(i) the Forest Service;

“(ii) the California Tahoe Conservancy; and

“(iii) the California Department of Parks and Recreation.

“(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

“(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

“(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

“(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

“(12) PLANNING AGENCY.—The term ‘Planning Agency’ means the Tahoe Regional Planning Agency established under Public Law 91-148 (83 Stat. 360) and Public Law 96-551 (94 Stat. 3233).

“(13) PRIORITY LIST.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(15) STREAM ENVIRONMENT ZONE.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

“(16) TOTAL MAXIMUM DAILY LOAD.—The term ‘total maximum daily load’ means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

“(17) WATERCRAFT.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.”

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking “basin” and inserting “Basin”; and

(2) by adding at the end the following:

“(c) FOREST MANAGEMENT ACTIVITIES.—

“(1) COORDINATION.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

“(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

“(2) MULTIPLE BENEFITS.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

“(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

“(I) reducing forest fuels;

“(II) maintaining biological diversity;

“(III) improving wetland and water quality, including in Stream Environment Zones; and

“(IV) increasing resilience to changing water temperature and precipitation; and

“(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

“(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

“(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

“(B) provide for monitoring to ascertain the attainment of the post-program conditions.

“(d) WITHDRAWAL OF FEDERAL LAND.—

“(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

“(A) all forms of entry, appropriation, or disposal under the public land laws;

“(B) location, entry, and patent under the mining laws; and

“(C) disposition under all laws relating to mineral and geothermal leasing.

“(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

“(A) this Act; or

“(B) Public Law 96-586 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

“(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

“(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.”.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

“SEC. 5. AUTHORIZED PROGRAMS.

“(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Ad-

ministrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

“(1) is described in subsection (d);

“(2) is included in the Priority List under subsection (b); and

“(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

“(b) PRIORITY LIST.—

“(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

“(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

“(A) The 4-year threshold carrying capacity evaluation.

“(B) The ability to measure progress or success of the program.

“(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

“(D) The ability of a program to provide multiple benefits.

“(E) The ability of a program to leverage non-Federal contributions.

“(F) Stakeholder support for the program.

“(G) The justification of Federal interest.

“(H) Agency priority.

“(I) Agency capacity.

“(J) Cost-effectiveness.

“(K) Federal funding history.

“(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

“(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

“(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

“(d) DESCRIPTION OF ACTIVITIES.—

“(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

“(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

“(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

“(iii) Biomass programs, including feasibility assessments.

“(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

“(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

“(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

“(vii) Development of updated community wildfire protection plans by local fire districts.

“(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

“(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

“(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least \$100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

“(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

“(D) COST-SHARING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

“(ii) FORM OF NON-FEDERAL SHARE.—

“(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

“(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

“(III) DOCUMENTATION.—Communities and local fire districts shall—

“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) INVASIVE SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

“(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

“(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the

watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

“(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

“(G) CIVIL PENALTIES.—

“(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

“(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

“(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

“(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

“(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

“(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), \$113,000,000 shall be made available—

“(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

“(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

“(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

“(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

“(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.”

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than \$5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(A) the program scope;

“(B) the budget for the program; and

“(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

“(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

“(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

“(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.”

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “, Director, or Administrator” after “Secretary”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3240) is amended in the third sentence by inserting “and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce” after “maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting “and 25 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “65,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this Act \$415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) **EFFECT ON OTHER FUNDS.**—Amounts authorized under this section and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

“(c) **COST-SHARING REQUIREMENT.**—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) **RELOCATION COSTS.**—Notwithstanding subsection (c), the Secretary shall provide to local utility districts $\frac{3}{4}$ of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) erosion control programs under section 2 of Public Law 96-586 (94 Stat. 3381).

“(e) **SIGNAGE.**—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96-586 (94 Stat. 3384) (commonly known as the “Santini-Burton Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) **ADMINISTRATION OF ACQUIRED LAND.**—

“(1) **IN GENERAL.**—Land”; and

(2) by adding at the end the following:

“(2) **CALIFORNIA CONVEYANCES.**—

“(A) **IN GENERAL.**—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

“(i) may accept the offer; and

“(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

“(B) **DESCRIPTION OF LAND.**—

“(i) **NON-FEDERAL LAND.**—The non-Federal land referred to in subparagraph (A) includes—

“(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Tahoe Conservancy to the USFS’; and

“(II) the approximately 183 acres of land administered by California State Parks and

identified on the Maps as ‘Total USFS to California’.

“(ii) **FEDERAL LAND.**—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) **CONDITIONS.**—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) **CONTINUATION OF SPECIAL USE PERMITS.**—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(3) **NEVADA CONVEYANCES.**—

“(A) **IN GENERAL.**—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(B) **DESCRIPTION OF LAND.**—The land referred to in subparagraph (A) includes—

“(i) the approximately 38.68 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Van Sickle Unit USFS Inholding’; and

“(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(C) **CONDITIONS.**—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) **CONTINUATION OF SPECIAL USE PERMITS.**—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special

use permits, and subject to the terms and conditions of the special use permits.

“(4) **AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.**—

“(A) **CONVEYANCE AUTHORITY.**—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

“(B) **CONSIDERATION.**—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

“(C) **AVAILABILITY AND USE.**—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

“(i) purchasing inholdings throughout the Lake Tahoe Basin; or

“(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

“(D) **OBLIGATION LIMIT.**—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

“(5) **REVERSION.**—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(6) **FUNDING.**—

“(A) **IN GENERAL.**—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351), \$2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

“(B) **OTHER FUNDS.**—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).”.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) **LONG ISLAND SOUND RESTORATION PROGRAM.**—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through “The Office shall” and inserting the following:

“(b) **OFFICE.**—

“(1) **ESTABLISHMENT.**—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) **ADMINISTRATION AND STAFFING.**—The Office shall”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Management Conference of the Long Island Sound Study” and inserting “conference study”;

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(J) environmental impacts on the Long Island Sound watershed, including—

“(i) the identification and assessment of vulnerabilities in the watershed;

“(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

“(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

“(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;”;

(C) by striking paragraph (4) and inserting the following:

“(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;”;

(D) in paragraph (5), by inserting “study” after “conference”;

(E) in paragraph (6)—

(i) by inserting “(including on the Internet)” after “the public”; and

(ii) by inserting “study” after “conference”; and

(F) by striking paragraph (7) and inserting the following:

“(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and”;

(3) in subsection (d)(3), in the second sentence, by striking “50 per centum” and inserting “60 percent”;

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

“(f) REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

“(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

“(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

“(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

“(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

“(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

“(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

“(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

“(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

“(1) an interagency crosscut budget that displays for each department and agency—

“(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

“(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

“(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

“(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

“(h) FEDERAL ENTITIES.—

“(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

“(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

“(A) enter into interagency agreements; and

“(B) make intergovernmental personnel appointments.

“(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

“(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).”.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) in subsection (g), by striking “2011” and inserting “2021”; and

(B) by adding at the end the following:

“(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

“(1) the Advisory Committee; or

“(2) any board, committee, or other group established under this Act.”.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended in the matter preceding subparagraph (A) by striking “2011” and inserting “2021”.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking “under this section each” and inserting “to carry out this Act for a”.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) \$40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) \$25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes \$25,000,000,000 annually in economic activity, provides \$21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with \$10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly \$4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over \$21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with

saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) **BASIN.**—The term “Basin” means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) **BASIN STATE.**—The term “Basin State” means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **FOUNDATION.**—The term “Foundation” means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) **GRANT PROGRAM.**—The term “grant program” means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) **PROGRAM.**—The term “program” means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) **RESTORATION AND PROTECTION.**—The term “restoration and protection” means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director.

(9) **SERVICE.**—The term “Service” means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the “Delaware River Basin restoration program”.

(b) **DUTIES.**—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other

State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) **COORDINATION.**—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) **PURPOSES.**—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) **DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.**—To the extent that funds

are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the “Delaware River Basin Restoration Grant Program” to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) **CRITERIA.**—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) **FUNDING.**—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) **REQUIREMENTS.**—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out this part \$5,000,000 for each of fiscal years 2017 through 2022.

(b) **USE.**—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

Subtitle G—Offset

SEC. 7701. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of

2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

“(d) **STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.**—

“(1) **APPROVAL BY ADMINISTRATOR.**—

“(A) **IN GENERAL.**—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

“(B) **REQUIREMENT.**—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

“(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

“(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

“(C) **PERMIT REQUIREMENTS.**—The Administrator may approve under subparagraph (B)(ii) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

“(D) **WITHDRAWAL OF APPROVAL.**—

“(i) **PROGRAM REVIEW.**—The Administrator shall review programs or other systems approved under subparagraph (B)—

“(I) from time to time, but not less frequently than once every 5 years; or

“(II) on request of any State.

“(ii) **NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.**—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

“(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

“(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located in the State to ensure compliance with the requirements of subparagraph (B); or

“(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

“(iii) **WITHDRAWAL.**—

“(I) **IN GENERAL.**—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

“(II) **REINSTATEMENT OF STATE APPROVAL.**—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

“(2) **NONPARTICIPATING STATES.**—

“(A) **DEFINITION OF NONPARTICIPATING STATE.**—In this paragraph, the term ‘nonparticipating State’ means a State—

“(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

“(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

“(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

“(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

“(B) **PERMIT PROGRAM.**—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(3) **APPLICABILITY OF CRITERIA.**—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

“(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

“(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

“(4) **PROHIBITION ON OPEN DUMPING.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open dumping contained in subsection (a) with respect to a coal combustion residual unit.

“(B) **FEDERAL ENFORCEMENT IN APPROVED STATE.**—

“(i) **IN GENERAL.**—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or

other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

“(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

“(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

“(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

“(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

“(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

“(A) the requirements established pursuant to a program for which an approval is provided by—

“(i) the State in accordance with a program or system approved under paragraph (1)(B); or

“(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

“(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

“(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.”.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al.

CIV 12-275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract and obligations for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term “1974 storage contract” means the contract entered into on February 16, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term “2010 agreement” means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term “administrative set-aside subcontracts” means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by the amended storage contract and the Settlement Agreement.

(4) ALLOTMENT.—The term “allotment” means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term “allottee” means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term “amended permit application” means the permit application of the City to the OWRB, No. 2007-17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT.—The terms “amended storage contract transfer agreement” and “amended storage contract” mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term “Atoka and Sardis Conservation Projects Fund” means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term “City” means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term “City permit” means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term “conservation storage capacity” means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term “future use storage” means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term “Nations” means the Choctaw Nation and the Chickasaw Nation.

(15) OWRB.—The term “OWRB” means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term “Sardis Lake” means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term “Settlement Agreement” means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term “settlement area” means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Red River to the south;

(iii) the Oklahoma-Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.

(ii) Bryan.

(iii) Carter.

(iv) Choctaw.

(v) Coal.

(vi) Garvin.

(vii) Grady.

(viii) McClain.

(ix) Murray.

(x) Haskell.

(xi) Hughes.

(xii) Jefferson.

(xiii) Johnston.

(xiv) Latimer.

(xv) LeFlore.

(xvi) Love.

(xvii) Marshall.

(xviii) McCurtain.

(xix) Pittsburgh.

(xx) Pontotoc.

(xxi) Pushmataha.

(xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term “settlement area waters” means the waters located—

(A) within the settlement area; and

(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

- (i) Beaver Creek (24, 25, and 26).
- (ii) Blue (11 and 12).
- (iii) Clear Boggy (9).
- (iv) Kiamichi (5 and 6).
- (v) Lower Arkansas (46 and 47).
- (vi) Lower Canadian (48, 56, 57, and 58).
- (vii) Lower Little (2).
- (viii) Lower Washita (14).
- (ix) Mountain Fork (4).
- (x) Middle Washita (15 and 16).
- (xi) Mud Creek (23).
- (xii) Muddy Boggy (7 and 8).
- (xiii) Poteau (44 and 45).
- (xiv) Red River Mainstem (1, 10, 13, and 21).
- (xv) Upper Little (3).
- (xvi) Walnut Bayou (22).

(20) STATE.—The term “State” means the State of Oklahoma.

(21) TRUST.—The term “Trust” means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority.

(C) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(D) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER

RESOURCES BOARD, CIV 98–00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if the right to future use storage is not exercised by January 1, 2050.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—

(i) IN GENERAL.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(I) are consistent with the authorized purposes for Sardis Lake and do not affect the authorized purposes for the project under section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187) and section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)); and

(II) shall not constitute a reallocation of storage.

(ii) CHANGES AND MODIFICATIONS.—To the extent subclause (I) or (II) of clause (i) could be construed otherwise, any necessary changes or modifications are authorized, ratified, and approved.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section

301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), and to the extent those documents and actions could be so construed, any necessary change is authorized, ratified and approved without any further action by the Corps of Engineers.

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(E) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights

determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (2) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a

trustee for the Nations, shall execute a waiver and release of—

(A) all claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, including—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, if the claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 of the City for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date; and

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract.

(2) RETENTION AND RESERVATION OF CLAIMS.—

(A) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(i) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraph (1), the Nations and the United States, acting as trustee, shall retain—

(I) all claims for enforcement of the Settlement Agreement and this section;

(II) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(III) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v), including any claims the Nations may have under—

(aa) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(bb) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(cc) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(dd) any regulations implementing the Acts described in items (aa) through (cc);

(IV) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(V) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(ii) AGREEMENT.—

(I) IN GENERAL.—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(II) APPLICATION.—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under subclause (I), in accordance with applicable Federal law.

(III) RECORDING.—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(IV) CONSIDERATION.—In exchange for conveyance of the easement under clause (ii), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(B) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY NATIONS AGAINST THE UNITED STATES.—Notwithstanding the waivers and releases of claims authorized under paragraph (1), each Nation shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water rights of the Nations recognized by or established pursuant to the Settlement Agreement and this section, including the right to assert claims for injuries relating to the rights and the right to participate in any stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in subclauses (I) through (III);

(iv) all claims relating to damage, loss, or injury resulting from the unauthorized diversion, use, or storage of water by a person, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section.

(3) EFFECTIVE DATE OF WAIVER AND RELEASES.—The waivers and releases under this subsection take effect on the enforceability date.

(i) ENFORCEABILITY DATE.—

(I) IN GENERAL.—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98-C-521-E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ 11-297 (W.D. Ok.) and OWRB v. United States, et al. Civ 12-275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007-017 without having waived the original application priority date and appropriate quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007-017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007-017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(j) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the

City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) **NO ACTION IN OTHER COURTS.**—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) **NO MONETARY JUDGMENT.**—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) **NOTICE AND CONFERENCE.**—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) **LIMITED WAIVERS OF SOVEREIGN IMMUNITY.**—

(A) **IN GENERAL.**—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) **UNITED STATES IMMUNITY.**—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) **CHICKASAW NATION IMMUNITY.**—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) **CHOCTAW NATION IMMUNITY.**—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of

the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(k) **DISCLAIMER.**—

(1) **IN GENERAL.**—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) **NO PRECEDENT.**—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SA 4980. Mr. INHOFE proposed an amendment to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike section 6002 and insert the following:

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$35,322,350 Total: \$100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

SA 4981. Mr. HELLER (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . RURAL WESTERN WATER.

Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 383; 128 Stat. 1316) is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following:

“(h) ELIGIBILITY.—

“(1) IN GENERAL.—Assistance under this section shall be made available to all eligible States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities, with priority given to projects in any applicable State that—

“(A) execute new or amended project cooperation agreements; and

“(B) commence promptly after the date of enactment of the Water Resources Development Act of 2016.

“(2) RURAL PROJECTS.—The Secretary shall consider a rural project authorized under this section and environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835) for new starts on the same basis as any other program funded from the construction account.”; and

(3) in subsection (i) (as redesignated by paragraph (1)), by striking “which shall—” and all that follows through “remain” and inserting “to remain”.

SA 4982. Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2004.

SA 4983. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2004, strike “applicable State water quality standards” and insert “the

State water quality standards of the State in which the disposal occurs, as”.

SA 4984. Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(1) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81-516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BARRASSO. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 7, 2016, at 10 a.m. to conduct a hearing entitled “The Administration's Proposal for a UN Resolution on the Comprehensive Nuclear Test-Ban Treaty.”

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on September 7, 2016, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on September 7, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on September 7, 2016, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled “VHA Best Practices: Exploring the Diffusion of Excellence Initiative.”

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session

of the Senate on September 7, 2016, at 2:30 p.m., in room SD-562 of the Dirksen Senate Office Building to conduct a hearing entitled “Securing America's Retirement Future: Examining the Bipartisan Policy Center's Recommendations to Boost Savings.”

MEASURES READ THE FIRST TIME—S. 3296 AND S. 3297

Mr. PERDUE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The bill clerk read as follows:

A bill (S. 3296) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

A bill (S. 3297) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

Mr. PERDUE. Mr. President, I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, SEPTEMBER 8, 2016

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 8; that following the prayer and pledge, the Senate observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001; further, that the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. 2848.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. PERDUE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, September 8, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, September 7, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 7, 2016.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour, and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE INTERNAL REVENUE SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, to understand what is wrong with American politics, especially the dysfunctional Republican House of Representatives, look no further than the spectacle surrounding the IRS and the impeachment of its Commissioner.

The Internal Revenue Service impacts 150 million American taxpayers every year, virtually every family and all legal businesses. This is how we finance essential services, from Social Security to medical research, our national defense, national parks, veterans' services, and so much more. Everything that matters to Americans depends on the ability to finance government efficiently and fairly.

Look, Americans from the dawn of the Republic have chafed at paying taxes, continuing a tradition that dates back to Biblical times, and almost everybody says they hate the IRS, which is the cheapest, quickest political applause line for any politician. Yet, over the years, we have man-

aged to collect money that allows us to win wars, struggle through depressions, and provide what used to be some of the finest public services on the face of the planet.

Yes, the Internal Revenue Service administers a hopelessly complex, convoluted, and unfair Tax Code because that is what the American Congress has given them to work with. Congress created this mess and then blames the people who try to administer it.

If we are ever to make the IRS better, more efficient, and fairer, it is going to require a degree of cooperation, candor, and hard work. The current spectacle of destroying the reputation of a distinguished public servant, an accomplished businessman, is going to make that task even harder.

Make no mistake. The treatment of John Koskinen, with the possibility of being the first Cabinet official impeached in nearly 140 years, is not just embarrassing for the people who are perpetrating it; it represents a threat to the ability to administer the IRS.

John Koskinen came to this position after a lifetime of success in business as a turnaround expert at the highest levels as well as in public service, holding senior positions in both Republican and Democratic administrations. The Bush administration turned to him to prevent the implosion of the housing finance giant, Freddie Mac, and he spent 3 years guiding and rebuilding it.

There is absolutely no evidence that he did anything wrong. The Republican inspector general, a former Republican staff member, found nothing wrong. This impeachment action is going nowhere in the Senate. It has got to be an embarrassment for the Speaker, committee chairmen, and Republicans everywhere. It only serves to highlight ideological divisions, lack of respect for due process, and the exaggerated power of the Republican echo chamber of rightwing talk radio.

But it does more than add to disdain for the political process. It is a cloud over public service. While people claim we don't need the IRS or that our tax filing can be reduced to a postcard and that we can generate all the money we need with reduced tax rates and more exemptions, it is a fantasy that any responsible Republican businessperson or independent economist will verify.

Going down this impeachment path will make it harder to recruit somebody for the hardest job in government and will only deepen the divides at a time when we need clear thinking and nonpartisan cooperation to fix a bro-

ken IRS, establish the trust and hard work to make the mechanics of revenue collection work, and avoid the breakdown of the system.

This is playing with fire and should be beneath America's elected officials. Tarnishing the stellar reputation of an outstanding citizen who is doing his country a favor by volunteering to take this thankless task is simply something that should not be tolerated.

THE TIME FOR WAITING IS OVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, this is Suicide Prevention Month, and we have a lot of work to do. In July the House passed H.R. 2646, our mental health reform act called the Helping Families in Mental Health Crisis Act; but since September 1, the beginning of Suicide Prevention Month, 826 people have died by suicide. Since we passed the bill, 7,434 have died from suicide.

Let me tell you one quick story about a young man, a constituent by the name of Chuck Mahoney, who, while in college, suffered from depression. Despite his fraternity brothers going to the administrators and to his counselor, and despite Chuck telling his counselor that he thought he was going to die and there was no reason to live, no one spoke up. No one told the parents.

Sadly, young Chuck, who had been a student, who had been captain of his high school football team, a decorated student with great grades, took his own life, hanging himself with his dog's leash, a suicide that could have been prevented if he had seen people who really could treat suicide.

But so often what happens in this Nation, when someone cries out for suicide risk, there is no one there to help. Actually, as it turns out, mental illness is a contributing factor in 90 percent of suicides. When a person makes a decision, it usually happens in the first 5 minutes or, at the most, the first hour. There is no time for waiting lists.

We have a crisis shortage of psychiatrists and psychologists. We have too few hospital beds. We need something like 100,000 more crisis hospital beds. We have not reauthorized the Suicide Prevention Act in this Congress. We simply don't have enough to treat for a problem that is treatable.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

When you add to this people who may do a drug overdose, 90 percent of people who are addicted do not get any treatment. Of the 100 out of 1,000 who try to get treatment, 37 can't find any treatment. Of those 63 left who get treatment, only 6 of them get treatment because we simply don't have enough people to treat. This is the mess we are in as a country, but we can do something about that—but it gets worse.

In addition to these suicide deaths, if you look at just the mental illness-related deaths in this country, since September 1, as of today, 6,713 have died of a mental illness-related death and 60,000 since we passed our bill in July.

The House did its job, but now the Senate needs to do their job. We hear rumors that the Senate is talking about passing the continuing resolution and then going home—going home while this sits on the table in the Senate.

Mr. Speaker, I hope that those millions of Americans who have a family member who has been lost to suicide or a chronic illness or a homicide or freezing on some park bench in some unknown part of America, that those families will speak up and let the Senate know: Do not go home and leave this unfinished business on the table. I mean, after all, why campaign and say we could have done something but we didn't?

What we ought to be doing is looking at the passage in the Senate of H.R. 2646, which provides more psychiatric crisis hospital beds, more psychiatrists, more psychologists. It revises the HIPAA law that allows the compassionate communication between a doctor and a family member at very select times when someone is at high risk for their health or safety. It reauthorizes the Suicide Prevention Act. It does a host of other things, and all these things can happen only if it gets to the President's desk for a signature. But very little can happen if we maintain the status quo where people are left to die while Congress sits.

We did our job in the House. It took years, but when we passed this bill 422–2, Members of Congress, Members of the House of Representatives knew that they had passed a bill that could save lives, but only if we take action. If no action is taken, what do we do? What comfort is there to the families who are dying, who are suffering, saying we could have done something but we decided to wait?

The time for waiting is over. I hope, Mr. Speaker, that Members of the House and of the community at large will call their Senators and say the time for passage is now because where there is help there is hope.

THE PUERTO RICO CONTROL BOARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I want to talk about the beautiful, enchanted island of Puerto Rico, the birthplace of my father and mother and my wife.

Yes, the colony of the United States in the Caribbean Sea where, in case you forgot, everyone is born a citizen and now even more of a colony of the United States now that Washington has appointed a Financial Oversight and Management Board or, as most people call it, the Control Board, la Junta de Control.

Seven members—four put forward by Republicans, three put forward by Democrats—were announced last week, and I was not pleasantly surprised. I have made it clear in this Congress and elsewhere that I oppose the PROMESA legislation that created the board that Congress passed before we left.

Now I look at the board, and I see a mix of people, some with ties to the former Tea Party Governor's regime, some with close ties to Wall Street, and most with experience examining the legal and administrative aspects of bankruptcy, not in governing an island of 3.5 million actual living, breathing human beings.

I was not surprised to see political insiders or those who are close to the bondholders. I assumed as much and still assume, until proven otherwise, that most everyone on the Control Board or who lobbies and influences or helps the Control Board is doing the bidding of the bondholders who profit from Puerto Rico's debt and economic hard times.

The fact that four of the seven members are Puerto Rican doesn't make me feel any more optimistic. If you look at recent history in Puerto Rico, just having a majority of Puerto Ricans shouldn't give you much comfort. Wasn't it Puerto Ricans who beat and pepper-sprayed demonstrators at the university and at the legislature, who have gone after journalists and unions and lawyers in politically motivated attacks, who have put the needs of investors, big Wall Street fat cats, and political insiders ahead of the people, the environment, and the future of the island?

The Control Board and its members, no matter who they are, start with a deep ocean of mistrust from the Puerto Rican people who question why a new layer of opaque, undemocratic, colonial oversight and control is being imposed in secrecy.

That is why I challenged the appointees to the board to go the extra mile to make their deliberations and meetings and decisions as transparent as possible. Do not meet in secret just because Congress allowed you to. When

they are governing the people of Puerto Rico, will they do so in Spanish, the language of the Puerto Rican people? Will they even meet on the island of Puerto Rico? Will they make available the logs of who they meet with, who tries to exert influence over them, what Wall Street executives are spinning them or treating them to expensive meals and giving them gifts, as authorized under PROMESA? Yes, they can take gifts.

When this Control Board is making decisions that close schools or hospitals, that threaten the environment, public institutions, and every aspect of society in Puerto Rico, will the Puerto Rican people even be given a minimum amount of information in their own language about who is influencing the seven members of the Control Board?

The Junta de Control must take the extra effort to tell the Puerto Rican people what their decisions mean, why they are being made, and how decisions were determined.

As Members of Congress who have essentially grabbed the reins of self-determination from the Puerto Rican people and handed them to this Control Board, are we going to be afforded the level of transparency that we need to determine if what is happening is what we want to happen?

I understand, Mr. Speaker, that some of our colleagues do not like to be reminded of policy issues that were already voted on, especially complicated policy issues that don't seem to impact them directly or people in their district. They just want to vote on them and forget. Well, I am not going to let Congress forget about Puerto Rico or the board that we have appointed to rule in secrecy over the people of Puerto Rico.

We cannot just set it and forget it like one of those super-duper wonder machines they sell on infomercials. Puerto Rico is ours. Its people are ours. Its land is ours. Its bays are ours. Its toxic landfills and lush forests, its schools and hospitals and health care clinics—these are all ours in the sense that we have been given a sacred duty to govern over Puerto Rico responsibly.

An unelected, unaccountable Control Board with no mechanism for oversight, with no commitment to transparency, with no promise of bilingualism or inclusion, stocked with insiders and people with questionable links to the very problems the board is supposed to resolve, this does not give me great confidence that this Congress will be alert when the people of Puerto Rico, our fellow citizens and, more importantly, our fellow human beings, are in need of help.

Tell the board, do not meet in secret, do not take the free gifts and dinners just because Congress allowed you to; serve the people of Puerto Rico.

□ 1015

URGING ACTION ON ZIKA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to speak out against the paralysis in Congress over funding Zika virus eradication efforts.

I have been warning my colleagues in Congress for months that the Zika virus would severely impact our Nation, and especially south Florida, the gateway to the Americas. And while Washington has slumbered through the late summer, it has been a busy August in south Florida dealing with the fall-out. It is because of Federal inaction that now Miami-Dade County will be spending \$10 million of our own budget to cover for some of the expenses in the fight against Zika.

Back in February, I cosponsored four bills to help start comprehensive preparations for the virus' arrival, including opening up funding sources for mosquito control, freeing the administration to reprogram unspent Ebola funds for fighting Zika, and incentivizing pharmaceutical companies to begin developing treatments and vaccines for Zika.

In March, I requested that \$177 million be made available specifically for aid to local mosquito control programs, extra funding for the CDC's Division of Vector-Borne Diseases, and new dollars for innovative mosquito control tool development.

In April, I voted in favor of using the FDA's Priority Review Voucher Program to incentivize Zika virus treatment development.

In May, I voted to give State and local authorities a temporary waiver providing more flexibility in using EPA-approved insecticides for mosquito control.

I also voted against an inadequate \$600 million Zika supplemental funding bill, joining 183 other Members, because public health experts contended that it would not be enough to deal with the expected impact of Zika in the U.S.

In June, I voted in favor of a \$1.1 billion Zika funding bill that passed the House but did not pass the Senate. Yesterday, the Senate again stopped any debate on Zika funding.

In response to a meager grant sum delivered to the State of Florida after the discovery of mosquito transmission in Wynwood, a section in the city of Miami, in early August, I led the entire Florida congressional delegation in a letter urging the CDC to deliver more funds to Florida, where they were most needed.

As a result of that letter and other efforts, the Obama administration announced that it would indeed reprogram another \$81 million for anti-Zika

efforts. But now, the CDC Director has stated that the CDC has no more funds available to use for Zika interdiction and eradication.

We need a comprehensive response, Mr. Speaker, that limits the spread of this virus as quickly as possible. This is long overdue. I was ready to go back into an emergency session weeks and weeks ago to pass a comprehensive package, but despite my pleas, this House did not reconvene. Now the House is back in session, but to this point, no votes on a Zika funding bill are scheduled.

How much longer do south Floridians need to wait for the government to commit more resources to fighting Zika?

My constituents are tired and fed up with excuses and buck-passing. I am sick of Congress' partisan fighting and political grandstanding. I stand united with the hardworking residents and families of south Florida, and I will continue working on their behalf to demand that this Congress do its job and protect the American people.

Let's pass the President's request for \$1.1 billion to fight Zika and develop a vaccine—a clean bill, with no policy riders—and pass it before this virus spreads even wider throughout our great Nation.

Here we have a picture of an area of the district that is impacted already. We have other areas that are impacted. We have other areas in Florida. We have other areas throughout the United States. Let's stop Zika. We can do it. Let's pass the funding bill.

NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ISRAEL) for 5 minutes.

Mr. ISRAEL. Mr. Speaker, I rise today to discuss our national security.

Our first obligation as Members of Congress is to keep the American people safe. That responsibility ultimately rests with our Commander in Chief.

We need a Commander in Chief who will support our troops and their families. We need a Commander in Chief who is going to build robust alliances. We need a Commander in Chief who is going to be tough with adversaries. We need a Commander in Chief who is going to be smart on foreign policy.

Mr. Speaker, yesterday, the Republican nominee for President said that he would ask China to handle the problem of a nuclear North Korea. Now, I know that the Republican nominee for President has outsourced jobs to China. Now he is outsourcing national security to China.

He has insulted Gold Star families, Mr. Speaker. That is not supporting our troops and their families. He has announced that he would weaken our commitment to NATO. That is not building robust alliances. He has said

that he has asked Russia to commit cyber espionage against the United States of America. That is not being tough with our adversaries. Outsourcing a nuclear-equipped North Korea to China is not being smart on foreign policy.

Mr. Speaker, the Republican nominee for President is dangerously unfit for command.

I understand that some don't have all the facts and may not be well-read. That is one thing. Not having the facts and not being well-read and being dangerous is a threat to the United States of America.

FUNDING FOR ZIKA VIRUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to talk about Zika. I rise with about 100 mosquitoes straight from Florida—*Aedes aegypti* mosquitoes capable of carrying the Zika virus. This is the reason for the urgency. This is the reason for the fear.

These mosquitoes can travel only 150 feet, but through the assistance of a plane ticket and researchers at University of South Florida, they have made their way from Florida to the well of this House.

Now, they are not active carriers, but they could be. The University of South Florida is one of very few research facilities capable of responding. Through the efforts and leadership of Dr. Robert Novak at the College of Global Health, his team of medical public health and research professionals led an insectary to study control and containment and medical and public health solutions to combat, eradicate, and ultimately find a vaccine for Zika. But they can only do so with money.

Mr. Speaker, it is time to act. The politics of Zika have gone on far too long. The politics of Zika are wrong.

The President proposed a plan that was imperfect. It assumes a 2-year crisis, when, in fact, there might only be a 1-year crisis. It expanded Medicaid for non-Zika-related health care.

Why would we dilute Zika-related emergency funding with non-Zika-related health care?

It proposed construction of capital properties on leased lands with no recapture provision. That was the President's plan.

The Senate reached a bipartisan compromise of \$1.1 billion. The House had its own plan. And through the leadership of the Appropriations Committee chairman, who traveled to study this issue, money has continued to flow, but we know that money will end.

Mr. Speaker, people are scared. During the 7 weeks of August recess that we were gone, cases of Zika rose from 4,000 to, by some estimates, over 16,000 in the country, including a new non-

travel-related case in Pinellas County, Florida, my home, my community.

There are roughly a million people in that county who are scared, who have fear. In that fear, they are demanding action. And they are seeing inaction. And in that inaction, they are angry. Angry. And they should be.

It is now our job to try to explain to the American people why we know better. It is our job to respond to the fear and the anxiety and the anger of a population concerned about a pending public health crisis concerned about mosquitoes.

You see, I brought these mosquitoes here today to convey that fear and anxiety of millions of Americans and Floridians.

Can you imagine, Mr. Speaker, the fear and anxiety in this Chamber if these 100 mosquitoes were outside this jar, not inside this jar?

Members of Congress would run down the halls to the physician's office to be tested. They would spray themselves before coming down here.

This is the fear of Floridians right here. It is not good enough to work on a compromise for months and months and months with no solution. The time for the politics of Zika is over. The politics of Zika are garbage right now. The fact that candidates are going to spend money on commercials about Zika instead of responding together in a bipartisan, bicameral way in a divided government to a public health crisis that Americans understand, we are wasting time. That is why I am joined by these mosquitoes today.

FOREIGN INTERFERENCE IN U.S. ELECTIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, I rise to express my deep concern with a pattern of foreign interference in U.S. elections and the need to confront Russian aggression and interference in all of its malicious forms.

Over the past several months, we have seen a clear pattern of cyberattacks and leaks designed to target our electoral institutions, including the DNC, DCCC, and our State election agencies, and to discredit the example of our democracy around the world. Evidence collected by private security firms indicates that these attacks are part of a Russian intelligence operation, a campaign of propaganda and disinformation known as active measures.

Sowing distrust and chaos in U.S. elections by a foreign adversary should concern Americans of all parties. Along with Senator FEINSTEIN, I have written to the President to urge that he make a public attribution of these attacks. If a hostile foreign power is attempting to disrupt or influence our elections,

the American people have a right to know it. I also urge the GOP to refrain from using hacked documents, which can be easily doctored or seeded with false information. An attack on our election system is an attack on our democracy, and all Americans must stand against it.

It is time we acknowledge the hard truth that Russia poses a significant threat not only to the United States, but to freedom-loving people all over the world. It has invaded its neighbors and attempted to remake the map of Europe through the use of force. It has interfered in the elections of its neighbors. Now it is attempting to interfere in our own elections.

The GOP nominee sees nothing wrong with Russian behavior. He admires Putin, belittles NATO, expresses recognition for the illegal annexation of Crimea, and also expresses a positive receptivity to the idea of repealing sanctions on Russia for its illegal annexation of part of the land of its neighbor. He invites Russia to illegally hack his opponent.

This is dangerous. We are now engaged in a high stakes battle of ideas around the world. The United States, as always, is the beacon of democracy; and Russia, the champion of a creeping authoritarianism that is spreading its destructive influences in the Caucasus, Eastern Europe, and the West.

It is now an iron curtain descending across the continent by the slow smothering of freedoms the world holds dear: the right to choose one's own representatives, the right to speak as we choose, the right to associate with like mind and intent, and what has been described as the most precious right of all, the right to simply be left alone.

All of these universal human rights are under assault by a newly aggressive and belligerent Kremlin. We need a Commander in Chief who will resist this assault, not endorse; who will affront Russian aggression, not ratify it; who has the experience, judgment, and fitness to meet this and other grave challenges facing the United States of America.

□ 1030

HONORING THE LIFE AND DEDICATED SERVICE OF GEORGE KOEHL III

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CONAWAY) for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I rise today to honor the life and dedicated service of George Koehl III. On August 28 of this year, the Midland community celebrated his life and service with Sunday services and a memorial service on Saturday afternoon, August 27.

George was born and reared in Midland, Texas, to Maggie and George Koehl, Jr., on August 19, 1954, and he

went to meet his Lord on his birthday, August 19, 2016. He graduated from Midland High School in 1972, and later received a bachelor's degree in church music and a master's degree in music theory and composition from Hardin-Simmons University in Abilene, Texas. While studying at Hardin-Simmons, George met the love of his life, DiAnn Schmidt. The two married and had four children and five grandsons.

After completing his degrees from Hardin-Simmons University, George answered God's call to service and began his career in ministry. Over the course of the next 16 years, George served as a youth and music minister for multiple congregations throughout Texas. In August of 1993, God called George back to his hometown to serve at the First Baptist Church of Midland, where he labored and worked for 23 years.

I was privileged to attend First Baptist Church throughout George's entire tenure. Under his leadership, the music ministry excelled and touched many lives. The Passion Plays at Easter and the Christmas programs he directed were first-class productions that were enjoyed by capacity audiences whose lives were blessed.

I watched George and DiAnn walk a path that I am not unfamiliar with in the battle of cancer. George battled his illness with grace and dignity and courage and a palpable faith in Jesus Christ. All who knew him were inspired by his dogged and iron-willed determination to not let cancer rob him of the service to Christ's kingdom. DiAnn set the bar for how spouses should support each other in good times and hard times, all the while battling cancer herself.

During George's memorial service on August 27, 2016, his children blessed us all in reaffirming their faith in a loving and sovereign God. While their prayers for their dad's healing on Earth were not answered, they acknowledged that God had healed their dad for all eternity.

Throughout his career, he consistently placed the needs of others ahead of his own, and he did so with the utmost integrity and devotion. The many qualities George exhibited serve as a shining example of how each of us should serve the Lord.

George lived a life that blessed everyone that he met and made every community he lived in a much better place. The City of Midland declared August 28 as George Koehl III Day. He is greatly missed, but his legacy will be carried on by the many people whose lives he has touched by his living example.

15TH ANNIVERSARY OF THE 2001 AUMF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, I rise today to really challenge my colleagues to restore Congress' constitutional oversight on matters of war and peace.

Next Wednesday, September 14, will mark the 15th year since Congress passed an open-ended blank check for endless war. This authorization surrendered our constitutional authority to the executive branch.

We continue to mourn the loss and cherish the memories of those killed in these attacks and continue to support and help those who were injured and whose lives were changed forever.

Now, just 3 days after the horrific terrorist attacks on 9/11, this House rushed to pass a 60-word authorization, with little debate, that has been used to wage endless war around the globe. In the 15 years since its passage, this authorization, designed to punish the perpetrators of the brutal and deadly attacks on September 11, has allowed endless war to rage out of control.

A recent report from the Congressional Research Service shows that this authorization has been used more than 37 times in 14 countries to justify military action, and this report only looked at unclassified military actions. How many others have been authorized that the American people don't know about?

The American people and Congress deserve to know what is being done in their name. Sadly, Congress has been missing in action.

It is unacceptable that our brave servicemen and -women are facing snipers and mortar rounds, but Congress can't even muster the courage to debate the war that we are asking them to now continue to fight. It is just plain wrong.

Mr. Speaker, we have a constitutional and moral duty to debate on this war and any war. So why have you not scheduled a debate on this vital issue that affects our national security?

I have asked, the President has asked, members of your own caucus, Mr. Speaker, have asked, even members of our military forces have asked, and still you have not scheduled a debate or vote. What is the hold up?

During the amendment debate surrounding this year's National Defense Authorization Act, we got a few moments to discuss this issue. We were allotted 10 minutes, the same amount of time allotted to debate what brand of sneakers should be available to our servicemembers. If these issues get 10 minutes of debate, one would think that our national security and the Constitution deserve more than a rushed amendment debate allotted.

Now, my colleagues and I might disagree on what specifics of an authorization should look like; and that is why we need this debate, so Members understand all of the options, the costs, and the consequences and we can advance policies that protect the Constitution

and ensure our national security. The American people deserve more than a Congress that is missing in action.

In February of last year, President Obama sent a draft authorization to Congress. Mr. Speaker, it has sat on your desk ever since, with no action, no hearings, no formal debate, and not one vote.

While Congress has been missing in action, more bombs have fallen, more American servicemembers have been put in harm's way, and, yes, we have poured more than \$1.7 trillion into war-making.

Right now, any President can unilaterally wage war under the outdated 2001 authorization. The last four Presidents have bombed the Middle East. Will this Congress allow a fifth President the same unlimited power to wage unchecked war? We can't and we shouldn't. It is past time for this debate.

Now, in 2001, when I opposed this authorization, I challenged my colleagues with the words of the Reverend Nathan Baxter, the dean of the National Cathedral. He said:

Let us hope that we may not, through our actions, become the evil that we deplore.

Fifteen years later, we, this Congress, have attacked our Constitution, the balance of power, and the voice of the American people on matters of war and peace. We, yes, have surrendered the Constitution and the voice of the American people. We have ignored the advice of our Founders and have divested our Nation's war-making power from Congress, which, yes, is the voice of the American people.

So it is past time to stop this lawlessness. It is past time to restore the Constitution. It is past time for us, as Members of Congress, to live up to our responsibility we were elected to fulfill. It is past time that we do our job and repeal the blank check for endless war and have a debate and a vote on a new authorization for this new war footing that this country has embarked upon.

RECOGNIZING 70TH ANNIVERSARY OF TRI-TOWN FIRE COMPANY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of the 70th anniversary of the Tri-Town Fire Company in Potter County, located in Ulysses, Pennsylvania, within the Pennsylvania Fifth Congressional District.

The company was founded in 1946, and currently serves Ulysses Borough, Northern Ulysses Township, Southern Bingham Township, Northern Hector Township, and Eastern Allegheny Township. Under the Tioga/Potter County Mutual Aid Plan, they also re-

spond on the first alarm to certain calls in Harrison, Pike, Genesee, and Sweden Townships.

Although the fire company is located in a very rural area, they protect a large and vital part of America's national infrastructure, including the Northern Potter County natural gas storage field, compressor stations, transfer stations, pipelines, and wells.

The station is also responsible for protecting nearly 35,000 acres of Pennsylvania forestland, which is something of high importance to me as chairman of the House Agriculture Subcommittee on Conservation and Forestry.

Mr. Speaker, as a volunteer firefighter myself, I have the deepest respect for the men and women who step forward to help their communities, to help their neighbors, putting their lives on the line and asking for nothing in return.

I wish the men and women of the Tri-Town Fire Company the best of luck in the future.

HONORING SWEDEN VALLEY MANOR

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in honor of the efforts at Sweden Valley Manor, a nursing home in Coudersport, Potter County, serving people in that county, along with McKean, Tioga, and Cameron Counties.

In particular, I want to commend the efforts of local master gardener Bonnie Wood, who has worked over the course of the past 5 years to create what are now called "Enabling Gardens" at the facility.

As a former licensed nursing home administrator, the opportunity to visit Sweden Valley and, specifically, to visit these healing gardens—what a resource this is for the men and women and the individuals who live and work within that facility.

The gardens are designed so that residents can exercise their green thumbs. All the planters that Bonnie built are wheelchair-height, and a lazy Susan actually allows for the planters to rotate for maximum accessibility no matter what the physical mobility or orthopedic issues that an individual may be experiencing.

She has cultivated relationships with corporate sponsors, volunteers, and youth groups from across the region, and has also welcomed students involved in FFA and 4-H to work with Sweden Valley Manor's residents. Bonnie has educated staff and residents on how to take care of plants and where particular plants should be placed in a garden, dedicating her own time to get plants and vegetables started on their growth at the home.

Mr. Speaker, I am proud of Bonnie Wood's dedicated service to her community and to the citizens of Potter County and the surrounding region and, certainly, to the residents who make their home at Sweden Valley.

AMERICA NEEDS A STRONG AND SMART COMMANDER IN CHIEF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the Virgin Islands (Ms. PLASKETT) for 5 minutes.

Ms. PLASKETT. Mr. Speaker, I rise today to highlight a matter of critical and immediate importance to our national security.

As we combat the growing threat of terrorism both at home and abroad, it is absolutely critical that we elect a Commander in Chief who will be strong and smart when it comes to our national security, a Commander in Chief who will work with our allies, employ diplomacy across the globe, and be thoughtful when it comes to using military force to defend the United States.

Time and again, the Republican nominee has shown that he completely lacks the temperament to lead America on the world stage. Our Commander in Chief must support our men and women in the military and our veterans. Instead, our servicemembers and veterans have weathered verbal attack after verbal attack since the Republican nominee began his campaign.

Mr. Speaker, our men and women in uniform deserve better. Those of us who have children who can be called up deserve better. For those who put themselves in harm's way, they deserve better. For Americans who rely on the Commander in Chief to make reasoned, well thought-out, balanced decisions, they deserve better.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward nominees for the Office of the President.

A TRUE MINNESOTA HERO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor the incredible life of General John W. Vessey Jr.

Just 16 years old when he lied about his age and enlisted as a private in the Minnesota National Guard, John Vessey quickly found himself on the front lines in World War II. It didn't take long for John to distinguish himself as a war hero, and, in 1944, he received a battlefield commission.

General Vessey's military career didn't end with his service in World War II. More than two decades later, he also served in Vietnam.

In 1982, General Vessey was chosen as the Chairman of the Joint Chiefs of Staff by President Ronald Reagan, due to his impressive reputation for high integrity and strong character.

Some of us might remember General Vessey for becoming our Nation's longest serving active soldier, but most of

us will remember him for the work he did for his fellow soldiers.

President Reagan once called him a "soldier's soldier," which he undoubtedly was, as he never forgot about the men who stood next to him in battle, including the ones who never made it home. This was proven by his advocacy for MIA/POW issues, for which he was awarded the Presidential Medal of Freedom in 1992.

General John W. Vessey Jr. was a true Minnesotan hero and he is a legend. We were lucky to have him; and while he will be missed, he will never be forgotten.

□ 1045

MINNESOTA'S OWN BEST BUY TURNS 50

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate a Minnesota company that has reached a major milestone. This past month, Best Buy turned 50 years old.

Best Buy was founded in 1966 by Richard Schulze. Originally named The Sound of Music, this store sold stereo equipment to college students in the Twin Cities area. When the stereo market began to decline, the store eventually expanded its merchandise to offer other popular products, ultimately leading to major future success.

Like any business, Best Buy has faced highs and lows. In 1981, a tornado destroyed the main store in Roseville. Instead of letting the disaster win, Schulze and his employees banded together to continue to sell great products at a great price and provide excellent customer service along the way.

Today there are now 1,600 stores located throughout North America, proving that both determination and hard work can pay off. Their success is widely recognized, so much so that Forbes magazine even named Best Buy the company of the year in 2004.

Congratulations to Best Buy on 50 years of business. Thanks for representing Minnesota so well. And here's to the next 50 years.

PROOF OF TRUE SERVICE TO OUR COUNTRY

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor Matthew C.G. Boucher of Ramsey, Minnesota. Matthew recently received a Veterans' Voices Award meant to highlight the incredible contributions of Minnesota's veterans.

Matthew is a veteran of the Army National Guard and spent 12 years courageously serving our Nation. Today he continues his service to our country and to the State of Minnesota through his work as a middle school principal.

Matthew's love for the military and his fellow veterans is a large part of what inspires him in his current position.

At Fridley Middle School, he started a Veterans Day program to teach students to recognize the many sacrifices that the members of our military make. He also works to promote the

belief within every one of his students that anything they set their minds to is possible. He is especially dedicated to helping his students pursue their education beyond high school.

Thank you, Matthew, for your brave service and for continuing to better our Nation. Our Nation and our State is a better place because of you.

A VOICE FOR VETERANS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor Jolaina Falkenstein of Carver, Minnesota, for receiving a Veterans' Voices Award. These awards are meant to honor the outstanding contributions made by Minnesota's veterans.

Jolaina is an Army Reserve veteran who serves as a senior noncommissioned officer in the 88th Regional Support Command.

In her primary role as a lead training officer for the Yellow Ribbon Reintegration Program, Jolaina strives to help military members prepare for deployment as well as for what they will need when they return home.

Additionally, Jolaina works as a licensed therapist for Lutheran Social Services, working with our military members and their families.

We are truly thankful to have an individual like Jolaina in our community. Not only has she served in the Armed Forces, but she continues to serve by providing our Nation's veterans and their families with the care that they not only deserve, but they so desperately need.

ZIKA FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, there was such expectation, as Members returned from their work recess in August. Many times, the American people are quizzical, inquisitive about the structure of our work.

We are constitutionally mandated; and, in fact, we have major responsibilities of oversight; but we also are the umbrella on a rainy day. The Congress must rise to the occasion in time of war. It is our authority to declare war. We must rush to the aid of those Americans in need by our oversight over executive agencies, such as Homeland Security and FEMA, as we watched the suffering of our fellow Americans in the terrible storms of Baton Rouge, of the hurricanes up and down the east coast, of what happened on 9/11 or Sandy or Katrina or Rita or Hurricane Ike and many others. Hurricanes and others, it is up to us to do our work.

Well, we are not doing our work.

We left this place having had the Senate pass a \$1.1 billion Zika funding bill—not what the executive asked, but a reasoned response to the crisis and emergency that we are facing. It is devastating in Puerto Rico, which is part

of the United States. It is devastating to the people there. They are suffering greatly. Now we have found cases in parts of Florida, including areas that my colleague, Congresswoman WILSON, represents, and areas around Miami Beach. More importantly, there are 2,000 Zika cases in the United States, 600-plus are pregnant women, babies not yet born; and 35 cases have been found to have been transmitted here in the United States—and yet fiddling is going on. Unnecessary riders are being included in something that should simply pass because it is an emergency.

Shame on those who would cloud legislation with preventing the health clinics that women need, run by Planned Parenthood, from getting money. Shame on those who would try to undermine the executive order about confederate flags in veterans cemeteries on official flagpoles. You have every right to put it at your personal grave, or the family does. How ridiculous, how undermining of our authority, our constitutional responsibility to govern this Nation.

I am saddened because the image that is being perceived is that we cannot do our job. We can. We have to be Americans united together, facing the emergency.

Many Americans are not focused on the Zika virus. I understand. It has been a time of summer and frolic and time with family. But most infectious disease doctors—the regional task force that I have organized: Dr. Hotez, an infectious disease doctor at Baylor who is well renowned; and Dr. Persse, a well renowned medical professional in public health; along with OB/GYN and State officials. I want to thank them for their work.

They are asking me: Where are the resources for mosquito control, for the research, for the vaccine?

Just so you know, the cost of a baby that has been impacted by this terrible disease is \$10 million.

IRS COMMISSIONER

Ms. JACKSON LEE. Mr. Speaker, and then on the question of our duties, why would there be any discussion to impeach or to suggest the impeachment of a public servant like the IRS commissioner, who I know has done nothing wrong, including the words of the inspector general who can find nothing wrong that this retired private citizen, who came to help turn the IRS around, who came way after the trouble was raised about targeting different groups—he had nothing to do with it. And yet someone is suggesting he should be impeached.

What are you going to do with Americans who sacrifice and say, I want to serve, and then you abuse them and abuse the power of this Congress and suggest some kind of an impeachment?

I have gone through impeachment proceedings. Read the Madison papers. There is no suggestion of misconduct or treason by this individual.

We can't impeach people because the IRS is some entity that most of us would find not a welcomed guest at our dinner table. And then again, they do great work. They are a part of the structure of this government.

So I would ask the question: Why?

That is not oversight; that is abuse.

CELEBRATING THE RETURN OF THE CHIBOK SCHOOLGIRLS

Ms. JACKSON LEE. Mr. Speaker, I want to celebrate the return of the Chibok schoolgirls. Many of you know that 200-plus girls were taken back in 2014, in Nigeria, snatched out of their beds, snatched out of a boarding school, abused, and taken by Boko Haram. Boko Haram, of course, is an ISIS cousin.

I want to acknowledge that FREDERICA WILSON, LOIS FRANKEL, and myself, we went to Nigeria when they were taken. Mr. Speaker, I am delighted to celebrate those girls are back. But we are going to fight Boko Haram in every way that we can possibly fight.

Finally, congratulations to the University of Houston football team that beat Oklahoma.

MEDICARE PART B PROPOSED PLAN FOR DRUG REIMBURSEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. CARTER) for 5 minutes.

Mr. CARTER of Georgia. Mr. Speaker, I rise today on behalf of seniors in the First Congressional District of Georgia. Many seniors in the First Congressional District of Georgia and across the Nation battle medically complex diagnoses, including cancer, rheumatoid arthritis, severe immune deficiency, epilepsy, and macular degeneration. These Medicare patients face significant complexities in their care and treatment options.

This spring, I joined over 240 of my colleagues in sending a letter to CMS that expressed our deep concerns with a sweeping, nationwide experiment that the Center for Medicare & Medicaid Innovation has proposed.

Patients and physicians in my district told me with no uncertainty that the CMMI experiment with part B drug payment will have negative consequences for millions of Medicare patients who depend on access to life-saving treatments to live better lives. Under the part B drug experiment, in many cases, Medicare payment for certain drugs would be significantly below a physician's acquisition cost for the drug. This will put patients at tremendous risk, potentially forcing them to abandon treatments for other treatments that have shown less success. Ultimately, CMS will manipulate choice of treatment for Medicare patients using heavy-handed reimbursement techniques that undermine any efforts by medical professionals who

have dedicated their lives to treating complex conditions like cancer.

To make matters worse, CMS sought little to no stakeholder input, and has provided little turnaround time before medication treatment will be based on cost, rather than what is best for the patient.

As a lifelong pharmacist, I trust clinically trained medical professionals to determine the best treatment for patients, not an unaccountable bureaucrat. Adding to the outlandish nature of this part B drug pilot project, there is nearly no escaping it. CMMI proposes to force nearly 75 percent of the country to participate in this Medicare drug experiment. 75 percent of the country is not a pilot project. It is near full implementation of a new program.

Just last week, CMS responded to the letter we sent them and simply thanked us for sharing our opinion. Such a brief and dismissive response is indifferent to the risk posed to our Nation's sickest patients and to this congressional body.

For all these reasons, I applaud my colleague from Indiana, Dr. LARRY BUCSHON, for sponsoring H.R. 5122 to prohibit CMS from moving forward with this dangerous, misguided experiment with seniors' lives. I proudly join him in his effort as a cosponsor of H.R. 5122 and encourage my colleagues to support this legislation.

REMEMBERING GEORGE KOMELASKY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, George Komelasky of Northampton Township, Bucks County, Pennsylvania, was a friend and political colleague. His passing last month at the age of 66 was a personal loss that also leaves a gap in the township government where he served for 31 years. He was first elected in 1985, and he successfully was reelected just last year to another 6-year term.

At all times, George viewed his responsibilities in elective office as public service and performed intelligently and honorably term after term. Those with whom he served know he was conscious of his responsibilities to the taxpayers while providing necessary services that enhanced the quality of life in his hometown.

He was a leader who left his partisanship at the door and was viewed as a role model and also a mentor. Most of all, our friend, George Komelasky, will be remembered for his good nature and the values that guided his public and his private life.

MARGARET R. GRUNDY MEMORIAL LIBRARY

Mr. FITZPATRICK. Mr. Speaker, as we recognize the 50th anniversary of the Margaret R. Grundy Memorial Library in the borough of Bristol, Bucks

County, Pennsylvania, we also acknowledge the legacy of United States Senator Joseph R. Grundy, who established this beautiful library on the banks of the Delaware River in the name of his sister Margaret.

This remains a privately funded public library with an ongoing mission: opening doors, inspiring minds, and connecting community. Now in its milestone year, the library is a testament to the generosity and vision of Senator Grundy and Margaret Grundy and the dedication of those who followed.

The original mission has made this library a vital educational institution, valued by local and regional learners of every age. Grundy Foundation grants carry on the Grundy family legacy by continuing to improve the quality of life for residents of Bristol Borough and people throughout all of Bucks County.

The Grundy Foundation supports the Margaret R. Grundy Memorial Library, the adjacent Memorial Museum, and countless local projects.

On October 6, 2016, the library will hold a public anniversary celebration with a reception and exhibition featuring historic artifacts, photographs, and primary documents.

Heartiest congratulations to all of those involved, past and present, who have carried on and enriched so many lives and will continue to do so for generations to come.

□ 1100

LOUISIANA UPDATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today to give an update from home. I represent south Louisiana. A few weeks ago, we had a rainfall event that has been categorized as a 1,000-year storm.

Mr. Speaker, in some areas of south Louisiana we received 31 inches of rain. To put that in perspective, that would take 5 years for the city of Bakersfield, California, to achieve that number. That would take 10 years for the city of Yuma, Arizona, to receive that level of rain. For those Americans that haven't realized they can live in the pleasure of the subtropics and you live up north, to translate that to snowfall, that is the equivalent of a 25-foot snowstorm; a storm that leaves 25 feet of snow. This is categorized, again, as a 1,000-year event: 31 inches of rain in, in some cases, as short as perhaps 36 hours.

Mr. Speaker, we have areas that have never, ever flooded, never seen water, never retained or held water in any way, shape, or form, that dealt with several feet of water in their homes and businesses. In Livingston Parish, Louisiana, it is estimated that 86 per-

cent of the homes and 91 percent of the businesses were flooded. This has been a devastating event for many folks in our community.

Mr. Speaker, as we move forward, certainly the Stafford Act, the Federal disaster law, has a role in helping our communities to recover. But what happened when this storm first came about and the flooding began is that it wasn't the Stafford Act or FEMA that came to the rescue. It was our neighbors, it was our community, many of which were flooded themselves. They got their own boats and went out and rescued folks and rescued their neighbors to the tune of thousands and thousands of people rescued by what we deem the Cajun Navy. I had a chance to go out there in my own kayak and paddle board and rescue dozens of folks that were trapped in their homes.

Mr. Speaker, it didn't stop there. When shelters weren't open and weren't available, Cajun Navy shelters opened up. People just opened up their own homes and businesses to shelter those that were homeless. We had Cajun Navy chefs, many of which just for the first time deemed or designated themselves chefs, that cooked tens of thousands of meals not for compensation or because they were told to do so. They did it because we had friends and neighbors that were hungry and that were homeless. So we cooked for those folks.

And it didn't stop there. We had a cadre of folks that we deemed the Cajun Army that have come together and helped to gut and de-muck thousands and thousands of homes across south Louisiana, again, Mr. Speaker, not because they were compelled to do so by any requirement or compensation. They were compelled to do so out of their selflessness, out of their generosity, and out of their hospitality.

Mr. Speaker, we are now at a point to where the volunteerism, the hospitality, the generosity of our community is going to be exceeded. The needs are going to be greater than we can volunteer ourselves out of. We have thousands and thousands of homeowners across south Louisiana that are facing this scenario. They have a home that may be worth \$200,000 but, because it was flooded and is entirely gutted now, it may be worth just half that. They may have a mortgage balance that is in excess of the value of the home, which means they are upside down in their mortgage.

But that is not all. They have lost both of their cars, adding tens of thousands of dollars to the equation. They have to rebuild their home, which adds tens or maybe even six figures of liability. They have to replace their clothes, their wardrobe. And in some cases, their employers are under water; therefore, they don't even have a way of making money.

Mr. Speaker, we are not a community that sits around and asks for a

handout. That is not what we do. But in this case, I will say it again: as generous, as hospitable, as selfless as our community has been, we are now at a point to where we are unable to address the needs. Again, the Stafford Act works in most disasters. This one is an anomaly. This is an extraordinary disaster.

I am looking forward to working with colleagues on both sides of the aisle moving forward on tailoring a recovery package for this region. This is estimated or projected to be the fourth most costly flood event in U.S. history. It is an extraordinary event that, unfortunately, has not received the national media attention that most disasters of this nature would.

Disasters are awful. At some point, everyone in this country is going to experience some type of disaster—a flood, a tornado, a hurricane, an earthquake, a terrorist attack, or something else. When you have these catastrophic events, it is time for us to come together as a Nation to offer a helping hand. I am looking forward, again, to working with colleagues across the country to do that.

REMEMBERING JACOB WETTERLING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. Mr. Speaker, I rise today to remember and honor Jacob Wetterling and offer my deepest prayers to his family.

Over the weekend, we learned of the tragic details and reached the awful end of this 27-year-long saga filled with grief, with hope, and with pain that moved Minnesota and the entire Nation. It was 27 years ago, Mr. Speaker, that Jacob was taken, kidnapped from a small rural Minnesota community, and went missing.

As a community, we extend our deepest sympathies to Jacob's parents, Patty and Jerry Wetterling. Throughout these 27 trying years, they have remained strong and became tireless advocates for children's safety. Their efforts have resulted in widespread awareness of effective measures to protect children, Federal legislation to monitor known and potential predators, and the founding of the Jacob Wetterling Resource Center to inform and prevent similar tragedies from impacting other families. They channeled their heartbreak to activism for the good of children and their families all across this country even as they grieved themselves. Because of their efforts, countless children have been saved from various forms of exploitation.

Mr. Speaker, while this is not the ending that we had hoped for after all these years, Jacob will never be forgotten, nor will his family's undying love

and commitment to protecting our precious sons and daughters.

Jacob, may you rest in peace.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Marvin Jacobo, City Ministry Network, Modesto, California, offered the following prayer:

Master, I give thanks for our United States of America. I am grateful for every man and woman holding governmental positions of authority. Make Your truth known to them. Cause them to be men and women of integrity, concerned first and foremost with the common good. Grant them the deepest of insight to solve our most daunting challenges.

I pray that each Member would exercise the humility to discern how to best co-labor with those that might see issues differently than them. Make their hearts and ears alert to good counsel. Honor each one, Master, for the investment they make participating in this, our representative government. I pray a blessing over their families, acknowledging that they, too, sacrifice for the sake of our country. May our national proceedings be held in a spirit of mutual respect and civility.

I pray in the name of my Lord and Savior, Jesus Christ.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Ms. CASTOR) come forward and lead the House in the Pledge of Allegiance.

Ms. CASTOR of Florida led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND MARVIN JACOBO

The SPEAKER. Without objection, the gentleman from California (Mr. DENHAM) is recognized for 1 minute.

There was no objection.

Mr. DENHAM. Mr. Speaker, it is my honor today to introduce to the House our guest chaplain, Reverend Marvin Jacobo. Reverend Jacobo is the executive director of City Ministry Network, an incredible organization that is the catalyst for transformation in the city of Modesto, California.

As lifelong Modesto residents, Marvin and his wife, Cheryl, have continued to minister to thousands of youth in our community, changing lives and bringing people from humble backgrounds to leaders in our community.

Mr. Speaker, I ask my colleagues to join me in welcoming him today. We thank him for offering this afternoon's prayer in the United States House of Representatives.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

SUPPORT THE LIVE LIKE BELLA CHILDHOOD FOUNDATION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as we observe Childhood Cancer Awareness Month and shed light on the types of cancer that afflict approximately 16,000 children every year, I would like to recognize the work of the Live Like Bella Childhood Cancer Foundation.

Inspired by Bella Rodriguez-Torres—this sweet young girl—a young girl who courageously fought cancer six times before her death in 2013, this foundation supports the fight against pediatric cancer, while offering much-needed support for families. This wonderful organization, based in my home area of Miami, Florida, was established by Bella's parents, Shannah and Raymond Rodriguez.

I encourage our south Florida community to lend their support to these children and families who are battling cancer by attending Bella's Ball. This lively event, Mr. Speaker, will take place Saturday, September 10, at the JW Marriott Marquis.

Together, we can raise awareness in our community and finally end the number one disease killer of children today: pediatric cancer.

HONORING THE LIFE OF LESLIE WITT REICHENBACH

(Mr. QUIGLEY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the life of Leslie Witt Reichenbach, an important and respected member of the Chicago community. For nearly 40 years, she woke up generations of Chicago's WXRT listeners on weekend mornings.

Leslie, often called "the overnight angel," was known for her kind smile and her ability to connect with others. She embodied the heart of our city with her enthusiasm for radio and her strong dedication to her WXRT listeners. Her contributions to the Chicago community changed countless lives and will continue to do so for generations.

Sadly, in July, Leslie passed away after her courageous battle with ovarian cancer. Leslie bravely fought her illness by listening to new albums, attending concerts, and practicing ballet.

Leslie's top priority was always her family. The love and support they provided her was the most important thing in her life. She is survived by her husband, Chuck, and their children, Kay and Kurt.

As this is National Ovarian Cancer Awareness Month, I ask that her memory not be forgotten and that we appropriately fund the critical research necessary.

ANNUAL AUGUST BUS TOUR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, each August, I look forward to an annual district bus tour, where I travel across all five counties of the Second Congressional District. During this time, I meet with constituents and hear their opinions about issues important to the families in South Carolina, along with my wife, Roxanne, and dedicated staff.

This year, I was grateful to visit nearly 20 businesses, schools, civic clubs, and chambers of commerce. At each location, I took the opportunity to thank employees for their service and thank employers for their work creating jobs. I also took the opportunity to present Speaker PAUL RYAN's positive policy agenda, "A Better Way," that presents positive proposals for some of the greatest challenges facing our country.

When I was elected to Congress, I pledged to be accessible and accountable, and this bus tour is one of many ways that I fulfill this promise. While I regularly visit with families, schools, and businesses in the Second District, I especially appreciate the nonstop tradition of visiting with the community I am humbled and inspired to represent.

In conclusion, God bless our troops, and may the President, by his actions,

never forget September the 11th in the global war on terrorism.

FUND ZIKA RESEARCH NOW

(Ms. CASTOR of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CASTOR of Florida. Mr. Speaker, 17 babies in the United States have been born with birth defects tied to the Zika virus. Currently, over 80 pregnant women in my home State of Florida and over 1,600 women in the United States have the Zika virus.

I urge the Speaker and my GOP colleagues who control the agenda here in the House to act immediately and bring an emergency Zika package to the floor of this House. They can do it quickly. They can do it today. They can do it this week. But, unfortunately, there is no plan to do so. This is unconscionable.

My neighbors back home and all across the country need the tools to prevent this public health crisis from growing. The Centers for Disease Control and the National Institutes of Health need the tools to prevent this public health crisis. To do otherwise would be unconscionable. We need action now.

TRIBUTE TO CORPORAL WILLIAM "BILL" COOPER

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of Corporal William "Bill" Cooper, a dedicated law enforcement officer in Arkansas.

Bill, a veteran of the U.S. Marine Corps, served the Sebastian County Sheriff's Office since 2001, in addition to 5 years with the Fort Smith Police Department.

On August 10, Mr. Speaker, while responding to a domestic disturbance near Greenwood, Arkansas, Corporal Cooper was shot and killed in the line of duty. His is a great loss to Arkansas law enforcement and a reminder of the bravery of our men and women in blue who put their lives on the line every day to keep our citizens safe.

Sebastian County and the entire Third District of Arkansas mourns the loss of Corporal Cooper. My prayers are with his wife, Ruth, his son, Scott, his sister, Ginger Cox, his three grandchildren, and Corporal Cooper's fellow law enforcement officers. May God bless those he leaves behind as they search for peace and understanding through this terrible tragedy.

DUTIES OF A COMMANDER IN CHIEF

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, I think we all know that now more than ever it is critical that our next Commander in Chief is ready to walk into the Oval Office and be ready to lead on day one.

Keeping Americans safe is the President's most solemn duty. That is why Americans need a strong and smart national security plan led by a Commander in Chief with experience, the highest respect for our troops, and with a level head.

However, the Republican nominee for President has repeatedly proven he lacks the qualities it takes to lead our Nation and our Armed Forces. He has insulted veterans and Gold Star families while claiming he knows more about how to protect this Nation than our own military leadership. He has openly advocated torture, in contradiction to what our generals suggest.

When presented with a Purple Heart by a wounded veteran, he responded by saying: "I always wanted to get the Purple Heart. This was much easier."

Our military represents the absolute best of our country. In July, when we met the Khans, he ridiculed them. We need a Commander in Chief that commands the respect of the American people.

ASTRONAUT JEFF WILLIAMS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I want to welcome home Jeff Williams and the crew of Expedition 48, which landed safely last night in Kazakhstan.

Jeff is a Wisconsin native and a West Point classmate of mine from the class of 1980. In fact, when he landed, he put a hat on that had our class crest and motto.

He holds the U.S. record for the most cumulative days in space by a United States astronaut. He has completed five space walks, including two on this last mission.

Jeff is a member of Gloria Dei Lutheran Church in Houston. He is also a noted and published photographer. He says: "It's a very humbling experience to view the Earth"—and everything it represents—"and to begin to imagine the creative power of our God."

I would like to end with Psalm 19:1: "The heavens declare the glory of God; the skies proclaim the work of his hands."

Welcome home, Jeff. Have NASA update the photo in your biography, which is about 20 years old.

21ST CENTURY HEARTLAND TOUR

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, during the past month, I have been to every

corner of my congressional district as part of a 21st Century Heartland Tour. I have spoken with the hardworking men and women who truly make the Heartland the greatest place in America to live, work, and raise a family.

But our region faces serious challenges, and these challenges need to be addressed by Congress. That is why I held a roundtable in Monmouth, Illinois, to discuss rural broadband. In rural America, just over half of our families have access to high-speed Internet, as opposed to 90 percent in the more urban areas.

That is why I was in Stronghurst, Illinois, to talk about rural health care. Although one in four Americans live in rural America, we only have a tenth of the Nation's practicing physicians.

These are just a couple of the issues facing our families in rural America. They can't wait for solutions. I urge my colleagues on both sides of the aisle to come together to support a thriving, modern 21st century heartland.

□ 1215

SUICIDE PREVENTION MONTH

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, as September is National Suicide Prevention Month, I am proud to join my colleague, EARL BLUMENAUER of Oregon, in introducing a resolution to address this silent epidemic which took the lives of near 43,000 Americans last year.

Last month, the CDC reported the suicide rate has increased across nearly all age groups. And over the past decade, while mortality rates decreased for homicide, AIDS, heart disease, stroke, auto accidents, and cancer, the overall suicide rate increased again for the 11th time in 14 years.

Last July, the House passed H.R. 2646, the Helping Families in Mental Health Crisis Act, by a near-unanimous vote of 422-2. This month alone, 826 Americans have died by suicide, and about 7,434 have died since we passed this bill.

We fervently hope the Senate does not delay in passing this bill. Lives hang in the balance. Every 12 minutes a person dies of suicide. Every 13 minutes a family mourns a lost life who will never go home again. The Senate needs to pass this bill before they go home again themselves.

Where there is help, there is hope.

MAKE THE INVESTMENT OUR ECONOMY NEEDS

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the financial research firm of Standard &

Poor's reports that for every \$1.3 billion invested in our infrastructure, 30,000 American jobs are created; it adds \$2 billion in economic growth; and reduces deficit by more than \$200 million.

Economists at the Council on Foreign Relations explained that "the compelling case is that a dollar in on a macro basis in our economy results in more than a dollar out," which is to say, Mr. Speaker, that to shortchange infrastructure is to reject and undermine economic growth in this country.

Policies that create growth and reduce the deficit should be embraced by everybody, including conservatives. Indeed, it was the Republican President Eisenhower who initiated the National Highway System, and the Chamber of Commerce is a leading voice in calling for infrastructure spending today.

I urge this body to embrace sound economics and the tradition of bipartisan support for infrastructure spending, and make the investment that our Nation needs to nation-build, not in Afghanistan, not in Iraq, but right here at home in America.

HONORING THE LIFE AND SERVICE OF DEPUTY CORPORAL BILL COOPER

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, in recent months, our Nation's police have come under attack. Last month, the violence against our police hit home as Sebastian County, Arkansas, Sheriff's Deputy Corporal Bill Cooper was shot and killed responding to a call for help on August 10.

In the days and weeks since his untimely death, thousands of Sebastian County residents paid their respects to Corporal Cooper by remembering his dedication to God, his family, the sheriff's department, and the country he loved.

I don't pretend that my words will fill the void left by his death, but I hope my words can properly honor a man who paid the ultimate price upholding the oath he swore to defend. I thank him for his service, and I thank his family for sharing him with the community.

Psalms 34:18 says: "The Lord is close to the brokenhearted; He rescues those whose spirits are crushed."

May God bless and comfort Deputy Cooper's family and friends during this time of grief.

FUNDING TO COMBAT THE ZIKA VIRUS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my disappointment that Congress left in mid-July without adequately funding the Zika crisis.

The number of confirmed Zika cases across the United States and territories quadrupled while Congress was on recess. The number of cases rose from 4,222 in mid-July to 16,822 last week. Zika poses a grave, unprecedented threat to public health.

It is time for Congress to fulfill its constitutional and moral duty to protect the health and welfare of our country. It is an appalling disservice to the American people that we have not yet provided resources to combat this virus that already is having real effects on our families.

We have delayed funds for medical research and help to our local communities. The majority's reluctance is putting the health and lives of the American people at risk, and inaction now is only more costly in the long run.

I sincerely hope we can return to work with a renewed sense of responsibility for health and welfare of our Nation and approve the funds necessary to prevent Zika spreading in the country. We need our communities safe. Pass a clean Zika funding bill.

COMMEMORATING THE LIFE OF POLICE CHIEF JACK STORNE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to commemorate the life of Police Chief Jack Storne, of Gridley, California, who passed away on August 27.

Serving others is part of what was hardwired into Jack's existence. From being in the Marine Corps from 1963 to 1965, many, many years in law enforcement, and in his church, and also in dedication to his recently passed wife of 47 years, Wilma, his commitment to protecting and caring and serving for others, for his community, sets a gold star standard for public service.

In his 37 years in the police force, Jack worked his way up from reserve officer in Modesto, California, to a patrolman, to the beloved police chief of Gridley and Biggs, where he was widely respected for his community-focused approach in protecting residents and enforcing law.

He implemented many important new ideas and programs in his department, such as the Retired Senior Volunteer Program, the Gang-Resistance Education and Training platform, Police Explorers program, the D.A.R.E. Officer program, the K-9 program, and the unit's first-ever detective position.

Following his retirement, Chief Storne continued to dedicate his time as a chaplain to the Gridley Police De-

partment, as well as a minister at the Live Oak Church of the Brethren, where he was recently ordained.

Chief Jack Storne wasn't so much interested in being known as a great man, but as a good man; and there is a distinction there. Indeed, I think he would be most proud to have said about him: well done, good and faithful servant.

Our thoughts go out to his family, his children and his grandchildren. May they take comfort in knowing the profound impact their father and grandfather had on an entire community, and the legacy he left.

FOR-PROFIT COLLEGES

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, ITT Tech, like other for-profit colleges before it, has misled students and mismanaged funds.

Mr. Speaker, for-profit schools are often where our most vulnerable students seek brighter futures, students going back to their education after years away, single parents and veterans, and students with limited means. These students frequently receive financial aid, and the school's recklessness can do irreparable damage to their ability to complete their degrees, and ruin their credit ratings.

Over a quarter of all Department of Education student aid funds, a third of all post-9/11 GI benefits, and half of DOD tuition assistance funds go to for-profit colleges.

Shouldn't we make sure these Federal funds are a worthwhile investment?

We must remember that beyond the dollar amounts and industry regulations, there are students' lives at risk, and doing right by them protects their interests and our competitiveness in our global economy.

RECOGNIZING NIC DIDIA, THE "PATROLMAN OF FRANKLIN STREET"

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a source of inspiration for a community in the Eighth District of Indiana.

Known as the patrolman of Franklin Street on the west side of Evansville, Nic Didia, an 18-year-old with muscular dystrophy, is often seen patrolling the area in front of his mother's stores. Nic has always wanted to be a police officer and has become known for his support of local law enforcement and first responders.

His dream recently became a reality as he was welcomed on to the Evansville Police Department as an honorary

officer during a ceremony with family, friends, and other members of the community. He now proudly wears badge number 980.

Congratulations, Nic. Your dedication and service to your community serve as an example to us all.

TAKE ACTION ON THE ZIKA CRISIS

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, I rise today to demand the House take action on the Zika crisis. The Zika virus is being transmitted by mosquitoes right inside the United States now. Parts of Miami are under Zika-related travel warnings. The total number of American cases has climbed to almost 17,000, including 1,600 expecting mothers.

Six months ago, the public health experts told us what they needed to address Zika. House Republicans have ignored those experts' pleas. Now the Centers for Disease Control and State public health agencies are running out of money for Zika response.

The CDC Director tells us that the money to fight this disease will be gone by the end of September. The NIH Director has warned that congressional inaction is cannibalizing resources for other public health needs.

Families in States like Florida, Louisiana, and Texas are in danger. They cannot wait any longer for this Congress to act.

The House must give our public health experts the resources that they need to help keep the American people safe.

CELEBRATING THE LIFE OF MASTER PATROL OFFICER FRED ARNOLD III

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to celebrate the life and honor the memory of Tampa Police Master Patrol Officer Fred Arnold III. Fred passed away last month while scuba diving in Nevada. He was 48 years old.

For nearly three decades, Officer Arnold served and protected the residents of Tampa, Florida. When he was just 23 years old, while off-duty, he jumped through a window into a burning house to save a mother and her two young children, ages 4 months and 4 years old. All three were unconscious when Arnold pulled them out. For his heroism, he was given an award for valor.

Over the years, Officer Arnold also helped mentor hundreds of teens through the community's Police Explorers program. Those he helped described Arnold as a father figure, someone who was easygoing, always ap-

proachable, and had a laugh that was so infectious, it would brighten your day.

As Tampa's mayor said: "Arnold's service to the city was unparalleled, and he leaves behind a lasting legacy."

Mr. Speaker, Fred Arnold III was a well-known and well-respected man who served his community with distinction, made a lasting impact, and will be sorely missed by the lives he touched.

May God bless Officer Fred Arnold III, his family, his friends, and his Tampa Police Department colleagues.

EMERGENCY FUNDS TO COMBAT ZIKA VIRUS EPIDEMIC

(Mr. SCHIFF asked and was given permission to address the House for 1 minute.)

Mr. SCHIFF. Mr. Speaker, I rise today to urge the Republican majority to act immediately on the administration's request for emergency funds to combat the Zika virus epidemic.

It is shameful that we have waited 7 months to act while the threat from Zika grows more and more apparent. This majority is failing the most basic function of government, to protect its people.

In the United States and territories, as many as 14,000 locally acquired cases have already been reported, and at least 1,600 pregnant women have been infected, putting their babies at risk for microcephaly and other devastating birth defects. Every week we fail to act, more children and families will suffer the consequences.

Let's heed the call of public health experts to launch an aggressive campaign against the Zika virus and pass a funding bill immediately.

CONGRATULATING OLYMPIC GOLD MEDALIST RYAN HELD

(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, I rise today to congratulate Springfield, Illinois, native Ryan Held on his Olympic gold medal for swimming at the 2016 Olympic Games in Rio de Janeiro.

The 2016 Rio Games were Ryan Held's first Olympics, and he represented the United States in the 4 100 meter freestyle relay, along with Nathan Adrian, Caeleb Dressel, and Michael Phelps. Ryan took over for Phelps for the third leg of the freestyle relay. Ryan's fast split time of 47.73 seconds maintained the lead for the U.S. and helped the team swim to gold.

I know I speak for everyone in Springfield when I say that we are very proud of Ryan Held. He represented his community, his State, and his country with the strength, speed, humility, and dignity befitting an Olympic champion.

This past Friday, our hometown Olympian was warmly celebrated by the city of Springfield at Sacred Heart-Griffin, his alma mater, where hundreds from the community came out to congratulate him.

Illinois Governor Bruce Rauner declared September 2, 2016, as Ryan Held Day during a ceremony at Sacred Heart-Griffin High School. I hope this day serves as a reminder to Ryan of our support and pride in him as he prepares for the rest of what will undoubtedly be a decorated swimming career.

FUNDING FOR RESPONSE TO THE ZIKA CRISIS

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, I rise to ask, to beseech, really, that this House take immediate action to fully fund our country's response to the spreading horror of Zika.

Mr. Speaker, there are now thousands of confirmed cases of Zika in the United States. Hundreds of these cases are pregnant women.

Can you imagine the terror they experience wondering whether their child will be born with horrible disabilities?

What must they think as they see our public health experts coming to Congress?

These are the people who helped end the Ebola crisis. They come to Congress and they say: We need these resources.

The call has been made, but it has not been answered because some in this House think that, yes, your concerns are real, but we have to continue the fight about Planned Parenthood. Yes, my pregnant friend, your concerns are real, but we have unfinished business about the Confederate flag.

What must they think?

Mr. Speaker, the call has been issued. This is a national emergency. We need to act not tomorrow, not next week, but today to help these people with the Zika virus.

□ 1230

I'M BACK

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, during the week of July Fourth celebrations of our Nation's independence, I was diagnosed with leukemia. After entering the best cancer center in the world, MD Anderson Hospital in Houston, Texas, my hometown, in just 8 weeks, incredible progress has been made.

Thanks to the good Lord, the doctors, and staff at MD Anderson, I am

able to be back in Washington, D.C., and on the House floor. I will be here as much as my treatment will allow.

Importantly, I want to thank the Members and people from all over the country for their outpouring of encouragement and prayers. It has been remarkably overwhelming and humbling to me. The caring concern of Members, their staffs, and my staff have shown proves, once again, that there are a lot of good people who work for the United States House of Representatives.

This September during Leukemia Awareness Month, I intend to keep fighting this cancer with all that I have while fighting for Texans in this House. I intend to be independent and free from this cancer. Christopher Reeve once said: "Once you choose hope, anything's possible."

Mr. Speaker, I choose hope.

And that is just the way it is.

GUN VIOLENCE

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, this week we return after an epic recess of House Republican inaction on stemming gun violence, and yet gun violence does not recess. Between Memorial Day and this past weekend, 4,100 Americans died from gun-related activities, and nearly 8,700 were wounded.

Mr. Speaker, this week we return to the American people's ever-growing impatience for Congress to finally take measures that will reduce gun violence and save lives.

Keeping guns out of the hands of suspected terrorists and criminals—what can be more common sense about that? The vast majority of Americans certainly believe such policies are common sense.

Give us a vote, Mr. Speaker. Give Americans a vote.

A BETTER WAY TO FIGHT POVERTY

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to applaud the important work being done in Indiana's Second Congressional District to fight poverty and end hunger. This August I visited the Food Bank of Northern Indiana, which serves six counties and church community services in Elkhart. Both have been doing incredible work fighting poverty for decades.

I also toured the Washington Discovery Academy in Plymouth, where they have a garden to teach kids about nutrition and grow produce for a local food pantry, and the Marshall County Neighborhood Center, whose food pantry serves 400 families each month.

Mr. Speaker, hearing from those on the front lines of the fight against poverty is the best way to learn what works and what doesn't. That idea is central to our House Republicans' A Better Way agenda. Too many people are getting trapped in a cycle of poverty. That is why A Better Way calls for innovative and evidence-based solutions.

By listening to people in our communities and testing new ideas, we can build a bridge out of poverty.

HONORING THE LATE REPRESENTATIVE MARK TAKAI

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, as chair of the Congressional Asian Pacific American Caucus, or CAPAC, I rise today to honor our colleague, the Honorable Mark Takai of Hawaii, who passed away in July after a hard-fought battle with pancreatic cancer.

Mark was a true patriot, public servant, and friend who truly had the aloha spirit. His strong commitment to improving the lives of the people of Hawaii and all Americans was integrally woven into the fabric of his distinguished military and public service career.

In Congress, he led notable efforts to reunite Filipino World War II veterans with their families and to assist atomic war veterans suffering from radiation exposure.

It was a privilege to work with Mark, and I will never forget his warmth, kindness, and strong dedication to bettering our community and our country. On behalf of CAPAC, I thank Mark for his lifetime of leadership and service.

Mahalo, Mark.

AMERICANS BELIEVE THE MEDIA IS BIASED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a recent poll by Morning Consult found that only 27 percent of Americans believe the media is fair and unbiased. Americans know that the media is not impartial and that objectivity is not a priority when reporting on current events.

For example, the media has routinely ignored former Secretary of State Hillary Clinton's wrongful use of a private server, her improperly handling classified emails, and her using the Clinton Foundation as a way for donors to receive access to both Clinton and the State Department.

The Associated Press recently reported that at least 85 of 154 donors to

the Clinton Foundation were granted a meeting with then-Secretary of State Clinton. The New York Times did not find this newsworthy.

The national media should give the American people the facts, not slant the news or just give them one side.

ZIKA VIRUS

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, in the United States, the Zika virus is spreading faster and infecting more people every single day. We are staring down the barrel of a new Flint water crisis, yet we fail to act because we are arguing over a price tag while Americans are truly paying the price every day. The March of Dimes estimates that the cost of treating one child with microcephaly may be more than \$10 million over that person's lifetime.

Right now, according to the CDC, the Centers for Disease Control, over 14,000 people have been infected with the Zika virus right here in the United States so far, and 20 babies have already been born with birth defects.

Like Flint, the longer we wait, the more this will cost the American public. Congress must act immediately. We must get ahead of this epidemic and slow the threat of the Zika virus across the United States.

Whether you are White, Black, man, woman, a doctor, or a child, the virus does not discriminate. No one is immune.

REMEMBERING THOSE WHO LOST THEIR LIVES ON SEPTEMBER 11, 2001

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in remembrance of those who lost their lives on September 11, 2001. This Sunday marks the 15th anniversary of that horrific day when nearly 3,000 innocent people were killed. It was a despicable act of terrorism and one that we will never, ever forget.

Mother, fathers, sisters, brothers, sons, and daughters who all went to work that Tuesday had their lives cut short by terrorists who attacked us merely because we believe in the principles of freedom, justice, and liberty for all.

Some of those who perished were the brave first responders who ran into the burning buildings as others ran out. Their heroism showed the world America's true colors—something that no attack can ever take away.

President Bush said that evening in his address to the Nation: "Terrorist attacks can shake the foundations of

our biggest buildings, but they cannot touch the foundation of America. These acts shatter steel, but they cannot dent the steel of America's resolve."

Mr. Speaker, those words still ring true as we thank those first responders and mourn for all those who were lost that fateful day.

FLINT FUNDING

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, it is our job here in Congress to support communities in crisis.

It has been a year since we learned about the lead-contaminated water in Flint. It is way past time to act, Mr. Speaker.

We are here to call on our Republican colleagues to do their job and to address the urgent needs of the people of Flint. We have to consider funding a bill that will take care of the needs of the people in Flint.

This crisis happened when Governor Snyder ripped democratic rights away from the people of Flint and tried to run the government like it was a business. The State made decisions in the name of fiscal responsibility, but when it comes to people's health, the government should not be run on the cheap with people's health.

Funding from Congress can help Flint replace corroded pipes, support health and education assistance for kids exposed to lead, and deliver economic development opportunities for the community.

Earlier this year, I traveled to Flint with Representative KILDEE and 25 other of my colleagues to hear directly from the people. Mr. Speaker, here are a few of the things that they said:

One woman spoke about the loss of dignity she felt while waiting in line just for water, and many others gave us important stories which I will put into the RECORD at a later time.

STORMONT HOUSE AGREEMENT

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, last month the Tom Lantos Human Rights Commission, which I co-chair, hosted a briefing by women from Belfast on the aftermath of the Northern Ireland conflict in which 3,500 people died, 90 percent of them men. Women survived to pick up the pieces.

The 1998 Good Friday agreement that ended the war protected human rights going forward but did not address the past, so the needs of victims of human rights violations committed by both sides are still unmet.

Women in Northern Ireland who have supported survivors have now devel-

oped gender principles for dealing with the legacy of the past. The 2014 Stormont House Agreement could help victims and survivors access truth, justice, and reparations.

Mr. Speaker, I urge all those concerned with human rights, peace, and security in Northern Ireland to encourage the British and Irish Governments and the Northern Ireland Assembly to fully implement the legacy parts of the Stormont House Agreement incorporating the gender principles.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. WESTMORELAND) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 7, 2016 at 9:41 a.m.:

Appointment:
Evidence-Based Policymaking Commission.

National Advisory Committee on Institutional Quality and Integrity.

United States Commission on International Religious Freedom.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5063, STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 843 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 843

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in

the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1245

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 843, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased today to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016.

The rule provides for 1 hour of debate equally divided and controlled by the chair and the ranking member of the Judiciary Committee and also provides a motion to recommit.

Additionally, the rule makes in order 7 of the 11 amendments submitted, representing ideas from Members on both sides of the aisle.

Yesterday, the Rules Committee received testimony from the chairman of the Judiciary Committee and the ranking member of the Judiciary Subcommittee on Regulatory Reform,

Commercial and Antitrust Law. Subcommittee hearings were held on both H.R. 5063 and on the topic of the Department of Justice's mortgage lending settlements with major lending banks. In May of this year, H.R. 5063 was marked up and reported by the Judiciary Committee. The bill passed the Judiciary Committee after the consideration of several amendments. The Stop Settlement Slush Funds Act went through regular order and enjoyed thorough discussion at both the subcommittee and full committee level.

H.R. 5063 is supported by the Institute for Legal Reform, Americans for Limited Government, and Americans for Tax Reform because it increases accountability for how settlement funds are spent and it helps to restore the balance of power between the branches of government.

The Stop Settlement Slush Funds Act was introduced after the nearly 20-month investigation by the House Judiciary Committee found that the Department of Justice was systematically circumventing Congress and directing settlement money to activist groups. This bill will help address that problem.

The power of the purse is one of Congress' greatest tools to rein in the executive branch and exercise oversight. It is no surprise, then, that this administration would want to find a way around that oversight and grow its authority. In fact, in the last 2 years alone, the Department of Justice has funneled non-victim third-party groups as much as \$880 million.

The Department of Justice does this by collecting money from parties who have broken the law and then use that money to create a slush fund, rather than sending the money to the victims of the illicit activity. The Department of Justice allows the "donations"—if that is what they are called—required under the settlements to count as a double credit against defendants' payment obligations. Interestingly, credit for direct relief to consumers is only counted as dollar for dollar, indicating the importance the Department of Justice places on directing these funds to non-victim third-party groups.

For example, the Department of Justice negotiated settlement agreements to the tune of millions of dollars with major banks for misleading investors over mortgage-backed securities, well within what they are supposed to do. Then the Department of Justice said that banks, or other parties it has settled with, could meet some of their settlement obligations by making donations to certain groups. The money goes to these groups partially under the guise that those groups would provide services to the aggrieved parties. In reality, this practice directs funds away from victims and allows the Department of Justice to steer money to non-victim third-party groups, usually

administration friendly, politically motivated organizations.

Additionally, the parties that receive these funds, these non-victim third-party organizations, aren't a part of the case, they don't represent the victims, and aren't subject to congressional oversight for the funds they receive. Even if most of these groups weren't activist groups, this would be a concerning scenario.

The donations to third-party groups allow the Department of Justice to funnel money to friendly parties outside of the appropriations process and outside congressional approval. Many of these third-party groups are unquestionably political and certainly wouldn't be considered nonpartisan by mutual observers. In fact, the mortgage settlement cases, groups like the National Council of La Raza received more than \$1 million in Department of Housing and Urban Development grants under the settlements.

I don't know about you, but I think that when DOJ requires a settlement, the funds should go back to the victims involved in the case, including victims back home in northeast Georgia. And if the victims cannot be found or if the problem cannot be directly rectified, then the settlement funds should go on to the Treasury so that Congress can appropriately decide how to use them.

I don't think it is acceptable to shortchange victims to benefit special interests and politically friendly third-party organizations, but that is exactly what the administration has been doing. The administration is trying to usurp the power of the purse through these settlement slush funds and has only gotten more confident that they can get away with it.

Maybe even more troubling, despite repeated requests for more information, the Department of Justice is refusing to provide it. What little information has been provided indicates that groups that stood to gain from the mandatory donations actually lobbied DOJ to include them in settlements.

Mr. Speaker, listen to what that says. Actually, one of the things that we have gained from this is the fact that the groups that stood to gain from these "mandatory" donations were lobbying DOJ to get the money—not a party to the case, not a party to the victims, but wanting their cut of the pie.

In at least one case, the Department of Justice restored funding to a program that Congress specifically cut. Congress cut funding in half for a Housing and Urban Development program known as the Housing Counseling Assistance Program. But after grant recipients of this program expressed their displeasure at the cuts, they received a helping hand from who else—the Department of Justice.

The DOJ mortgage settlements ensured that, despite congressional ad-

tion to the contrary, eliminating funding for these groups would be restored. DOJ didn't just stop at circumventing Congress' funding authority in that case; instead, they directly violated the congressional intent. Again, a congressional oversight overstep misused because the agency decided it knew better than the elected representatives of the people.

It is time to reassert congressional authority over this process so that hardworking folks are protected from more executive overreach and the separation of powers is restored. At a Judiciary hearing in May on this bill, Heritage Foundation scholar Paul Larkin testified that "Congress identifies precisely who may receive Federal funds."

That is what we do. I agree with him, but the Department of Justice's settlement process in recent years undercuts that critical function of the separation of powers. That is why we have to act and why the underlying bill is so important.

The Stop Settlement Slush Funds Act prohibits settlement terms that require donations to non-victim third parties. Importantly, the bill clarifies that payments that provide restitution for harm caused are not donations.

Additionally, H.R. 5063 restores the separation of powers by establishing that settlement funds remaining after victims have been compensated are overseen by Congress. Rather than directing money outside the appropriations process, the bill returns the funds to the Treasury to remediate damages after victims have been taken care of.

I urge everyone here today to think about their constituents who one day may be victims looking for restitution. I want to go home and tell those hardworking Georgians that I represent that I am making sure they are put first, not special interests. I hope that others will share that feeling by supporting the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Georgia (Mr. COLLINS), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, this week, we return from 7 weeks away from the Capitol, the longest summer recess in modern times, and House Republicans continue to delay action on the most pressing issues facing our country, instead focusing on issues that benefit special interests, and issues, quite frankly, that are going nowhere.

I had hoped that after we all spent some time with our constituents over the summer recess, the priorities of this Republican leadership would change to reflect what the American people actually care about, but they haven't. During our 252 days in session—which, by the way, includes 42

pro forma days where no legislative business was accomplished—we have voted on countless bills to repeal the Affordable Care Act, undermine financial protections put in place by Dodd-Frank, and weaken environmental protections. We are back on the floor this week to deregulate Wall Street, take away critical investor protections, and make it easier for those who break the law to get away without paying a financial price.

Today's rule provides for the consideration of a bill that eliminates public interest protections, creates needless litigation and delay, and imposes draconian penalties on Federal officials. It is a misinformed response to a non-existent problem, and just one more corporate giveaway by this Republican Congress. And, again, remember, it is going nowhere.

This isn't leadership, Mr. Speaker. It is like a recurring nightmare. While spending time on efforts that are nothing more than sound bites from my friends on the other side of the aisle to use on the campaign trail, this Republican Congress has repeatedly ignored the calls of our constituents to act on issues they care about—issues that impact our communities, our neighborhoods, and our families.

House Republicans continue to obstruct meaningful action on the greatest public health crisis impacting our country. Almost 17,000 Americans, including nearly 1,600 pregnant women, are currently suffering from the Zika virus. This month, the Centers for Disease Control and Prevention will run out of resources to fight Zika. In the words of Dr. Thomas Frieden of the CDC, "We need Congress to act."

For 7 months, President Obama and Democrats in Congress have urged the Republican leadership to take up and pass the administration's emergency supplemental request. But instead of considering a bipartisan Zika funding bill, the Republican leadership in this House has, once again, caved to the most extreme faction of their conference to produce an inadequate, partisan bill loaded with poison pill off-sets.

This is an emergency. We should treat it as such. But Republicans have spent months making excuses about why we don't need to provide the full funding that our Nation's public health experts say we need. We have had public health expert after public health expert tell us that we need to act, and yet my Republican friends think they know better. They have brought to the floor legislation to undermine the Clean Water Act under the guise of containing the Zika virus. They have even insisted on poison pill riders that continue the Republican assault on women's access to comprehensive health care, instead of bringing legislation that is focused solely on protecting American families from the terrible impacts of Zika.

House Republicans have blocked the full emergency resources needed to combat the Zika virus seven times, and left town for a 53-day recess without committing a dime to address this growing public health crisis. It is shameful.

In addition to shirking our responsibilities on the Zika virus, this Republican leadership has prevented action on other public health emergencies like the opiate crisis and the terrible tragedy in Flint, Michigan, and the epidemic of gun violence plaguing our communities.

Congress passed a bill to address the opiate crisis and it was an important step, but we must do more. We need to pass a strong piece of legislation that actually funds our fight against the opiate crisis and gives State and local partners the resources they need to help so many of our communities that have been hit hard by this epidemic. Passing a bill that has all these nice statements in it and nice goals and not funding it, well, that is just a press release, and that is about the extent of what this Congress has done to deal with this terrible opiate crisis.

For 2 years, 100,000 people in Flint, Michigan, could not access safe water from their own faucets—100,000 people. For 2 years, hardworking Americans were denied the fundamental right of access to potable water. We are not talking about some tiny country halfway around the world. This has been happening right here in the United States of America.

The Families of Flint Act, led by my friend and colleague, Congressman DAN KILDEE, would help the people of Flint, Michigan, recover from this man-made disaster that they are still dealing with; but this Congress is too busy wasting its time to even consider bringing this vitally important, non-controversial bill up for a vote.

Where is the majority leadership on this? Why are they simply sitting back and allowing countless families in Flint to continue to be unable to turn on their faucets and receive the safe water that they need and, quite frankly, that should be a basic right in this country, the very same safe water that Speaker RYAN and so many of us take for granted?

In fact, it was recently discovered that there were elevated levels of lead in the Cannon House Office Building. Congress has spared no expense in addressing that issue, yet has failed to give the Families of Flint Act a single vote or hearing even in this Chamber.

□ 1300

This Republican Congress has failed Flint by refusing to adequately fund our water infrastructure for years, and we are failing them again by not passing this commonsense legislation.

While we have delayed action on a response to the Zika virus and to the cri-

sis in Flint, Michigan, House Republicans have also refused to act on bipartisan, commonsense legislation to keep guns out of the hands of suspected terrorists and criminals. In fact, House Republicans have voted 24 times to block the no-fly, no-buy measure, which polls indicate is supported by 74 percent of our constituents. They have blocked debate on legislation to expand and strengthen background checks.

If you go to a licensed gun dealer, you have to go through a background check, but if you go to a gun show or if you buy a gun online, you don't have to go through a background check. What sense does that make? Who could be against that? Yet they have voted time and time again to deny us the right to bring that to the floor. They have voted five times against lifting the 19-year-long ban on Federal research on gun violence. What is the Republican Congress so afraid of?

We came back yesterday. I was looking through the press and was trying to figure out if, maybe, the Republican leadership in this House would actually do something about gun violence in order to protect the American people and to make sure that people who have a history of violent crime don't have access to guns or that people who are dangerously, mentally ill don't have access to guns. I thought, maybe, some of their constituents would kind of knock some common sense into their heads while they were on recess.

But we come back, and what do we read? What is the Republican leadership's response to all of this?

They want to bring a resolution to the floor to punish Democrats for having the audacity to raise our voices in protest over the fact that we cannot even get a vote on any of these bills that we think could save lives. They want to punish us; they want to sanction us; they want to condemn us because we said that, in the greatest deliberative body in the world, we ought to be able to deliberate.

Apparently, the Republican leadership is outraged over what they say is a breach of decorum that shut down the Chamber for 25 hours because Democrats had a sit-in here in protest over the fact that we can't bring any legislation up for a debate. They are outraged over that. That is where their outrage is.

My question is: Where is the outrage over the 50 innocent civilians who were killed in Orlando? Where is the outrage over the 14 people who were killed in San Bernardino or over the 9 people who were killed in a church in Charleston, South Carolina? Is there any outrage over that? Where is the outrage over the 27, mostly children, who were killed in Newtown, Connecticut, or over the 12 people who were killed in a movie theater in Aurora, Colorado, or the outrage over the 6 people who were killed in Tucson, Arizona, where our

former colleague, Gabby Giffords, was shot, or over the 32 people who were killed at Virginia Tech?

Since my Republican friends have been in recess, over 4,000 Americans have been shot and killed in gun violence in this country—over 4,000. Where is the outrage? The only outrage that my Republican friends seem to have is over the fact that Democrats have had the audacity to raise this question about maybe we should do something, maybe we can do something to protect our constituents.

I say to my colleagues: We don't need a slap on the wrist from the Republican leadership here. We need to reform our laws to ensure that guns are kept out of the wrong hands.

Over 32,000 people in America die from gun violence each year—about 89 people per day. If this isn't a public health emergency, Mr. Speaker, I don't know what is.

But you come back, and this is what we are going to be debating on the House floor? Oh, my God. This is it? I mean the outrage, quite frankly, from the American people against the leadership of this House is over the fact that the Republican leaders have turned this place into a Congress in which trivial issues are debated passionately and important ones not at all. Enough. Let's do the people's business. We are not doing it today, and I hope that my colleagues will reconsider their agenda for the time we are back here and will actually do something meaningful.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Let me just clarify, Mr. Speaker, why we are here. This is a rule for H.R. 5063, the Stop Settlement Slush Funds Act. One clarification as to what was just mentioned is that this bill does not allow any company to get off the hook. They are going through the process, and they are paying their fines. What we are trying to let off the hook here is the Department of Justice, which believes that it is the arbitrator of the world to their own pet projects.

Let's get back to the basics of this bill. If we want to pontificate on the world, fine, then we can pontificate on the world; but let's get back to the rule for today, for this moment, and do not tell stories that don't exist. Congress—both sides—should decide that the Department of Justice should not be having a settlement of mandatory donations to pet groups because they don't get enough funding. How about they just go get another job instead of living off settlements from others when they are not the victims?

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I just say to my friend from Georgia that I am not pontificating; I am just expressing frustration over the fact that

we are not doing anything of any consequence here on the House floor. This legislation that we are dealing with today—in fact, the legislation that we are going to deal with later in the week—is going nowhere. Yet we have a Zika crisis; we have a crisis in Flint, Michigan; and we have a crisis of people who are dying from gun violence in this country. For some reason, the Republicans who run this House can't find the time to spend even 1 day talking about those things.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the gentleman from Georgia, and I thank the gentleman from Massachusetts.

Mr. Speaker, I am glad you had a little reference here: don't allow companies or corporations to avoid their responsibilities. I want to speak to that issue. I think it is very, very, very critical.

Mr. Speaker, let's not beat around the bush. We are on the floor today debating H.R. 5063 under the guise of "ensuring responsibility." I mean, who would be against that? That is like apple pie. However, this bill is nothing more than a political exercise void of real reprimand for these practices, reforms to the system, or redress to actual victims. If that is what it did, I would be here supporting it.

We have known for years of instances where deferred prosecution agreements have gotten out of hand. You don't remember those days? I will bring them back to you.

When I tried to make modest reforms to improve the transparency of these agreements, I was rebuffed by Members on the other side of the aisle. They have short memories. They have selective memories. Where was this outrage when I was screaming about seven deferred prosecution agreements with large medical device companies that were negotiated by New Jersey's former United States Attorney Chris Christie? There is a name.

One of the settlements allowed Bristol-Myers Squibb to avoid prosecution for securities fraud in exchange for a \$5 million donation to Mr. Christie's law school alma mater; and I am listening to preaching over here and pontificating about what is going on today about these groups that are lined up to get their money from the Justice Department. I didn't hear one word—not one word. In fact, if the gentleman has a word to interject, I will hold on for 10 seconds and listen.

Mr. COLLINS of Georgia. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman.

Mr. COLLINS of Georgia. Mr. Speaker, the chairman of the Judiciary Committee has brought this issue up already. If the gentleman does not know this, he needs to go back, and he can

see it. That is why this is a bipartisan issue. We can be together on this.

Mr. PASCRELL. Reclaiming my time, Mr. Speaker, in all of the settlements, Chris Christie appointed political allies and supporters as monitors to oversee corporate compliance, which the gentleman is talking about, which netted those allies tens of millions of dollars. These allies then served as major donors to a political campaign account.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. PASCRELL. Now, these arrangements were so problematic that they prompted the Department of Justice—we have selective memory—to issue a new guidance limiting prosecutors' discretion in reaching such agreements, and the Judiciary Committee held an oversight hearing in 2009.

When Democrats tried to highlight the issue of using a public office to funnel large legal fees to cronies who then turned around and bankrolled campaigns, those on the other side said they did not see it for what it was—crony capitalism. They have heard the term before. Rather, they bent over backward to praise Mr. Christie and accused Democrats of grasping for ways to embarrass a "rising Republican star." Now that time has passed and a different administration is in charge, we are now hearing a different story, but very real issues with these practices still remain.

I agree that we need reforms, my friend from Georgia. I agree. I hope that my colleagues will take a look at the deferred prosecution agreements reform legislation that I, Mr. PALLONE, and Mr. COHEN have introduced.

The issue here is not the government forcing companies to use deferred prosecution agreements to potentially divert funds away from helping victims when it comes to corporate malfeasance. The more egregious issue is that firms have avoided prosecution to begin with. The little guy gets it in the neck, and the banks and the corporations are never held accountable. The other side knows. The gentleman, my friend, has opened up a can of worms here—and I mean that sincerely.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. PASCRELL. We are on a roll here.

Mr. Speaker, the Financial Crisis Inquiry Commission made recommendations to the Department of Justice to criminally prosecute top executives at several large financial institutions, but we have yet to see a major Wall Street executive be criminally charged. That is criminal. You want to know what "criminal" is? That is criminal. So we

come here today, and I urge my colleagues to oppose this bill.

I don't question the motivations of the sponsor, by the way. That is not my motive. We learned in March that the Financial Crisis Inquiry Commission—I will repeat—recommended that the Department of Justice criminally prosecute. Nothing has been done. I have also written a letter to the chairman of the Judiciary Committee. By the way, this is not partisan. Our own Justice Department hasn't done anything either.

I am being fair about this, but they have to look into this. They can't come before us and tell us they are trying to save the little guy or the victims when they allow this and permit this to go on day in and day out when the banks never were held accountable. No one has ever been brought before a court. Eight years later, and we are here.

Rather than wasting time on this fishing expedition, if the House really wants to ensure punishment is carried out and that the actual victims receive compensation, we need to actually address the root cause of the problem.

Mr. Ranking Member, my friend from Georgia, we have to address the root problem.

□ 1315

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman from New Jersey. I think the interesting thing is that I have listened to him—as he said, he is on a roll—and I think we are probably in more agreement than we are disagreeing here.

I wasn't here to—in fact, you said to “turn a blind eye.” This is a problem, and it doesn't matter who is there. If it is a Republican, it is wrong; if it is a Democrat, it is wrong, Mr. Speaker. That is why we are here.

I agree with the outrage. It shouldn't happen, especially when you get into the fact that the Department of Justice is actually taking money and putting money to departments and programs that this Congress had cut funding from. That is not right. I don't care who the administration is; I don't care who the President is.

I agree with the gentleman from New Jersey. He makes a passionate argument. Maybe you just need to come over here and help me out. We are making the right argument here.

So the question now becomes—no matter where it comes from—and the interesting issue here is this shouldn't be taking place, no matter who is over it. The problem is, and what I would love to ask is: Where has the Department of Justice been for the last 7 years on any issue, for the most part? It has been very frustrating to both sides of the aisle. On this one, I actually think we can find more agreement than we can find disagreement.

I appreciate the gentleman from New Jersey's remarks because, frankly, this is what this does. It doesn't let them off the hook. It just simply goes back to looking at these mandatory donations which, again, party is irrelevant. This is not a role for the Department of Justice.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, can I inquire of the gentleman from Georgia (Mr. COLLINS) how many more speakers he has who want to speak on this bill on his side? I know the demand has been really great.

Mr. COLLINS of Georgia. Mr. Speaker, they have been pulling at my coat-tails, but I think at this time they are going to hold back.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, let me put this in perspective for everybody. We can have this conversation here and maybe people can do press releases after we have a vote on it, but I think we all know that this bill is going nowhere, and it is going nowhere fast. So we are essentially wasting our time, we are wasting taxpayer dollars, and we are doing so at a moment when we have some serious challenges and serious crises facing our country.

I mentioned gun violence. My friends don't want to do anything about that; although, according to the press, they want to bring a resolution to slap our wrists. That is their outrage over all the gun violence that we have seen, the massacres that we have seen in this country. I find that stunning, quite frankly. I mean, it takes my breath away that, in the aftermath of all that has gone on, that that is the best they can do. Nonetheless, that is their solution, and it is another waste of time.

We have a crisis in Flint, Michigan, where people still can't turn on their faucets. We are not talking about a country halfway around the world. We are talking about a community here in the United States of America where clean water ought to be a right, and yet we can't seem to schedule the time to do anything to help solve that problem.

We passed a bill that had some good goals in it with regard to the opiate crisis that we are facing, but we haven't passed any funding for it yet. So people can go back home and say, “Oh, we did something,” but really they didn't, because a bill that sets out nice goals that doesn't have any funding really is nothing more than a press release. We are not talking about funding for any of those priorities to deal with the opiate crisis.

Then there is the Zika crisis, which is getting worse and worse and worse, and yet we can't find the time this week to do anything about it. I find that appalling.

Mr. Speaker, I am going to urge my colleagues to defeat the previous ques-

tion. If we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's efforts to mount a robust and long-term response to the growing Zika crisis.

The administration requested funding 7 months ago, and the Republican majority has refused to consider legislation that would adequately address the seriousness of this situation. Due to Republican inaction, the administration has been forced to repurpose nearly \$600 million dedicated to other pressing public health needs to stem the growing tide of this disaster. Guess what. That money is about to run out, and there are now nearly 17,000 cases of Zika in the United States and territories. As CDC Director Frieden said, “The cupboard is bare.” The time for half measures and political posturing has long since passed. The time to act is now.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. In conclusion, Mr. Speaker, I again appeal to the leadership of this House: Do something. Do something that will help somebody in this country.

I get it. Elections are coming up, and everybody is engaged in political posturing. You know, we were elected to actually try to help people and help solve problems.

I have to tell you, by any objective measure, the leadership of this House has failed. I mean, it has failed on Flint. It has failed on the Zika crisis. It has failed on gun violence. It has failed on confronting this opiate crisis. I can go on and on and on again. I can point to 70-plus times that we voted to repeal the Affordable Care Act. All of these messaging bills that were written in the basement of the Republican Congressional Campaign Committee, I guess you go back home and brag about those things, but at the end of the day, you haven't done anything.

I hope that in these few weeks that we are back before we recess again that maybe some common sense can prevail on the Republican side and we can actually do something, something that will help all of our constituents, especially with this Zika crisis. This is a crisis. If that doesn't compel everybody to do something to provide the funding necessary to combat it, I mean, given what we have seen, then I don't know what will move my Republican colleagues.

Mr. Speaker, I urge my colleagues to vote “no” and defeat the previous question, and then vote “no” on this rule to consider a bill that, quite frankly, is

going nowhere and is a waste of our time.

I yield back the balance of my time.
Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

It is fairly amazing to me that we can actually find agreement, that we agree that this should not be happening. The gentleman from Massachusetts made this statement several times, and he said "this bill is going nowhere." I would just ask him, Mr. Speaker, why not? If we want to find agreement and move forward, then, why not?

Why wouldn't a bill brought forward by this Congress that addresses a bipartisan issue of Republican and Democrat abuses to a Department of Justice settlement program, why shouldn't it move forward? Instead of saying it is a waste of time, instead of saying it is something we are just doing to get along and to not address real issues, this is a real issue. Why don't we move it forward? Instead, we will posture. We will vote "no," and we will complain about what we don't want to have. Why not move it forward?

We have heard from my friends across the aisle, the ones who came, two witnesses, that we agree on this. It should not be happening. Instead, this is a big issue. In fact, I believe it is the one issue right now that is percolating not only in our Presidential elections, but in our congressional elections. It is in our Senatorial elections. It is in our State elections.

It is this understanding of the American people that right now government is not working. Government is broken, the government that they grew up going to school with. As school has started back over the last month in Georgia—my home State, Mr. Speaker, and yours—up to New York where it starts tomorrow, they go to social studies and they learn about the Founders and they learn about the Constitution and they learn about three branches of government and how Congress does the bills and the appropriating and how the executive branch carries those instructions out and how the judiciary comports that to the constitutionality of what we do.

I cannot think of a better way than to live within those Founders' framework and to say, "Why isn't this bill going somewhere?" instead of Congress sitting back and letting the executive branch do whatever it wants to do, however it wants to do it just because they throw a tantrum because they don't get their way.

The bill does not protect people from getting away from the law. The bill does not keep people from being prosecuted. The bill does not keep punitive damages. Just go through the long list of what they have said, the list of horrors, that this would not do. It does not. It simply says you can't

stroke your pet projects with money from "mandatory donations," either side, Republican or Democrat.

So tell me again, Mr. Speaker, why shouldn't this bill go forward? We will have time to debate the rest. Well, why shouldn't this bill go forward? Because it hits at the very frustration of the American people right now because what they see is not what they learned in those classrooms years ago. What they see is an executive branch that does whatever it wants to do, sometimes under both parties. They see a Congress that doesn't stand up for itself.

As far as I am concerned, this Member will stand up for this institution and for the role that the Founders laid out for us. So H.R. 5063, the Stop Settlement Slush Funds Act, does what it says it will do, and I am proud to co-sponsor this bill.

There are many things we get a chance to vote for. We can complain or we can vote. My recommendation is vote to move this forward. Vote "yes" on this rule. Vote "yes" on the underlying bill. Instead of saying it ain't going anywhere, then grab a hold of the shovel and say let's try and make something work in this country.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 843 OFFERED BY
Mr. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 231, nays 177, not voting 23, as follows:

[Roll No. 481]

YEAS—231

Abraham	Granger	Mulvaney
Aderholt	Graves (GA)	Murphy (PA)
Allen	Graves (MO)	Neugebauer
Amash	Griffith	Newhouse
Amodei	Grothman	Noem
Babin	Guinta	Nunes
Barletta	Guthrie	Olson
Barr	Hanna	Palmer
Barton	Hardy	Paulsen
Benishek	Harper	Pearce
Billrakis	Harris	Perry
Bishop (MI)	Hartzler	Pittenger
Black	Heck (NV)	Pitts
Blackburn	Hensarling	Poe (TX)
Blum	Herrera Beutler	Poliquin
Bost	Hice, Jody B.	Pompeo
Brady (TX)	Hill	Posey
Brat	Holding	Price, Tom
Bridenstine	Hudson	Ratcliffe
Brooks (AL)	Huelskamp	Reed
Brooks (IN)	Huizenga (MI)	Renacci
Buchanan	Hultgren	Ribble
Buck	Hunter	Rice (SC)
Bucshon	Hurd (TX)	Rigell
Burgess	Hurt (VA)	Roby
Byrne	Issa	Roe (TN)
Carson (IN)	Jenkins (KS)	Rogers (AL)
Carter (GA)	Jenkins (WV)	Rogers (KY)
Carter (TX)	Johnson (OH)	Rohrabacher
Chabot	Jolly	Rokita
Chaffetz	Jones	Rooney (FL)
Coffman	Jordan	Ros-Lehtinen
Cole	Joyce	Roskam
Collins (GA)	Katko	Rothfus
Collins (NY)	Kelly (MS)	Rouzer
Comstock	Kelly (PA)	Royce
Conaway	King (IA)	Salmon
Cook	King (NY)	Sanford
Costello (PA)	Kinzinger (IL)	Scalise
Cramer	Kline	Schweikert
Crawford	Knight	Scott, Austin
Crenshaw	Labrador	Sensenbrenner
Culberson	LaHood	Sessions
Curbelo (FL)	LaMalfa	Shimkus
Davidson	Lamborn	Shuster
Davis, Rodney	Lance	Simpson
Denham	Latta	Smith (MO)
Dent	LoBiondo	Smith (NE)
DeSantis	Long	Smith (NJ)
Diaz-Balart	Loudermilk	Smith (TX)
Dold	Love	Stefanik
Donovan	Lucas	Stewart
Duffy	Luetkemeyer	Stivers
Duncan (SC)	Lummis	Stutzman
Duncan (TN)	MacArthur	Thompson (PA)
Ellmers (NC)	Marchant	Thornberry
Emmer (MN)	Marino	Tiberi
Farenthold	Massie	Tipton
Fincher	McCarthy	Trott
Fitzpatrick	McCaul	Turner
Fleischmann	McClintock	Upton
Fleming	McHenry	Wagner
Flores	McMorris	Walberg
Forbes	Rodgers	Walden
Fortenberry	McSally	Walker
Fox	Meadows	Walorski
Franks (AZ)	Meehan	Walters, Mimi
Frelinghuysen	Messer	Weber (TX)
Garrett	Mica	Webster (FL)
Gibbs	Miller (FL)	Wenstrup
Gibson	Miller (MI)	Westerman
Goodlatte	Moolenaar	Westmoreland
Gosar	Mooney (WV)	Williams
Gowdy	Mullin	Wilson (SC)

Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Young (IN)

NAYS—177

Adams	Gabbard
Aguilar	Gallego
Ashford	Garamendi
Bass	Graham
Beatty	Grayson
Becerra	Green, Al
Bera	Green, Gene
Beyer	Grijalva
Bishop (GA)	Gutierrez
Blumenauer	Hahn
Bonamici	Hastings
Boyle, Brendan F.	Heck (WA)
Brady (PA)	Higgins
Brownley (CA)	Himes
Bustos	Hinojosa
Butterfield	Honda
Capps	Hoyer
Capuano	Huffman
Cárdenas	Israel
Carney	Jackson Lee
Cartwright	Jeffries
Castor (FL)	Johnson (GA)
Castro (TX)	Johnson, E. B.
Chu, Judy	Kaptur
Cicilline	Keating
Clark (MA)	Kelly (IL)
Clarke (NY)	Kennedy
Clay	Kildee
Cleaver	Kilmer
Clyburn	Kind
Cohen	Kirkpatrick
Connolly	Kuster
Conyers	Langevin
Cooper	Larsen (WA)
Costa	Larson (CT)
Courtney	Lawrence
Crowley	Lee
Cuellar	Levin
Cummings	Lewis
Davis (CA)	Loeb sack
Davis, Danny	Lofgren
DeFazio	Lowenthal
DeGette	Lowe
Delaney	Lujan Grisham
DeLauro	(NM)
DelBene	Luján, Ben Ray
DeSaulnier	(NM)
Deutsch	Lynch
Dingell	Maloney,
Doggett	Carolyn
Doyle, Michael F.	Maloney, Sean
Edwards	Matsui
Ellison	McCollum
Engel	McDermott
Eshoo	McGovern
Esty	McNerney
Farr	Meeks
Foster	Meng
Frankel (FL)	Moore
Fudge	Moulton
	Murphy (FL)
	Nadler

NOT VOTING—23

Bishop (UT)	Graves (LA)	Reichert
Boustany	Johnson, Sam	Ross
Brown (FL)	Lieu, Ted	Rush
Calvert	Lipinski	Russell
Clawson (FL)	McKinley	Sanchez, Loretta
DesJarlais	Nugent	Sinema
Duckworth	Palazzo	Valadao
Gohmert	Price (NC)	

□ 1346

Mr. MOULTON, Mrs. DINGELL, and Mr. ELLISON changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, on rollcall No. 481, I was detained discussing flood recovery efforts in Louisiana. Had I been present, I would have voted “yes.”

Zeldin
Zinke

Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Mr. VALADAO. Mr. Speaker, on rollcall No. 481 I missed the vote because my meeting with constituents about very important transportation, agriculture, air quality, and grant issues went longer than scheduled. Had I been present, I would have voted “aye.”

Stated against:

Mr. CARSON of Indiana. Mr. Speaker, during rollcall Vote No. 481 on the previous question, I mistakenly recorded my vote as “yea” when I should have voted “nay.”

□ 1345

(By unanimous consent, Mr. GRAVES of Louisiana was allowed to speak out of order.)

MOMENT OF SILENCE FOR VICTIMS OF LOUISIANA
FLOODS

Mr. GRAVES of Louisiana. Mr. Speaker, for the last 2 weeks, many across our Nation have been preparing the children for school. They have been preparing to end their summer vacation.

In our home State of Louisiana, nearly 500,000 of our citizens have been affected by a 1,000-year flood event, causing extraordinary ruin for our families and businesses, everything inundated. Everything that people own—family heirlooms, photo albums, hard disk drives, and generations of work—has been destroyed. We lost 13 of our fellow citizens, at least, with more perhaps to be found.

Today, hundreds of thousands across south Louisiana are sifting through what remains of their belongings, facing imminent and extraordinary financial decisions and life-altering decisions. We stand here in this Chamber today, as their representatives, and ask you to join us in a moment of silence and to keep them in our prayers.

The SPEAKER pro tempore. Members will stand for a moment of silence.

Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 178, not voting 22, as follows:

[Roll No. 482]

AYES—231

Abraham	Bishop (UT)	Buck
Aderholt	Black	Burgess
Allen	Blackburn	Byrne
Amash	Blum	Carter (GA)
Amodei	Bost	Carter (TX)
Babin	Brady (TX)	Chabot
Barr	Brat	Chaffetz
Barton	Bridenstine	Coffman
Benishek	Brooks (AL)	Cole
Billrakis	Brooks (IN)	Collins (GA)
Bishop (MI)	Buchanan	Collins (NY)

Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)

NOES—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy

Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaull
McClintock
McHenry
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed

Renacci
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa

Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loeb sack
Loftgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn

Barletta
Boustany
Brown (FL)
Bucshon
Calvert
Clawson (FL)
DesJarlais
Duckworth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1355

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROONEY of Florida. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted “aye.”
Mr. BUCSHON. Mr. Speaker, on rollcall No. 482, I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall Vote No. 482 On Agreeing to the Resolution Providing for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016. Had I been present, I would have voted “yes.”

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 131) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, and ask for its immediate consideration in the House.

NOT VOTING—22

Hurt (VA)
Johnson, Sam
Lieu, Ted
McKinley
Nugent
Palazzo
Price (NC)
Reichert

Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Kuster
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

Rooney (FL)
Ross
Rush
Sanchez, Loretta
Sinema
Waters, Maxine

Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 131

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On September 30, 2016, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 31st annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the “event”) may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5063.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 843 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5063.

The Chair appoints the gentleman from Utah (Mr. STEWART) to preside over the Committee of the Whole.

□ 1400

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

consideration of the bill (H.R. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with Mr. STEWART in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Two years ago, the House Judiciary Committee commenced a pattern or practice investigation into the Justice Department's mortgage lending settlements. We found that the Department of Justice is systematically subverting Congress' spending power by requiring settling parties to donate money to activist groups.

In just the last 2 years, the Department of Justice has directed nearly \$1 billion to third parties entirely outside of Congress' spending and oversight authorities. Of that, over half a billion has already been disbursed or is committed to being disbursed. In some cases, these mandatory donation provisions reinstate funding Congress specifically cut.

The spending power is one of Congress' most effective tools in reining in the executive branch. This is true no matter which party is in the White House. A Democrat-led Congress passed the Cooper-Church amendment to end the Vietnam War. More recently, bipartisan funding restrictions blocked lavish salary and conference spending by Federal agencies and grantees. This policy control is lost if the executive gains authority over spending.

Serious people on both sides of the aisle understand this. A former Deputy Assistant Attorney General for the Office of Legal Counsel in the Clinton administration warned in 2009 that the Department of Justice has "the ability to use settlements to circumvent the appropriations authority of Congress."

In 2008, a top Republican Department of Justice official restricted mandatory donation provisions because they "can create actual or perceived conflicts of interest and/or other ethical issues."

Any objections to this bill would be unfounded. Whether the beneficiaries of these donations are worthy entities is entirely beside the point. The Constitution grants Congress the power to decide how money is spent, not the Department of Justice.

This is not some esoteric point. It goes to the heart of the Constitution's separation of powers and Congress' ability to rein in executive overreach in practice.

Nor does the bill restrict prosecutorial discretion. That discretion per-

tains to the decision to prosecute. Setting penalties and remedial policy is the proper purview of Congress.

Opponents' central concern is that there may be cases of generalized harm to communities that cannot be addressed by restitution, but this misses the fundamental point. The Department of Justice has authority to obtain redress for victims. Federal law defines victims to be those "directly and proximately harmed" by a defendant's acts.

Once those victims have been compensated, deciding what to do with additional funds extracted from defendants becomes a policy question properly decided by elected Representatives in Congress, not agency bureaucrats or prosecutors. It is not that DOJ officials will always be funding bad projects. It is that, outside of compensating actual victims, it is not their decision to make.

Rather than suspend the practice of mandatory donations in response to these bipartisan concerns, the Department of Justice has doubled down. In April 2016, a major DOJ bank settlement required \$240 million in financing and/or donations toward affordable housing.

DOJ's June 2016 settlement with Volkswagen requires a \$2 billion payment to fund the administration's green energy agenda. This payment cannot be justified as remedial because the settlement states explicitly that a separate \$2.7 billion payment is intended to fully mitigate the harm caused.

It is time for Congress to end this abuse. The Stop Settlement Slush Funds Act of 2016 bars mandatory donation terms in DOJ settlements. It is a bipartisan bill. It makes clear that payments to provide restitution for actual harm directly caused, including harm to the environment, are permitted.

Do not be fooled by opponents' scare tactics. They claim that the legislation could prohibit conduct remedies used in settlements covering workplace discrimination, harassment, and consumer privacy. The bill does not preclude such remedies. Nothing bars DOJ from requiring a defendant to implement workplace training and monitoring programs.

The ban on third-party payments merely ensures that the defendant remains responsible for performing these remedies itself, and is not required to outsource such set sums for the work to third parties who might be friendly with a given administration.

This bill addresses an institutional issue. That is one reason similar language passed the House last year by voice vote. I thank all of the bill's cosponsors, and I urge the bill's passage.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, the Stop Settlement Slush Funds Act of 2016, H.R. 5063, would remove an important civil enforcement tool available to agencies to hold corporations accountable for the general harm caused by unlawful conduct.

H.R. 5063 would have potentially disastrous, unintended consequences on the remediation of generalized harms in civil enforcement actions like the one that the chairman just noted at the very beginning of his speech. He talked about mortgage lending settlements that the Department of Justice had obtained after filing suit in court against Wall Street bankers who took billions of dollars in equity, home equity, from Americans throughout the country by way of predatory lending instruments, which blew up in their faces; caused the Wall Street meltdown. Wall Street got bailed out.

The American people who had these mortgages that then were underwater lost their homes, so the Department of Justice sued, and this is what this legislation seeks to get at.

My friends on the other side of the aisle don't want the common people of this country to have the protection of government. They want a government that is hands off; let the private sector, let the free market work its will. No rules. Whatever will be will be. The bottom line is the rich get richer and the poor get poorer; and this legislation would work to enforce that economic philosophy that is held so dear by my friends on the other side of the aisle.

So these mortgage lending settlements, the DOJ sued the big banks. The big banks came to the table and decided to settle. As a result of the settlement, there were directives that were agreed to by the Wall Street banks, that they would give money to certified HUD counseling agencies.

Those agencies have done a good job of helping people who have not lost their homes continue to stay in their homes, to get their mortgages refinanced, to get their situation in order, to give them the ability to hold on to their homes after they had lost their jobs and were unable to pay the mortgage for a number of months. These housing counseling agencies were able to be effective at keeping people in their homes, but my friends on the other side of the aisle, they don't want to have any part of that because it is costing their friends on Wall Street money.

This same settlement that the chairman excoriated in his presentation just a minute ago, it gave money to State-based legal aid firms that were about helping people to avoid foreclosure, helping the very people that these banks stole from and hurt. So this is what they want to stop, and they cloak it in the—they say that Congress should be the one to appropriate money, and that is true.

There is nothing about Article I, the legislative branch, Congress, that is a part of the lawsuit that the Justice Department, an Article II body, would file in a Federal court, an Article III court, that results in a settlement. There is no legislative implication in that whatsoever. There is no appropriations from the legislature.

What it is is a court-enforced transfer of the very wealth that was stolen from the people, back to the people, by way of these agencies, which my colleague refers to as activist, third-party entities. Well, these are third-party entities that are acting on behalf of the very people who have been harmed.

What this legislation seeks to do is to take away the ability of the Justice Department to obtain a settlement to help people who have been harmed, and then would force the money to come into the hands of the legislative branch so that the legislative branch could then appropriate it. And we know that this legislative branch controlled by the other side of the aisle is not interested in helping people who lost their homes due to Wall Street fraud.

So that is what this legislation is all about, and it comes at a time when we have people who are afflicted with the Zika virus. We can't even pass legislation in this Chamber that would get at that public health emergency, which is right here on our doorstep where it is in the House now.

This is an emergency. We have almost 2,000 babies born having been afflicted with the Zika virus. It's going to take \$10 million for the remainder of their lives, average, to take care of them. That is \$2 billion right there.

The President has come to us, months ago, requesting \$1.9 billion—less than the \$2 billion—to fund operations to get at this Zika virus, to prevent it from taking hold, and we can't even pass it in this Congress because we are too busy passing bills to help Wall Street.

That is not what the American people want. That is not what the American people need. I ask my colleagues to vote against this legislation.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman from Georgia and say that no one gets off the hook; not Wall Street, not anybody in this legislation.

All we are saying is that if money goes, as a fine, it should either be paid into the general Treasury, as required by the law, or to actual victims of the wrongdoing by the parties. And if it is paid into the general Treasury, the Constitution requires that it be paid, that it be appropriated by this Congress, not by bureaucrats and prosecutors at the Department of Justice.

At this time, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee and a great leader on this issue.

□ 1415

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, our Constitution is under assault, so I rise today in support of H.R. 5063, the Stop Settlement Slush Funds Act. A nearly 2-year-long investigation jointly conducted by the Financial Services Committee, which I have the privilege of chairing, and the Judiciary Committee, chaired by Mr. GOODLATTE, the sponsor of this legislation, has shockingly revealed that the so-called Justice Department is not only pushing, but even requiring some defendants in settlements to send the fines not to victims, not to the U.S. Treasury, but, instead, to political allies of the Obama administration.

As one commentator wrote: "Imagine if the President of the United States forced America's biggest banks to funnel hundreds of millions—and potentially billions—of dollars to the corporations and lobbyists who supported his agenda."

Mr. Chairman, there is nothing to imagine. It is real. It is happening. Mr. Chairman, our committees' investigation uncovered that the Obama Justice Department has done exactly this. They have used mandatory—mandatory—donations to direct as much as \$880 million to political organizations that just so happen to be allies of the Obama administration.

Now, I might expect to see such a corrupt practice in a place like Russia, but in the United States of America? How can this possibly be legal?

These payments occur entirely outside of the transparent and accountable congressional appropriations and oversight process—a clear violation of Congress' Article I power of the purse, according to Article I, section 9 of our Constitution. By allowing for direct payments to nonvictim, third-party political organizations, the Justice Department is trampling upon the Constitution, threatening due process, threatening separation of powers, and threatening checks and balances. Mr. Chairman, there is simply no justice to be found in the Obama Justice Department.

I also note the sheer hypocrisy of what the Obama administration is doing while self-righteously claiming to be "tough on the big banks" and all for "protecting consumers," the Obama Justice Department's special deals for big banks actually give the big banks double credit or more toward their penalties for each "donation" made to political allies. This means these big banks could erase, potentially, hundreds of millions of dollars in Federal penalties this way, not to mention avoid giving the money to actual victims.

Using cash to reward your political allies instead of helping victims who have been genuinely wronged is the epitome of what is unfair and wrong

about this administration. Mr. Chairman, I urge all Members—all Members—to protect the Constitution and to vote for H.R. 5063, the Stop Settlement Slush Funds Act.

Mr. JOHNSON of Georgia. Mr. Chairman, the last speaker spoke about how the banks, Wall Street banks, are able to get a break from the executive branch when they pay out these settlements, but those are matters of legislative action that has been passed by this Congress which coddles the banks and puts them in a position where they just simply can't lose. When it comes to these fines, as they call it, these are not fines. These are settlement amounts that are going to help the victims. They are not going to play politics anywhere. These are funds that are directed to entities which help the victims of the Wall Street excesses. So I want to make that clear.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the so-called Stop Settlement Slush Funds Act.

The Republican majority likes to put creative names on their legislation, but what they call slush funds are really voluntary settlements between the government and corporate wrongdoers. These settlements sometimes include payments to third parties to address the generalized harms caused by corporate bad actors. But this bill would prohibit any payments to a third party unless the funds would be used to help only the people directly harmed by the defendants, not those who may have been harmed on a broader level by their actions. This is unnecessarily narrow and restrictive when trying to address the harm inflicted by corporate wrongdoers.

Furthermore, the bill would restrict the flexibility of the government to resolve claims and make it harder to assist broad categories of people who are hurt by corporate malfeasance. For example, in the wake of the mortgage foreclosure crisis, the Department of Justice sued several big banks responsible for egregious misconduct that threw millions of people out of their homes and put millions more in peril, while the banks reaped massive profits. The banks agreed to resolve their claims by paying record-setting fines to the government in recognition of the tremendous damage they had caused. Under well-established legal authority, some of these settlements also included payments to certain community organizations responsible for assisting homeowners and the communities devastated by the foreclosure crisis caused by the banks.

These payments have had a dramatic effect. In New York State, thanks to the consumer relief funds from these settlements, more than 60,000 people have received housing counseling and

legal services free of charge over the last 4 years. Almost one-third of these homeowners have consequently received a mortgage modification or have one pending.

Other funds have gone to support community development institutions like land banks, which are nonprofit organizations formed by local and county governments. These land banks help cities address vacant and abandoned properties known as zombie homes, zombie homes that were created by the foreclosure crisis caused by the malfeasance of the big banks. Land banks acquire these properties, secure them, and rehabilitate them for resale as affordable housing, thereby increasing the tax rolls, reducing crime, and preserving property values for neighboring homeowners and undoing some of the damage done by the malfeasance of the banks. In just the last 3 years, land banks in New York have acquired more than 1,300 vacant and abandoned properties.

Mr. Chairman, homeowners and cities are still struggling with the aftermath of the foreclosure crisis, and the third-party donations included in legal settlements have proven vital in helping those directly affected and those secondarily harmed by the banks' actions. These payments were mutually agreed-upon terms in a legal settlement, but Republicans call them slush funds. They went to nationally recognized community organizations or locally important community organizations doing important work to help homeowners in crisis, in crisis because of the actions by the malefactor banks.

The majority sneers and calls these organizations activist groups. The majority was so outraged by these payments that they launched a burdensome investigation that yielded not a single shred of evidence of any wrongdoing by anyone. I don't know what the majority calls that, but I call it a waste of time.

Mr. Chairman, this legislation is a waste of time, too, and I urge my colleagues to vote "no."

Mr. GOODLATTE. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from Georgia (Mr. JOHNSON), who would not yield but who continues to claim that this legislation helps these major financial institutions while he defends the Justice Department, which enters into agreements with these financial institutions that owe hundreds of millions of dollars—in many instances, billions of dollars—to the Treasury in fines as a result of these settlements, but say if you give money to our preferred third-party group that wasn't even injured as a part of this process, if you give the money to them instead of to the government, instead of to the general Treasury, we will give you \$2 off for every \$1 you give them, \$2 off the fine for every \$1

you give them, \$2 million off the fine for every \$1 million you give them.

It adds up pretty quickly, but the taxpayers are the ones taking a bath here. Guess who benefits. Those big banks that he says we are protecting? No. The Justice Department is protecting them, and this is why we need this legislation. It is the Congress that appropriates funds, not the bureaucrats and prosecutors in the Department of Justice.

Mr. Chairman, it is my pleasure to yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Regulatory Reform, Commercial and Antitrust Law Subcommittee.

Mr. MARINO. Mr. Chairman, I thank the chairman for the time and his leadership throughout the committee's investigation and as we have moved this important piece of legislation to the floor.

The Stop Settlement Slush Funds Act focuses on accountability and governance. As we have heard here, this bill is the product of a nearly 2-year-long House Judiciary Committee investigation into the Department of Justice's settlement practices. During that time, the Department of Justice has funneled nearly \$1 billion of this settlement money to third-party groups that benefit this administration. But under Federal law—under Federal law—all money obtained through Department of Justice settlements must be deposited directly to the Treasury.

Our concerns are not with the services provided by the groups receiving the money. They provide worthy services to individuals in need across the country. Nor are our concerns along party lines. Good governance and accountability apply to Republican and Democratic administrations alike.

This piece of legislation focuses on concerted and repeated actions that have subverted the will of Congress, disrespected our separation of powers, and failed to assist the individuals directly harmed by the behavior warranting the settlements. The Judiciary Committee's investigation has revealed that entities with access to high-ranking Department of Justice officials received the funds.

The Stop Settlement Slush Funds Act will end this practice without limiting the Department of Justice's ability to reach settlements that directly provide restitution to those harmed. It does not block the ability to provide restitution for victims. Instead, it ensures that money belonging to the U.S. Treasury and, therefore, to the American people is not siphoned off for the pet projects of political appointees.

Mr. Chairman, I urge my colleagues to support good governance, accountability, and the powers granted to Congress and vote "yes."

Mr. JOHNSON of Georgia. Mr. Chairman, I just can't believe what I heard

the gentleman from Virginia say about the big banks being coddled by the Justice Department, being given a break. So he is complaining that the big banks are being given a break, but then the purpose of this legislation is to take the big banks off of the hook. It is ironic.

Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the distinguished ranking member of the subcommittee. I acknowledge the chairman of the full committee and, as well, the ranking member of the full committee.

I am going to announce some breaking news. The Judiciary Committee gets along. We do a lot of good work together. I am looking forward to moving legislation dealing with a number of good policy suggestions and legislative initiatives involving the criminal justice system. I hope we can continue to work together.

But I would raise concern as to this legislation, and I raise it in the context of all that this Congress has to do. I would also raise it in the context that the administration has indicated on this bill, H.R. 5063, the misnamed Stop Settlement Slush Funds—totally misnamed—a veto threat. We don't know whether anyone in the United States Senate, the other body, has any interest in this legislation at all.

So in the meantime, there are any number of issues that should be addressed. My State of Texas is suffering under the threat of the Zika virus. The State of Florida is already in the eye of the storm, Puerto Rico, all of the Gulf States, maybe as far reaching as New York. That work needs to be done. The children of Flint are still asking us to respond to their concerns. The people of Baton Rouge, Louisiana, are still asking us to respond to the devastation that they are facing. Yet we deal with legislation that has totally misconstrued what has been done by the Department of Justice.

It is important to note that it is not unconstitutional. There is no breach of the Constitution by way of what is going on here.

First of all, it is not billions of dollars. It is minute in the course of helping individuals—\$50 million—less than 1.1 percent of a total settlement of \$23.5 billion.

We know that the Congressional Research Service must be nonpartisan. All of us use the Congressional Research Service. I would venture to say that it is one of the most nonpartisan, independent entities that we have. He has indicated twice that the settlements are lawful. I said, Mr. Chairman, lawful. That is my concern with this misnamed legislation. This legislation hurts the vulnerable and victims.

□ 1430

This legislation is not dealing with the crux of the issue. These are settlements engaging in agencies. These are not appropriated dollars. These are judgments within the context of the court. What is happening is that, out of the settlement, the agency is attempting to help people to help victims.

Let me give you an example as it relates to HUD counseling. Just a few days ago, we saw mention of the ongoing concerns involving foreclosures. Many people may think that that is a thing of the past, but it is not. It is clearly something that is important to many people.

Working with HUD counseling organizations, they are providing resources to help individuals get out of the pit of a foreclosure. It is well known that if individuals get counseling, they are nearly three times more likely to obtain a money-saving mortgage modification.

If an individual family all over this Nation was to get that, they would be more likely to receive a payment reduction of approximately \$61 a month greater, on average, than noncounseled homeowners. They would be nearly twice as likely to get their mortgage back on track without a modification. Maybe, Mr. Chairman, a family of four, six, eight, or nine might not get kicked out of their house because of HUD counseling resources that have been given through a settlement, not forced through a settlement, not oppressed and overbearing, but through a settlement, through a legal justified settlement.

What would our friends want us to do? To ignore these people.

Counseling would bring about, if necessary, an ability to complete short sales faster than homeowners who don't work with housing counselors and about 60 percent less likely to redefault after curing a serious delinquency.

That is the kind of agency that is being called some kind of slush fund. This is totally skewed into the needs of our citizens, and it is opposed by individuals who work with our citizens—clean water action, individuals who work dealing with consumers, the National Council of La Raza, employment lawyers, the National Fair Housing Alliance, and the National Urban League. These are organizations that can document that they help people in their worst needs.

Who is helping to assist in the Baton Rouge floods after FEMA? It will probably be a lot of nonprofits dealing with housing counseling.

The Acting CHAIR (Mr. SIMPSON). The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. So what I argue today is that we are within the con-

finances of the law. It is a minute portion. It is not the billions of dollars that have been represented. It is certainly not a slush fund.

Mr. Chairman, I include in the RECORD an article from the Houston Chronicle, dated Sunday, September 4, 2016. It involves shooting victims. These are the survivors of the Aurora, Colorado, shooting. And guess what. The theater prevailed. They didn't have to pay a dime. They didn't have to have any check as to whether or not their doors could have been more secure. They could have had security, but it said the shooting survivors owe \$700,000 to the theater.

Do you want to hear who one of the victims was? Let me just share with you a victim who just couldn't bring herself to accept. I feel sorry. Her suffering had been profound. Her child was killed in the shooting. She was left paralyzed, and the baby she was carrying had been lost. Do you know what she got? Zero, zero, zero. I just wish the Justice Department could have shared a resource with her or a group or the class action lawsuit that was thrown out of court causing them to have to pay \$700,000 to the theater.

This bill does not deal with those in need. Vote against this bill.

(The following article appeared on September 4, 2016 in the Houston Chronicle:)

[From the Los Angeles Times]

SHOOTING SURVIVORS OWE \$700K TO THEATER

(By Nigel Duara)

DENVER.—They had survived brain damage, paralysis and the deaths of their children. For four years, they met in secret as a group. Now, they were finally prepared to settle with the Aurora, Colo., movie theater that became the site of one of the deadliest massacres in U.S. history.

On a conference call, the federal judge overseeing the case told the plaintiffs' attorneys that he was prepared to rule in the theater chain's favor. He urged the plaintiffs to settle with Cinemark, owner of the Century Aurora 16 multiplex where the July 20, 2012, shooting occurred. They had 24 hours.

But before that deadline, the settlement would collapse and 15 survivors of the massacre would be ordered to pay the theater chain more than \$700,000.

The settlement conference, corroborated by the Los Angeles Times with four parties present at the conference, was hastily convened after a separate set of survivors suffered defeat in state court, where a jury decided that Cinemark could not have foreseen the events of that night in 2012, when James Holmes killed 12 people and injured 70 others in a 10-minute rampage at a screening of "The Dark Knight Rises."

In the federal case, survivors agreed to split \$150,000 among 41 plaintiffs. The deal came with an implied threat: If the survivors rejected the deal, moved forward with their case and lost, under Colorado law, they would be responsible for the astronomical court fees accumulated by Cinemark.

Then one plaintiff rejected the deal. Her suffering had been profound: Her child was killed in the shooting, she was left paralyzed and the baby she was carrying had been lost.

None of the plaintiffs would receive a dime.

Although a source close to the theater chain said that there is no intention to actually seek recovery of the court costs, the theater chain has not issued any statement about its intentions.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume to respond to the gentlewoman from Texas (Ms. JACKSON LEE), who is a valued member of the Judiciary Committee, and we do work on bipartisan issues. I will say that this issue is bipartisan as well, and she should take note of the fact that it is also bicameral. The United States Senate is, indeed, interested in this issue. The bill that we are considering in the House has also been introduced in the Senate by Senator LANKFORD from Oklahoma.

Also very, very importantly, it is important to understand that when the Congress appropriates funds, it is the duty of the executive branch to carry out the appropriations made by the Congress, not to go out and change those decisions.

The gentlewoman talks about housing counseling. Well, the Congress appropriates funds for housing counseling, has and will continue to do so, I am sure. When we cut back on some of those funds—it is still a lot of funds. When we cut back on some, I guess there were some people, some bureaucrats in the Justice Department who felt that that was not the right thing to do. Or maybe it was the organizations that receive these funds that couldn't get them from the Congress, so instead they went over to the Justice Department and said: Well, when you get settlements from these big banks, make sure that you give some of those funds to us.

Well, that actually subverts the direct intent of the Congress in terms of how much money to spend. The funds are owed to the Treasury of the United States and to the people who are directly the victims of wrongdoing. They should definitely be compensated. If they are compensated as a part of a settlement that any Justice Department prosecutor enters into, they should benefit from that.

People who are not victims need to go through the appropriations process, come to the Congress for funding. If the Congress doesn't give them the funding they want, they shouldn't have other places to go in the Federal Government to get that money by simply going around the Congress and going to the Justice Department, having them take money that is supposed to go into the Treasury and then be appropriated by the Congress, and say: No, no, we will beef you back up in terms of the amount of money for housing counseling and put that money, instead, to you directly here without it going through the appropriations process in the people's House.

That is what we are trying to fix here. It is a very, very important thing

that we fix and a very important principle that we protect in our Constitution.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Even though the Senate may take up this ill-fated measure, the President has promised to veto it. So what we are doing here today is another messaging bill that distracts the American people perhaps from the more important issues of the day, such as the spreading of this public health crisis, the Zika virus, which is afflicting almost 17,000 Americans infected by mosquitos carrying the Zika virus—17,000 people—200 babies born, 1,600 infected women.

This is a crisis that is going to cost the American people from a public health perspective. It is going to cost the lives of the unborn whose mothers are afflicted with this virus, giving birth to them, and they have the virus and suffer from microcephaly, a shrunken head and brain which renders them severely developmentally impacted as they make it through life and add a severe burden to the taxpayers. Instead of dealing with this issue, we took a 7-week vacation and refused to come back to work to deal with the Zika virus.

At the same time as we have got the Zika virus, a public health issue afflicting the Nation, we are also seeing more and more and more people dying from opioid abuse in this country. This Congress has been insufficient in dealing with this, applying the resources to deal with that issue.

We have got the issue of Flint, Michigan, where lead was found in the water. This Congress has done absolutely nothing to address the financial implications of that and what we can do to help remediate it and to keep it from happening.

Now we get East Chicago, Indiana, with people living atop a lead dump, basically, thousands of people impacted, and this Congress will do nothing.

That is not to mention anything about the other public health problem that afflicts the Nation, and that is the ongoing gun violence issue, which this Congress will do nothing about other than to hold a hearing on this coming Friday to censure those of us who had the gall to sit in the well of this House Chamber to demand that this body take some action. What did the body do back then? It adjourned for 7 weeks.

This is a spectacle that the American people are looking at. You can't help but to see it. You can't help but to understand it. The American people are being adversely impacted by the policies of my friends on the other side of the aisle. They have caught a bad case of the Trump syndrome, the Trump syndrome which causes people to forget about the truth, forget about reality,

start seeing things the way that they want to see them, and they don't care what impact it has on the American people. All they want to do is be able to retain their positions, although they say that they hate government, they want to be here so that they can shrink government, make it smaller, leave everything to the private sector, and leave the American people fending for themselves.

We have had that happening for much too long. That is what the American people are so angry about on both sides of the aisle. That is why the mainstream portion of the other side of the aisle has completely lost control of their apparatus. We have the Trump syndrome that has taken hold, and this body is sick because it is being led by folks who have fallen victim to the Trump syndrome. Enough is enough. The American people are sick and tired of it.

With respect to Congress appropriating funds, this Congress still has to pass a budget. But you are talking about dealing with what is called a slush fund, the Stop Settlement Slush Funds Act of 2016. They say that Congress should be the one to allocate resources; it shouldn't come out of a settlement. Well, the fact is that there are no public dollars coming to fruition in a settlement between a big bank and the Justice Department. Those are all privately held funds that are being disgorged from the wrongdoer and placed back in the service of the very people that were harmed by the wrongdoing of the big banks. There is no legislative appropriation there because there is no public money. It is private money, but it is being redirected to those from whom it was wrongfully taken. That is what makes this legislation so hurtful to the process.

I would ask my colleagues to, again, be in opposition to it.

Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. CONYERS), my chairman—or my ranking member. I say “chairman” in a very hopeful way.

Mr. CONYERS. Mr. Chairman, the gentleman from Georgia is much appreciated in the clarity of his analysis and his commitment for us to use, if we can, the right terminology when we are approaching these subjects, because this bill would prohibit the enforcement or negotiation of any settlement agreement requiring donations to remediate harms that are not directly and proximately caused by a party's unlawful conduct.

My opposition to this measure, to begin with, is that the bill will prohibit the use of various types of settlement agreements that have been successfully used to remedy various harms caused by reckless corporate actors. For example, these settlement agreements have been utilized to facilitate an effective response to predatory and

fraudulent mortgage lending activities that nearly caused the economic collapse of our Nation.

□ 1445

In fact, settlement agreements with two of these culpable financial institutions—Bank of America and Citigroup—required a donation of less than 1 percent of the overall settlement amount to help affected consumers.

H.R. 5063 is a dangerous measure that would undermine the ability of civil enforcement agencies to hold wrongdoers accountable and to provide complete relief to victims.

A broad coalition of public interest organizations, including the Americans for Financial Reform, Public Citizen, the National Fair Housing Alliance, and the National Urban League, notes that this bill is a gift to lawbreakers that comes at the expense of families and communities that are impacted by injuries that cannot be addressed by direct restitution. The National Council of La Raza, which is the largest national Hispanic civil rights and advocacy organization in our country, similarly notes that H.R. 5063 is a far-reaching and misguided solution to a nonexistent problem.

I urge my colleagues to look at this bill clearly and to oppose this flawed legislation.

I thank the leader of this measure on the floor today, the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

First, I say to my friend, the gentleman from Michigan (Mr. CONYERS), of course, the National Council of La Raza would not like this legislation because the National Council of La Raza is the largest beneficiary of what the Justice Department is doing. They are getting the money. They are one of the largest recipients. So I am not at all surprised to hear that they wouldn't like us to stop this cozy relationship in which they go to the Justice Department and say, “Hey, we need more money,” and the Justice Department says, “Okay. In the next settlement we do, we will send some of that money over to you.” This is an abuse. It is clearly a slush fund, and it needs to be stopped.

I prefer to focus on institutional concerns with mandatory donations rather than on the nature of the recipients. However, there is no ignoring the troubling May 19, 2016, testimony to the Financial Services Committee that the donation beneficiaries were “Democrat special interests.” These include the Neighborhood Assistance Corporation of America, whose director calls himself a “bank terrorist.” Documents

show that the groups that benefited from mandatory donation provisions actively lobbied the DOJ to include them.

The bill's opponents have proffered a series of specious arguments. The principal ones I refuted earlier. The others I will address now.

We are told that required donations represent just a fraction of the overall settlement amounts. That is true, but irrelevant. In absolute terms, there is a tremendous amount of money—nearly \$1 billion—flowing to activist groups at the unilateral discretion of the executive just in these financial service industry settlements and another \$2 billion more for the Volkswagen settlement. In any event, the \$1 billion is over twice the annual Congressional appropriation for the Legal Services Corporation and is a huge windfall to the recipient organizations. An analysis of 80 beneficiaries of the Bank of America settlement revealed that, on average, the DOJ required donations accounted for more than 10 percent of their 2015 budgets. Such largesse should not be conferred unilaterally.

Critics contend that there is insufficient evidence that the DOJ structured the settlements to direct funds to activist groups. This is disingenuous. The opposition knows that the DOJ refuses to let the committee make the most troubling documents it found public.

Opponents also argued that mandatory donations are plainly lawful; but the House Financial Services Committee heard from three experts that mandatory donations are an unconstitutional subversion of Congress' spending power. That view is echoed by former President Clinton's own head of the Department of Justice's Office of Legal Counsel. Yet, even if these payments were not unlawful, they are definitely bad policy, which is precisely why legislation should prohibit them.

Another unfounded objection is that it is unrealistic for Congress to legislate redress every time a violation occurs that causes generalized harm.

In the banking settlements, the housing groups that received donations were in categories that were already specifically receiving grants from Congress. This shows that the infrastructure to direct funding to community projects is already in place.

The Department of Justice could also recommend to Congress, for example, as part of the President's budget, projects to fund that address generalized harm.

Finally, as the renowned liberal legal scholar and former D.C. circuit judge, Abner Mikva, has explained, on this point, efficiency is outweighed by the principles of representative government. The Founders knew the spending power was "the most far-reaching and effectual," and they wanted to "ensure Congress would act as the first branch of government." Accordingly, they un-

derstood Congress "would less efficiently and less coherently devise fiscal policy than would a single 'treasurer' or 'fiscal czar.' Yet they chose, for good reason, to suffer this cost and bear its risks."

This bipartisan legislation is a critical opportunity to marry oversight with action and to effectuate the Founders' vision of Congress' spending power as key to reining in the executive branch. This is a commonsense bill, the objections to which are unfounded; so I urge all of my colleagues to support this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, today, I will vote against H.R. 5063, a bill that would prohibit the federal government from entering into settlement agreements that include payments directed to appropriate third parties. This bill, if enacted, would defang federal civil enforcement agencies as they seek to address and provide restitution for illegal actions that threaten a community's health and safety and the environment, and to prevent the recurrence of those illegal actions.

The harms caused by, for instance, violations of environmental laws, predatory lending by financial institutions, and workplace exposure to toxic chemicals, harm individuals and our communities. These harms can be difficult to adequately compensate. Settlements that only require payments to those directly harmed by the wrongdoing addressed in the enforcement action fails to adequately capture the full cost of unlawful conduct.

For decades, the United States government has entered into settlement agreements with defendants to pay for the direct harms they have caused. In many instances, these settlements also include payments to organizations that advance programs assisting with the recovery of a community harmed by the wrongdoing addressed in the enforcement action. The ability of the federal government to direct payments from these settlements to third parties is often the best way to hold wrongdoers accountable for the indirect harm done to the public at large.

Mr. ELLISON. Mr. Chair, I rise today in opposition to this bill. I offered an amendment to rename it Another Wall Street Request to Avoid Accountability for Fraud. But, my amendment for a more accurate title was not accepted.

Today, the majority wants to defund the organizations and attorneys that help people have a fighting chance against deep-pocketed multi-national corporations and banks.

Mr. Speaker, Congress returns after a seven-week district work period. During that time, I held many constituent meetings. Not one person asked me to weaken regulations on hedge fund managers or Wall Street bankers. And yet, Wall Street requests are what the majority prioritized for our first week back.

This bill would defund the network of housing counselors and legal aid attorneys who help homeowners facing foreclosure.

Homeowners who were tricked into buying a home with teaser rates that exploded into unaffordable payments.

Homeowners who deserved a chance to catch up after a missed payment or two but

were unable to get a response from their lender.

And homeowners like Alan Schroit. Alan, a retired cancer researcher, visited his rental house in Galveston, Texas. He found the locks had been changed, the electricity shut off and a notice on the door said Bank of America was foreclosing on his home. Alan did not have a mortgage with Bank of America. Alan didn't even have a mortgage. His home was paid off. It took him 30 days to get someone at Bank of America to call him back.

Homeowners like Nilly Mauck who lost all her possessions when a company mistakenly evicted her instead of her neighbor.

Or homeowners like Charlie and Maria Cardoso who bought their retirement home with cash in 2005. While they continued living in their primary home, they rented their retirement home out. Their tenants came home one day to find the house cleared of all the possessions—again by Bank of America.

Nilly, Alan and Charlie and Maria's foreclosures were some of thirteen million between 2006–2010. Far too many of them were fraudulent, people foreclosed on by firms who did not have clear title to the property. A significant number of these foreclosures could have been prevented if the lenders involved had followed the law. The new book, *Chain of Title*, by David Dayen reports that across our nation, homeowners who should have received assistance with a loan modification, or allowed to cure a delinquency, instead were hit with outrageous late fines, sold over-priced forced-placed insurance, punished with monthly property inspection and other junk fees. Using robo-signing, their eviction papers were signed by people who had no ownership of the loan.

Congress and the states demanded change. Legal settlements pursued by the Department of Justice, the Department of Housing and Urban Development, the banking regulators and the states made sure that people have a fighting chance against deep-pocketed multi-national corporations.

And yes, to correct this massive wrongdoing required that Bank of America, JPMorgan Chase, Citigroup, Ally Financial and others pay fines. Some of those fines supported non-profit agencies who knew how to get banks to respond to homeowners and follow the law. The funds supported legal aid attorneys who knew how to ensure the banking doing the eviction actually had a right to the property. When lenders foreclose on the wrong people, or lie about their ownership of a mortgage, there should be consequences.

When we require banks to fund housing counseling and legal aid agencies, we leveled the playing field. We realized it was unfair to require each individual person to figure out the unresponsive, complicated and too often predatory home mortgage market on their own.

I oppose gutting initiatives to help homeowners, small business owners and families do battle with global corporations who have defrauded them out of their home or business, polluted their water or land or harmed their health.

Therefore I will oppose H.R. 5063.

I urge my colleagues to do the same.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute, recommended by the Committee on the Judiciary, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 5063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Settlement Slush Funds Act of 2016”.

SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO SETTLEMENT AGREEMENTS TO WHICH THE UNITED STATES IS A PARTY.

(a) **LIMITATION ON REQUIRED DONATIONS.**—An official or agent of the Government may not enter into or enforce any settlement agreement on behalf of the United States, directing or providing for a payment to any person or entity other than the United States, other than a payment that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or constitutes payment for services rendered in connection with the case.

(b) **PENALTY.**—Any official or agent of the Government who violates subsection (a), shall be subject to the same penalties that would apply in the case of a violation of section 3302 of title 31, United States Code.

(c) **EFFECTIVE DATE.**—Subsections (a) and (b) apply only in the case of a settlement agreement concluded on or after the date of enactment of this Act.

(d) **DEFINITION.**—The term “settlement agreement” means a settlement agreement resolving a civil action or potential civil action.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114-724. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-724.

Mr. CONYERS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after “settlement agreement” the following: “(other than an excepted settlement agreement)”.

Page 4, strike line 1, and insert the following:

(d) **DEFINITIONS.**—In this Act:

(1) The term “excepted settlement agreement” means a settlement agreement that resolves a civil action or potential civil action in relation to discrimination based on race, religion, national origin, or any other protected category.

(2) The term “settlement agreement”

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from the legislation settlement agreements that provide payments to third parties as general relief for violations of title VII of the Civil Rights Act of 1964.

Title VII prohibits discrimination in employment on the basis of race, color, sex, religion, or national origin. Plaintiffs in employment discrimination cases typically seek payment and other relief for economic losses that result from unlawful employer conduct. These cases often involve multiple victims who are subjected to the same widespread discriminatory employment practice or policy that violate the Civil Rights Act. They also tend to affect the interests of persons who are not parties to the civil action or who are otherwise unlikely to receive compensation for unlawful conduct.

Given the often systemic nature of discriminatory conduct, settlement agreements should be able to provide relief for non-identifiable victims through such means as requiring payments to address generalized harm or to prevent future discriminatory acts. Examples include workplace monitoring and training programs. Nevertheless, H.R. 5063 would prohibit these types of payment remedies unless they provide restitution for actual harm directly and proximately caused by the party making the payment.

At last month’s hearing on the bill, Professor David Uhlmann of the University of Michigan Law School testified that this requirement would potentially preclude all third-party payments and settlement agreements other than restitution to identifiable victims. The majority’s own witness, our former colleague, Daniel Lungren, who previously served as California State Attorney General, concurred. He observed that the bill prohibits the United States Government from entering into a settlement agreement that requires a defendant to donate to an organization or individual who is not a party to the litigation.

I am concerned that the bill’s broad and ill-defined prohibition would effectively deter civil enforcement agencies from providing general relief in discrimination cases, would discourage courts from enforcing these settlements, and would invite costly and needless litigation concerning these

provisions. Accordingly, my amendment would accept payments to remediate generalized harms in settlement agreements in this important category of civil rights cases.

I am indebted to and thank my colleagues: the gentleman from Georgia, who is leading this opposition to the measure—the ranking member of the Committee on Regulatory Reform, Commercial and Antitrust Law—as well as the gentleman from New York, Congressman MEEKS, for co-sponsoring this amendment. I urge its support.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment would exempt certain discrimination settlements from the bill’s ban on third-party payments, but nothing in the underlying bill prevents a victim of discrimination from obtaining relief. The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who were wrongly and proximately harmed by the defendant’s wrongdoing; nor does the bill preclude wider conduct remedies used in discrimination cases. Nothing in the bill bars the Department of Justice, for example, from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work to third parties that might be friendly with a given administration.

I also say to the gentleman from Michigan that former Congressman Dan Lungren of California, a distinguished former colleague of ours on the House Judiciary Committee, was instrumental in helping us move this legislation forward and is a supporter of the legislation, notwithstanding the comments of the gentleman’s that might confuse people as to what his position was. He strongly supports this legislation.

Mr. Chairman, I yield back the balance of my time.

□ 1500

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-724.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after "settlement agreement" the following: "(other than an excepted settlement agreement)".

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term "excepted settlement agreement" means a settlement agreement that pertains to the protection of the privacy of Americans.

(2) The term "settlement agreement"

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, my amendment would exempt settlement agreements that strengthen the personal privacy of Americans from the blanket prohibition in this legislation. More specifically, it would preserve the ability of civil enforcement agencies to compel large corporations to adopt programs to protect consumer data.

Under this bill, these agencies would be prohibited from reaching settlement agreements that provide payments to nongovernmental parties. It would only exempt payments to provide restitution for actual harm directly and proximately caused by the party making the payment. As a result, H.R. 5063 would potentially prohibit payments for required monitoring and other payments for generalized harm due to privacy breaches.

As Professor David Uhlmann of the University of Michigan Law School pointed out during the subcommittee hearing for this bill, it could "preclude all third-party payments in settlement agreements, other than restitution to identifiable victims."

This is particularly problematic in the consumer privacy context where the harms may be diffuse or systemic. In such instances, the most appropriate remedy may involve prescribing steps that effectively prevent future misconduct rather than ones that focus exclusively on addressing previous faults. For instance, the Federal Trade Commission has used its authority under Section 5(a) of the FTC Act to resolve complaints involving unfair or deceptive practices.

As part of settlement agreements for these complaints, the FTC typically requires the offending party to adopt a series of preventative privacy measures. These requirements usually include employee training and monitoring requirements, third-party audit-

ing, regular testing of privacy control and procedures, and other reasonable steps to maintain data security practices consistent with the underlying settlement.

These steps are not frivolous, and the payments involved are not opaque contributions to any so-called slush funds. To the contrary, these programs are carefully tailored to protect consumer privacy. Such agreements are an important and substantive component of the toolbox that enforcement agencies have at their disposals. But under the terms of H.R. 5063, these programs would be likely prohibited since they do not provide restitution to an identifiable victim or a party to the litigation.

The majority claims that their bill would allow for monitoring, but that is unclear in the language and, at best, would have to be litigated by the courts. Moreover, any monitoring allowed by this language would be done by the very defendant paying restitution in these cases, which defies best practices, especially in privacy cases.

In cases of data breaches, in which it is frequently impossible to identify all victims of a leak, it is common to put funds into victim relief funds or consumer privacy funds, which would be prohibited by this legislation as well.

My amendment would simply ensure that these agreements, which protect the privacy of American consumers, are not endangered by this bill's vague and broad prohibition on payments in settlement agreements.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I oppose this amendment. The amendment would exempt settlement agreements pertaining to the protection of Americans' privacy, but nothing in the underlying bill prevents victims of a privacy invasion from obtaining relief.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing, nor does the bill preclude wider conduct remedies used in privacy cases.

Nothing in the bill bars DOJ from requiring a defendant to implement measures to strengthen privacy. The ban on third-party payments merely ensures that the defendant remains responsible for performing these privacy-strengthening tasks and is not forced to outsource set sums for the work to third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, with increased opportunities for private organizations to obtain, maintain, and disseminate sensitive private information of citizens, it is critical that we not prevent or delay enforcement of consumer protection laws designed to protect Americans' privacy rights.

As Professor David Uhlmann of Michigan Law noted during the hearing on H.R. 5063, this measure "fails to adequately address the fact that generalized harm arises in civil cases," including cases brought under consumer protection laws under section 5 of the Federal Trade Commission Act.

H.R. 5063 only exempts payments to parties other than the government to provide restitution for actual harm "directly and proximately caused by the party making the payment." Congress has expressly granted authority to the Federal Trade Commission, however, to resolve complaints against corporations for unfair or deceptive acts or practices under section 5 of the FTC Act.

As part of resolving potential civil liability of corporations for unlawful conduct, FTC settlement agreements typically require parties to address generalized harms of unlawful conduct by adopting a privacy program, employee training and monitoring requirements, third-party auditing, regular testing of privacy controls and procedures, and other reasonable steps to maintain security practices consistent with the underlying settlement.

The protection of Americans' privacy is not a Democratic or a Republican issue. Indeed, it is one of the few that those across the political spectrum have long embraced, including my friends on the other side of the aisle. Yet, notwithstanding these shared concerns, this bill could impose burdensome requirements on settlement agreements that are intended to protect privacy.

I voice my support for the amendment.

The Acting CHAIR. The time of the gentleman from Rhode Island has expired.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-724.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after "settlement agreement" the following: "(other than an excepted settlement agreement)".

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term "excepted settlement agreement" means a settlement agreement that pertains to providing restitution for a State.

(2) The term "settlement agreement"

The Acting CHAIR. Pursuant to House Resolution 843, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I want to, again, reiterate that words do matter. The naming of this bill, unfortunately, skews and distorts a legitimate right that agencies in litigation have.

In particular, I want to take note of the fact, again—I think it is always important to set the record straight—that the settlement donations have been 1.1 percent of \$23.5 billion, that a government-independent entity has indicated that these settlements are lawful. The sledgehammer effect that has been taken in order to ensure that we stop victims, innocent persons from getting some relief is unbelievable.

So the Jackson Lee amendment No. 3 would address the problematic concern with H.R. 5063, which would only exempt payments to third parties to provide restitution for actual harm directly and proximately caused by the party making the payment.

The Jackson Lee amendment No. 3 would carve out an additional exemption to enable States to act as third-party actors with the ability to remedy generalized harm for mass injuries where the actual party responsible for directly or proximately causing the harm is there.

For example, the Jackson Lee amendment No. 3 would allow for States, such as Texas and other Gulf Coast States, to address the environmental harms resulting in settlement agreements to impacted parties such as those harmed by a variety of man-made disasters.

I urge adoption of this particular amendment because, again, it would provide an opportunity for States to remediate generalized harm of unlawful conduct beyond harms to identifiable victims.

I believe, in particular, the bill here that we have would ban the following

entirely legitimate, appropriate uses of SEP funds that are currently permitted by EPA: pollution prevention projects that improve plant procedures and technologies and/or operation and maintenance practices that will prevent additional pollution at its source.

I ask my colleagues to support the amendment.

Mr. Chair, the Jackson Lee Amendment No. 3 exempts from H.R. 5063 settlement agreements that pertain to providing restitution for a State.

Mr. Chair, H.R. 5063, as currently drafted, is flawed and misguided.

This bill seeks to exempt only those payments to parties other than the government to provide restitution for actual harm "directly and proximately caused by the party making the payment."

Mr. Chair, I urge adoption of the Jackson Lee Amendment No. 3 which seeks to address the additional case exception for those instances where funds are directed to states to remediate the generalized harm of unlawful conduct beyond harms to identifiable victims.

One clear example of where such an exemption is needed is concerning the Deepwater Horizon Settlement agreements directing payments to states as third parties for general remediation of harms.

Under current law, the Environmental Protection Agency (EPA) may include Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to undertake an environmentally beneficial project or activity that is not required by law, but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In 2012, the EPA and Justice Department resolved the civil liability of MOEX Offshore through a settlement agreement resulting from the Deepwater Horizon oil spill, that included funds to several Gulf states, including Texas, where Texas was not party to the complaint, but received \$3.25 million for SEPs and other responsive actions.

Professor Joel Mintz of Nova Southeastern University College of Law, a former chief attorney with the EPA, noted in his written statement on H.R. 5063, that the proposed bill would prohibit these agreements.

That is, many of the important benefits now provided by EPA's SEPs program would be excluded by H.R. 5063.

The bill's definition, according to Professor Mintz, excludes "any payment by a party to provide restitution for or otherwise remedy the actual harm (including to the environment), directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement."

As such, this exception is too narrowly drawn to allow for numerous beneficial uses of SEP monies.

Thus, for example, the bill would appear to ban the following entirely legitimate, appropriate uses of SEP funds that are currently permitted by EPA:

Pollution prevention projects that improve plant procedures and technologies, and/or operation and maintenance practices, that will prevent additional pollution at its source;

Environmental restoration projects including activities that protect local ecosystems from

actual or potential harm resulting from the violation;

Facility assessments and audits, including investigations of local environmental quality, environmental compliance audits, and investigations into opportunities to reduce the use, production and generation of toxic materials;

Programs that promote environmental compliance by promoting training or technical support to other members of the regulated community; and

Projects that provide technical assistance or equipment to a responsible state or local emergency response entity for purposes of emergency planning or preparedness.

Each of these types of programs provide important protections of human health and the environment in communities that have been harmed by environmental violations.

However, because they are unlikely to be construed as redressing "actual (environmental) harm, directly and proximately caused" by the alleged violator, the bill before this committee would prohibit every one of them.

The Jackson Lee Amendment No. 3 would eliminate this harmful prohibition by implementing a common sense exception for these very types of cases.

Accordingly, I urge my colleagues to support the Jackson Lee Amendment No. 3.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would exempt settlements providing restitution to a State, but that is unnecessary. Nothing in the underlying bill prevents States that have been wronged from obtaining restitution. The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing, which would include States.

If there is no State that is a true victim, the defendant is not let off the hook. It still must pay. But in the absence of direct victims, the money goes to the U.S. Treasury. That is appropriate because if the State is not a direct victim, accountable Representatives in Congress, not agency bureaucrats, should decide whether the State should receive money recovered by the Federal Government.

Accordingly, I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, quite the contrary to my dear friend, this bill is unclear. It is not clear. So victims are impacted positively by environmental restoration projects, including activities to protect local ecosystems, facility assessments and audits, including investigations of local environmental quality, programs that promote environmental compliance, projects that provide technical assistance or equipment.

Each of these types of programs provide important protections of human health and the environment in communities that have been harmed by environmental violations and others.

It is not clear whether or not these kinds of projects or programs that the State may be able to utilize are, in fact, able to be utilized in this legislation. That is why I offer amendment No. 3.

Again, I will raise the terrible headline of victims having to pay \$700,000. Let's not make victims pay by this underlying bill, H.R. 5063. Let's support the Jackson Lee amendment that takes into consideration the victims who need to be compensated and provide a pathway for restoration.

I urge my colleagues to support the Jackson Lee amendment No. 3.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time to say, again, that direct victims, like the one that the gentlewoman has cited, in a terrible case are not in any way affected by this legislation because they can be compensated.

It is the reappropriating of funds, if you will, to people who are not in any way harmed by the underlying lawsuit that is our complaint because those dollars should be coming to the U.S. Treasury to be appropriated by the people's elected Representatives here in the House of Representatives.

For that reason, I oppose this legislation, and I urge my colleagues to join me in opposing this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-724.

Ms. JACKSON LEE. Mr. Chairman, I have amendment No. 4 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after "settlement agreement" the following: "(other than an excepted settlement agreement)".

Page 4, strike line 1, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term "excepted settlement agreement" means a settlement agreement that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the workplace.

(2) The term "settlement agreement"

The Acting CHAIR. Pursuant to House Resolution 843, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, again, as I have indicated, there are victims that are not in the purview or even in the eyesight of this legislation that will be harmed by this legislation.

The Jackson Lee amendment No. 4 would address the problematic concern with H.R. 5063, which would only provide an exemption for payments to parties, other than the government, to provide restitution for actual harm directly and proximately caused by the party making the payment. The Jackson Lee amendment would provide an exemption for cases where funds are necessary to remedy generalized harm, other than for restitution, to specific or immediately identifiable victims.

In particular, Jackson Lee amendment No. 4 would allow the Federal Government to engage with third parties that help carry out settlement agreements—again, settlement agreements—dollars that are under the purview of the settlement and that are minute in distribution, indicated 1.1 percent, in furtherance of resolution of the civil action or potential civil action in specific relation to sexual harassment, violence, or discrimination in the workplace.

□ 1515

Jackson Lee amendment No. 4 would carve out this additional exception to protect such actions and the ability to provide the mediators or other third parties to intervene on behalf of civil action litigants.

It is clear that we have had a number of civil rights violations in this country. We are not yet through with overcoming discrimination in many aspects of life, particularly in workplace discrimination.

For instance, in the settlement of an EEOC sexual harassment case of female laundry workers, a consent decree resolving the case provides that in addition to paying \$582,000, Suffolk Laundry will adopt new procedures to prevent sexual harassment and will train its managers and staff on identifying and preventing sexual harassment and retaliation. The policies and staff training will be available in Spanish. EEOC will monitor Suffolk Laundry's compliance with these obligations and title VII of the Civil Rights Act of 1964 for a period of 4 years.

Because of this consent decree, these women will receive due compensation for the abuse they suffered; and there is confidence, with the consent decree in place and the conditions of that consent decree, that no more employees will be victimized in the future.

In another example of an EEOC sex discrimination lawsuit—and so there will be those that will help implement this settlement—the Cintas Corporation settled to pay \$1.5 million. The corporation entered into a further agreement: to hire an outside expert to reevaluate the criteria used to screen,

interview, and select employees and the interview guides used in employee hiring; to provide training to the individuals involved in the selection of employees, whereby such training would cover record retention and an explanation of what constitutes an unlawful employment practice under title VII; to continue to provide diversity, harassment, and antidiscrimination training annually to employees; to post a notice informing employees that Federal law prohibits discrimination; and to report to EEOC over an approximate 28-month period information and materials on training programs, recruiting logs, descriptions, and explanations for any changes.

I would argue the point that this helps to promote the antidiscrimination necessary to correct the pathway that some have found their way in. The Jackson Lee amendment No. 4 would create an appropriate exemption to the absolute block and prohibition that the underlying legislation provides.

Mr. Chair, the Jackson Lee Amendment No. 4 exempts from H.R. 5063 settlement agreements that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the workplace.

Mr. Chair, H.R. 5063 as currently drafted is flawed and misguided.

This bill seeks to exempt only those payments to parties other than the government to provide restitution for actual harm "directly and proximately caused by the party making the payment."

A few months ago we saw that the Justice Department filed a federal civil rights lawsuit against the state of North Carolina and other parties declaring North Carolina House Bill 2's restroom restriction unlawfully discriminatory.

Attorney General Loretta Lynch stated that this complaint was about "a great deal more than just bathrooms."

She explained:

"This is about the dignity and respect we accord our fellow citizens and the laws that we, as a people and as a country, have enacted to protect them—indeed, to protect all of us. And it's about the founding ideals that have led this country—haltingly but inexorably—in the direction of fairness, inclusion and equality for all Americans."

Enforcing these rights is as important today as they were during the enactment of the Civil Rights Act over fifty years ago.

H.R. 5063 would prohibit remediation of generalized harm in civil rights cases, restricting relief for non-parties to the litigation and non-identifiable victims of discrimination.

Professor David Uhlmann observed during last month's hearing on this bill "fails to adequately address the fact that generalized harm arises in civil cases," including cases involving "harm to our communities . . . that cannot be addressed by restitution."

In these cases, Professor Uhlmann concluded, third-party payments are appropriate.

Yet, the Majority witness, Daniel Lungren, specifically testified on behalf of the Chamber that the bill should prohibit "the U.S. government from entering into a settlement agreement requiring a defendant to donate to an organization or individual not a party to the litigation."

The Jackson Lee Amendment No. 4 would remedy this flaw by creating an exception to cases where settlement funds are directed to the remediation of generalized harm other than restitution to identifiable victims.

For instance, in the settlement of an EEOC sexual harassment case of female laundry workers and a consent decree resolving the case provides that:

In addition to paying \$582,000, Suffolk Laundry will adopt new procedures to prevent sexual harassment and will train its managers and staff on identifying and preventing sexual harassment and retaliation.

The policies and staff training will be available in Spanish.

EEOC will monitor Suffolk Laundry's compliance with these obligations and Title VII of the Civil Rights Act of 1964 for a period of four years.

Because of this consent decree, these women will receive due compensation for the abuse they suffered and, there is confidence, with the consent decree in place and the conditions of that consent decree, that no more employees will be victimized in the future.

In another example of an EEOC sex discrimination lawsuit where Cintas Corporation settled to pay \$1.5 million, the corporation entered into a further agreement:

To hire an outside expert to revalidate the criteria used to screen, interview and select employees and the interview guides used in employee hiring.

To provide training to the individuals involved in the selection of employees, whereby such training would cover record retention and an explanation of what constitutes an unlawful employment practice under Title VII.

To continue to provide diversity, harassment and antidiscrimination training annually to employees.

To post a notice informing employees that federal law prohibits discrimination, and to report to EEOC over an approximate 28-month period information and materials on training programs; recruiting logs; descriptions and explanations for any changes made to the employee hiring process; its expert revalidation findings; unprivileged materials and reports from any audits made of a facility's employee hiring or recruitment methods or practices, should an audit be done; record retention and reporting on applicant data.

According to EEOC General Counsel, David Lopez, the injunctive relief obtained provides confidence and a strong foundation for eliminating barriers in recruiting and hiring women and will prevent the reoccurrence of this type of situation.

The Jackson Lee Amendment No. 4 would have a direct impact on these very types of cases by providing an exception to cases where funds are directed to the remediation of generalized harm, as highlighted in the above agreements that falls within the category of other than direct restitution to the identifiable victims.

Accordingly, I urge adoption of the Jackson Lee Amendment No. 4.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would exempt settlements resolving workplace sexual harassment, violence, or discrimination; but nothing in the underlying bill prevents victims of workplace harassment, violence, or discrimination from obtaining relief.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who were directly and proximately harmed by the defendant's wrongdoing. Nor does the bill preclude wider conduct remedies used in discrimination cases.

Nothing in the bill debars the Department of Justice from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work of two third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I think the chairman of the Committee on the Judiciary just answered, this is a political bill. If an independent entity in the settlement wants to retain an entity to help train, to help provide information, to speak Spanish, why is that prohibited?

My amendment says there should be an affirmative affirmation through an exemption that this is not disallowed because specifically what they are trying to go to is blocking the particular settlement and the parties from making an informed decision as to who would best implement the settlement; and if that required funding to do so to an entity that may happen to be a civil rights group, an NAACP, an Urban League, La Raza, then it seems that my friends on the other side of the aisle want to make sure that those organizations' storied histories in civil rights does not get a chance to help improve and to eliminate sexual harassment, workplace harassment, workplace discrimination, sexual violence, none of these things.

I can't, for the life of me, understand why the Jackson Lee amendment No. 4 would not be an acceptable affirmation that it is all right for these corporations to engage with other entities that can do the job better than them.

Let's work together to eliminate discrimination in America once and for all, and let's work together so that we don't read any more headlines like the Aurora, Colorado, headline victims, where they were told to pay \$700,000 back to the theater. I am appalled, and I think none of us would agree with that.

I ask my colleagues to support the Jackson Lee amendment No. 4. It is right for justice and equality.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

The fact of the matter is that the principle here of making sure that when the Department of Justice goes and extracts settlement payments from defendants in lawsuits brought against them is spent to directly compensate the victims is what this legislation is all about. We want to see them compensated.

We also want to make sure that if they are not harmed by this, it doesn't matter who they are. It could be a Republican administration and their favored groups may be a whole different list of organizations that might be sitting there at the door hoping to be able to get some money from the Federal trough by simply applying to a Federal prosecutor or a Federal bureaucrat instead of going through the process that the United States Constitution requires, and that is that Article I of the Constitution says the Congress shall appropriate funds. If the funds are not to go to people directly harmed, they should come to the General Treasury; and the Congress itself, the people's elected representatives in the people's House, should appropriate the funds as they believe is most appropriate.

Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-724.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

(e) SPECIAL RULE FOR ATTORNEY FEES IN ENVIRONMENTAL CASES.—In the case of a settlement agreement which is permissible under subsection (a), and which directs or provides for payment for services rendered in connection with a case relating to the environment, the settlement agreement may not provide for payment of attorney fees in excess of \$125 per hour.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will prevent the abuse of Justice Department settlements to line the pockets of environmental lawyers.

The Gosar amendment caps settlement payments for attorneys' fees provided in relation to environmental cases at \$125 per hour. The Equal Access to Justice Act, EAJA, already contains a fee cap of \$125 per hour for attorney fees. Unfortunately, EAJA also contains a loophole that allows specialized attorneys to violate that cap without explicitly defining who meets this standard. The result has been the rampant abuse of this loophole by environmental groups who routinely argue that their lawyers are specialized and can therefore violate the cap. Furthermore, the Endangered Species Act does not contain this cap.

As a report by the Congressional Working Group on the Endangered Species Act explains: "The effect is large, deep-pocketed environmental groups with annual revenues well over \$100 million are reaping taxpayer reimbursements from a law intended for the 'little guy.'"

"These groups—and their lawyers—are making millions of taxpayer dollars by suing the Federal Government, being deemed the 'prevailing party' by Federal courts, and being awarded fees either through settlement with DOJ or by courts.

"According to the documents provided by DOJ, some attorneys representing nongovernmental entities have been reimbursed at rates as much as \$500 per hour, and at least two lawyers have each received over \$2 million in attorneys' fees from filing ESA cases."

Perhaps most egregious, many of these lawsuits are not even litigated. These attorneys are raking in these ridiculously high fees by filing and settling. This has massively incentivized the "sue and settle" tactics that have become all too common in these types of cases.

Again, U.S. Code section 504, subsection (b)(1) already caps attorney fees at \$125 per hour. My amendment simply closes the loophole that environmental groups use to violate this cap and charge inordinate attorney fees at taxpayer expense.

Similar legislation has been introduced in the past, including the Endangered Species Litigation Reasonableness Act, introduced by Representative HUIZENGA. As Representative HUIZENGA accurately stated in April of 2015: "The goal of the Endangered Species Act is to enhance wildlife preservation, not line the pockets of trial attorneys with taxpayer dollars. Every taxpayer dollar spent on litigation is a dollar that could have been spent protecting the environment."

This amendment is endorsed by the Americans for Limited Government, the American Conservative Union, Family Farm Alliance, the Motorcycle Industry Council, National Rural Electric Cooperative Association, the Recreational Off-Highway Vehicle Association, the Specialty Vehicle Institute of America, Taxpayers Protection Alliance, the U.S. Chamber of Commerce, and the Arizona Farm Bureau.

I commend the chairman and the committee for their efforts on this legislation and for recognizing that the settlement process is in desperate need of reform.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would limit the ability of the prevailing party to receive reasonable attorneys' fees for services rendered in connection with a settlement agreement.

Where citizens, through a private enforcement action, hold the government or a private party accountable, Congress has authorized payments for reasonable attorneys' fees.

Bringing meritorious claims to hold corporate wrongdoing accountable is often time consuming and expensive. In many cases, Congress has already authorized reasonable attorneys' fees specifically to encourage these types of lawsuits to ensure a level playing field and an accessible justice system.

This amendment would limit these fees to outdated rates—\$125 an hour; that is ridiculous—and that will discourage citizens from bringing these important lawsuits. Accordingly, I encourage my colleagues to oppose this amendment.

I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Committee on the Judiciary.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding.

The Stop Settlement Slush Funds Act of 2016 is intended to bolster Congress' Article I institutional authority over all types of cases, not to carve out special rules for particular categories of cases. Attorneys' fee issues are not the focus of the bill and would be better addressed by separate legislation.

I commend the gentleman from Arizona for his concern about the abuse that he has cited, but this amendment could also have significant, unintended adverse consequences. First and foremost, it could hinder the ability of small businesses challenging government overreach to obtain representation. This could occur, for example, in Fifth Amendment takings cases, many of which involve the environment.

Indeed, fee recoveries under the Equal Access to Justice Act, although often abused by environmental NGOs, as was cited by the gentleman from Arizona, were originally intended to go to small businesses and other small entities to help them sue against overreaching government action. The problem he cites needs to be addressed, but not here. Accordingly, I urge my colleagues to oppose the amendment.

Mr. GOSAR. Mr. Chairman, first of all, I would like to agree with the chairman on his analysis of the Equal Access to Justice Act. It has been abused. As I mentioned before, environmental groups with well over \$100 million in annual revenues are using the law intended to protect the little guy to siphon money from the American taxpayers. That is why my amendment is so important. By closing this loophole, we can uphold the intent of the law and ensure its continued efficacy.

Furthermore, line 15 of the Stop Settlement Slush Funds Act contains a carve-out for environmental litigation. My amendment is, therefore, both germane and critical to preventing attorneys in these environmental lawsuits from using the currently existing loophole to charge upwards of \$500 per hour for their service.

As my colleague Representative HUIZENGA has perviously pointed out, every dollar spent on litigation is a dollar that cannot go to protecting or restoring the environment.

I also want to make clear that my amendment does nothing to prohibit groups from engaging in litigation or to prohibit repayments for their legal fees. The \$125 cap already exists in current law. My amendment simply closes the loophole that environmental groups have used to exceed that cap.

Once again, I would like to thank my colleagues for their efforts on this important issue. I encourage the passage of the Gosar amendment.

Mr. Chairman, I yield back the balance of my time.

□ 1530

Mr. JOHNSON of Georgia. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. TOM PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-724.

Mr. TOM PRICE of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

(e) REPORTS ON SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the head of each Federal agency shall submit electronically to the Congressional Budget Office a report on each settlement agreement entered into by that agency during that fiscal year that directs or provides for a payment to a person or entity other than the United States that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment, or constitutes payment for services rendered in connection with the case, including the parties to each settlement agreement, the source of the settlement funds, and where and how such funds were and will be distributed.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

(3) SUNSET.—This subsection shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Georgia (Mr. TOM PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. TOM PRICE of Georgia. Mr. Chairman, let me first commend Chairman GOODLATTE for his work on the underlying bill. I want to thank him and the staff of the Judiciary Committee for their support and assistance on crafting this and the following amendment. I also want to thank the chairman, staff, and members of the Rules Committee for their help as well.

This amendment, Mr. Chairman, requires the head of each Federal agency to provide an annual electronic report to the Congressional Budget Office of any settlement agreements entered into by an official or agency during the previous year, consistent with the limitations of the underlying bill, H.R. 5063.

This annual submission to CBO is critical to ensure the transparency of these settlements and to provide Congress an opportunity to obtain the information on these from the agencies. Further, with this information, CBO can begin building a database of these settlements, which is essential for Congress to track and to monitor the size and number of these agreements made by the Federal Government.

I should point out that it also includes language to ensure that no additional funds are appropriated for this administrative reporting requirement to make certain that the amendment has no budgetary impact. I want to also state, finally, that this amendment includes a 7-year sunset provision

to comply with the House's CutGo provision.

I want to once again thank the chairman of the Judiciary Committee.

Mr. Chair, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I support this amendment. It would require Federal agencies to submit reports electronically to the Congressional Budget Office on settlement agreements into which they enter. The amendment's electronic reporting requirement would help alert Congress to problem settlements, is efficient, and would aggregate information in one place, which would aid oversight. Accordingly, I urge my colleagues to support this valuable amendment.

Mr. Chair, I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Chairman, I want to thank the chairman once again. I urge adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. TOM PRICE). The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. TOM PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-724.

Mr. TOM PRICE of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

(a) ANNUAL AUDIT REQUIREMENT.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the Inspector General of each Federal agency shall submit a report to the Committees on the Judiciary, on the Budget and on Appropriations of the House of Representatives and the Senate, on any settlement agreement entered into in violation of this section by that agency.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

The Acting CHAIR. Pursuant to House Resolution 843, the gentleman from Georgia (Mr. TOM PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. TOM PRICE of Georgia. Mr. Chairman, this is the sister or cousin amendment to the one just adopted by the House, and it requires the inspector

general of each Federal agency to provide an annual report to the House and Senate Committees on the Judiciary, Appropriations, and the Budget concerning any settlement agreements that may violate section 2(a) of H.R. 5063.

The previous amendment identified all those settlements made consistent with H.R. 5063, and this is a report that would be required that would identify those settlements outside the agreements under H.R. 5063.

This information is vital to help ensure that the Federal agencies are not usurping Congress' power of the purse by continuing past practices and to confirm Federal agencies are fulfilling the requirements of the underlying bill. It also includes, once again, language to ensure that no additional funds are appropriated for the administrative reporting requirement and makes sure that it is budget-neutral.

I urge the adoption of the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I support this amendment. It is another good amendment by the chairman of the Budget Committee, who has not only a great appreciation for the issues involved here, but has been very constructive and helpful in supporting this underlying legislation.

This amendment would require agency inspectors general to report to Congress annually any settlement agreements that violate the provisions of this bill. This audit requirement would aid enforcement, both by deterring agency noncompliance and by ensuring noncompliance is reported back to Congress, so it can be addressed.

Accordingly, I thank Chairman PRICE for his thoughtful amendment and for working with me on it. The amendment improves the bill, and I urge my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Chairman, once again, I thank the Chairman for his support and for his assistance in this, and I urge adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. TOM PRICE). The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will

now resume on those amendments printed in House Report 114-724 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CONYERS of Michigan.

Amendment No. 2 by Mr. CICILLINE of Rhode Island.

Amendment No. 4 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. GOSAR of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 234, not voting 19, as follows:

[Roll No. 483]

AYES—178

Adams	Deutch	Larsen (WA)
Aguilar	Dingell	Larson (CT)
Bass	Doggett	Lawrence
Beatty	Doyle, Michael	Lee
Becerra	F.	Levin
Bera	Edwards	Lewis
Beyer	Ellison	Lipinski
Bishop (GA)	Engel	Loebsack
Blumenauer	Eshoo	Lofgren
Bonamici	Esty	Lowenthal
Boyle, Brendan	Farr	Lowe
F.	Foster	Lujan Grisham
Brady (PA)	Frankel (FL)	(NM)
Brownley (CA)	Fudge	Lujan, Ben Ray
Bustos	Gabbard	(NM)
Butterfield	Gallo	Lynch
Capps	Garamendi	Maloney,
Capuano	Gibson	Carolyn
Cárdenas	Graham	Maloney, Sean
Carney	Grayson	Matsui
Carson (IN)	Green, Al	McCollum
Cartwright	Green, Gene	McDermott
Castor (FL)	Grijalva	McGovern
Castro (TX)	Gutiérrez	McNerney
Chu, Judy	Hahn	Meeks
Cicilline	Hastings	Meng
Clark (MA)	Heck (WA)	Moore
Clarke (NY)	Higgins	Moulton
Clay	Himes	Murphy (FL)
Cleaver	Hinojosa	Nadler
Clyburn	Honda	Napolitano
Cohen	Hoyer	Neal
Connolly	Huffman	Nolan
Conyers	Israel	Norcross
Costa	Jackson Lee	O'Rourke
Courtney	Jeffries	Pallone
Crowley	Johnson (GA)	Pascarell
Cuellar	Johnson, E. B.	Payne
Cummings	Kaptur	Pelosi
Davis (CA)	Keating	Perlmutter
Davis, Danny	Kelly (IL)	Pingree
DeFazio	Kennedy	Pocan
DeGette	Kildee	Polis
Delaney	Kilmer	Price (NC)
DeLauro	Kind	Quigley
DelBene	Kirkpatrick	Rangel
Dent	Kuster	Rice (NY)
DeSaulnier	Langevin	Richmond

Roybal-Allard	Sherman
Ruiz	Sires
Ruppersberger	Slaughter
Ryan (OH)	Smith (WA)
Sánchez, Linda	Speier
T.	Swalwell (CA)
Sarbanes	Takano
Schakowsky	Thompson (CA)
Schiff	Thompson (MS)
Schrader	Titus
Scott (VA)	Tonko
Scott, David	Torres
Serrano	Tsongas
Sewell (AL)	Van Hollen

NOES—234

Abraham	Griffith
Aderholt	Grothman
Allen	Guinta
Amash	Guthrie
Amodei	Hanna
Ashford	Hardy
Babin	Harper
Barletta	Harris
Barr	Hartzler
Barton	Heck (NV)
Benish	Hensarling
Bilirakis	Herrera Beutler
Bishop (MI)	Hice, Jody B.
Bishop (UT)	Hill
Black	Holding
Blackburn	Hudson
Blum	Huelskamp
Bost	Huizenga (MI)
Brady (TX)	Hultgren
Brat	Hunter
Bridenstine	Hurd (TX)
Brooks (AL)	Hurt (VA)
Brooks (IN)	Issa
Buchanan	Jenkins (KS)
Buck	Jenkins (WV)
Bucshon	Johnson (OH)
Burgess	Jolly
Byrne	Jones
Carter (GA)	Jordan
Carter (TX)	Joyce
Chabot	Katko
Chaffetz	Kelly (MS)
Coffman	Kelly (PA)
Cole	King (IA)
Collins (GA)	King (NY)
Collins (NY)	Kinzing (IL)
Comstock	Kline
Conaway	Knight
Cook	Labrador
Cooper	LaHood
Costello (PA)	LaMalfa
Cramer	Lamborn
Crawford	Lance
Crenshaw	Latta
Culberson	LoBiondo
Curbelo (FL)	Long
Davidson	Love
Davis, Rodney	Lucas
Denham	Luetkemeyer
DeSantis	Lummis
Diaz-Balart	MacArthur
Dold	Marchant
Donovan	Marino
Duffy	Massie
Duncan (SC)	McCarthy
Duncan (TN)	McCaul
Ellmers (NC)	McClintock
Emmer (MN)	McHenry
Farenthold	McKinley
Fincher	McMorris
Fitzpatrick	Rodgers
Fleischmann	McSally
Fleming	Meadows
Flores	Meehan
Forbes	Messer
Fortenberry	Mica
Fox	Miller (FL)
Franks (AZ)	Miller (MI)
Frelinghuysen	Moolenaar
Garrett	Mooney (WV)
Gibbs	Mullin
Gohmert	Mulvaney
Goodlatte	Murphy (PA)
Gosar	Neugebauer
Gowdy	Newhouse
Granger	Noem
Graves (GA)	Nunes
Graves (LA)	Olson
Graves (MO)	Palmer

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Titus
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Boustany	Lieu, Ted	Rush
Brown (FL)	Loudermilk	Sanchez, Loretta
Calvert	Nugent	Sinema
Clawson (FL)	Palazzo	Stivers
DesJarlais	Reichert	Westmoreland
Duckworth	Rokita	
Johnson, Sam	Ross	

□ 1558

Messrs. RATCLIFFE, WOODALL, FITZPATRICK, and ASHFORD changed their vote from “aye” to “no.”

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 236, not voting 20, as follows:

[Roll No. 484]

AYES—175

Adams	DeGette	Johnson, E. B.
Aguilar	Delaney	Kaptur
Bass	DeLauro	Keating
Beatty	DelBene	Kelly (IL)
Becerra	DeSaulnier	Kennedy
Bera	Deutch	Kildee
Beyer	Dingell	Kilmer
Bishop (GA)	Doggett	Kind
Blumenauer	Doyle, Michael	Kirkpatrick
Bonamici	F.	Kuster
Boyle, Brendan	Duncan (TN)	Langevin
F.	Edwards	Larsen (WA)
Brady (PA)	Ellison	Larson (CT)
Brownley (CA)	Engel	Lawrence
Bustos	Eshoo	Lee
Butterfield	Esty	Levin
Capps	Farr	Lewis
Capuano	Foster	Lipinski
Cárdenas	Frankel (FL)	Loebsack
Carney	Fudge	Lofgren
Carson (IN)	Gabbard	Lowenthal
Cartwright	Gallo	Lowe
Castor (FL)	Gibson	Lujan Grisham
Castro (TX)	Graham	(NM)
Chu, Judy	Grayson	Lujan, Ben Ray
Cicilline	Green, Al	(NM)
Clark (MA)	Green, Gene	Lynch
Clarke (NY)	Grijalva	Maloney,
Clay	Gutiérrez	Carolyn
Cleaver	Hahn	Maloney, Sean
Clyburn	Hastings	Matsui
Cohen	Heck (WA)	McCollum
Connolly	Higgins	McDermott
Conyers	Himes	McGovern
Costa	Hinojosa	McNerney
Courtney	Honda	Meeks
Crowley	Hoyer	Meng
Cuellar	Huffman	Moore
Cummings	Israel	Moulton
Davis (CA)	Jackson Lee	Murphy (FL)
Davis, Danny	Jeffries	Napolitano
DeFazio	Johnson (GA)	Neal

Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger

NOES—236

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy

Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)

Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Mullin
Mulvaney
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)

Webster (FL)
Westrup
Westerman
Westmoreland
Williams

Bishop (MI)
Boustany
Brown (FL)
Calvert
Clawson (FL)
Cole
DesJarlais

NOT VOTING—20

Duckworth
Guthrie
Johnson, Sam
Lieu, Ted
Nugent
Palazzo
Reichert

Ross
Rush
Sanchez, Loretta
Scott, David
Sinema
Wittman

□ 1603

So the amendment was rejected.
The result of the vote was announced as above recorded.

Stated against:

Mr. WITTMAN. Mr. Chair, on rollcall No. 484, I was unavoidably detained. Had I been present, I would have voted “no.”

Mr. GUTHRIE. Mr. Chair, on rollcall No. 484, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 235, not voting 18, as follows:

[Roll No. 485]

AYES—178

Adams
Aguiar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Ciocline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly

Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson

Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry

O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)

NOES—235

Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant

Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Shuster	Trott	Westmoreland	Garrett	Luetkemeyer	Sanford	McKinley	Rangel	Speier
Simpson	Turner	Williams	Gibbs	Lummis	Scalise	McNerney	Reed	Stivers
Smith (MO)	Upton	Wilson (SC)	Gibson	Marchant	Schweikert	Meehan	Renacci	Swalwell (CA)
Smith (NE)	Valadao	Wittman	Gohmert	Marino	Scott, Austin	Meeks	Ribble	Takano
Smith (NJ)	Wagner	Womack	Gosar	McCarthy	Sensenbrenner	Meng	Rice (NY)	Thompson (CA)
Smith (TX)	Walberg	Woodall	Gowdy	McCauley	Sessions	Mica	Richmond	Thompson (MS)
Stefanik	Walden	Yoder	Granger	McClintock	Shuster	Miller (MI)	Rigell	Thornberry
Stewart	Walker	Yoho	Graves (GA)	McHenry	Simpson	Moolenaar	Roby	Tiberi
Stivers	Walorski	Young (AK)	Graves (LA)	McMorris	Smith (MO)	Moore	Rogers (AL)	Titus
Stutzman	Walters, Mimi	Young (IA)	Graves (MO)	Rodgers	Smith (NE)	Moulton	Rogers (KY)	Tonko
Thompson (PA)	Weber (TX)	Young (IN)	Guthrie	McSally	Smith (TX)	Murphy (FL)	Rooney (FL)	Torres
Thornberry	Webster (FL)	Zeldin	Harris	Meadows	Smith (WA)	Nadler	Ros-Lehtinen	Trott
Tiberi	Wenstrup	Zinke	Hartzler	Messer	Stefanik	Napolitano	Roskam	Tsongas
Tipton	Westerman		Hensarling	Miller (FL)	Stewart	Neal	Roybal-Allard	Turner
			Herrera Beutler	Mooney (WV)	Stutzman	Nolan	Royce	Upton
			Hice, Jody B.	Mullin	Thompson (PA)	Norcross	Ruiz	Valadao
			Hudson	Mulvaney	Tipton	Nunes	Ruppersberger	Van Hollen
			Huelskamp	Murphy (PA)	Wagner	O'Rourke	Russell	Vargas
			Hultgren	Neugebauer	Walberg	Pallone	Ryan (OH)	Veasey
			Hunter	Newhouse	Walden	Pascarell	Sánchez, Linda	Vela
			Jenkins (WV)	Noem	Walker	Payne	T.	Velázquez
			Jones	Olson	Walorski	Pelosi	Sarbanes	Visclosky
			Jordan	Palmer	Weber (TX)	Perlmutter	Schakowsky	Walters, Mimi
			Kelly (MS)	Paulsen	Webster (FL)	Peters	Schiff	Walz
			Kelly (PA)	Pearce	Wenstrup	Peterson	Schrader	Wasserman
			King (IA)	Perry	Westerman	Pingree	Scott (VA)	Schultz
			King (NY)	Pitts	Westmoreland	Pittenger	Scott, David	Waters, Maxine
			Knight	Pompeo	Williams	Pocan	Serrano	Watson Coleman
			Labrador	Price, Tom	Wittman	Poe (TX)	Sewell (AL)	Welch
			LaHood	Ratcliffe	Woodall	Poliquin	Sherman	Wilson (FL)
			LaMalfa	Rice (SC)	Yoder	Polis	Shimkus	Wilson (SC)
			Lamborn	Roe (TN)	Yoho	Posey	Sires	Womack
			Latta	Rohrabacher	Young (AK)	Price (NC)	Slaughter	Yarmuth
			Long	Rokita	Young (IA)	Quigley	Smith (NJ)	
			Loudermilk	Rothfus	Young (IN)			
			Love	Rouzer	Zeldin			
			Lucas	Salmon	Zinke			

NOT VOTING—18

Boustany	Duckworth	Rangel
Brooks (AL)	Hurt (VA)	Reichert
Brown (FL)	Johnson, Sam	Ross
Calvert	Lieu, Ted	Rush
Clawson (FL)	Nugent	Sanchez, Loretta
DesJarlais	Palazzo	Sinema

□ 1608

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HURT of Virginia. Mr. Chair, I was not present for rollcall vote No. 485 On Agreeing to the Jackson Lee of Texas Amendment No. 4 to H.R. 5063, the Stop Settlement Slush Funds Act of 2016. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. CALVERT. Mr. Chair, on rollcall votes 481, 482, 483, 484, and 485, I was unable to vote as I was detained in my congressional district to attend the funeral of a dear friend. Had I been present, I would have voted “yes” on rollcall votes 481, and 482. Had I been present, I would have voted “no” on rollcall votes 483, 484, and 485.

AMENDMENT NO. 5 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 262, not voting 14, as follows:

[Roll No. 486]

AYES—155

Abraham	Brooks (AL)	Cramer
Allen	Buck	Crawford
Amodeli	Bucshon	Culberson
Babin	Burgess	Davidson
Barletta	Byrne	DeSantis
Barr	Calvert	Donovan
Barton	Carter (GA)	Duffy
Benishke	Carter (TX)	Duncan (SC)
Bishop (UT)	Chabot	Duncan (TN)
Black	Chaffetz	Emmer (MN)
Blackburn	Coffman	Farenthold
Blum	Collins (GA)	Fleischmann
Brady (TX)	Collins (NY)	Fleming
Brat	Comstock	Flores
Bridenstine	Cook	Franks (AZ)

NOES—262

Adams	DeFazio	Honda
Aderholt	DeGette	Hoyer
Aguilar	Delaney	Huffman
Amash	DeLauro	Huizenga (MI)
Ashford	DelBene	Hurd (TX)
Bass	Denham	Hurt (VA)
Beatty	Dent	Israel
Becerra	DeSaulnier	Issa
Bera	Deutch	Jackson Lee
Beyer	Diaz-Balart	Jeffries
Bilirakis	Dingell	Jenkins (KS)
Bishop (GA)	Doggett	Johnson (GA)
Bishop (MI)	Dold	Johnson (OH)
Blumenauer	Doyle, Michael	Johnson, E. B.
Bonamici	F.	Jolly
Bost	Edwards	Joyce
Boyle, Brendan	Ellison	Kaptur
F.	Ellmers (NC)	Katko
Brady (PA)	Engel	Keating
Brooks (IN)	Eshoo	Kelly (IL)
Brownley (CA)	Esty	Kennedy
Buchanan	Farr	Kildee
Bustos	Fincher	Kilmer
Butterfield	Fitzpatrick	Kind
Capps	Forbes	Kinzinger (IL)
Capuano	Fortenberry	Kirkpatrick
Cárdenas	Foster	Kline
Carney	Fox	Kuster
Carson (IN)	Frankel (FL)	Lance
Cartwright	Frelinghuysen	Langevin
Castor (FL)	Fudge	Larsen (WA)
Castro (TX)	Gabbard	Larson (CT)
Chu, Judy	Gallego	Lawrence
Ciavarella	Garamendi	Lee
Clark (MA)	Goodlatte	Levin
Clarke (NY)	Graham	Lewis
Clay	Grayson	Lipinski
Cleaver	Green, Al	LoBiondo
Clyburn	Green, Gene	Loebach
Cohen	Griffith	Lofgren
Cole	Grijalva	Lowenthal
Conaway	Grothman	Lowey
Connolly	Guinta	Lujan Grisham
Conyers	Gutiérrez	(NM)
Cooper	Hahn	Luján, Ben Ray
Costa	Hanna	(NM)
Costello (PA)	Hardy	Lynch
Courtney	Harper	MacArthur
Crenshaw	Hastings	Maloney,
Crowley	Heck (NV)	Carolyn
Cuellar	Heck (WA)	Maloney, Sean
Cummings	Higgins	Massie
Curbelo (FL)	Hill	Matsui
Davis (CA)	Himes	McCollum
Davis, Danny	Hinojosa	McDermott
Davis, Rodney	Holding	McGovern

NOT VOTING—14

Boustany	Johnson, Sam	Ross
Brown (FL)	Lieu, Ted	Rush
Clawson (FL)	Nugent	Sanchez, Loretta
DesJarlais	Palazzo	Sinema
Duckworth	Reichert	

□ 1612

Mr. ROTHFUS changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5063) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, and, pursuant to House Resolution 843, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. MENG. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MENG. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Meng moves to recommit the bill H.R. 5063 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 11, insert after "settlement agreement" the following: "(except as provided in subsection (e))".

Add at the end of the bill the following:

(e) EXCEPTION FOR A SETTLEMENT AGREEMENT THAT SAVES LIVES AND REDUCES HEALTHCARE COSTS.—The provisions of this Act do not apply in the case of a settlement agreement that reduces the cost of life-saving medical devices through the enforcement of the antitrust laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York is recognized for 5 minutes.

Ms. MENG. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

The purpose of my motion is simple. It says that the restrictions in the underlying bill do not apply to settlement agreements that ultimately result in lower prices for lifesaving medical devices.

Mr. Speaker, Americans are hurting across this country. Far too often, there have been companies that have sought to profit off of the most vulnerable among us through monopoly-like action and power.

When that happens, Mr. Speaker, particularly when it comes to medical devices, it is the Federal Government's role to ensure that consumers are protected, to ensure that all Americans have access to devices they need, particularly when it is a matter of life and death.

In my opinion, we have to look no further than the actions of the maker of EpiPens, the device every parent of a child with severe allergies is aware of. When a child goes into shock, this is the device that will save his or her life.

Unfortunately, EpiPen's maker, Mylan, has chosen to systematically inflate its profits over the past several years without reinvesting those profits for further business activities such as research and development. Instead, we have seen CEO pay raised astronomically, and quarterly profits skyrocket, all off the backs of vulnerable Americans.

This is wrong. It is so wrong that we have taken notice of these actions, and

Congress is investigating whether or not violations of antitrust law have occurred with respect to Mylan. If we find that it has, and DOJ or another government agency agrees, let's not hamstring the settlement that may ultimately be reached with Mylan.

Clearly, we are not the jurors in this case, and we are not structuring the terms of any eventual, possible deal. But let's not preclude the agencies seeking to protect us from reaching a deal that may solve problems for Americans in need, a deal that may actually reduce the cost of lifesaving medical devices.

Mr. Speaker, I urge support for this motion.

I yield back the balance of my time.

Mr. MARINO. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Speaker, I yield myself such time as I may consume.

Nothing in this bill interferes with antitrust settlement. Nothing. The bill goes to Congress' constitutional power. That is why every Member of Congress should oppose this motion to recommit.

I say this because it targets legislation designed exclusively to strengthen Congress. Serious people on both sides of the aisle understand the importance of Congress' spending power.

A major theme of the Speaker's A Better Way Initiative is that the spending power is one of Congress' most effective tools in reining in executive overreach. Liberal legal scholar Abner Mikva agrees:

To ensure that Congress would act as the first branch of government, the constitutional Framers gave the legislature virtually exclusive power to control the Nation's purse strings. They knew that the power of the purse was the most far-reaching and effectual of all governmental powers.

This motion stems from a misunderstanding of the governing principle of this bill, which is simply this: DOJ's authority to settle cases requires the ability to obtain redress for actual victims—actual victims. However, once direct victims have been compensated, deciding what to do with additional funds extracted from defendants becomes a policy question properly decided by elected representatives in Congress, not agency bureaucrats or prosecutors.

The Framers assigned this job to Congress. It is in everyone's interest to preserve the careful balance of our Framers' wisely struck constitutional issues. If you believe in checks and balances, oppose the motion and support this bill. If you believe that effective congressional oversight of the executive branch is important, oppose this motion and support this bill. If you believe that Congress' ability to rein in executive overreach will be important

in future administrations, oppose this motion and support this bill.

I urge my colleagues to defend Congress' institutional interest by opposing this motion.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Ms. MENG. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 181, yeas 234, not voting 16, as follows:

[Roll No. 487]

AYES—181

Adams	Engel	Maloney,
Aguilar	Eshoo	Carolyn
Ashford	Esty	Maloney, Sean
Bass	Farr	Matsui
Beatty	Foster	McCollum
Becerra	Frankel (FL)	McDermott
Bera	Fudge	McGovern
Beyer	Gabbard	McNerney
Bishop (GA)	Gallego	Meeks
Blum	Garamendi	Meng
Blumenauer	Graham	Moore
Bonamici	Green, Al	Moulton
Boyle, Brendan	Green, Gene	Murphy (FL)
F.	Grijalva	Nadler
Brady (PA)	Gutiérrez	Napolitano
Brownley (CA)	Hahn	Neal
Bustos	Hastings	Nolan
Butterfield	Heck (WA)	Norcross
Capps	Higgins	O'Rourke
Capuano	Himes	Pallone
Cárdenas	Hinojosa	Pascarell
Carney	Honda	Payne
Carson (IN)	Hoyer	Pelosi
Cartwright	Huffman	Perlmutter
Castor (FL)	Israel	Peters
Castro (TX)	Jackson Lee	Peterson
Chu, Judy	Jeffries	Pingree
Ciulline	Johnson (GA)	Pocan
Clark (MA)	Johnson, E. B.	Polis
Clarke (NY)	Jones	Price (NC)
Clay	Kaptur	Quigley
Cleaver	Keating	Rangel
Clyburn	Kelly (IL)	Rice (NY)
Cohen	Kennedy	Richmond
Connolly	Kildee	Roybal-Allard
Conyers	Kilmer	Ruiz
Costa	Kind	Ruppersberger
Courtney	Kirkpatrick	Ryan (OH)
Crowley	Kuster	Sánchez, Linda
Cuellar	Langevin	T.
Cummings	Larsen (WA)	Sarbanes
Davis (CA)	Larson (CT)	Schakowsky
Davis, Danny	Lawrence	Schiff
DeFazio	Lee	Schrader
DeGette	Levin	Scott (VA)
Delaney	Lewis	Scott, David
DeLauro	Lipinski	Serrano
DelBene	Loeb	Sewell (AL)
DeSaulnier	Loeb	Sherman
Deutch	Lofgren	Sires
Dingell	Lowenthal	Slaughter
Doggett	Lowe	Smith (WA)
Doyle, Michael	Lujan Grisham	Speier
F.	(NM)	Swalwell (CA)
Duncan (TN)	Lujan, Ben Ray	Takano
Edwards	(NM)	Thompson (CA)
Ellison	Lynch	Thompson (MS)

Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey

Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine

Watson Coleman
Welch
Wilson (FL)
Yarmuth

Ross
Rush

Sanchez, Loretta
Sinema

Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg

Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson

NOT VOTING—16

Boustany
Brown (FL)
Clawson (FL)
DesJarlais
Duckworth

Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Reichert
Rokita
Donovan
Duffy
Duncan (SC)
Duncan (TN)

□ 1627

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FRANKS of Arizona. Mr. Speaker, on rollcall No. 487, had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 174, not voting 16, as follows:

[Roll No. 488]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)

Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)

Kinzing (IL)
Kline
Knight
Labrador
LaHood
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
McRodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nunes
Olson
Palmer
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Becerra
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Bishop (GA)
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Boyle, Brendan
F.
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Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
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Clyburn
Cohen
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Conyers
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Crowley
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Delaney
DeLauro
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DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Edwards
Ellison
Engel
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Esty
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Foster
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Gabbard
Gallego

Garamendi
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Grayson
Green, Al
Green, Gene
Grijalva
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Hastings
Heck (WA)
Higgins
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Hinojosa
Honda
Hoyer
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Israel
Jackson Lee
Jeffries
Johnson (GA)
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Lawrence
Lee
Levin
Lewis
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
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Murphy (FL)
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Duckworth

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Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmuter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
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Ruppersberger
Ryan (OH)
Sanchez, Linda
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Scott, David
Serrano
Sewell (AL)
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Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

□ 1635

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

MR. SESSIONS. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of September 9, 2016, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (S. 2040) to deter terrorism, provide justice for victims, and for other purposes.

THE SPEAKER pro tempore (Mr. COLLINS of New York). Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF CONFeree ON S. 2012, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2016

THE SPEAKER pro tempore. Without objection, the Chair appoints the following conferee on S. 2012 to fill the vacancy caused by the resignation of Representative Whitfield of Kentucky:

Mr. KINZINGER of Illinois.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

THE SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EXPRESSING SUPPORT FOR THE TERRITORIAL INTEGRITY OF GEORGIA

MR. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 660) expressing the sense of the House of Representatives to support the territorial integrity of Georgia.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 660

Whereas since 1993, the sovereignty and territorial integrity of Georgia have been reaffirmed by the international community in all United Nations Security Council resolutions on Georgia;

Whereas the Government of Georgia has pursued a peaceful resolution of the conflict

with Russia over Georgia's territories of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas principle IV of the Helsinki Final Act of 1975 states that, "The participating States will respect the territorial integrity of each of the participating States. Accordingly, they will refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State, and in particular from any such action constituting a threat or use of force . . . and participating States will likewise refrain from making each other's territory the object of military occupation.";

Whereas the Charter of the United Nations states that, "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state.";

Whereas the recognition by the Government of the Russian Federation of Abkhazia and Tskhinvali region/South Ossetia on August 26, 2008, was in violation of the sovereignty and territorial integrity of Georgia and contradicting principles of Helsinki Final Act of 1975, the Charter of the United Nations as well as the August 12, 2008, Ceasefire Agreement;

Whereas the United States-Georgia Charter on Strategic Partnership, signed on January 9, 2009, underscores that "support for each other's sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations.";

Whereas according to the Government of Georgia's "State Strategy on Occupied Territories", the Government of Georgia has committed itself to a policy of peaceful engagement, the protection of economic and human rights, freedom of movement, and the preservation of cultural heritage, language, and identity for the people of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas the August 2008 war between the Russian Federation and Georgia resulted in civilian and military casualties, the violation of the sovereignty and territorial integrity of Georgia, and large numbers of internally displaced persons;

Whereas the annual United Nations General Assembly Resolution on the "Status of Internally Displaced Persons and Refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia", recognizes the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, as well as their property rights, remains unfulfilled;

Whereas the Russian Federation is building barbed wire fences and installing, so-called "border signs" and other artificial barriers along the occupation line and depriving the people residing within the occupied regions and in the adjacent areas of their fundamental rights and freedoms, including, but not limited to the freedom of movement, family life, education in their native language, and other civil and economic rights;

Whereas the August 12, 2008, Ceasefire Agreement, agreed to by the Governments of the Russian Federation and Georgia—

(1) provides that all troops of the Russian Federation shall be withdrawn to pre-war positions;

(2) provides that free access shall be granted to organizations providing humanitarian assistance in regions affected by the violence in August 2008; and

(3) launched the Geneva International Discussions between Georgia and the Russian Federation;

Whereas, on November 23, 2010, Georgian President Saakashvili declared before the European Parliament that "Georgia will never use force to restore its territorial integrity and sovereignty.";

Whereas, on March 7, 2013, the bipartisan Resolution of the Parliament of Georgia on Basic Directions of Georgia's Foreign Policy confirmed "Georgia's commitment for the non-use of force, pledged by the President of Georgia in his address to the international community from the European Parliament in Strasbourg on November 23, 2010.";

Whereas, on June 27, 2014, in the Association Agreement between Georgia and the European Union, Georgia reaffirmed its commitment "to restore its territorial integrity in pursuit of a peaceful and lasting conflict resolution, of pursuing the full implementation of" the August 12, 2008, ceasefire agreement;

Whereas despite the unilateral legally binding commitment to the non-use of force pledged by the Georgian Government, the Russian Federation still refuses to reciprocate with its own legally binding non-use of force pledge;

Whereas the European Union Monitoring Mission (EUMM) is still denied access to the occupied regions of Abkhazia and the Tskhinvali region/South Ossetia, despite the fact that its mandate covers the whole territory of Georgia within its internationally recognized borders;

Whereas the Russian Federation continues to enhance its military bases illegally stationed in occupied regions of Abkhazia and the Tskhinvali region/South Ossetia without the consent of the Government of Georgia or a mandate from the United Nations or other multilateral organizations;

Whereas the Russian Federation continues the process of aggression carried out against Georgia since the early 1990s and occupation of Georgia's territories following the August 2008 Russia-Georgia War;

Whereas the Russian Federation's policy vis-à-vis Georgia and the alarming developments in the region illustrate that Moscow does not accept the independent choice of sovereign states and strives for the restoration of zones of influence in the region, including through the use of force, occupation, factual annexation, and other aggressive acts; and

Whereas the United States applied the doctrine of non-recognition in 1940 to the countries of Estonia, Latvia, and Lithuania, and every Presidential administration of the United States honored this doctrine until independence was restored to those countries in 1991: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the policy, popularly known as the "Stimson Doctrine", of the United States to not recognize territorial changes effected by force, and affirms that this policy should continue to guide the foreign policy of the United States;

(2) condemns the military intervention and occupation of Georgia by the Russian Federation and its continuous illegal activities along the occupation line in Abkhazia and Tskhinvali region/South Ossetia;

(3) calls upon the Russian Federation to withdraw its recognition of Georgia's territories of Abkhazia and the Tskhinvali region/South Ossetia as independent countries, to refrain from acts and policies that undermine the sovereignty and territorial integrity of Georgia, and to take steps to fulfill

all the terms and conditions of the August 12, 2008, Ceasefire Agreement between Georgia and the Russian Federation;

(4) stresses the necessity of progress on core issues within the Geneva International Discussions, including a legally binding pledge from Russia on the non-use of force, the establishment of international security arrangements in the occupied regions of Georgia, and the safe and dignified return of internally displaced persons and refugees to the places of their origin;

(5) urges the United States Government to declare unequivocally that the United States will not recognize the *de jure* or *de facto* sovereignty of the Russian Federation over any part of Georgia, its airspace, or its territorial waters, including Abkhazia and the Tskhinvali region/South Ossetia under any circumstances;

(6) urges the United States Administration to deepen cooperation with Georgia in all areas of the United States-Georgia Charter on Strategic Partnership, including Georgia's advancement towards Euro-Atlantic integration;

(7) urges the United States Administration to place emphasis on enhancing Georgia's security through joint military trainings and providing self-defensive capabilities in order to enhance Georgia's independent statehood and national sovereignty; and

(8) affirms that a free, united, democratic, and sovereign Georgia is in the long-term interest of the United States as it promotes peace and stability in the region.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. POE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade, and he is the author of this measure.

Mr. POE of Texas. I thank the chairman of the committee and the ranking member for their support on this legislation.

Mr. Speaker, I was in Georgia in 2008 when the Russians invaded that sovereign country and took one-fifth of their nation away from them. I saw the Russian tanks on the hill, and, unfortunately, many years later, those Russian tanks are still on the hills of Georgia.

Russia is a cancer in the area. It is trying to infiltrate countries in the region, trying to spread its propaganda and conquering ideas to the former Soviet Republics. Russian troops maintain a stranglehold on the occupied territories of Georgia. Russians have forced ethnic Georgians to leave and

have forbidden everyone who still lives there from speaking the Georgian language or from traveling to Georgia. The illegal Russian occupation of Georgia is not a simple matter of territory—it is an attack on ideas; it is an assault on the very freedoms and liberties that are God given.

Georgia is a small and young democracy despite the rough neighborhood that it lives in—surrounded by corrupt dictators, including Russia. In fact, over the past 25 years, Georgia has become the freest nation in the region. It has championed good governance, economic reform, and democracy while combating corruption and ensuring press freedom. This is no small achievement. I have met with the first Georgian Government and the second Georgian Government and have met with many of their officials. Mostly, I have met with the people of Georgia, and they are freedom-loving individuals.

Georgia sets up a strong contrast to the authoritarian Putin up north. Putin does not like having a beacon of freedom shining brightly from the south with his imperial aggression kingdom looking down on them. This is exactly why Putin decided to invade Georgia 8 years ago. Georgia represents the democratic potential in the region. Putin would like nothing more than to cause unrest and turmoil in Georgia, like he has done in other nations, including in Ukraine.

Georgia is a strong ally of the United States. Georgia has more troops in Afghanistan who are fighting alongside our troops than any non-NATO ally, and it has made hard reforms in order to join NATO and the European Union.

This resolution expresses our solidarity with Georgia. I am proud to be a co-chair, along with the gentleman from Virginia (Mr. CONNOLLY), of the Georgia Caucus. This resolution condemns Russia's illegal occupation of Georgian territory, and it sends a clear message to Putin that the United States will never recognize his control over any part of Georgia.

Our friends in Georgia and the region must know that the United States will not waver in its longstanding support for its allies in the face of the Napoleon of Siberia. We must be clear about our commitment to our friends. Instead of retreating from the world stage, the United States must deepen its relationships with our allies. Georgia is a valuable ally threatened by the cold Russian winds of authoritarianism. John F. Kennedy, our President 50 years ago, said that we would support any friend who believes in freedom.

It is time we step up and support the nation of Georgia. I urge my colleagues to support this important resolution and send a signal to our enemies and our friends all over the world that the United States means it when it says it will support its allies.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

I am glad that Mr. POE said, "That is just the way it is," because I agree. It is just the way it is. I agree with everything he says, and I want to thank him and Mr. CONNOLLY for their work on this very timely resolution.

Mr. Speaker, it is clear that Russian President Vladimir Putin is doing everything in his power to steamroll the efforts of the U.S. and our allies over many decades to build a Europe that is whole, free, and at peace; and we shouldn't forget that the illegal occupation of Crimea and parts of eastern Ukraine isn't the first time he has trampled on his neighbors' territorial integrity.

Last month, we marked 8 years since Russian troops moved into Georgia, where they remain to this day. Now, I believe keeping Georgia out of NATO in 2008 was a terrible mistake, and, indeed, then-President Medvedev cited the alliance's failure to put out the welcome mat for Georgia as a signal that Russia needed to push across the border.

□ 1645

Yet, even with its sovereignty fractured for eight years, Georgia will soon write another chapter in its history of freedom and democracy by holding parliamentary elections.

We went to a celebration—and, I believe Mr. POE was there—celebrating the 25th anniversary of freedom from communism by Georgia. Your heart really has to go out to the Georgian people and what they have been able to accomplish under very, very adverse circumstances.

Georgia was a part of the Soviet Union for so many years. It was clear that they didn't wish to be, but they were forced to be. Then when the Soviet Union collapsed, Georgia, of course, was an independent country and declared so, but that wasn't good enough for Mr. Putin.

So the resolution we are considering today reaffirms the commitment of the United States to our partners in Georgia. We believe that Georgia's territorial integrity should be restored, just as with Ukraine. We do not recognize Russia's occupation of parts of that country as legitimate, and we never will. I think we have to state that again. The Russian occupation of parts of Georgia is illegal, and Georgia should remain whole and free, and the Russians ought to get out.

We view Georgia's democracy and vibrant society as a beacon in an increasingly challenging part of the world, and we continue to believe that the door should be open to Georgia to work with us. I continue to believe that the door should remain open to Georgia for both NATO and the EU membership.

I am glad to support this resolution. I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, since it regained its independence back in 1991 with the collapse of the Soviet Empire at the time, Georgia has repeatedly proven that it is indeed a strong partner of the United States.

Russian President Vladimir Putin is trying to sever our connection in order to reestablish Russia's domination over Georgia. That is part of the problem here. Ever since he came to power in 2000, President Putin has pursued an aggressive policy toward Georgia that has included economic coercion, armed conflict, and occupation of the regions of Abkhazia and South Ossetia. This is similar to his ongoing campaign, frankly, against Ukraine where Russia has annexed Crimea outright.

President Putin has these territorial ambitions in Georgia as well and is promoting separatist forces in Abkhazia and in South Ossetia with the ultimate goal of annexing those regions outright or in all but name. In fact, Russia has already formally recognized these two regions as independent countries.

As part of that effort, Russia is using its enormous propaganda machine to convince the Georgian people that the U.S. and the west have abandoned them and that they have no option but to submit to Moscow and to submit to its imperial ambitions.

This strategy will soon be put to the test. It is going to be put to the test in Georgia's parliamentary elections on October 8 because Moscow is hoping that its campaign of disinformation will convince the Georgian people that they are alone and helpless and that they must give up close ties with the west or they will face greater hardship. Our broadcasts through Radio Free Europe/Radio Liberty should be an important counter to this harmful propaganda.

By voting overwhelmingly for this resolution, the House will send a powerful message that will be heard, not only throughout Georgia, but in the Kremlin as well, and that message is the United States will not accept Russia's efforts to undermine Georgia's sovereignty and their territorial integrity and that we will always remain a strong partner of this embattled democracy and of the brave Georgian people.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank Chairman ROYCE so much for his indulgence in terms of time.

I had the pleasure of going to Georgia over the recess with Congressman DUN-

CAN, and we had an incredible experience in that we saw firsthand the very thing that you are talking about with regard to the Russian occupation of nearly 20 percent of the landmass of Georgia. It is having a real-world impact in terms of a threat to that part of the region, a threat in terms of investment, and a threat in terms of further economic development to that country.

What has been, I think, impressive are the market reforms that have taken place there, the way that the economy has burgeoned as a consequence of those market reforms, but, again, the way in which the Russian threat threatens all of that in terms of the growing democratic movement, the growing economy, and the change in people's lives.

So I just want to praise the gentleman from California and thank him for bringing this resolution to the floor because I think it does make a difference in terms of a signal to that part of the world wherein people that we met with and saw firsthand are seeing the consequence of the Russian occupation.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

It is clear that Vladimir Putin has no regard for his neighbor's sovereignty, and I think we should be doing more to push back against Russia's aggression.

We also need to take every chance we get to make clear that his past bad behavior is not acceptable. Russia's illegal occupation, as we have said of Georgia, has gone on for too long. He has occupied other places as well: Moldova, Crimea, and Ukraine, which is part of Crimea. If we just let him do this, there will be no end in sight. The United States has to really be strong about this.

I am glad we are sending this message today that we stand with the people of Georgia. We want to see their country made whole again, and we will never accept Russia's illegal claims.

I am glad to support this measure. I urge my colleagues to do the same. Again, this is a bipartisan resolution because we all oppose aggression, and Abkhazia and South Ossetia should not be occupied. It should go back and be part of the rest of the country in a free and independent Georgia.

I urge my colleagues to support this measure.

I yield back the balance of my time. Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I would just close by acknowledging again and thanking Judge POE, Chairman POE, a valued member of the Foreign Affairs Committee and author of this measure, for this resolution and for his focus to see that we collectively send a clear and powerful message to the people of Georgia and to President Vladimir Putin that the U.S. is and will remain a steadfast friend of this embattled democracy.

I would also add that Judge POE's resolution comes at a crucial time because the Kremlin is trying to convince the Georgian people that we have abandoned them and that they have no choice but to submit to Moscow.

I think by passing this resolution we will send our own message. We will send a powerful message of support to the people of Georgia and ensure that, when the Georgians cast their vote in next month's parliamentary elections, they will do so confident that the American people will stand by them.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of this resolution (H. Res. 660) to support the territorial integrity of Georgia.

I want to thank my good friends and colleagues Mr. POE and Mr. CONNOLLY for introducing this excellent resolution, which condemns Russia's ongoing illegal activities along the occupation line in Abkhazia and South Ossetia.

Mr. Speaker, Russia's invasion and occupation of Georgian territory violates the Helsinki Final Act, as well as the core principles of several multilateral agreements, the Budapest Memorandum, and the United Nations Charter. The United States has not recognized Russia's illegal attempt to separate Abkhazia and South Ossetia from Georgia as legitimate in any way—and this resolution sends a powerful message that in this policy the administration has the full support of Congress.

I was in Georgia in August, 2008, arriving about two weeks after the Russian invasion. The human suffering generated by the invasion was immense, with over 192,000 people displaced and several hundred killed. Several of my constituents found themselves trapped behind Russian lines in South Ossetia—we were able to get them out with help from our very capable ambassador, John Tefft, now serving as our ambassador to Russia, and the assistance of another country's diplomatic mission.

The Russian occupation of Georgian territory is a festering sore that has not healed in the eight years that have elapsed since the invasion.

Mr. Speaker, the resolution notes: "the Russian Federation is building barbed wire fences and installing, so-called 'border signs' and other artificial barriers along the occupation line and depriving the people residing within the occupied regions and in the adjacent areas of their fundamental rights and freedoms."

Mr. Speaker, I saw this new Iron Curtain with my own eyes in July. I was in Georgia, leading the U.S. Delegation to the OSCE Parliamentary Assembly, and made a visit to what our embassy calls the occupation line with some of my congressional colleagues. We looked over Russia's fortified line from an observation platform—and what we saw reminded me of the old Soviet Union. The Russian troops came to the checkpoint and made people wait upwards of 12 hours to cross over with foodstuffs and reach people on the other side. A Russian guard used a camera to film me and the other members who were standing on the platform. Tensions were thick.

Mr. Speaker, this resolution comes at a timely moment, as Georgia prepares for its parliamentary elections in October. It reminds Georgians as they prepare to go to the polls that the U.S. supports them in their efforts to develop a sovereign, independent, and prosperous country.

I thank my good friend Mr. POE for introducing this resolution in support of Georgia and urge my colleagues to support it.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 660, expressing support for the territorial integrity of Georgia.

I want to thank the Chairman and Ranking Member for shepherding this measure through the House Foreign Affairs Committee.

I introduced this resolution with my colleague and fellow co-chair of the Congressional Caucus on Georgia, Judge TED POE.

It serves as a clear and unequivocal statement in support of the sovereign territory of Georgia and it reiterates the longstanding policy of the United States to not recognize territorial changes effected by force, as dictated by the Stimson Doctrine—established in 1932 by then Secretary of State Henry L. Stimson.

In Georgia and elsewhere in the region, Russia has committed gross violations of these principles by fomenting unrest and aiding separatist movements in the countries along its periphery.

Foundational multilateral agreements reached for the purpose of maintaining a peaceful and stable international order, such as the Helsinki Final Act of 1975 and the Charter of the United Nations, have been willfully disregarded by Russia at Putin's behest.

This resolution condemns strongly the forcible and illegal occupation of the Abkhazia and South Ossetia regions in Georgia, and calls on Russia to withdraw its troops from the territories.

Russian forces continue to harass civilian communities along the administrative boundary line and impede the right of return of internally displaced persons.

This resolution is about restoring the territorial integrity of a sovereign state and upholding the commitments and promise of the U.S.-Georgia Charter on Strategic Partnership—a framework founded on support for each other's sovereignty, the strengthening of Georgian democracy, and the Euro-Atlantic integration of Georgia.

Support for this resolution would be consistent with the recent Warsaw Summit Communique issued by the NATO Heads of State and Government on July 9, 2016 in which NATO reaffirmed its support for the territorial integrity, independence, and sovereignty of Georgia.

I would ask that my colleagues support this important and timely resolution.

The SPEAKER pro tempore (Mr. YODER). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res 660.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-REPUBLIC OF KOREA-JAPAN TRI-LATERAL RELATIONSHIP

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 634) recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 634

Whereas, on January 6, 2016, North Korea conducted its fourth nuclear test and on February 6, 2016, North Korea conducted an Intercontinental Ballistic Missile technology test, both constituting direct and egregious violations of United Nations Security Council resolutions;

Whereas each of the governments of the United States, the Republic of Korea (ROK), and Japan have condemned the tests, underscoring the importance of a strong and united international response;

Whereas the ROK President Park Geun-hye and Japan Prime Minister Shinzo Abe have agreed to work with the United States both to institute strong measures in reaction to North Korean provocations, and to prevent North Korea from becoming a nuclear weapons state;

Whereas the United States, ROK, and Japan have signed a framework to enhance information sharing called the "Trilateral Information Sharing Arrangement Concerning the Nuclear and Missile Threats Posed by North Korea";

Whereas Seoul, the capital of the Republic of Korea (ROK), is 35 miles from the Demilitarized Zone, and Japan is 650 miles from North Korea, both within reach of North Korea's weapons;

Whereas North Korea already has an estimated stockpile of nuclear material that could be converted into 13-21 nuclear weapons, with clear intentions to continue building its nuclear arsenal;

Whereas North Korea consistently conducts destabilizing domestic military drills, including firing short range missiles into the territorial waters of its neighbors;

Whereas Admiral William Gortney, Commander of the United States Northern Command has assessed on October 5, 2015, that the North Koreans "have the capability to reach the [U.S.] homeland with a nuclear weapon from a rocket" and U.S. Forces Korea Commander General Curtis M. Scaparrotti said on October 24, 2014, that North Koreans "have the capability to miniaturized the device [a nuclear warhead] at this point, and they have the technology to potentially deliver what they say they have";

Whereas the United States' deployment of the Terminal High Altitude Area Defense (THAAD) system would greatly improve the ROK's missile defense capabilities and the ability of the United States-ROK-Japan co-

operative efforts to deter North Korea's threats and provocations;

Whereas from June 20, 2016, through June 28, 2016, the United States Navy, the Japanese Maritime Self Defense Force, and the Republic of Korea Navy conducted their third biennial Pacific Dragon exercise, a trilateral event focusing on ballistic missile defense;

Whereas the Report of the United Nations Commission of Inquiry on human rights in North Korea highlights that North Korea's own citizens are starved of life's basic necessities and basic human rights;

Whereas the United Nations Office of the High Commissioner for Human Rights has established a field-based structure for assessing continued North Korean human rights violations in Seoul, with the strong support of the Governments of the United States, ROK, and Japanese governments; and

Whereas a strong United States-Republic of Korea-Japan trilateral relationship is a stabilizing force for peace and security in the region, with capabilities to combat future provocations from North Korea: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns North Korea's nuclear tests, missile launches, and continued provocations;

(2) reaffirms the importance of the United States-Republic of Korea (ROK)-Japan trilateral relationship to counter North Korea's destabilizing activities and nuclear proliferation, and to bolster regional security;

(3) supports joint military exercises and other efforts to strengthen cooperation, improve defense capabilities, and oppose regional threats like North Korea;

(4) encourages the deployment and United States-ROK-Japan coordination of regional advanced ballistic missile defense systems against North Korea's nuclear and missile threats and provocations;

(5) calls for the expansion of information and intelligence sharing and sustained diplomatic cooperation between the United States, ROK, and Japan; and

(6) underscores the importance of the trilateral relationship in tracking North Korea human rights violations and holding it accountable for its abuses against its citizens and the citizens of other countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 634, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

With North Korea's continued bellicose rhetoric and their belligerent actions, it is critical that we stand with our Korean and Japanese allies to ensure the stability of the Asia Pacific. And this resolution expresses strong support for not only increased trilateral cooperation, but for the deployment of the missile defense system, THAAD, which will be deployed late next year.

Importantly, this bill states that a strong United States-Republic of Korea-Japan trilateral relationship is a stabilizing force for peace and security in the region with capabilities to combat future provocations from North Korea. Today, with an ever more belligerent North Korea, this partnership has never been more crucial.

As we know, only weeks ago, the Kim regime test-fired a submarine-launched ballistic missile. Although the missile traveled only 310 miles in the direction of Japan, clearly Pyongyang is one step closer to being able to target any site in the Pacific. Our governments rightly stood side by side condemning this act.

Mr. Speaker, our defense cooperation with South Korea and Japan is strong, but we must remain vigilant. While there are a seemingly inexhaustible number of threats around the world, I believe Navy Admiral Harry Harris, commander of PACOM, was fundamentally correct when he identified North Korea, for now, and Kim Jong-un as the greatest immediate threat to Asia, the Pacific, and the United States.

I urge my colleagues to support our close alliances with South Korea and Japan and pass this important resolution.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure. Let me start by thanking the gentleman from Arizona (Mr. SALMON), the chair of the Subcommittee on Asia and the Pacific, for offering this resolution.

Mr. Speaker, this week the Kim regime in North Korea has again shown the world that it has no intention of abandoning its destabilizing and provocative pattern of behavior. The recent missile launches are a reminder that we must keep up the pressure on that rogue country.

I am glad President Obama and President Park of South Korea met this week about these latest tests, and I am glad they agreed that the new U.N. sanctions against Pyongyang should be fully implemented.

That meeting was a reminder that one of our best tools for dealing with North Korea is the United States-Japan-South Korea trilateral relationship. These ties allow our countries to coordinate more closely on security issues, to share intelligence more quickly and effectively, and to pack a bigger punch as we work to hold the

Kim regime in North Korea accountable for its atrocious record and dangerous record and terrible record on human rights.

I visited North Korea twice, Mr. Speaker, and I can tell you the people of that country deserve much, much better. In my view, we should be looking for ways to work even more closely with South Korea and Japan; and we need to keep up the pressure on China and Russia to do more to address the challenge of North Korea. China can put pressure on North Korea. China is the only one that can control what North Korea does, and yet all we get is lip service. It is not acceptable.

So I am glad to support this measure. It sends a message that Congress understands the value of this trilateral relationship as a cornerstone of regional stability.

I thank Chairman ROYCE, and I thank Mr. SALMON for his hard work and leadership.

I reserve the balance of my time.

□ 1700

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SALMON). He is chairman of the Foreign Affairs Subcommittee on Asia and the Pacific. He is also author of this measure, but I wanted to thank him particularly for his deep engagement in Asia on this and so many other issues as well.

Mr. SALMON. Mr. Speaker, today I rise in support of House Resolution 634, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights.

I thank Chairman ROYCE and Ranking Member ENGEL for their support of this legislation as well as all of my colleagues on both sides of the aisle for this bipartisan effort.

As we have all seen, North Korea continues its provocations, which we saw again as recently as 2 days ago, when Kim Jong-Un's regime launched three more missiles during the final day of the G20 summit. Not only did this fly in the face of multiple U.N. resolutions, but was a calculated challenge to the international order.

The administration's strategy of strategic patience with North Korea clearly has not worked. What is also clear is that we must work proactively with our allies to counter North Korean threats and nuclear proliferation.

The Republic of Korea-Japan relationship has improved dramatically in recent years as each partner has recognized the shared interests and values of the other, demonstrated by the deep and longstanding alliances each of them has with the United States. Our three nations working together as one against North Korea's threats will foster improved regional security and se-

cure fundamental human rights for the North Korean people.

I have no doubt that North Korea will continue its provocations, and we must stand firm with our allies to counter its aggression. This resolution puts forth congressional intent to bolster the trilateral relationship and offers further support for regional ballistic missile defense systems.

Our alliances with Korea and Japan are the cornerstones of peace and security in northeast Asia. We enjoy robust security with both countries, from the forward deployment of assets, to joint military exercises, to information and intelligence sharing. In fact, Korea recently elected to deploy, as Mr. ROYCE just referred to, the U.S. Terminal High Altitude Area Defense system, known as THAAD, which will support existing U.S. and Japanese assets in the region in our mission to deter North Korean aggression. In light of North Korea's ongoing nuclear tests and missile launches, it is imperative that the United States work even more closely with these allies to counter this persistent threat.

I introduced this resolution to reaffirm the importance of the trilateral relationship in this tense and unstable time. It supports regional allied responses to North Korean threats and human rights abuses, and calls for expansion of information sharing and other diplomatic relationships between our three countries.

This is a very important measure for the security of our homeland; that of our allies, Korea and Japan; and the international community at large. I encourage all Members to support this legislation.

Mr. ENGEL. Mr. Speaker, I will close now if there are no speakers on the other side. If there is a speaker, then I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished chairman for yielding and for his leadership on this issue and Ranking Member ENGEL, and especially thank Chairman SALMON for authoring this important piece of legislation.

North Korea, as we know, poses an existential threat to its neighbors and requires constant vigilance and close cooperation of regional allies. The alliance between the United States, South Korea, and Japan is vital to curtail North Korea's ever-worsening saber rattling and to ensure regional security and human rights.

A strong relationship between the region's leading democracies is also critically important to provide a balance to China's increasingly uncertain diplomacy. China subsidizes North Korea's

bad behavior, enables the torture of asylum seekers by repatriating those who escape to China in direct contravention of the Refugee Convention, which they have signed and ratified, and provides Kim Jong-Un needed currency by employing thousands of trafficked workers.

Though the U.N. Commission of Inquiry on North Korea recommended the U.N. impose targeted sanctions on the North Korean leaders responsible for massive crimes against humanity, China blocked effective U.N. actions. That is why the U.S., South Korea, and Japan must work together to identify and list those North Koreans responsible for egregious human rights abuses.

Pyongyang's enablers, abusers, and nuclear customers must be identified, and those responsible individuals for gross human rights violations ought to be held to account individually.

There is growing evidence that sanctions are having some effect. We know that high-level diplomats and military leaders are defecting, recognizing that they will be held accountable if they continue to support Kim Jong-Un's barbaric regime.

The trilateral relationship is also critically important to ensure regional security. North Korea's nuclear quest and the multiple recent tests of missile technology demonstrate again that China cannot or will not control its protege. Despite China's objections, there is need for deployment of the Terminal High Altitude Area Defense system and to conduct joint military exercises to strengthen coordination and cooperation posed by the threat of the North Korean military.

I support the resolution strongly and hope the House votes unanimously for it.

Mr. ENGEL. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. STEWART), a member of the Committee on Appropriations and the Permanent Select Committee on Intelligence.

Mr. STEWART. Mr. Speaker, I would like to thank the chairman and Mr. SALMON for letting me speak in support of this resolution. I have worked very closely over the last several years with the Embassy of Japan. I was honored, for example, to host the Deputy Ambassador last month in Utah. My parents lived for 3 years as a military family in Japan, and I remember growing up, our house was filled with Japanese art and beautiful bonsai trees. I also feel a personal connection with South Korea, where one of my sons served as a missionary for 2 years. Both Japan and South Korea are not only critical allies of the United States, but they are critical to security and to peace throughout Asia.

As a member of the House Permanent Select Committee on Intelligence, I am

reminded every day that we live in a dangerous world. On top of the list of dangerous challenges is North Korea, which is a brutal, thuggish, repressive regime that unquestionably challenges international security and stability. For example, as has been mentioned here a number of times now, we learned just within the last few weeks that three new ballistic missiles had been launched toward Japan. Unfortunately, this isn't new. Reports of similar missile launches from North Korea seem to be almost routine, and that is why this resolution is so important. Not only does it condemn North Korea's nuclear test and missile launches, it also reaffirms the importance of a strong relationship, once again, between Japan, South Korea, and the United States.

A strong relationship between our three countries is more important now than it ever has been before, as we coordinate more advanced regional ballistic missile defense systems and work to counter North Korea's destabilizing activities.

Shifting gears just a little bit, I would also like to take a moment to mention an American student, David Sneddon, who disappeared in 2004 without explanation while hiking in southwest China. He was fluent in Korean, and some respective experts have suggested that he may have been abducted by North Korea to train their intelligence operatives in English and Western culture. Recently—in fact, just last week—a news outlet in Japan reported that a North Korea defector had seen David and that he was alive, that he was teaching English in North Korea.

I have sponsored a House resolution that asks the State Department to investigate the theory that David may have been abducted by the North Korean regime, and I urge the House to vote on this important resolution. That is why this resolution that we are speaking about today is so important. It is one of the foundations that is necessary in order for us to move forward on these others. So I urge my colleagues to support House Resolution 634, as a strong United States, Japan, and South Korea relationship is critical to stopping North Korea expansion and operating as a criminal enterprise.

I thank the chairman again for letting me speak on behalf of this resolution.

Mr. ENGEL. Mr. Speaker, in closing, let me say that greater stability and security across the Asia Pacific needs to be a top priority for the United States. Our interests in the alliances in that part of the world are only growing more and more important with each passing day.

So when we see a threat like North Korea, we need to work with our partners in the region to respond. That is why our trilateral ties with South Korea and Japan are so important. This is an alliance that has under-

pinned and will continue to underpin security in Asia for years to come, and we are doing the right thing by voicing our strong support for it. I support this measure, and I ask all my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, in closing, I would just point out that as Kim Jong-Un continues to ratchet up his aggressive actions, we need to stand shoulder to shoulder with our Korean and Japanese allies, and part of this also means being more proactive in implementing the North Korea sanctions law that was passed earlier this year.

It is unacceptable that no Chinese companies have yet been sanctioned under the new law by the administration. We are working on that, but today this resolution before us sends a very strong signal that our trilateral partnership will remain a standard for security in the Asia Pacific. I urge all Members' support.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 634, expressing support for the U.S.-Republic of Korea-Japan trilateral relationship.

The United States-Republic of Korea-Japan trilateral relationship is strategically vital to countering the provocations emanating from North Korea, and this resolution provides guidance for what should be our shared priorities in addressing the threat posed by the paranoid regime in Pyongyang.

As a co-chair of the Congressional Caucus on Korea, I remain deeply concerned with the volatility and ever-present potential of conflict on the Korean Peninsula.

It is a specter that looms over 75 million Koreans and, for their sake and that of the region, the U.S., the Republic of Korea, Japan, China, and other regional stakeholders must demonstrate commitment to addressing this threat.

The Korean Peninsula is one of the most dangerous flashpoints on the globe. There have been recent developments in the North Korea saga that are profoundly troubling and deserve an immediate response from Congress.

North Korea's fourth nuclear weapons test and ongoing ballistic missile tests confirm that the regime in Pyongyang is committed to defying international norms and destabilizing the Asia-Pacific region.

This resolution, sanctions passed by Congress, the United Nations Security Council Resolution 2270, the R.O.K.'s decision to close Kaesong Industrial Complex, and the recent agreement to deploy the THAAD missile defense system to the Peninsula constitute a concerted effort to target North Korea's illicit trade networks and protect a vital U.S. ally from the illicit nuclear program that has made North Korea a world pariah.

The North Korean threat endangers the security and stability of close and valued defense treaty allies, the R.O.K. and Japan.

The U.S. has met this challenge with security assurances, military resources, deepened

economic ties, and an effort to marshal the opposition of the international community against a nuclear armed North Korea.

We must continue to demonstrate the resolve to achieve a nuclear-weapon-free Korean Peninsula.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 634, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EDUCATION FOR ALL ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4481) to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Education for All Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress.
- Sec. 3. Assistance to promote sustainable, quality basic education.
- Sec. 4. Comprehensive integrated United States strategy to promote basic education.
- Sec. 5. Improving coordination and oversight.
- Sec. 6. Monitoring and evaluation of programs.
- Sec. 7. Transparency and reporting to Congress.
- Sec. 8. Definitions.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) education lays the foundation for increased civic participation, democratic governance, sustained economic growth, and healthier, more stable societies;

(2) it is in the national interest of the United States to promote access to sustainable, quality universal basic education in developing countries;

(3) United States resources and leadership should be utilized in a manner that best ensures a successful international effort to provide children in developing countries with a quality basic education in order to achieve the goal of quality universal basic education; and

(4) promoting gender parity in basic education from childhood through adolescence serves United States diplomatic, economic, and security interests worldwide.

SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.

Section 105 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c) is amended by adding at the end the following:

“(c) ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY BASIC EDUCATION.—

“(1) POLICY.—In carrying out this section, it shall be the policy of the United States to work with partner countries, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents, to promote sustainable, quality basic education through programs and activities that, consistent with Article 26 of the Universal Declaration of Human Rights—

“(A) align with and respond to the needs, capacities, and commitment of developing countries to strengthen educational systems, expand access to safe learning environments, ensure continuity of education, measurably improve teacher skills and learning outcomes, and support the engagement of parents in the education of their children, so that all children, including marginalized children and other vulnerable groups, may have access to and benefit from quality basic education; and

“(B) promote education as a foundation for sustained economic growth and development within a holistic assistance strategy that places partner countries on a trajectory toward graduation from assistance provided under this section and contributes to improved—

- “(i) early childhood development;
- “(ii) life skills and workforce development;
- “(iii) economic opportunity;
- “(iv) gender parity;
- “(v) food and nutrition security;
- “(vi) water, sanitation, and hygiene;
- “(vii) health and disease prevention and treatment;
- “(viii) disaster preparedness;
- “(ix) conflict and violence reduction, mitigation, and prevention; and
- “(x) democracy and governance; and

“(C) monitor and evaluate the effectiveness and quality of basic education programs.

“(2) PRINCIPLES.—In carrying out the policy referred to in paragraph (1), the United States shall be guided by the following principles of aid effectiveness:

“(A) ALIGNMENT.—Assistance provided under this section to support programs and activities under this subsection shall be aligned with and advance United States diplomatic, development, and national security interests.

“(B) COUNTRY OWNERSHIP.—To the greatest extent practicable, assistance provided under this section to support programs and activities under this subsection should be aligned with and support the national education plans and country development strategies of partner countries, including activities that are appropriate for and meet the needs of local and indigenous cultures.

“(C) COORDINATION.—

“(i) IN GENERAL.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and leverage the unique capabilities and resources of local and national governments in partner countries, other donors, multilateral institutions, the private sector, and nongovernmental and civil society organizations, including faith-based organizations and organizations that represent teachers, students, and parents.

“(ii) MULTILATERAL PROGRAMS AND INITIATIVES.—Assistance provided under this section to support programs and activities under this subsection should be coordinated with and support proven multilateral education programs and financing mechanisms, which may include the Global Partnership for Education, that demonstrate commitment to efficiency, effectiveness, transparency, and accountability.

“(D) EFFICIENCY.—The President shall seek to improve the efficiency and effectiveness of assistance provided under this section to support programs and activities under this subsection by coordinating the related efforts of relevant Executive branch agencies and officials, including efforts to increase gender parity and to provide a continuity of basic education activities in humanitarian responses and other emergency settings.

“(E) EFFECTIVENESS.—Programs and activities supported under this subsection shall be designed to achieve specific, measurable goals and objectives and shall include appropriate targets, metrics and indicators that can be applied with reasonable consistency across such programs and activities to measure progress and outcomes.

“(F) TRANSPARENCY AND ACCOUNTABILITY.—Programs and activities supported under this subsection shall be subject to rigorous monitoring and evaluation, which may include impact evaluations, the results of which shall be made publically available in a fully searchable, electronic format.

“(3) PRIORITY AND OTHER REQUIREMENTS.—The President shall ensure that assistance provided under this section to support programs and activities under this subsection is aligned with the diplomatic, economic, and national security interests of the United States and that priority is given to developing countries in which—

“(A) there is the greatest need and opportunity to expand access to basic education and to improve learning outcomes, including for marginalized and vulnerable groups, particularly women and girls, or populations affected by conflict or crisis; and

“(B) such assistance can produce a substantial, measurable impact on children and educational systems.

“(4) DEFINITIONS.—In this subsection:

“(A) BASIC EDUCATION.—The term ‘basic education’ includes—

“(i) all program and policy efforts aimed at improving early childhood, preprimary education, primary education, and secondary education, which can be delivered in formal and nonformal education settings, and in programs promoting learning for out-of-school youth and adults;

“(ii) capacity building for teachers, administrators, counselors, and youth workers;

“(iii) literacy, numeracy, and other basic skills development that prepare an individual to be an active, productive member of society and the workforce; and

“(iv) workforce development, vocational training, and digital literacy that is informed by real market needs and opportunities.

“(B) PARTNER COUNTRY.—The term ‘partner country’ means a developing country that participates in or benefits from basic education programs under this subsection pursuant to the prioritization criteria described in paragraph (3), including level of need, opportunity for impact, and the availability of resources.

“(C) RELEVANT EXECUTIVE BRANCH AGENCIES AND OFFICIALS.—The term ‘relevant Executive branch agencies and officials’ means—

“(i) the Department of State, the United States Agency for International Development, the Department of the Treasury, the Department of Labor, the Department of Education, the Department of Health and Human Services, the Department of Agriculture, and the Department of Defense;

“(ii) the Chief Executive Officer of the Millennium Challenge Corporation, the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, the National Security Advisor, the Director of the Peace Corps, and the National Economic Advisor; and

“(iii) any other department, agency, or official of the United States Government that participates in activities to promote quality basic education pursuant to the authorities of such department, agency, or official or pursuant to this Act.

“(D) NATIONAL EDUCATION PLAN.—The term ‘national education plan’ means a comprehensive national education plan developed by partner country governments in consultation with other stakeholders as a means for wide-scale improvement of the country’s education system, including explicit, credible strategies informed by effective practices and standards to achieve quality universal basic education.

“(E) HIV/AIDS.—The term ‘HIV/AIDS’ has the meaning given that term in section 104A(h).

“(F) MARGINALIZED CHILDREN AND VULNERABLE GROUPS.—The term ‘marginalized children and vulnerable groups’ includes girls, children affected by or emerging from armed conflict or humanitarian crises, children with disabilities, children in remote or rural areas (including those who lack access to safe water and sanitation), religious or ethnic minorities, indigenous peoples, orphans and children affected by HIV/AIDS, child laborers, married adolescents, and victims of trafficking.

“(G) GENDER PARITY IN BASIC EDUCATION.—The term ‘gender parity in basic education’ means that girls and boys have equal access to quality basic education.

“(H) NONFORMAL EDUCATION.—The term ‘nonformal education’—

“(i) means organized educational activities outside the established formal system, whether operating separately or as an important feature of a broader activity, that are intended to serve identifiable learning clientele and learning objectives; and

“(ii) includes youth programs and community training offered by community groups and organizations.

“(I) SUSTAINABILITY.—The term ‘sustainability’ means, with respect to any basic education program that receives funding pursuant to this section, the ability of a service delivery system, community, partner, or beneficiary to maintain, over time, such basic education program.”.

SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES STRATEGY TO PROMOTE BASIC EDUCATION.

(a) STRATEGY REQUIRED.—Not later than October 1, 2016, October 1, 2021, and October 1, 2026, the President shall submit to the appropriate congressional committees a comprehensive United States strategy to promote quality basic education in partner countries by—

(1) seeking to equitably expand access to basic education for all children, particularly marginalized children and vulnerable groups; and

(2) measurably improving the quality of basic education and learning outcomes.

(b) REQUIREMENT TO CONSULT.—In developing the strategy required by subsection (a), the President shall consult with—

(1) the appropriate congressional committees;

(2) relevant Executive branch agencies and officials;

(3) partner country governments; and

(4) local and international nongovernmental organizations, including faith-based organizations and organizations representing students, teachers, and parents, and other development partners engaged in basic education assistance programs in developing countries.

(c) PUBLIC COMMENT.—The President shall provide an opportunity for public comment on the strategy required by subsection (a).

(d) INITIAL STRATEGY.—For the purposes of this section, the strategy entitled “USAID education strategy”, as in effect on the day before the date of the enactment of this Act, shall be deemed to fulfill the initial requirements of subsection (a) for 2016.

(e) ELEMENTS.—The strategy required by subsection (a) shall be developed and implemented consistent with the principles set forth in subsection (c) of section 105 of the Foreign Assistance Act of 1961 (as added by section 3 of this Act) and shall seek to—

(1) build the capacity of relevant actors in partner countries, including in government and in civil society, to develop and implement national education plans that are aligned with and advance country development strategies;

(2) identify and replicate successful interventions that improve access to and quality of education;

(3) project general levels of resources needed to achieve stated program objectives;

(4) leverage United States capabilities, including through technical assistance, training and research; and

(5) improve coordination and reduce duplication among relevant Executive branch agencies and officials, other donors, multilateral institutions, nongovernmental organizations, and governments in partner countries.

(f) ACTIVITIES SUPPORTED.—Assistance provided under section 105 of the Foreign Assistance Act of 1961 (as amended by section 3 of this Act) should advance the strategy required by subsection (a), including through efforts to—

(1) ensure an adequate supply and continued support for trained, effective teachers;

(2) design and deliver relevant curricula, uphold quality standards, and supply appropriate teaching and learning materials;

(3) build the capacity of basic education systems in partner countries by improving management practices and supporting their ability to collect relevant data and monitor, evaluate, and report on the status and quality of education services, financing, and student-learning outcomes;

(4) help mobilize domestic resources to eliminate or offset fees for educational services, including fees for tuition, uniforms, and materials;

(5) support education on human rights and conflict-resolution while ensuring that schools are not incubators for violent extremism;

(6) work with communities to help girls overcome relevant barriers to their receiving a safe, quality basic education, including by improving girls’ safety in education settings, helping girls to obtain the skills needed to find safe and legal employment upon conclusion of their education, and countering harmful practices such as child, early, and forced marriage and gender-based violence;

(7) ensure access to education for the most marginalized children and vulnerable groups, including through the provision of appropriate infrastructure, flexible learning opportunities, accelerated and second-chance classes, and opportunities that support leadership development;

(8) make schools safe and secure learning environments without threat of physical, psychological, and sexual violence, including by supporting safe passage to and from schools and constructing separate latrines for boys and girls; and

(9) support a communities-of-learning approach that utilizes schools as centers of learning and development for an entire community, to leverage and maximize the impact of other development efforts, and reduce duplication and waste.

(g) ADDITIONAL ACTIVITIES SUPPORTED FOR COUNTRIES AFFECTED BY CONFLICT AND CRISES.—In addition to the activities supported under subsection (f), assistance provided under section 105 of the Foreign Assistance Act of 1961 (as amended by section 3 of this Act) to foreign countries or those parts of the territories of foreign countries that are affected by or emerging from armed conflict, humanitarian crises, or other emergency situations may be used to support efforts to—

(1) ensure a continuity of basic education for all children through appropriate formal and nonformal education programs and services;

(2) ensure that basic education assistance of the United States to countries in emergency settings shall be informed by the Minimum Standards of the Inter-Agency Network for Education in Emergencies (“INEE Minimum Standards”);

(3) coordinate basic education programs with complementary services to protect children from physical harm, psychological and social distress, recruitment into armed groups, family separation, and abuses related to their displacement;

(4) support, train, and provide professional development for educators working in emergency settings;

(5) help build national capacity to coordinate and manage basic education during emergency response and through recovery;

(6) promote the reintegration of teachers and students affected by conflict, whether refugees or internally displaced, into educational systems; and

(7) ensure the safety of children in school, including through support for—

(A) the provision of safe learning environments with appropriate facilities, especially for girls;

(B) safe passage to and from school, including landmine awareness, the designation of schools as conflict-free zones, the adoption and support of community-owned protective measures to reduce the incidence of attacks on educational facilities and personnel by local actors, armed groups, and armed forces;

(C) out-of-school and flexible-hour education programs in areas where security conditions are prohibitive;

(D) safety plans in case of emergency with clearly defined roles for school personnel; and

(E) appropriate infrastructure, including emergency communication systems and access to mobile telecommunications with local police and security personnel.

SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.

(a) SENIOR COORDINATOR OF UNITED STATES INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There is established within the United States Agency for International Development a Senior Coordinator of United

States International Basic Education Assistance (referred to in this Act as the "Senior Coordinator"), who shall be appointed by the President.

(b) DUTIES.—

(1) IN GENERAL.—The Senior Coordinator shall have primary responsibility for the oversight and coordination of all resources and activities of the United States Government relating to the promotion of international basic education programs and activities.

(2) SPECIFIC DUTIES.—The Senior Coordinator shall—

(A) facilitate program and policy coordination of international basic education programs and activities among relevant Executive branch agencies and officials, partner governments, multilateral institutions, the private sector, and nongovernmental and civil society organizations;

(B) develop and revise the strategy required under section 4;

(C) monitor, evaluate, and report on activities undertaken pursuant to the strategy required under section 4; and

(D) establish due diligence criteria for all recipients of funds provided by the United States to carry out activities under this Act and the amendments made by this Act.

(c) OFFSET.—To offset any costs incurred by the United States Agency for International Development to carry out the establishment and appointment of a Senior Coordinator of United States International Basic Education Assistance in accordance with subsection (a), the President shall eliminate such positions within the United States Agency for International Development, unless otherwise authorized or required by law, as the President determines to be necessary to fully offset such costs.

SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.

The President shall seek to ensure that programs carried out under the strategy required under section 4 shall—

(1) apply rigorous monitoring and evaluation methodologies to focus on learning and accountability;

(2) include methodological guidance in the implementation plan and support systemic data collection using internationally comparable indicators, norms, and methodologies, to the extent practicable and appropriate;

(3) disaggregate all data collected and reported by age, gender, marital status, disability, and location, to the extent practicable and appropriate;

(4) be planned and budgeted to include funding for both short- and long-term monitoring and evaluation to enable assessment of the sustainability and scalability of assistance programs; and

(5) support the increased use and public availability of education data for improved decision making, program effectiveness, and monitoring of global progress.

SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.

(a) ANNUAL REPORT ON THE IMPLEMENTATION OF STRATEGY.—Not later than March 31 of each year through 2031, the President shall submit to the appropriate congressional committees a report on the implementation of the strategy developed pursuant to section 4 and make the report available to the public.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include—

(1) a description of the efforts made by relevant Executive branch agencies and officials to implement the strategy developed

pursuant to section 4 with a particular focus on the activities carried out;

(2) a description of the extent to which each partner country selected to receive assistance for basic education meets the priority criteria specified in subsection (c) of section 105 of the Foreign Assistance Act (as added by section 3 of this Act); and

(3) a description of the progress achieved over the reporting period toward meeting the goals, objectives, benchmarks, and timeframes specified in the strategy developed pursuant to section 4 at the program level, as developed pursuant to monitoring and evaluation specified in section 6.

SEC. 8. DEFINITIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this Act, the term "appropriate congressional committees" means—

(1) the Committee on Appropriations and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(b) OTHER DEFINITIONS.—In this Act, the terms "basic education", "partner country", "relevant Executive branch agencies and officials", "national education plan", "marginalized children and vulnerable groups", and "gender parity in basic education" have the meanings given such terms in subsection (c) of section 105 of the Foreign Assistance Act of 1961 (as added by section 3 of this Act).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset, let me thank our colleague, NITA LOWEY, the author of this measure. I very much appreciate her and her team's good work on this bill. Also, Jessica Kelch, a staff member here on the Committee on Foreign Affairs, I appreciate her efforts as well in making sure that this came to the floor.

We all recognize the importance of education for economic growth. We know the impact that it has on social mobility. We know that the overall stability around the globe is partly dependent upon this, and as Congresswoman NITA LOWEY would tell you, education raises the productivity of people. It empowers men, it empowers women to better care for themselves, better care for their families, and increases their civic participation. Even one extra year of schooling has been found to significantly increase a worker's earnings and their lifespan.

But despite widespread agreement about the benefits of education, the

fact remains that an alarming number of children worldwide are out of school. At present, over 120 million children around the globe have never attended or have dropped out of school. More than one-third of these children come from countries suffering from war and suffering from conflict. With many recent conflicts lasting well over a decade, it is easy to see how, tragically, we now have entire generations of children who are failing to receive even the most basic education.

□ 1715

Certainly, this is a humanitarian crisis. But there are clear implications for global stability and our national security as well.

What opportunities are available to children who remain out of school or leave school unable to read, write, or perform basic arithmetic? Sadly, we know these children face a greatly increased risk of abuse at the hands of traffickers, early marriage or forced marriage, and recruitment by criminal or terrorist organizations.

Nowhere is this harsh reality more clear than in Syria, where an estimated 4 million Syrian children are currently out of school. Inside Syria, these children are being shaped by violence and a lack of alternatives that place them at a high risk of exploitation and of radicalization. As refugees, they are placing tremendous pressure on the education systems of countries like Lebanon, Jordan, Turkey.

That is why I rise today in support of H.R. 4481, the Education for All Act. This bill increases direction and accountability for U.S. efforts to impose access to basic education in developing and in conflict-torn countries.

It requires the President to establish a strategy for, and report to Congress on, how the administration will work with other countries and donors on how to build that capacity and how to reduce duplication, how to measure progress, and how to replicate success in its basic education programming, especially for children affected by conflict and crisis. It also requires increased attention to some of the specific barriers to education that women and girls face.

Lastly, the bill establishes a senior coordinator within the U.S. Agency for International Development to ensure accountability and oversight across all U.S. agencies that are involved in this work.

So, again, I want to thank Representative LOWEY for her continued bipartisan leadership on this issue, as well as my committee's ranking member, Mr. ENGEL, and the chair of our Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, Mr. SMITH, for their work on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation.

Let me again thank our chairman, ED ROYCE, for his leadership; and I want to acknowledge my good friend and neighbor from New York, NITA LOWEY, who authored this bill and has long been a champion for expanding access to education not just here in the United States, but around the world.

Mr. Speaker, a recent report from the United Nations tells us that, around the world, more than 260 million young people are not in school. That is 260 million, a staggering amount. Millions more are only able to gain a substandard education.

We cannot overstate the importance of getting young people off to a good start by getting them into the classroom. Every year of primary school increases an individual's earning potential by 5 to 15 percent. More educated populations are healthier and more productive, so it is a win all the way around.

Promoting access to education isn't about helping young people reaching their potential. It is also about enhancing security and stability. For every year a young man spends in school, the likelihood of him becoming involved in violence and extremism drops by 20 percent. In places like Afghanistan and South Sudan, where roughly half of the children are not in school, we know that violent extremists and others are only too happy to provide a rotten alternative for these vulnerable young people. That is why access to basic education needs to be a foreign policy priority.

This legislation calls for a 5-year strategy for expanding opportunities for kids to go to school all over the world, especially where children are most vulnerable. It would put a new point person in charge of making sure that our efforts across government are coordinated and effective. It would place a special emphasis on monitoring and evaluation so we know we are getting the best bang for our buck when it comes to our investments in basic education.

This is a good bill that will actually help to put children in classrooms around the world, giving them a better shot at a full and successful life.

I, again, thank my friend NITA LOWEY, and I thank the chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. LOWEY), my friend and a wonderful colleague.

Mrs. LOWEY. Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL for their support and their enthusiasm for this bill.

Mr. Speaker, I rise in full support of H.R. 4481, the Education for All Act, which I introduced earlier this year with our colleague DAVID REICHERT.

Today, millions of American children are settling into new classrooms and getting back in the swing of their school routines. Despite the challenges many students and schools face, it is hard for us to imagine this time of year not being occupied with the excitement of new school supplies, teachers, and school sporting events. Unfortunately, the ability to access education at all remains a luxury in too many areas around the world. In fact, in 2014, 263 million children, adolescents, and youth were not in school. Our own U.S. Agency for International Development has reported:

The world is in the midst of a global learning crisis.

As of 2014, an estimated 25 million children were never expected to enroll in school, and 758 million adults could not read or write a simple sentence. Women and girls represent two-thirds of these staggering figures. Even daring to attend school requires taking life-threatening risk for girls in many regions.

Malala Yousafzai was shot by the Taliban in Pakistan at the age of 15 for attending school and advocating for other girls to do so. Hundreds of girls have been kidnapped by Boko Haram for seeking a basic education and still remain hostage. That is why this legislation is so critical.

The promotion of international basic education must be among our chief development priorities. Not only is it in the national security interests of the United States, it is simply the right thing to do.

The bill before us today prioritizes USAID's work with foreign governments, NGOs, and multilateral organizations to help nations develop and implement quality programs, address key barriers to school attendance, and increase completion rates for the poorest and most vulnerable children worldwide.

With a comprehensive strategy, the U.S. can lead the world in expanding access to millions of children who aren't in school and improving the quality of education for millions who are.

Measurable learning outcomes and updates to this strategy every 5 years, with feedback from local and international education and development partners, will ensure we build upon our successes to make progress toward universal education.

Additionally, the legislation strengthens Congress' role and enhances oversight of these efforts by creating a Senior Coordinator of United States International Basic Education Assistance tasked with improving coordination, monitoring the education strategy, and reporting to Con-

gress on implementation. These efforts will not only teach students the three Rs, they will ultimately help protect vulnerable children from poverty, disease, hunger, and, ultimately, extremism.

I have long said there is no greater force multiplier than education. An education is the fundamental tool with which girls and boys are empowered to increase their economic potential, improve their health outcomes, provide for their families, address cultural biases, and participate in their communities.

Children who receive a quality education also contribute to more prosperous economies and healthier, peaceful, and democratic societies. That is why the 9/11 Commission concluded that ensuring educational opportunity is essential to defeating global terrorism.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. I yield the gentlewoman an additional 2 minutes.

Mrs. LOWEY. First introduced in 2004, the bill we consider today represents many years of hard work to elevate the importance of global education, bipartisan compromise, and the support of over 30 nonprofit and advocacy organizations, including RESULTS, the Basic Education Coalition, the Global Campaign for Education, the Global Poverty Project, the Malala Fund, and many other vital partners.

So, in closing, I want to thank, again, Chairman ROYCE, Ranking Member ENGEL, and their hardworking staffs for their diligent efforts to bring the Education for All Act before the House today.

I urge immediate passage.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time to close.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

In closing, let me say that, if children around the world cannot get a basic education, it will obviously be that much harder for them to get ahead later on in life, to contribute to their economies and communities, and to deprive violent extremists of potential recruits.

I think that is an important point. At a time that we are fighting extremism, children who are uneducated are much more vulnerable to be swayed by the allure of violent extremists.

That is why we have made expanding access to education a part of our foreign policy. With this legislation, we are building on existing efforts and making sure administrations—this one and ones to come—will focus on this priority for many, many years to come.

So, again, I want to thank Chairman ROYCE for always working with me hand in hand on important measures like this in a bipartisan fashion. I want to thank Congresswoman LOWEY for

her hard work. She has been championing this for many, many years. I support this bill enthusiastically and urge all Members to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, again, want to thank NITA LOWEY and ELIOT ENGEL.

Today, more than 65 million men, women, and children around the globe have been displaced by conflict. This is the highest level of displacement on record—even more than during World War II.

It is critical that we continue to work with other countries and partners to help address the massive education deficit that so many children now face and that our efforts be as efficient and effective as possible. The Education for All Act outlines clear priorities for this work, with an emphasis on sustainability and alignment with U.S. diplomatic development and national security interests.

I urge Members to support this measure.

Again, I thank my colleagues for working on a bipartisan basis on the provisions here.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 4481, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DIGITAL GLOBAL ACCESS POLICY ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5537) to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5537

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Digital Global Access Policy Act of 2016” or the “Digital GAP Act”.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage the efforts of developing countries to improve mobile and fixed access to the internet in order to spur economic growth and job creation, improve health, education, and financial services, reduce poverty and gender inequality, mitigate disasters, promote democracy and good governance, strengthen cybersecurity, and update the Department of

State’s structure to address cyberspace policy.

SEC. 3. FINDINGS.

Congress finds the following:

(1) Since 2005, the number of internet users has more than tripled from 1,000,000,000 to 3,200,000,000.

(2) 4.2 billion people, 60 percent of the world’s population, remain offline and the growth rate of internet access is slowing. An estimated 75 percent of the offline population lives in just 20 countries and is largely rural, female, elderly, illiterate, and low-income.

(3) Studies suggest that across the developing world, women are nearly 50 percent less likely to access the internet than men living within the same communities, and that this digital gender divide carries with it a great economic cost. According to a study, “Women and the Web”, bringing an additional 600,000,000 women online would contribute \$13,000,000,000–\$18,000,000,000 to annual GDP across 144 developing countries.

(4) Without increased internet access, the developing world risks falling behind.

(5) Internet access in developing countries is hampered by a lack of infrastructure and a poor regulatory environment for investment.

(6) Build-once policies and approaches are policies or practices that minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way, thereby lowering the installation costs for high-speed internet networks and serve as a development best practice.

SEC. 4. STATEMENT OF POLICY.

Congress declares that it is the policy of the United States to partner, consult, and coordinate with the governments of foreign countries, international organizations, regional economic communities, businesses, civil society, and other stakeholders in a concerted effort to—

(1) promote first-time internet access to mobile or broadband internet for at least 1.5 billion people in developing countries by 2020 in both urban and rural areas;

(2) promote internet deployment and related coordination, capacity building, and build-once policies and approaches in developing countries, including actions to encourage—

(A) a build-once approach by standardizing the inclusion of broadband conduit pipes which house fiber optic communications cable that support broadband or wireless facilities for broadband service as part of rights-of-way projects, including sewers, power transmission facilities, rail, pipelines, bridges, tunnels, and roads, that are funded, co-funded, or partially financed by the United States or any international organization that includes the United States as a member, in consultation with telecommunications providers, unless a cost-benefit analysis determines that the cost of such approach outweighs the benefits;

(B) national and local government agencies of developing countries and donor governments and organizations to coordinate road building, pipe laying, and major infrastructure with the private sector so that, for example, fiber optic cable could be laid below roads at the time such roads are built; and

(C) international organizations to increase their financial support, including grants and loans, and technical assistance to expand information and communications access and internet connectivity;

(3) promote policy changes that encourage first-time affordable access to the internet

in developing countries, including actions to encourage—

(A) integration of universal and gender-equitable internet access goals, to be informed by the collection of related gender disaggregated data, and internet tools into national development plans and United States Government country-level strategies;

(B) reforms of competition laws and spectrum allocation processes that may impede the ability of companies to provide internet services; and

(C) efforts to improve procurement processes to help attract and incentivize investment in internet infrastructure;

(4) promote the removal of tax and regulatory barriers to internet access;

(5) promote the use of the internet to increase economic growth and trade, including—

(A) policies and strategies to remove restrictions to e-commerce, cross-border information flows, and competitive marketplaces; and

(B) entrepreneurship and distance learning enabled by access to technology;

(6) promote the use of the internet to bolster democracy, government accountability, transparency, and human rights, including—

(A) policies, initiatives, and investments, including the development of national internet plans, that are consistent with United States human rights goals, including freedom of expression, religion, and association;

(B) policies and initiatives aimed at promoting the multistakeholder model of internet governance; and

(C) policies and support programs, research, and technologies that safeguard human rights and fundamental freedoms online, and enable political organizing and activism, free speech, and religious expression that are in compliance with international human rights standards;

(7) promote internet access and inclusion into internet policymaking for women, people with disabilities, minorities, low-income and marginalized groups, and underserved populations; and

(8) promote cybersecurity and data protection, including international use of the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity that are industry-led, globally recognized cybersecurity standards and best practices.

SEC. 5. DEPARTMENT OF STATE ORGANIZATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should redesignate an existing Assistant Secretary position to be the Assistant Secretary for Cyberspace to lead the Department of State’s diplomatic cyberspace policy generally, including for cybersecurity, internet access, internet freedom, and to promote an open, secure, and reliable information and communications technology infrastructure.

(b) ACTIVITIES.—In recognition of the added value of technical knowledge and expertise in the policymaking and diplomatic channels, the Secretary of State should—

(1) update existing training programs relevant to policy discussions; and

(2) promote the recruitment of candidates with technical expertise into the Civil Service and the Foreign Service.

(c) OFFSET.—To offset any costs incurred by the Department of State to carry out the designation of an Assistant Secretary for Cyberspace in accordance with subsection (a), the Secretary of State shall eliminate such positions within the Department of State, unless otherwise authorized or required by law, as the Secretary determines to be necessary to fully offset such costs.

(d) **RULE OF CONSTRUCTION.**—The redesignation of the Assistant Secretary position described in subsection (a) may not be construed as increasing the number of Assistant Secretary positions at the Department of State above the current level of 24 as authorized in section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)).

SEC. 6. USAID.

It is the sense of Congress that the Administrator of the United States Agency for International Development should—

(1) integrate efforts to expand internet access, develop appropriate technologies, and enhance digital literacy into the education, development, and economic growth programs of the agency, where appropriate;

(2) expand the utilization of information and communications technologies in humanitarian aid and disaster relief responses and United States operations involving stabilization and security to improve donor coordination, reduce duplication and waste, capture and share lessons learned, and augment disaster preparedness and risk mitigation strategies; and

(3) establish and promote guidelines for the protection of personal information of individuals served by humanitarian, disaster, and development programs directly through the United States Government, through contracts funded by the United States Government and by international organizations.

SEC. 7. PEACE CORPS.

Section 3 of the Peace Corps Act (22 U.S.C. 2502) is amended by—

(1) redesignating subsection (h) as subsection (e); and

(2) by adding at the end the following new subsections:

“(f) It is the sense of Congress that access to technology can transform agriculture, community economic development, education, environment, health, and youth development which are the sectors in which Peace Corps currently develops positions for Volunteers.

“(g) In giving attention to the programs, projects, training, and other activities referred to in subsection (f), the Peace Corps should develop positions for Volunteers that are focused on leveraging technology for development, education, and social and economic mobility.”.

SEC. 8. LEVERAGING INTERNATIONAL SUPPORT.

In pursuing the policy described in section 4, the President should direct United States representatives to appropriate international bodies to use the influence of the United States, consistent with the broad development goals of the United States, to advocate that each such body—

(1) commit to increase efforts to promote gender-equitable internet access, in partnership with stakeholders and consistent with host countries' absorptive capacity;

(2) enhance coordination with stakeholders in increasing affordable and gender-equitable access to the internet;

(3) integrate gender-equitable affordable internet access into existing economic and business assessments, evaluations, and indexes such as the Millennium Challenge Corporation constraints analysis, the Doing Business Report, International Monetary Fund Article IV assessments and country reports, the Open Data Barometer, and the Affordability Drivers Index;

(4) standardize inclusion of broadband conduit—fiber optic cables that support broadband or wireless facilities for broadband service—as part of highway or highway-comparable construction projects in developing

countries, in consultation with telecommunications providers, unless such inclusion would create an undue burden, is not necessary based on the availability of existing broadband infrastructure, or a cost-benefit analysis determines that the cost outweighs the benefits;

(5) provide technical assistance to the regulatory authorities in developing countries to remove unnecessary barriers to investment in otherwise commercially viable projects and strengthen weak regulations or develop new ones to support market growth and development;

(6) utilize clear, accountable, and metric-based targets, including targets with gender-disaggregated metrics, to measure the effectiveness of efforts to promote internet access; and

(7) promote and protect human rights online, such as the freedoms of speech, assembly, association, religion, and belief, through resolutions, public statements, projects, and initiatives, and advocating that other member states of such bodies are held accountable when major violations are uncovered.

SEC. 9. PARTNERSHIP FRAMEWORK.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate plans to promote partnerships by United States development agencies, including the United States Agency for International Development and the Millennium Challenge Corporation, as well as international agencies funded by the United States Government for partnership with stakeholders, that contain the following elements:

(1) Methods for stakeholders to partner with such agencies in order to provide internet access or internet infrastructure in developing countries.

(2) Methods of outreach to stakeholders to explore partnership opportunities for expanding internet access or internet infrastructure, including coordination with the private sector, when financing roads and telecommunications infrastructure.

(3) Methods for early consultation with stakeholders concerning projects in telecommunications and road construction to provide internet access or internet infrastructure.

SEC. 10. REPORTING REQUIREMENT ON IMPLEMENTATION EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on efforts to implement the policy specified in section 4 and a discussion of the plans and existing efforts by the United States Government in developing countries to accomplish the following:

(1) Develop a technical and regulatory road map for promoting internet access in developing countries and a path to implementing such road map.

(2) Identify the regulatory barriers that may unduly impede internet access, including regulation of wireline broadband deployment or the infrastructure to augment wireless broadband deployment.

(3) Strengthen and support development of regulations that incentivize market growth and sector development.

(4) Encourage further public and private investment in internet infrastructure, including broadband networks and services.

(5) Increase gender-equitable internet access and otherwise encourage or support

internet deployment, competition, and adoption.

(6) Improve the affordability of internet access.

(7) Promote technology and cybersecurity capacity building efforts and consult technical experts for advice regarding options to accelerate the advancement of internet deployment, adoption, and usage.

(8) Promote internet freedom globally and include civil society and the private sector in the formulation of policies, projects, and advocacy efforts to protect human rights online.

(9) Promote and strengthen the multi-stakeholder model of internet governance and actively participate in multistakeholder international fora, such as the Internet Governance Forum.

SEC. 11. CYBERSPACE STRATEGY.

The President should include in the next White House Cyberspace Strategy information relating to the following:

(1) Methods to promote internet access in developing countries.

(2) Methods to globally promote cybersecurity policy consistent with the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity.

(3) Methods to promote global internet freedom principles, such as the freedoms of expression, assembly, association, and religion, while combating efforts to impose restrictions on such freedoms.

SEC. 12. DEFINITION.

In this Act—

(1) **BUILD ONCE POLICIES AND APPROACHES.**—The term “build once policies and approaches” means policies or practices that minimize the number and scale of excavation and construction activities when installing telecommunications infrastructure in rights-of-way.

(2) **CYBERSPACE.**—The term “cyberspace” means the interdependent network of information technology infrastructures, and includes the internet, telecommunications networks, computer systems, and embedded processors and controllers in critical industries, and includes the virtual environment of information and interactions between people.

(3) **STAKEHOLDERS.**—The term “stakeholders” means the private sector, the public sector, cooperatives, civil society, the technical community that develops internet technologies, standards, implementation, operations, and applications, and other groups that are working to increase internet access or are impacted by the lack of internet access in their communities.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

□ 1730

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material in the **RECORD**.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the author of this measure, I want to particularly recognize the invaluable contributions of the professional staff. I mentioned Jessica Kelch, but there is another staff member here who has played an outsized role to help shape the work of this committee, and not just on the Digital GAP Act, which is before us, but Nilmini Rubin has played a critical role in energy, in trade, in development legislation that we have passed out of the committee, and so I wanted to recognize her for that contribution.

I also want to focus the attention of the Members on the fact that more than 60 percent of the world's population still lacks access to the Internet. That is 3 billion people left out of one of the largest technological transformations of our time, leaving them lagging on economic growth, lagging on health, lagging in terms of potential for education.

The dearth of global Internet access negatively impacts us here at home, too. Sixty percent of the world's population can't buy American goods online, if you think about it. They are shut out of e-commerce. They are limited in their ability to connect with others through social media.

So the Digital Global Access Policy Act calls on the administration to integrate into U.S. development efforts a "build-once" policy when expanding Internet access, and this is common sense.

If a U.S. development project supports the construction of a rural road, let's invite the private sector to lay down cable before our government helps pay to pour the concrete. We are maximizing U.S. taxpayer dollar assistance; we are providing more support to the disadvantaged community; we are making it easier for business to invest if we change our policies to do this.

This bill complements existing efforts to promote partnerships with the private sector to expand Internet access through the Global Connect Initiative.

One of the many letters of support we received was from NetHope, which outlined why the build-once approach in the Digital GAP Act is so important. As NetHope's letter explained, years ago, a \$100 million road construction project in Liberia failed to include the laying of fiber-optic lines as a part of the project. At the time, the cost of laying this cable would have been negligible. It would have been maybe 1 percent of the total investment. It would have been—I don't know—probably not even a million.

However, you know, if you look back, this is one example of many that we pulled out of the file where the donors chose not to include the Internet infrastructure in the project; and so, as a result, when you go to Liberia, as I

have, there is poor Internet access, a fact that hampered Ebola response efforts as community health centers struggled to coordinate their efforts.

If that Internet access were in place, it would have helped the U.S. and public health officials safely track the spread of Ebola. It could have reduced the disease's spread. It could have saved lives.

As NetHope explained, there is now a new project under consideration to do that same connectivity work that would have cost—would have been negligible if it had been laid at the time that the road was put in. However, since it is being considered after the fact, it will now cost tens of millions of dollars if it is done, and it will take years and years to complete.

The build-once approach is smart economics. It is smart development. We simply get more bang for our buck when we coordinate these types of infrastructure investments with the private sector. So I think the case is compelling for this.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of this bill, and I yield myself such time as I may consume.

I, first of all, want to thank our chairman, ED ROYCE, from California. He has worked very, very hard on this bill for a long, long time, so I am very pleased to support this bill that he has introduced to help expand access to the Internet around the world. I know how strongly he feels about it. We all share his goal, but he was the impetus, obviously, for this bill, and this is really a good bill.

Mr. Speaker, a generation ago, few could have envisioned the way the Internet would open up new gateways for information, connect people around the world, and change the global economy.

Today, a classroom with broadband access gives students a window to the rest of the world, allowing them to build relationships face-to-face with people thousands and thousands of miles away. A relief worker with a smartphone can relay information in an instant about where help and resources are needed to deal with a crisis. A farmer with a laptop can make sure his or her produce is fetching a fair price on the global market. A journalist in a closed society who can get online can shine a light on abuses and corruption.

And while we know this tool can be used for harm, such as the way ISIS uses social media to recruit fighters and spread propaganda, we also know that, in the right hands, the Internet expands opportunity, drives growth, and makes people's lives fuller and more productive. The ripple effects help strengthen communities and countries.

But like so many resources around the world, access to the Internet often

depends on where you live and what you have and if you can afford it. Living in a poor community or a rural area, or even being a woman in some places, may make it harder to take advantage of the Internet.

Roughly 60 percent of the world's population is not able to use this tool, and the growth rate of Internet access is slowing down. Three-quarters of those who are offline live in just 20 countries. Think of what a difference it would make if these populations had access to a resource so many of us take for granted. This bill aims to close that gap.

Chairman ROYCE's legislation calls on the administration to ramp up efforts around the world to expand access to the Internet. It encourages the State Department, USAID, and the Peace Corps to focus on Internet access as a diplomatic and developmental priority; and it states clearly, expanding Internet access, especially in the developing world, is an American foreign policy priority.

I applaud Chairman ROYCE for doing this, and I am glad to support this measure.

I want to also thank two staff persons for their hard work: Nilmini Rubin on the majority's staff, and Janice Kaguyutan on our side. They both worked very, very hard, and I think they deserve special mention.

So I urge all my colleagues to support this very important bill. I, again, commend Chairman ROYCE for working so hard on it.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I am prepared to close.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

As I said before, the way the Internet has changed the world would have been hard to believe just a few decades ago. It would also have been hard to believe that we would be thinking of the Internet as a foreign policy priority, but we can and we should.

Today, we know that the Internet has driven so much of the interconnectedness that we now see across the global landscape, so it is important that our foreign policy keep up with these changes. We want to see this tool used in a positive way by as many people as possible, while guarding against abuses or exploitation by those who mean to harm us.

This bill helps us move in the right direction. Again, I am grateful to the chairman for bringing it forward. I am glad to support it. I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank the cosponsors of the Digital GAP Act who helped me with this legislation, and the first among them is Ranking Member ELIOT

ENGEL, and then also CATHY MCMORRIS RODGERS, Representative GRACE MENG, and Chairman MCCAUL for their collaboration on this bill.

The Digital GAP Act would increase Internet access with a relatively minor communications change. It would require that the United States-supported infrastructure projects are made transparent so that the private sector can coordinate their investments in Internet infrastructure. This is a common-sense approach that we should implement now.

The Digital GAP Act also expresses the sense of Congress that the State Department should elevate and reform its efforts to address cyberspace policy internationally. As technological policy issues multiply and as they become more complex, it is important to identify clear lines of responsibility at the State Department so that problems do not fall between the cracks of the many different offices that touch on these issues now. Cybersecurity, Internet freedom, and Internet access are now core parts of our national security agenda and need to be treated as such by the State Department.

Lastly, I will simply close by again recognizing the work of Nilmini Rubin on this legislation. She has been with the committee for over 3 years. She has done outstanding work on technology and trade and other issues promoting development worldwide. Nilmini will be leaving us and will be greatly missed, but she will be continuing to do impressive and important things, improving lives overseas and improving the welfare of Americans.

Thank you, Nilmini.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HILL). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5537, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AGOA ENHANCEMENT ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2845) to promote access to benefits under the African Growth and Opportunity Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2845

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “AGOA Enhancement Act of 2015”.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support efforts to—

(1) improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa; and

(2) promote the role of women in social, political, and economic development in sub-Saharan Africa.

SEC. 3. ACTIVITIES IN SUPPORT OF TRANSPARENCY.

(a) AGOA WEBSITE.—

(1) IN GENERAL.—The President shall establish a website for the collection and dissemination of information regarding the African Growth and Opportunity Act (in this section referred to as the “AGOA website”).

(2) CONTENTS.—The President shall publish on the AGOA website the information described in paragraph (1), including—

(A) information and technical assistance provided at United States Agency for International Development regional trade hubs; and

(B) a link to websites of United States embassies located in eligible sub-Saharan African countries.

(3) ACTIONS BY UNITED STATES EMBASSIES.—The Secretary of State should direct United States embassies located in eligible sub-Saharan African countries to—

(A) promote the use by such countries of the benefits available under the African Growth and Opportunity Act; and

(B) include on a publicly available Internet website of such diplomatic missions a link to the AGOA website.

(b) AGOA FORUM.—The President should, after each meeting of the United States-Sub-Saharan Africa Trade and Economic Cooperation Forum, publish on the AGOA website established under subsection (a) the following:

(1) All outcomes of the meeting of the Forum, including any commitments made by member countries and the private sector.

(2) An assessment of progress made with respect to any commitments made by member countries and the private sector from the previous meeting of the Forum.

(c) OTHER INFORMATION.—The President should disseminate information required by this section in a digital format to the public and publish such information on the AGOA website established under subsection (a).

(d) DEFINITION.—In this section, the term “eligible sub-Saharan African country” means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act.

SEC. 4. ACTIVITIES IN SUPPORT OF TRADE CAPACITY BUILDING.

(a) IN GENERAL.—The President should take the following actions:

(1) Develop and implement policies to—

(A) encourage and facilitate trans-boundary cooperation among eligible sub-Saharan African countries in order to facilitate trade; and

(B) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development.

(2) Provide specific training for business in eligible sub-Saharan African countries and government trade officials of eligible sub-Saharan African countries on utilizing access to the benefits of the African Growth and Opportunity Act and other trade preference programs.

(3) Provide capacity building for African entrepreneurs and trade associations on pro-

duction strategies, quality standards, formation of cooperatives, and market research and market development.

(4) Provide capacity building training to promote diversification of African products and value-added processing.

(5) Provide capacity building and technical assistance funding for African businesses and institutions to help such businesses and institutions comply with United States counter-terrorism initiatives and policies.

(b) DEFINITION.—In this section, the term “eligible sub-Saharan African country” means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act.

SEC. 5. CONCURRENT COMPACTS UNDER THE MILLENNIUM CHALLENGE ACT OF 2003.

(a) IN GENERAL.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

(1) by striking the first sentence of subsection (k);

(2) by redesignating subsection (k) (as so amended) as subsection (l); and

(3) by inserting after subsection (j) the following:

“(k) CONCURRENT COMPACTS.—An eligible country that has entered into and has in effect a Compact under this section may enter into and have in effect at the same time not more than one additional Compact in accordance with the requirements of this title if—

“(1) one or both of the Compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and

“(2) the Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing Compact and supplementary agreements thereto.”.

(b) CONFORMING AMENDMENT.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking “the” before “Compact” and inserting “any”.

(c) APPLICABILITY.—The amendments made by this section apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I would just begin by thanking Congresswoman BASS for her important work on this initiative. I am proud to have been part of the African Growth and Opportunity Act coalition. I have been part of that coalition since 2000, when we wrote the original bill.

I would also just recognize Tom Sheehy for his contribution on this, our professional staff member.

But AGOA allows African countries that respect the rule of law and respect free market principles to export many goods to the United States on a duty-free basis. The program has boosted Africa's economic growth, and especially benefiting women.

I can tell you from my trips there and seeing the results, it has strengthened the trade relationship between the United States and Africa, which is several multiples today of what it was when the bill was originally passed.

When Congress reauthorized AGOA earlier this year, I successfully pressed, along with my colleague Congresswoman KAREN BASS, for a 10-year extension; and this extension will provide U.S. and African businesses the certainty needed to build supply chains and deepen their strong trade relationships.

□ 1745

I also championed, as well as KAREN BASS, the inclusion of country strategies in AGOA's reauthorization so that African countries could identify and make policy reforms to help them boost trade and take advantage of AGOA's provisions.

This bill, the AGOA Enhancement Act, includes important measures that seek, thus, to improve trade capacity building, to increase the ability of African companies to export to the United States and improve trade facilitation, to help remove the bureaucratic barriers and the needless red tape that thwarts trade.

So this bill would, first, grant more flexibility to the Millennium Challenge Corporation—a U.S. development agency—to support regional efforts to bolster trade; leveraging the Internet so that companies on both sides of the Atlantic can learn about how to utilize AGOA; and foster U.S.-African private sector engagement. It will put the trade hubs online, giving African businesses that are not near the existing trade hubs the information that they need to send their exports to the United States. And, lastly, this bill will increase transparency of the pledges and results made by the U.S. and African leaders at the AGOA Forum, an annual meeting of government and business leaders looking to increase U.S.-Africa trade.

So with these measures, we can help African countries and businesses fully utilize the benefits offered through AGOA.

Mr. Speaker, I reserve the balance of my time.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 2, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Af-

fairs on H.R. 2845, the AGOA Enhancement Act, and for deciding to forgo a sequential referral request on that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 2845 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON WAYS AND MEANS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 6, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 2845, the "AGOA Enhancement Act of 2015." As a result of your having consulted with us on this legislation, I agree not to request a sequential referral on this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing formal consideration of H.R. 2845, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2845, the AGOA Enhancement Act of 2015. This critical bill complements, supports, and empowers the reauthorized African Growth and Opportunity Act that was passed into law last June.

I want to thank Ranking Member ENGEL, Chairman ROYCE, and Speaker RYAN for their leadership on this.

I also believe in the last piece of legislation I heard the chairman say that Nilmir Rubin is leaving us. I am very disappointed to hear that, but I do want to really compliment her for all of her efforts not just on AGOA, but also on the piece of legislation that we just passed. She will be sorely missed.

I also want to compliment Margot Sullivan, who worked many, many, many hours on AGOA that we reau-

thorized as well as the AGOA Enhancement Act.

By way of background, AGOA is the foundation of the U.S.-Africa economic platform. AGOA, a trade preference program, can help to grow and stabilize jobs in eligible participating countries throughout Sub-Saharan Africa and in the U.S. AGOA has definitely helped to increase African exports to the U.S., and it has also helped to raise Africa's economic profile in this country.

Further, AGOA has helped maintain and increase employment, generating approximately 350,000 direct jobs and 1 million indirect jobs in Sub-Saharan Africa and approximately 100,000 jobs in the U.S.

With the tremendous potential of a growing middle class in several African countries, plus the growth of regional economic communities on the continent, Africa has become one of the most dynamic global marketplaces. Why? Because each of these regional economic communities encompasses a number of countries that are evolving into regional economic powerhouses with huge markets of millions of upwardly mobile populations interested in quality goods and services.

This is why Sub-Saharan Africa is currently one of the most dynamic global marketplaces. Countries such as China, India, Turkey, and the European Union recognize that doing business with Africa is increasingly critical and good for their bottom lines.

Ironically, most African countries look to the U.S. to play a leading role in trade and investment with Sub-Saharan Africa, yet we hear repeatedly from officials, business people, and academics from the region, that while several African countries do considerable business with other countries, they do so because these countries are seeking to do business with Africa. These same observers note candidly that U.S. products, maintenance arrangements, and capacity building opportunities are by far more superior.

It is with these experiences in mind that AGOA stakeholders in the House under the leadership of Chairman ROYCE and others supported the reauthorization of AGOA last year. This is also why the passage of the AGOA Enhancement Act—which strongly complements reauthorized AGOA—is equally as important.

While the reauthorization is for 10 years, this was a giant step in the right direction. AGOA cannot live up to its full potential or be implemented as effectively as it must be without complementary legislation. AGOA will benefit from this complementary legislation as it has benefited from a host of initiatives such as the administration's signature Power Africa initiative and Feed the Future initiative, just to name a few.

Arguably, AGOA cannot be fully effective without an increase in access to

electricity in Sub-Saharan Africa. Chairman ROYCE led the effort to pass Electrify Africa and proactively called for a multi-year strategy to assist countries in Sub-Saharan Africa address the power deficit. Africa's expanding cities and rural areas need access to considerable and reliable sources of electricity.

Feed the Future is also central to building opportunity and development throughout the region. This innovative program helps to support critical food security in several nations by supporting family enterprises and by supporting smallholder farmers. Local farmers are able to lower risks to their farms, increasing yield and productivity and address threats posed by droughts, floods, and other natural disasters.

The AGOA Enhancement Act helps to implement a more effective AGOA as it calls for the administration to establish an AGOA Web site to inform eligible AGOA-participating countries about critical information and technical assistance. H.R. 2845 also encourages the administration to support regional trade development in Sub-Saharan Africa by facilitating trans-boundary trade and providing crucial capacity building skills for entrepreneurs.

One of the most important aspects of H.R. 2845 was originally a separate piece of legislation that I authored and is now included that enables eligible countries with Millennium Challenge Corporation compacts in good standing to enter simultaneously into one additional compact if the country is making considerable progress toward implementing the terms of the existing compacts. The other piece of this is that compacts can be used for regional economic integration.

An example of MCC projects, I was recently in Liberia, and Liberia has an energy project that totals \$201 million that will provide a new hydropower turbine to an existing facility, provide training to Liberia Economic Corporation employees, and help establish an independent regulator.

In summary, by the establishment of an AGOA Web site, the prioritization of capacity training, and by encouraging greater regional economic integration, H.R. 2845 helps to promote and develop a stronger economic relationship between Sub-Saharan Africa and the United States, creating increased jobs and a win-win for both.

Once again, I thank Chairman ROYCE for his distinguished leadership on this crucial issue.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I see the gentleman from New York (Mr. RANGEL) on the floor, also one of the original authors of the African Growth and Opportunity Act, along with Chairman CHRIS SMITH and Ranking Member KAREN BASS, one of the most engaged

on initiatives to put Africa on the map for U.S. trade and investment.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Africa, Global Health, Global Human Right, and International Organizations Subcommittee, and I thank him for his assistance with this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Chairman ROYCE for his leadership on AGOA in general. I thank KAREN BASS, who has worked doggedly for years, last year for the reauthorization. I see Mr. McDERMOTT, who has also been so active over the years on this and critical to its passage at the beginning.

Mr. Speaker, I rise in strong support of H.R. 2845, the AGOA Enhancement Act. When the African Growth and Opportunity Act was enacted into law in May of 2000, it was intended to help eligible Sub-Saharan African countries increase economic growth by providing duty-free, quota-free access to U.S. markets for more than 6,400 items from meats to textiles and apparel, to petroleum, to leather goods. Because there were issues that needed to be addressed to enable AGOA to be more effective as intended, Congress has fine-tuned this important legislation since then and made adjustments several times to facilitate African exports to the United States.

H.R. 2845 is the latest noble effort to make AGOA work for more African producers primarily by enhancing the technical assistance and information provided to African producers, including the establishment of a Web site to provide this information. People need to know what is available and how they can access this important treaty and its subsidies.

The bill further allows for countries with the Millennium Challenge account grants to foster regional economic integration. It also targets inter-Africa trade, which is still less than 10 percent of all Africa international trade.

My colleagues have explained other aspects of the bill in great detail, so I won't be redundant. But extending AGOA as we did in the last Congress was a laudable achievement but will not have the full intended effect if African producers have limited information or abilities to effectively take advantage of international trade opportunity. This is a job creator both in Africa and in the United States.

Mr. Speaker, I thank the chairman for his authorship.

Mr. ROYCE. Mr. Speaker, I also wanted to recognize the gentleman from Washington (Mr. McDERMOTT). Mr. JIM McDERMOTT was also one of the original authors of the AGOA legislation. He worked for many, many years to see it come to fruition.

Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I have to say that Mr. RANGEL is one of the lions in this House. I have had the honor of serving with him for the last 6 years. He knows I am upset with him because he is choosing to retire. When I came here and really wanted to work on African issues, I sought out those two gentlemen, both Mr. RANGEL and Mr. McDERMOTT. I knew of their legacy. I knew of the work that they had done. I went to Mr. RANGEL, and I told him I wanted to get involved in the reauthorization of AGOA and would he help me. We sat on the floor over there. He called over a bunch of Members and told them what I wanted to do, and the gentleman ordered them all to help me. We worked on it and were able to get it done.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, as I spend my final hours in this august body, I think of all of the fond memories that I have enjoyed. I guess during these political times, one of the things that I am enjoying the most today is shattering the myth that Republicans and Democrats really can't work with each other.

Chairman ROYCE has indicated a concern for the world and the country, which shatters the myth that parties can't work together for the good of the United States of America. Certainly my colleague from New York, ELIOT ENGEL, and the chairman have proven that in working together.

Yes, when Ms. BASS first came to the Congress, she didn't come as an ordinary freshman. She had earned her stripes in the legislature of California, indeed was the speaker. I was a little shocked when she was trying to get support for her legislative committees that her interests would be foster care and Africa. That is unusual, but it is an indication of a person who comes here to this body with the type of commitment that makes you proud to be a Member of Congress and more proud even to be an American. There could be some connection between foster care and Africa because if there was any continent that has been treated as a foster child, it has been the developing countries in Africa.

Of course, I see an old-timer sitting there with his white hair, JIM McDERMOTT. I can wonder whether or not as a Peace Corps volunteer in Africa, whether among his fondest dreams, that he would be a Member of the House and creating a climate where people have dignity and pride and be able to be a part of the world rather than just being a resource for stronger countries.

□ 1800

I can think of nobody that has brought more to the committee than Mr. WILLIAMS and Rosa Whitfield in

working with Mr. Gingrich, in working with Mr. Crane, in working with Republicans, and how the leadership not only was able to get their sides but to see how the African Diplomatic Corps actually became the strongest lobbying force that we have had in the Congress as they found themselves pioneers in dealing with our great country that they loved so much and really had no understanding of why they didn't seem to be on our agenda.

With AGOA, we knew it was just the beginning, we knew it was an opportunity. We take pride in the success that it has had, but we also know how far they had to come from behind.

This enhancement piece of legislation has a lot of fancy words, but it sends out words to our embassies that this is American foreign policy. You don't just read the words. Make it work. Whether it is with the Millennium Challenge Corporation, whether it is with AID, whether it is giving information, whether it is helping them out, whether it is teaching them to learn, it is bringing them into the international trade.

And what does it do? Is this a bill that just helped people in Africa escape poverty and disease? No. It helps the United States, and it helps the world. It helps people to be able to trade with each other, to talk with each other, to understand each other, and have compassion for each other. What a wonderful opportunity it is for the United States of America to look at a country that is struggling to enjoy the things that we believe in, to find out that now they don't have to lobby for it. Republicans and Democrats want what is best for the United States of America, and the developing countries in Africa need us so badly.

There are a lot of reasons why I regret that I have to leave the Congress and retire to go back home, but knowing that I leave behind such people who are so dedicated, that are willing to go to the other party and give up a lot of their capital to make certain that the small countries in Africa appreciate the fact that we consider them an important part not only of our trade policy, our foreign policy, but, indeed, the policy of the United States of America.

Mr. Speaker, I thank Ms. BASS for the opportunity to express myself on this most important issue. And I thank JIM McDERMOTT, who will be leaving—I don't know whether he is going back to Africa, but he won't be going back as a Peace Corps volunteer, I will tell you that. I thank him for his friendship.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, as I mentioned before, I have had the honor of serving with Mr. McDERMOTT for the last 6 years, knowing that he was a Peace Corps volunteer in Africa. He was the one that led the effort around

conflict minerals, something many people were concerned about in the country. They even made movies about the subject and all of the havoc that was wrought in many African countries because of conflict minerals. And also my work with him on child welfare issues and his legacy on both of those issues.

I yield 5 minutes to the gentleman from Washington (Mr. McDERMOTT).

Mr. McDERMOTT. Mr. Speaker, it is kind of awesome to become a myth in your own time. I was not a Peace Corps volunteer. I was in Africa in 1961 before the Peace Corps ever existed. When we were in Ghana in 1961, the first Peace Corps volunteers arrived, so I was there when it all started.

I also want to remind you—when you know the history of something, it is kind of interesting to listen to it—this started in 1995. We put a bill in and, actually, Speaker Gingrich got it out of the House. It passed the House in 2000. We couldn't get it through the Senate. It had to come back under Mr. Bush. Then we finally got it through the House and the Senate, and it became law.

It has been an issue that everyone recognizes something needs to be done. As I look at this bill today, I read some of the language that the President is directed to provide training for business and government trade officials, provide capacity building for entrepreneurs and trade associations, and promote diversification of African products.

Now, I don't know how many bills I have seen that in. What is missing here, unfortunately, in my view—I am going to support the bill, and the ideas of it are great, but what has been missing ever since 1995 or 2000 has been a commitment of the resources to actually help the Africans figure out how to use our system.

I can give you one example. There are shrimp all over the coastline. Now, why don't shrimp from Africa come into the United States? Because they can't pass the phytosanitary rules of our government. We won't let food come into this country that we think will be problematic for our people. So if we are going to actually help the Africans—we tried several times to get the Department of Agriculture to base people in some of the places along the coast, Senegal and some other places, in order to give them the instructions necessary to be able to bring those products in. What I hope will happen—and CHARLIE RANGEL and I are going to leave the scene, and we did everything we could during the time we were here—for the rest of you, you have got to put some money in, put some money down on the ground.

I had a project in one of the bills. Lions are a huge issue in Africa. If you want to have lions, and you want to have people go out and hunt them,

well, if you kill a lion, it is only worth \$800. But if you leave a lion there for tourism purposes, it is worth \$50,000. So we have encouraged these countries to get the poachers to become game wardens and the women to run B&Bs out there, so we would have tourism which would bring foreign exchange into Africa to give them the ability to invest and do more.

An epidemic of tuberculosis occurred in the African lions. There were only two people in all of Africa who had ever dealt with a big game animal, so we thought, let's start a school; we will start a veterinary school. We couldn't get the money. There are a lot of things that we could do with very small amounts of money in terms of helping them develop the capacity because the bill is filled with this capacity building. Give them the opportunity to develop capacity.

But sometimes it takes a small investment on our part, and that is really what I hope will come. Maybe the bill will pass and then we can get a little bit of money into the Foreign Operations appropriations act and use it for that kind of program.

I think this is a work in progress. It won't be done when I leave and CHARLIE leaves. I remember the first meeting CHARLIE and I had with the ambassadors from all of Africa. Nobody thought that it would ever happen. So we called them all up and said: Do you want to trade or do you want aid?

They said: We want trade.

We said: Okay. Come in here, in the office, and sign a paper.

We got them to sign a paper where they all asked the President of the United States to give them a trade act. That is the only time it has ever occurred around here that I know of.

So it has been there, and it has gradually developed, but more slowly than it could have. I hope that we will pass it and the message will get to the appropriators that a little bit of money could make this go a long way.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, as Mr. McDERMOTT leaves, I will take his comments as my marching orders for what I am supposed to do in the next session, so I thank him very much.

I would urge my colleagues to support H.R. 2845.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself the balance of my time.

In closing, I have been to the factories across Africa, and I have seen the women employed. I have seen how AGOA is improving economies in Africa. AGOA is making a difference and could have even more impact on the continent if the measures included in this AGOA Enhancement Act are implemented.

This bill improves how we offer assistance through the Millennium Challenge Corporation to increase the ability of people in Africa to trade, and

helping cut the bureaucratic barriers and needless red tape that thwarts trade.

This bill helps unlock the potential of AGOA so that people in Africa can strengthen their markets, and so Americans can improve trade relationships with countries in Africa. And yes, it has been slow going, slow progress. We have gotten a few more staffed positions from the U.S. Department of Agriculture, a few more ag inspectors positioned there. And JIM McDERMOTT is right, we need to do more. We have been slow going, but we have more foreign commercial service officers now in these positions in AGOA.

In 2 weeks' time, we will have the AGOA forum. We will again be bringing these issues up. In the following session, the effort will continue, as JIM McDERMOTT laid it out, to see this through and to try to make AGOA as effective as we possibly can. In the interim, this legislation is a big step in the right direction.

I really want to thank not only Congresswoman KAREN BASS, but also my colleagues from their original efforts, CHARLIE RANGEL and JIM McDERMOTT, and urge a unanimous vote, again, in support of the extension of AGOA.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 2845, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 7, 2016.

Hon. PAUL D. RYAN,
*Speaker of the House, United States Capitol,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to Section 4(a) of the John F. Kennedy Centennial Commission Act (P.L. 114-215), I am pleased to appoint The Honorable Joseph P. Kennedy III of Massachusetts to the John F. Kennedy Centennial Commission.

Thank you for your consideration of this recommendation.

Best regards,

NANCY PELOSI,
Democratic Leader.

□ 1815

FEDERAL LANDS POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 min-

utes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, our Natural Resources Committee—and great work from the Natural Resources Committee's staff—has been trying to get a handle on just how much land the United States—the Federal Government—has taken over.

West of the Mississippi, it is absolutely extraordinary. Now, we have heard in recent months and over the last few years of incidents in which landowners, according to the media, just went off and did something crazy, overreacted—maybe had a gun—but it bears looking into what the Federal Government has been doing to the landowners, to the local governments, to the State governments in the Western United States. Our committee has been able to pull together maps that show just how much Federal Government property we have.

On this, we have the Bureau of Indian Affairs showing in these burgundy, or maroon, areas. These are areas in the West that the Bureau of Indian Affairs is in charge of.

When we look at the next map here, added to that of the Bureau of Indian Affairs, we have the Bureau of Land Management. Those are these areas here, the pale color, the soft orange. It is 247.3 million acres. That would be larger than Arizona, plus Iowa, plus Colorado, plus Nevada all put together that is owned by the Bureau of Land Management—those are all of these kind of light orange areas—all the way up here, into Montana. It is just extraordinary, when you look at Nevada, how much land the State of Nevada and the citizens of Nevada control and how much the Bureau of Land Management controls. Absolutely extraordinary. We run into the same thing here just north of California and getting into Oregon and over into Idaho, Colorado, Wyoming. It is just incredible.

Then the U.S. Fish & Wildlife Service gets some of their land in here. Then you also have the United States Forest Service. Those are these green areas. They have got a lot of California, a lot of Oregon, Washington, Idaho. You have got Montana, Wyoming, Colorado, right on down. You have got even Arizona and New Mexico. Extraordinary. That is this light green area. Then you have the national parks.

Oh, by the way, the Forest Service has 197.1 million acres. Twice the size of Montana is what the U.S. Forest Service has. The U.S. Fish & Wildlife Service has 89.1 million acres. That is larger than Utah and North Carolina put together. The national parks have 84 million acres. That is larger than New Mexico and New Hampshire put together. Then there are other agencies. We add on the Department of Energy, the Department of Transportation, the TVA, the Bureau of Reclamation—extraordinary.

When you look at how much land is white—meaning that belongs to State, local, or private owners—and how much is owned by the Federal Government, you begin to think, perhaps, the Soviet Union didn't disappear and that the Soviet Union is now in the Western United States when a government controls that much of what used to be private property, much of it.

We look at the next map, and we are adding on another overlay. With this one, we have the endangered species' critical habitat. That is for 704 species of plants and animals. I know, in my district, we have two plants that grow wild, and they are all over the place. They were notified that they are now listed as threatened, and my local governments are already suffering because of the Federal land, the national forests. They get no tax money. They are not getting revenue. The Federal Government is not producing the renewable resource of timber off of them anymore. Then they get notified that they have got a couple of threatened plants with critical habitats there.

The local government was saying: Wait a minute. These things are everywhere. These plants are all over the place. Look, we have got pictures. They are all over the place. You can find them anywhere.

What does the Federal Government say?

Yes, but we have a scientific study that says they are threatened. We don't care if you have got pictures that show they are everywhere. That is not scientific, because we had somebody in a cubicle in a little office, who never went to those areas, and he says they are threatened, so we are going to say they are threatened. You people who live in that area and who took pictures of them everywhere must not know what you are talking about.

Wilderness areas, we have got 765 wilderness areas on Federal land. That is 109 million acres in 44 States. Then we have the Clean Air Act and Class I areas also added in here.

Then, on our last map here, we have added on the wetlands—110.1 million acres are subject to section 404 regulations of the Clean Water Act—and marine protected areas. There are 13 marine sanctuary areas in more than 170,000 square miles of waters. Then you have got the Outer Continental Shelf at 1.712 billion acres.

We will add this additional map. We have added Wild and Scenic Rivers. There are 12,709 miles of 208 rivers—amazing—that are managed by BLM, the National Park Service, the U.S. Fish & Wildlife Service, and the Forest Service. Then we have 49 heritage areas in 32 States. It is absolutely extraordinary. When you look at all of the overlays of federally owned controlled land, there is just not much left there.

Now, I love the idea that our chairman, ROB BISHOP, had for a bill. How

about if we don't allow the Federal Government to get any more land—to take over any more land—west of the Mississippi until 10 percent of all of the land east of Mississippi is owned by the Federal Government? That might slow things down with the people who are east of the Mississippi starting to have to lose their private property as the Federal Government takes up more and more.

I am pleased to be joined by the gentleman from California. He knows California as well as anybody in the country, certainly better, probably, than the current Governor. I yield to the gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. I thank the gentleman for yielding, and I particularly want to thank Congressman GOHMERT for organizing this discussion on Federal lands policy and for his highlighting of the Federal Footprint Map.

You can find that at naturalresources.house.gov/federalfootprint or just Google “Federal Footprint.” When you do, you will have a complete picture of how much land the Federal Government owns and how much of your State and your community is affected. It may surprise you.

For example, the Federal Government owns just seven-tenths of 1 percent of the entire State of New York. It owns just 1.1 percent of the State of Illinois. It owns just 1.8 percent of the State of Texas; but then go further west, and you will see the reason for the Western revolt. The Federal Government owns and controls 62 percent of the State of Alaska. It owns and controls two-thirds of the State of Utah and 81 percent of the State of Nevada. In my home State of California, the Federal Government owns nearly half; 48 percent is Federal land. In one county in my district, Alpine County, the Federal Government owns 93 percent of the land.

If you are not from one of the Western States, you need to understand what that means. That is all land that is completely off the local tax rolls. That is land that carries increasingly severe restrictions on public use and access, which means it is generating very little economic activity to these regions; and, often, Federal ownership means that Federal land use policies are in direct contravention to the wishes of the local communities that are entangled with it.

Recently, the Natural Resources Committee held a field hearing in north Las Vegas at the request of Congressman CRESENT HARDY. Now, if you have ever flown into Las Vegas, you know how vast are the empty and unutilized lands of Nevada, stretching as far as the horizon. Yet the local leaders there all complained of how the region's economy suffers from a great shortage of land—land for homes and shops, for businesses and infrastruc-

ture. What an irony and what a commentary about the harm that is being done by the decisions of our Federal land managers.

More than a century ago, we began setting aside the most beautiful lands in the Nation for the “use, resort, and recreation” of the American people. That was the wording of the original Yosemite Land Grant that was signed by Abraham Lincoln in 1864; but somewhere along the way, public “use, resort, and recreation” became “look, but don't touch,” and the Federal Government became indiscriminate and voracious in the amount of land under its direct control.

As I said, my congressional district is in the heart of the Sierra Nevada. Common complaints from my constituents and from local government officials range from abusive Federal regulatory enforcement to inflated fees that have forced families to abandon cabins they have held for generations, exorbitant new fees that are closing down long-established community events, road closures, and the arbitrary denial of grazing permits for family ranchers who go back generations on that land. A small town in my district that is trying to install a \$2 million spillway gate for their reservoir was just given a \$6 million estimate from the Forest Service just to relocate a hiking trail and a handful of campsites.

Let me relate one quick story of what it means to be entangled in this Federal morass that came to me from the sheriff of Plumas County, which is just outside of my district.

An elderly couple goes horseback riding near their home. They come across an old horseshoe. The wife picks it up, and an ambitious, young Forest Service official saw her pick it up. The next thing they knew, six armed Federal law enforcement officers descended upon their home. They tore it apart and, ultimately, prosecuted this elderly couple for removing the horseshoe, charging them criminally with stealing from the Federal Government. Ultimately, the Federal judge dismissed the charges and chastised the officials who were responsible for this travesty, but only after this couple had gone through hell.

Ask yourself how your local economy would fare if the Federal Government owned 93 percent of the land in your county, forbade or greatly restricted any economic activity on it, and ignored the pleas of your local city council or county board.

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In my district, the Federal Government consigned our forests to a policy of benign neglect. We now have, roughly, four times more trees per acre than the land can support. In this overcrowded and stressed condition, the trees can no longer resist the drought and beetle infestation. Today, an esti-

mated 85 percent of the pine trees in the Sierra National Forest—that is adjacent to Yosemite National Park—are dead. And I am talking about Christmas-tree-in-July dead just waiting to be consumed by catastrophic fire.

The National Park Service estimates it is facing more than \$12 billion of maintenance backlog, yet we keep adding to the Federal holdings that we can't take care of now. That is why the Federal footprint map is so important to understand and why fundamental reform of our land use policy is of paramount importance.

Now, the Federal Lands Subcommittee has three principal goals: to restore public access to the public lands, to restore sound management to the public lands, and to restore the Federal Government as a good neighbor to those communities most impacted by the Federal lands. But overarching all of these imperatives is the simple fact that excessive Federal land ownership in the West has become a stultifying drag on our economies and a direct impediment to our ability to take good care of our public lands.

I thought Congressman GOHMERT put it best in a subcommittee hearing we held almost 2 years ago now when he compared the Federal Government's land use policies to the old miser whose great mansion has become the town eyesore—overgrown with weeds, paint peeling, roof dilapidated, broken windows—while the old miser spends all of his time and money plotting how he can buy his neighbor's land.

There needs to be a proper balance between Federal ownership, State and local stewardship, and the productive private ownership of the lands. One look at the Federal footprint map should warn even the most casual observers that we have lost that balance and that we need to restore it.

I, again, thank the gentleman from Texas for organizing this time today and for yielding time.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from California (Mr. McCLINTOCK) so much for his in-depth observations.

I yield to the gentleman from New Mexico (Mr. PEARCE), who knows a great deal about this situation.

Mr. PEARCE. Mr. Speaker, I thank the gentleman from Texas. Again, I appreciate the comments of the gentleman from California.

I am sure most of you have seen this chart, but the color red designates the Federal ownership of land. So you can see some of the statistics that were quoted by the gentleman from California that, in the Eastern part of the U.S.—and it begins at New Mexico, Colorado, Wyoming, and Montana—is where the great mass of Federal lands come into play. You might ask why?

These are the States that came in after Teddy Roosevelt was President. So in the early 1900s, he began the policy of holding many of the lands that

were supposed to be given back to the States. He wanted the large national parks that we were many times enamored with, the large national forests. But they go beyond that. And that going beyond, that holding of land that has productive use but will not be used productively by the government, is the great source of economic problems in the West.

Now, in New Mexico, which is the State here, we have many national forests in the areas covered with red. At one point, New Mexico had 123 mills that were processing timber that were cut out of our national forests. So 20 or 30 years ago, the Fish and Wildlife Service said that we have to protect the spotted owl and logging is the problem. They killed 85 percent of the timber industry nationwide. They killed those jobs nationwide.

In New Mexico, of the 123 mills that we had processing timber at one point, we have closed 122 of them. So imagine these rural communities up in the mountains of a sparsely populated State, they have no economic basis now that the Forest Service has shut these mills down. By the way, about 3 years ago, they came out with a finding that logging was never the problem.

So economic devastation occurred in the areas where the national forest had stopped all logging for a lie that had come from the Fish and Wildlife Service. So people in the West are understandably irritated, they are angry, and they are mad because their way of life has disappeared in these logging communities. But it goes much further beyond that.

A couple of years ago, the Forest Service took a look at the grazing allotments in one of the forests and said: "Oh, we have got to eliminate you 17 ranchers."

We asked later if they would show us the science which said they have to get the people off. They showed me a picture of an orange, 5-gallon can turned upside-down in the forest and said: "Look, the grass height is not high enough."

I began to ridicule their orange-bucket science in public. It embarrassed them tremendously. Meanwhile, we asked the scientists at New Mexico State University to come and study the grazing and the height of the grass, and they said it is probably at historic heights.

So we got involved in the issue. All the ranchers were eventually reinstated into their allotments, but these are private property rights. The allotments are things that have been purchased and sometimes passed along from generation to generation.

Those private property rights, constitutional rights, were removed with no reason, with no understanding of what they are doing from a Forest Service that was arrogant with its power.

Again, you see the effect on our economy. New Mexico is one of the lowest economies in the U.S.'s 50 States. So to find the U.S. Government at odds with the jobs in the State in this rural area just does not make sense to most people. So you find this budding anger across the entire West because the same policies affect everyone out there.

Right now, we have a situation where one family has been fighting the U.S. Forest Service for their water rights. The court said the water rights belong to them. The Forest Service responded by putting a fence around the 23 acres. And they said: "Well, it may be his water, but it is our 23 acres surrounding the water."

The rancher went back to the courts. The courts said, over a period of time, he does not have a right to walk his cows on their 23 acres, but he does have the right to move the water from the 23 acres to his cows. The Forest Service responded by electrifying the fence.

Now, our office has been engaged for 12 years trying to get some reasonable understandings between the rancher and the Forest Service, but it, again, is this arrogance that is willing to drive one of the largest ranchers in that area out of business over something that is, to most people, not understandable.

We continue to analyze the effect, again, of these big red areas in our States. And at the end of the day, the most pressure is put on the Western schools. Now, the gentleman from Utah (Mr. BISHOP) has done a magnificent study showing that the schools in these States are 20 percent below in funding all of the States in the rest of the country.

So at the end of the day, the problem beyond the tax base, the problem beyond the jobs, the problem is in our schools that are starved for resources because we have no tax base on which to fund the schools and which to fund the local governments. So as you look at these footprints of the Federal Government ownership in the West, understand the trauma that it brings to us in our schools, in our jobs, and in our way of life.

It is time for the U.S. Government to change its policies. It is time for the U.S. Government to begin to deal with the fact that people need to raise families in rural States, they need the access to good schools, and we need to be able to access the land which they are currently curtailing at an amazing rate. So that is the perspective from New Mexico on the ownership of Federal lands.

Again, I thank the gentleman from Texas (Mr. GOHMERT) for his leadership on this issue. I thank him for the time that he has yielded to us on this particular subject matter. I would, again, state that we can do better and we must do better.

Mr. GOHMERT. Mr. Speaker, I thank the gentleman from New Mexico (Mr. PEARCE).

So often we hear from people here on this floor from the other side of the aisle talking about how much they care about the children, for the children, for the children. And I know, in my district, we have counties that have national forests. There is no tax base, as Mr. PEARCE points out.

You can't tax it when they are not producing the renewable resource of timber. These aren't sequoias. These are not redwoods. These are just pine trees that grow back every 15 or 20 years or so. And the schools are hurting, the local governments are hurting, but the children suffer because of the Federal Government's usurping the land, failing to utilize it, and leaving people high and dry.

We had a hearing. I learned a lot, and I was pleased that my friend, Mr. HARDY, had requested the hearing because I learned a lot.

I yield to the gentleman from Nevada (Mr. HARDY).

Mr. HARDY. Mr. Speaker, I thank the gentleman from the great State of Texas for yielding me the time.

Nowhere are the challenges of the Federal land mismanagement more evident than in Nevada, where more than 85 percent of our State is controlled by the Federal Government. Land management is an issue that affects all Nevadans, both urban and rural. That is why I was proud to have the opportunity to hold a Natural Resources Committee field hearing in my district examining the unique challenges facing southern Nevada communities.

At the hearing, we heard from local agencies, a nonprofit organization, a university professor, a private sector trade association, and the Federal Government. By bringing all of these different stakeholders to the table at once, one thing became abundantly clear: the status quo Federal land management isn't working, and we need to do something about it. If we fail to act, we will not only harm the quality of life for our constituents, but we will also be endangering the public safety.

I would like to highlight a few examples that were raised at this field hearing and expose the stark reality.

First, we had a chief engineer for the Clark County Regional Flood Control District testify that erroneous BLM requirements prevent the county officials from removing excess sediment and debris from detention basins after desert flash floods. It is amazing that you would have to ask the Federal Government to return to clean out debris where you have already done EISes and NEPA reports; that you can't go remove it before the next flood comes.

Anybody that knows the desert southwest knows that we don't get much rain, but when we get it, we get

it all at once. In our area, we can have 3½ inches of annual rainfall, but it can all come in a couple of floods. And if we don't get those detention basins cleaned, we have the stark reality of shirking the responsibility of local governments and the county governments by protecting for the life, safety, and health of the citizens that are the taxpayers.

He also stated that these aggressively lengthy and convoluted Federal processes poses a significant public safety issue in the event of future floods.

Next we heard from a board member of the Opportunity Village, a community organization that serves thousands of people with intellectual disabilities. She emphasized the need of making affordable land available for important public purposes, including those carried out by qualified nonprofit organizations. According to her testimony, the fundraising dollars of charitable community organizations would be better off spent applied directly to their mission and the people they serve instead of going into the coffers of the Federal bureaucracy. Unfortunately, these charities are forced to expend their limited dollars to acquire the land from the Federal Government.

So you see that the current Federal land management is preventing communities like ours in southern Nevada from carrying out some of their most important responsibilities, like public safety and helping individuals with disabilities.

Those of us on the committee, including my colleague from Texas, firmly believe that there is a better way forward to protect our public lands and natural heritage while allowing the communities to thrive. If we want to grow and diversify our economy to support a growing and diverse population in Nevada, we cannot afford to stand still. As Nevada continues to change, so, too, must our land management.

Mr. Speaker, I thank the gentleman from Texas for leading this important conversation on the Federal footprint out West.

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Mr. GOHMERT. Mr. Speaker, I thank the gentleman from Nevada. It was quite a learning experience, and it was amazing to hear testimony about the Federal Government not only not being helpful when ditches needed to be cleaned out to prevent massive flooding problems, but actually being a bigger problem than the floods themselves.

At this time, I yield to the gentlewoman from Wyoming (Mrs. LUMMIS), my dear friend, who is going to be severely missed come next year.

Mrs. LUMMIS. Mr. Speaker, I thank the gentleman from Texas. Texas is a State that has very little Federal land. And the fact that he took the reins as

subcommittee chairman for the Committee on Natural Resources Subcommittee on Oversight and has taken such an active interest in this issue is something for which those of us from the public lands States in the West are very grateful. Thank you very much, Mr. GOHMERT.

Now, what does this mean on the ground? What we have told you tonight is roughly 640 million acres of this country, or about 30 percent—1 in 3 acres in this country—are owned by the Federal Government. So we have gotten that far.

We have also told you that there are a variety of Federal agencies that own this land. The biggest one is the Bureau of Land Management, BLM, which is under the umbrella of the Department of the Interior. The BLM manages about 250 million acres, and 99.9 percent of that BLM land is in the 11 Western States and Alaska.

So this is an agency that really doesn't deal with 38 of the States. It only deals with 12. But those States are so dramatically affected by this agency, if you combine those 250 million acres, roughly, that BLM manages, that is like the States of Colorado, Arizona, Nevada, and Iowa combined. It is a huge geographic area.

It is not taxed. It is off the property tax rolls. So that is why our schools and other public services in our 11 Western States and Alaska are so impacted by the presence of BLM land. We are given payments in lieu of taxes, but they are not the equivalent of getting taxes, and they are certainly not something that we can count on every year. Some years Congress gives PILT money and some years it does not, so it is not a reliable source of revenue for these States. Yet they are tremendously impacted by these lands.

The science has changed so much, but our statutory scheme in managing these lands has not caught up to the better science that we have today. For example, let's look at this picture. I hope you can see it from where you are sitting. Some of the brownish areas are land that has not been logged. The trees are clogged close together. They have small diameters. They are competing for moisture, for root space, for the nutrients in the soil. Because they are so crowded together, they become less healthy. Bark beetles and other forest killers are killing them out. So what you are seeing here in the crammed areas is unhealthy forests that have not been logged.

Now, what you are seeing in these green, beautiful areas has been logged. So what has happened there? There has been selective logging. It has been done with the natural contours of the landscape. It has been done in the high ground, so you can keep some high mountain meadows that help keep snow and a source of grass growing below the tree canopy for wildlife,

hopefully keeping them in the high country longer in the year. Furthermore, those trees can breathe; they are better resistant to disease; they are healthier and better resistant to fires.

One of the big consequences of having overcrowded, unhealthy, unlogged forests is these massive wildfires that we have been having these last few years. That is bad public policy that was probably generated by people who were well intentioned, who thought that we were overlogging, so their viewpoint was to quit logging, when, in fact, that made matters worse. Instead of quitting logging, we should have been more selective and more careful using silviculture techniques and horticulture techniques that have been proven in the 21st century.

Let's look at grazing, which is a more common use of BLM land. What we have found—and I strongly encourage you to go listen to this TED Talk. If you have ever listened to a TED Talk, this is one of the best ones I have ever heard by a man named Allan Savory. So get on TED Talks, go to Allan Savory, and you will finally understand what I have been saying here for 8 years about 21st century grazing practices.

As it happens, Allan Savory, who is probably the preeminent global expert on grazing, has his ranch in Zimbabwe, and the areas that he was working in Zimbabwe were horribly, horribly eroded. They attributed it to overgrazing. They were worried that there were too many elephants, so they did a massive killing off of thousands of elephants, only to find out that was not the cause.

When they changed their grazing practices and put four times as many split-hoofed animals, meaning cattle or sheep or goats, on that land and herded them, it actually made the grass healthier. Grass grew back in stronger stands of grass. They sequester more carbon, so it is good for carbon capture and sequestration, and the grass stands were healthier. Eroded draws healed up; the grasses came back.

These practices were brought to the United States. Interestingly, my family purchased some land on the ranch next door to us that had a Savory grazing system on it. It had 2,600 acres that were divided into 16 smaller pastures, with the water source in the middle, and we would move our cattle among these 16 small cells; and you would put all of them in one cell for a very short period of time, maybe 10 days, and they would graze that grass down to the nubs.

They would eat the grass that was more palatable, but they would also eat the noxious weeds, and then you move them. So you continue to move them among these 16 cells on 2,600 acres. As we grazed that way, we found out that healthy stands of grass, palatable grass, good buffalo grass, short grass, prairie grasses were thriving.

The noxious weeds were declining. The eroded draws were healing. There was more opportunity to sequester carbon.

When you concentrate cattle into those small areas, their manure becomes a tremendously valuable source of fertilizer. The grass stand is healthier. This process was proven in Africa in grazing, and it is being done successfully all over the United States. Please go to the Allan Savory TED Talk. You will understand what I am saying. What he shows on that TED Talk, I have experienced on my own land.

We should be doing that on BLM land. We have BLM land that is overgrazed, and some people come here to Congress and say, well, if you would just take cattle and sheep off the public lands, it is just being overgrazed, then we can have as many wild horses as we want. The problem with that is, wild horses have a solid hoof, so when they pound the ground with their solid hoof, they are compacting the soil. When it rains, it runs off instead of seeping into the soil.

If you put cattle, goats, sheep, elk, deer, moose that have split hooves on that ground, they actually knead the soil with their hoof action, and it develops an opportunity for more of that rain to seep into the ground. It is a better grazing ungulate. We have learned all this recently. This is not 21st century science. This is late 20th century and now 21st century science.

The problem is our statutes were passed in the 1970s when the thought was we should concentrate power and authority and public input into Washington, and we should make these grazing policies and forestry policies out of Washington because the people in the States can't be trusted. They will overlog, and they will overgraze to line their pockets. You know, it is just not true anymore, but our statutes are stuck in a 1970s command-and-control scheme.

So we need to update our statutes to reflect our greater understanding of logging and grazing and how mankind can actually benefit and sustain these resources and improve these resources well into the 21st century. We owe it to our children and grandchildren.

I thank Mr. GOHMERT so much.

Mr. GOHMERT. I thank my friend from Wyoming. Well-made points. When you look at Wyoming on the map and you see just how much of it is colored, meaning how much is controlled by the Federal Government, how much is owned by the Federal Government—I think about the movie where one lawyer got upset because the judge kept interrupting, and the lawyer ultimately says: Well, Judge, if you are going to try my case, just don't lose it for me.

I think about that with regard to the Federal Government taking over all of this land. If you are going to take over

our land, Federal Government, at least just don't ruin it, which has been going on. In fact, what we have seen with the fund that has been used by the Department of the Interior to acquire more and more land, I think we may be \$9-, \$10 billion behind in upkeep and maintenance of our national parks. Our Federal properties as facilities are declining. Where they are not getting proper repair, it is like, as Mr. MCCLINTOCK mentioned, all they can see is, wow, we have got money, let's get more land and more land and more land, and they are not properly taking care of what they have.

At this time, I yield to the gentleman from California (Mr. LAMALFA). He knows all about the problems the Federal Government continues to create and aggravate.

Mr. LAMALFA. Mr. Speaker, I really appreciate my colleague, Mr. GOHMERT, once again for yielding to me on so many of these important topics that we have worked on together during my relatively short time here.

This, of course, is very key to all of us in the West, and the reality of which needs to be pressed upon all the people of the country and all of our legislative colleagues across the country, especially on the East Coast that really can't quite fathom how far-reaching this is in Western States. So it is really a pleasure to be able to join with my other Western colleagues and Mr. GOHMERT who have spoken here tonight.

We need to raise the awareness of yet another new map being released by the Committee on Natural Resources. Now, the map I am illustrating here, this actually breaks it down into a smaller size. This is the First Congressional District of California, this being Oregon up top and Nevada on the side, where you have that top corner there, which is part of a State that is owned approximately 45 percent by the Federal Government—actually, not by the Federal Government. It belongs to the people. It is the public's land. Our neighboring State, Nevada, is approximately 84 percent Federal land.

We know how poorly they are managed as we watch them go up in flames each summer. The visible result is that millions of acres in the West burn each year. The amount of timber and fuel reduction is done. You see most of that is done on private lands where they can actually go out and have the incentive to take care of their assets versus the other side, with U.S. Forest Service and BLM and others that don't seem to be able to get out of their own tracks on the issue.

For example, last year, 576,000 acres of Federal land burned in California—this is the public's land—about 1.3 percent of all Federal land in the State. Even worse, fires which began on national forest lands burned hundreds of thousands of acres of private and State land as well where, as part of the strat-

egy, the Federal Government was even resorting to a backfire-setting strategy on private lands, as they are doing right now to let it burn its way out. This happened partly up in my district in Siskiyou County right now, thousands of acres of private land backfired.

We know that the Forest Service and National Park Service alone have a deferred maintenance backlog, by their own estimate, of over \$16 billion—\$16 billion that would have to come from the national Treasury. Yet both agencies are continually attempting to acquire even more land.

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The result, of course, is that these agencies' funds are stretched more and more thinly, making the backlog even worse. At the same time, they are also complaining that, with the increased amount of fire suppression, the costs have shifted for the Forest Service from one-third of the budget just a few years ago to, now, two-thirds of their entire budget for fire suppression, making it harder for the things they should be doing, with getting out harvest permits and doing their other green work during the nonfire season. That doesn't happen anymore.

Another impact of Federal land acquisition is to deny the local governments the property tax revenue they would receive and generate and deny the rural communities the jobs and economic activity that responsible timber, ranching, farming, and mining operations would generate.

Thanks to Federal land acquisition and this administration's refusal to properly manage national forests, rural communities are heavily reliant on the secure rural schools fund, a program the Federal Government funds to help local schools, police, and local infrastructure, to the tune of about \$285 million last year. Counties are also heavily reliant on the PILT fund—payment in lieu of taxes—to the tune of about \$450 million last year.

In both cases, local governments have less funding than if they were simply allowed to have the functioning economies that Federal regulations have destroyed. Both of these funds are something we have to fight for each budget year to make sure they stay in place, because people seem to forget these are backfills for what has been taken away from rural communities and rural economies.

These rural economies don't want handouts. They want to have the opportunity to be self-sufficient, while not having to come begging for PILT funds or the secure rural schools fund. This means jobs for these economies, for these local areas, versus high unemployment and the social ills that come from an economy that has now disappeared, the social ills that affect families and affect homes, that affect

local government and what you have now with the issues of people who are now basically in depression. More domestic violence happens because they don't have a job anymore.

However, the Federal footprint isn't limited solely to federally owned land. The map identifies not just land owned by the Federal Government, but also areas with restrictions on human activities due to Federal regulations.

As you can see, between national forests and other Federal public lands and areas under critical habitat, wetland, or other restrictions, economic activity is restricted in the vast majority of my district. These colors in green and orange are pretty much dominated by Federal land ownership or, supposedly, stewardship. The areas in white are where the offers are still for people in private areas to carry out economic activity.

You can see from the color of that map that there are not a whole lot of options left. Indeed, by the time they establish wildlife corridors and more and more of these things that are in the plans, you can see our options are going to be just about zero.

This means that local voices, once again, are ignored. Communities have little recourse when Federal agencies arbitrarily decide to close roads, limit economic activities like hunting, fishing, hiking, what have you, and expand their reach through regulations and habitat designations.

Rural Sierra Nevada communities have long been told by environmentalists that they must shift to a tourism economy now that Federal and State restrictions have nearly killed the timber and mining industries in those areas. But what happens when the same environmental agenda, extended in the form of critical habitat and other designations, even damages the fledgling tourist economy that they want to promote for these communities?

The Fish and Wildlife Service recently bent to the demands of extremist groups and listed the Sierra Nevada yellow-legged frog and the Yosemite toad under the Endangered Species Act, affecting much of this area on the east side in my district and extending down into Mr. MCCLINTOCK's district south of mine there.

During this process, my colleagues heard from many people in the several public meetings that Mr. MCCLINTOCK and I had on this very subject a couple of years ago. We wanted the public to be able to be part of this process to ensure that the Service heard the concerns of our constituents directly.

The Service's initial habitat maps were riddled with obvious errors, like the inclusion of parking lots and other areas which contained zero amphibian habitat; and over 20,000 public comments were submitted, which were overwhelmingly opposed to the des-

ignation of this so-called critical habitat.

However, when the final designations were released just a few days ago, they differed little from the initial maps. Nearly 2 million acres of Sierra Nevada, all down the east side of California—about half within my district, the other half pretty much all within Mr. MCCLINTOCK's district—were designated as critical habitat.

Again, throughout this process, the Fish and Wildlife Service claimed there would be no negative impacts to Sierra communities. We learned that claim to be false almost immediately.

For years, a race called the Lost Sierra Endurance Run, a 50-kilometer, has been held on existing trails and roads throughout the town of Graeagle in Plumas County, California. Run by a local small local nonprofit, the race generates thousands of dollars for trail maintenance and has a significant economic impact on a little town known as Graeagle, with local hotels, restaurants, and shops benefiting from the visitors the race draws to the area, as well as people being able to enjoy the outdoors and see what their public lands are all about.

However, last year, before the critical habitat designation was even complete, the nonprofit was told they would need to pay to conduct a study on the impacts of the race on the yellow-legged frog—an impact study. Federal agencies were concerned that runners using existing trails might negatively impact the frogs.

The study the Federal agencies demanded was costly enough to more than wipe out any proceeds from the race, and the organizers were forced to cancel it. Not only would runners not be visiting the area, but now, trail conditions will deteriorate without the funding the race generated. Yes, the funding that the race generated was there to help keep the habitat and the trails maintained.

This is the second year that the race has not occurred, and it is likely that it, with the visitors it brought to the area, is gone permanently. What is next? Limits on walking through the area within a critical habitat?

Colleagues, it may sound absurd, but Federal agencies have already expressed concern that running within this designation could harm frogs. Imagine all the other activities—using off-road vehicles, hunting, fishing, camping, bird watching, hiking—that agencies likely view as dangerous to frogs.

As we watch the West burn this time of year, we observe the failure of Federal ownership and nonmanagement of the public's lands.

Compare private timberlands versus the public. Private is fire-resistant and healthy, by and large, where they are able to manage their own lands. You can fly over it and see the checker-

board pattern of public versus private. Before a fire, you see it being managed. After a fire, you see the private lands, where they go back out there and get the lands re-covered and replanted again. Public land sits there with a bunch of snags, dead timber, brush growing up, and becomes the next tinderbox in 5 or 7 years.

Indeed, the damage from these massive fires we have these days, these catastrophic fires, isn't just to the trees. It is to the habitat, to the wildlife—the very habitat they are fighting against us on.

When you have these devastating fires, the next winter, what do you get? Ash and silt all washing down into the creeks, streams, rivers, and lakes, making it bad for the fish. You don't have the habitat there for owls or anything else that used to be there when the forest was still standing. Somehow, there are a handful of extremists that think this is somehow good. Oh, we need these burned lands.

California is full, at this point, with about 66 million dead trees, by the U.S. Forest Service's own estimates. This isn't just an isolated tree here and there. Now you can see entire groves that are just waiting for the next lightning strike or the next spark, and it is going to be big-time problems for those areas to try and put them out.

The Forest Service even goes so far as to resist the opportunity for doing land swaps with land that has already been managed, thinned, properly left by private concerns. Where they can then move on to take some trails into public ownership, that would be beneficial for the public as well as private entities being able to manage the formerly public land. They resist these kind of swaps because they want to buy more, acquire more, with money we don't have.

Each new national monument, wilderness, critical habitat designation, or study area limits the tools to promote healthy forests. With the desire and even mandate for new renewable electricity—especially the mandates in California—forest biomass is one of the greatest opportunity potentials we have. It is something we need to be doing yesterday, in order to generate the electricity and bring the jobs that would come from removing that extra material in a way that is good for the ecology, for the forest, and bring those jobs right in the district—not building solar cells in China or wind machines in Europe, but jobs right in our own backyard; thinning these forests, using the material and putting it into a power plant that can generate renewable electricity to meet the mandate of 50 percent California sees and that other States will probably start adopting. We can be putting these jobs back home, improving forest safety and fire safety, preserving the habitat, keeping the water quality up, and, yes, bringing

the jobs home for those paper and wood products that we still all need.

Instead, we watch them burn because they are unwilling to do what needs to be done. They are afraid to do what needs to be done. There is not enough money in the U.S. Treasury to go out and try to recover all that habitat, plant those forests back, which is what the private sector could be doing when it manages it and is allowed to make a little bit of living at a time.

So we have got a lot of work to do in getting this message across on the way the West is dominated by poor management at the Federal level. I hope those people listening tonight will take this to heart and give us the backing we need to accomplish better policy goals and make it so that our Western lands, our Western economies, our Western habitats can actually be preserved with wise management, not this debacle we see happening every fire season.

So, again, to my colleague, Mr. GOHMERT, I thank him so much for having this time here tonight for us to be able to spotlight this once again for our American people and for our colleagues. I appreciate it.

Mr. GOHMERT. I am grateful to Mr. LAMALFA, a man that has been educated in agriculture. He knows what it is to be a farmer. He knows what it is to be a good steward of the land.

At this point, we have someone else who knows something about use of the land. He is a dentist but knows about use of the land.

I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. I would like to thank my good friend and colleague, the gentleman from Texas, for taking the time to lead on this important conversation about the size of the U.S. Federal footprint.

It is a conversation that many Americans, specifically those living east of the Mississippi River, have never had to think much about. However, in Western States like my home State of Arizona, we face unfair burdens on our communities due to the fact that over 90 percent of all Federal land is located in the West. In Arizona, only 18 percent of the land remaining in the State is privately held.

Where land is locked up by the Federal Government, the government controls all aspects of use, development, and access. Local school districts and businesses suffer, having no private land base to grow or tax to support infrastructure.

Imagine the impact on corn if only 18 percent of the land in Iowa was privately held, or cotton production in Mississippi or oranges grown in Florida. The agriculture that defines many Eastern States would be severely limited if they faced the same Federal footprint that Arizona and Western farmers must confront.

Farmers and ranchers in the West face a tsunami of bureaucracy pre-

venting them from doing their jobs. Additionally, energy development, including traditional and renewable energy, is almost nonexistent on Federal lands.

I have held numerous townhall meetings and field hearings to hear from small-business owners, sportsmen, farmers, ranchers, elected officials, and many other stakeholders who adamantly oppose furthering the reach and size of the Federal Government's footprint.

Adding insult to injury is the fact that the Federal Government management agencies like the BLM have identified hundreds of thousands of acres of Federal land for disposal that the agency admits it is not effectively and efficiently utilizing.

Imagine for a moment that the BLM knows it has land that it doesn't use and yet the Federal Government still keeps the land for itself. The BLM is not alone though. In April of this year, it was reported that the National Park Service has a nearly \$12 million deferred maintenance backlog. Wow.

The Forest Service Federal footprint is 192.9 million acres, and the total Federal estate exceeds more than 635 million acres.

When businesses and the private sector don't develop their leases quickly enough for the extremist environmental groups, they are labeled as "greedy." Yet these same groups give the Federal Government a pass and actually encourage them to acquire more land. The Federal Government is supposed to represent we the people, not the special interest groups like the Sierra Club.

In order to return Federal land that is not being used back to the State and communities who desperately need it, I am proud to have introduced a commonsense solution that ensures public lands are utilized more efficiently, while also yielding significant benefits for stakeholders.

This legislation, known as the HEARD Act, establishes an orderly process for the sale, conveyance, and exchange of Federal lands not being utilized by public land management agencies that have been identified for disposal.

The HEARD Act will yield significant benefits for education, sportsmen, agriculture and natural resource users, counties and States by establishing a revenue-sharing mechanism that ensures a fair return for all.

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Now the Heard Act is modeled after the Southern Nevada Public Land Management Act. This Federal law, enacted in 1998, has a proven track record of success in Nevada. To date, more than 35,000 acres identified by the BLM for disposal have been sold, conveyed, or exchanged in Nevada, and sales have generated nearly \$3 billion in revenue.

The revenue-sharing mechanism instituted by this law has benefited education, enhanced recreational opportunities, public access, and achieved better overall management of public lands. Imagine what we could do if we returned public lands that were up for disposal back to the public and back to the State.

It is long past time that Congress takes action to responsibly shrink our 635-million acre Federal footprint and empower western States to have a voice in determining our land management policies.

I thank the gentleman from Texas for giving me the time to talk about this.

Mr. GOHMERT. I thank the gentleman from Arizona. I yield back the balance of my time.

STATEHOOD FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, I appreciate this time on the House floor this evening because there has been a historic development in the District of Columbia. Today, a new group called Statehood Yes announced what amounts to bipartisan support for D.C. statehood.

The fact is that the Republican Party of the District of Columbia had not always—in fact, had not been officially a part of the statehood movement, which is not to say that some Republicans have not been for D.C. statehood.

But today was very different. Today, a D.C. resident, George Vradenburg, a philanthropist in our city, a long-term resident, and a former AOL executive, announced that he was chairing a campaign that is part of the effort of the District of Columbia to achieve statehood. That effort is being led by the Mayor and the City Council who, earlier this year, launched what is called the Tennessee Plan.

The Tennessee Plan is simply a shorthand way to get statehood. The way in which my statehood bill operates is that, yes, the House and the Senate would vote for statehood, and it would then ask the city to submit a constitution and do what is necessary to become a State.

The Tennessee plan simply reverses that process. It does what Tennessee did. What Tennessee did was what the District is in the process of doing. What Tennessee did was to present a constitution to the people to be ratified. And when it had done all of the preliminaries, preliminaries that are often done after the statehood vote, they simply came to the Congress and said: Approve us for admission to the

State. And, indeed, that is exactly what the Congress did 200 years ago.

The District is trying to imitate that approach to statehood. In order to do so, there needs to be a vote. You are not going to get statehood if you don't want it. So as part of the democratic process, the District would have to vote on whether or not it wants statehood. That is what the Statehood Yes campaign is trying to facilitate as part of what is required by the Tennessee plan.

What this means is—much like the State of Tennessee, it was a Federal territory at the time—this bill would be submitted to the President after the House and the Senate had voted for D.C. statehood if the voters answered four questions.

What are these questions?

First, the voters will have to answer yes or no whether the District should become a State.

Second, the District will have to answer whether voters, those of us who live in the District and vote in the District, approve of a constitution. That constitution is being adopted as I speak by the Council of the District of Columbia.

Third, the voters will have to approve the proposed boundaries for the State. That is important since the Federal sector would continue to exist. That Federal sector would be the areas where The Mall and monuments and other Federal buildings are now located. The new State would be the neighborhoods of the District of Columbia.

And the fourth question the voters will be asked to approve is whether they pledge to support an elected representative form of government.

I was very pleased to hear Mr. Vradenburg speak today at Busboys and Poets, one of our local meeting places, about why he supports D.C. statehood and why he has taken on this effort to be the chairman. Among the things he discussed, of course, is how he intends, with the effort of Statehood Yes, to reach out to all parts of the country.

The District recognizes that, in spite of this bipartisan support in the District of Columbia, statehood remains an uphill climb.

What important change in our country has not been an uphill climb?

We are undaunted by that prospect.

We recognize that the Republican Party nationally has certainly not been supportive of D.C. statehood. At its convention this year, the Republicans did not include language supporting D.C. statehood. In fact, there was language that appeared to oppose D.C. statehood.

But at that time we did not have what we apparently have today, and that is the official support of the Republican Party of the District of Columbia. That official support could not

be more important. Present at the Statehood Yes announcement today was Patrick Mara, the Executive Director of the Republican Party of the District of Columbia.

This bipartisanship is minimally necessary for us to move forward; just as we recognize we will have to work with Republicans here in the Congress in order to get the same rights they have.

District of Columbia residents are number one per capita, first in taxes paid to support the government of the United States, and yet, the City's budget comes here every year. It is a local budget. That is money, \$4 billion, raised in the District of Columbia. I am sure my colleagues would tear their hair out, Republican and Democrat, if their local budget had to come here.

The reason the District has moved to statehood is that there is no other way to achieve equality as American citizens except as a new State.

Today's effort came as every Member of this House is running for office. As I thought about what this first bipartisan effort, the first thought that crossed my mind was that D.C. is running for statehood. It is going to the people and saying: We can't move forward with the effort the Congresswoman has made, or with this effort through the Tennessee Plan, a shorthand way to get statehood, but one that has been used by other States, unless D.C. wants statehood.

So in D.C. that is like second nature.

Why would you ask somebody if they wanted statehood?

We all know the answer, but getting an official answer, an answer through a vote, is very different from answer, an answer through a vote, is very different from everyone understanding that nobody would choose to have Congress in your local business if you had a choice, particularly a Congress which has shown for a number of years now that it can't even run itself, much less try to have anything to do with running a District of almost 700,000 American citizens.

So, yes, we do need a strong vote from residents to move forward with statehood. I am not at all concerned about that vote. A poll showed that more than three-quarters—that is a poll that was taken by one of our newspapers, The Washington Post—support D.C. statehood.

You can be assured that the District is—those who are working as part of the Tennessee Plan for the necessary vote—are trying to get an even bigger vote than that. We haven't had a vote for statehood now for decades. This is an entirely new effort on the part of the City.

In fact, the best expression of where the residents stand on statehood came about 4 years ago when we had our first official Senate hearing on statehood. Now, I knew there would be some residents who came. What I did not antici-

pate is that they would come in such large numbers that, after the standing-room-only room where the hearing was being held was filled, the Senate would have to open up other rooms in order to accommodate all the residents. So they have voted. They have voted with their feet.

What the District wants now and what Statehood Yes is trying its very best to get is an official recognition, an official voice from the residents of whether they want statehood or not. And the best way to get that is the way they began today, with bipartisan support, with an AOL executive who lives in the District chairing the effort to get that vote.

D.C. showed up. They showed up in record numbers when the question was: Do you want to listen to the first official hearing in the Senate on D.C. voting rights—sorry—on D.C. statehood?

I am glad I mentioned D.C. voting rights there because the District didn't come to statehood easily. When Tom Davis—Representative Tom Davis, who decided several years ago to retire from the Congress—was here, he approached me about a bipartisan effort to get a vote, just a vote, in the people's House. Tom, a Republican, had been in the Republican leadership. He was in the majority. He and I worked together on what was really an important effort.

Utah had just missed getting the vote. Utah may be the most Republican State in the union, and the reason it missed getting the vote was heartbreaking. Its young people fan out every year to other countries as part of their missionary work. In past eras, those missionaries had been counted in the way they must because they have to come home after 2 years.

For some reason they weren't counted, and Utah went all the way to the Supreme Court of the United States, but did not prevail. So it was quite a bipartisan effort. I remember working not only with the Utah delegation, but with the Governor of the State and with the House and the Senate of that State, who approved that bipartisan effort to achieve a House vote for D.C. residents and a House vote for Utah.

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That effort succeeded in the House and the Senate at a time when the Democrats controlled both parties. What kept it from fruition is also heartbreaking, and that is that there was a rider from the National Rifle Association attached that, in essence, said, yes, you can give D.C. a Member of Congress if—if the District eliminates all of its gun safety laws. That is an offer that had to be refused. It was a cynical offer.

How can you be in the Nation's Capital and not have strong gun safety laws? Not only do 700,000 of us live here, but the most controversial figures in the world come here. Heads of

state frequent our streets and our restaurants. They come by in caravans of cars every day. So it was an offer that had to be refused.

But it does show that the District has tried to find incremental ways to statehood and been rebuffed. Even as I speak, there is a new and important effort going on; and that is the District has moved, pursuant to a budget autonomy referendum, to manage its own budget without coming to the House of Representatives or the Senate.

For this referendum, The District was sued. It lost in the U.S. district court and went to the court of appeals. As someone who practiced constitutional law, I can tell you I had never seen what resulted. The U.S. court of appeals eliminated—the District Court decision, and submitted the issue of the constitutionality and the legality of budget autonomy to the Superior Court of the District of Columbia. The Superior Court of the District of Columbia held that the District's budget autonomy referendum is valid. So, the irony is that the only court decision upholds budget autonomy for the District.

Understand what we mean by that. It is the same autonomy that every Member here not only cherishes, but insists upon. It is your own money. It has nothing to do with this House, which contributes nothing. The only thing the House contributes to the District of Columbia is what it contributes to everybody else. It doesn't give us a thing. Yet if you go out in the streets of the District of Columbia, you should be envious of what we have done with our economy because what you will see is building going on everywhere. People are moving into the District, not moving out.

We know how to support ourselves. We have got more than \$2 billion in surplus funds. How many Members of this House can boast that? So you can see how we object to those who dare tell us how to run our city, particularly as we see this House floundering on the Zika virus, a health emergency, and we still can't get it done. D.C. doesn't have that kind of problem. We can govern ourselves without interference by others.

The District is particularly to be complimented on this longer effort to achieve D.C. statehood. It has been going on now for the better part of 6 months. Too often the city and its residents have grown angry when Congress did something to our city. There was an arrest led by the former Mayor when he was Mayor and members of the council when there was an attachment to our budget after we had gotten every single rider or attachment removed that had been undemocratically attached by this House. People were arrested.

But the problem with that approach is not that civil disobedience is not to

be expected when somebody takes away rights that every American citizen should have. The problem with it is you can't wait for the Congress to do something really horrendous to you and then say that we are now in the mode to get our rights. It has to be a sustained effort. What the District is doing now as it tries to use the Tennessee Plan to get statehood is part of a sustained effort.

Today I called for a yearlong plan after that because I do not suffer the illusion that a House that can't pass a Zika virus is going to reach into its long lost democratic treasure house and give the District statehood, but I do certainly believe that it won't happen unless you have the kind of effort that is going on now. What the District is doing in its effort to achieve statehood, using the Tennessee Plan with the bipartisan effort announced today, to me, is particularly noteworthy.

When I come to the House floor, as I often do, as I am this evening, to speak about statehood, you are within your rights to say: Says who? My answer to that—when the vote comes in in November, with this question on the ballot answered by the residents of the District of Columbia, I will be able to say: Says who? Says the American citizens who live in your Nation's Capital, who also happen to pay the highest taxes per capita in the United States of America; that is who. That is what I was will say.

I say to my Republican friends in the District of Columbia, you have sent a worthy signal to this House that bipartisanship for D.C. statehood begins in the District of Columbia, and now it must be taken up by both parties in the House and Senate as well.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. McCARTHY) for September 6 and today on account of illness.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 8, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6686. A letter from the Director, International Cooperation, Acquisition, Tech-

nology, and Logistics, Department of Defense, transmitting Transmittal No. 2-16, informing of an intent to sign the Memorandum of Agreement Among the Federal Ministry of Defense of the Federal Republic of Germany, the Ministry of Defense of the State of Israel, and the Department of Defense of the United States of America, pursuant to 22 U.S.C. 2767(f); Public Law 90-629, Sec. 27(f) (as amended by Public Law 113-27 6, Sec. 208(a)(4)); (128 Stat. 2993); to the Committee on Foreign Affairs.

6687. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period of April 1—May 31, 2016, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

6688. A letter from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting a notification of a federal vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6689. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting two notifications of change in previously submitted reported information and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6690. A letter from the Secretary, Judicial Conference of the United States, transmitting the Report of the Proceedings of the Judicial Conference of the United States for the March 2016 session, pursuant to 28 U.S.C. 331; June 25, 1948, ch. 646 (as amended by Public Law 110-177, Sec. 101(b)); (121 Stat. 2534); to the Committee on the Judiciary.

6691. A letter from the Secretary, Department of Veterans Affairs, transmitting a letter reporting a violation of the Anti-deficiency Act, in the Medical Support and Compliance account (36-0152), pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 5178. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes; with an amendment (Rept. 114-727). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Indiana (for himself, Mr. BLUMENAUER, Mrs. McMORRIS RODGERS, and Mr. CÁRDENAS):

H.R. 5942. A bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN (for himself, Mr. KATKO, Mr. KING of New York, Miss RICE of New York, Mr. PAYNE, and Mr. McCAUL):

H.R. 5943. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; to the Committee on Homeland Security.

By Mr. UPTON (for himself, Mr. CRAMER, and Mr. HIGGINS):

H.R. 5944. A bill to amend title 49, United States Code, with respect to certain grant assurances, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. SAM JOHNSON of Texas, Mr. BOUTSTANY, Mr. TOM PRICE of Georgia, Mr. SMITH of Nebraska, Mr. REED, Mr. KELLY of Pennsylvania, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, and Mr. ROSKAM):

H.R. 5945. A bill to amend title III of the Social Security Act to allow States to drug test applicants for unemployment compensation to ensure they are ready to work; to the Committee on Ways and Means.

By Mr. DOLD (for himself and Mr. FARENTHOLD):

H.R. 5946. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games; to the Committee on Ways and Means.

By Mr. McDERMOTT (for himself, Mr. REICHERT, Mr. DOGGETT, Mr. DANNY K. DAVIS of Illinois, and Mr. REED):

H.R. 5947. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of targeted groups for purposes of the work opportunity credit; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. HUNTER, Mr. ISSA, Mr. PETERS, and Mr. VARGAS):

H.R. 5948. A bill to designate the facility of the United States Postal Service located at 830 Kuhn Drive in Chula Vista, California, as the "Jonathan 'J.D.' De Guzman Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself and Mr. KINZINGER of Illinois):

H.R. 5949. A bill to prohibit the use of funds to make payments to Iran relating to the settlement of claims brought before the Iran-United States Claims Tribunal until Iran has paid certain compensatory damages awarded to United States persons by United States courts; to the Committee on Foreign Affairs.

By Mr. TIPTON:

H.R. 5950. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself, Mr. WELCH, Mr. LATTA, and Ms. CLARKE of New York):

H. Res. 847. A resolution expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment; to the Committee on Energy and Commerce.

By Mr. MURPHY of Pennsylvania (for himself, Mr. VISLOSKY, Mr. DENT, Mr. MCKINLEY, Mr. BOST, Mr. RYAN of Ohio, Ms. KAPTUR, Mr. JONES, Mr. JOHNSON of Ohio, Mr. LOEBBACH, Mr. LIPINSKI, Mr. BROOKS of Alabama, Mr. CRAWFORD, Mr. TIPTON, Mr. REED, Mr. COSTELLO of Pennsylvania, Mr. NOLAN, Mr. HARPER, Mr. PITTENGER, Ms. SEWELL of Alabama, Ms. MCCOLLUM, Mr. BYRNE, Mr. HUDSON, Mr. GENE GREEN of Texas, Mr. CARSON of Indiana, and Mr. BARLETTA):

H. Res. 848. A resolution calling for the maintenance of effective trade remedies for United States manufacturers and producers by ensuring that any foreign country designated as a nonmarket economy country under the Tariff Act of 1930 retain this status until it demonstrates that it meets all of the criteria for treatment as a market economy set forth in section 771(18)(B) of such Act; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

292. The SPEAKER presented a memorial of the Legislature of the State of Arkansas, relative to Interim Resolution 2015-007, encouraging the United States Congress to amend the Food Allergen Labeling and Consumer Protection Act of 2004, to include mammalian meat, dairy, and other products; to the Committee on Energy and Commerce.

293. Also, a memorial of the Legislature of the State of West Virginia, relative to House Concurrent Resolution 36, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

294. Also, a memorial of the Manville, Borough Council of New Jersey, relative to Resolution 2016-135, confirming support of H.R. 814 known as the "Thin Blue Line Act" and urging the United States House of Representatives and the U.S. Senate to enact this legislation; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. YOUNG of Indiana:

H.R. 5942.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. DONOVAN:

H.R. 5943.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. UPTON:

H.R. 5944.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BRADY of Texas:

H.R. 5945.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. DOLD:

H.R. 5946.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. McDERMOTT:

H.R. 5947.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mrs. DAVIS of California:

H.R. 5948.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. LANCE:

H.R. 5949.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Sec. 8, Clause 3 and Clause 10: The Congress shall have the power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; to define and punish Piracies and Felonies committed on the high Seas, and offenses committed against the Law of Nations.

By Mr. TIPTON:

H.R. 5950.

Congress has the power to enact this legislation pursuant to the following:

Article 4 Section 3 Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. LOUDERMILK, Mr. WEBSTER of Florida, Mr. DAVIDSON, and Mr. ROUZER.

H.R. 213: Mr. HULTGREN, Mr. DENT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POLIS, Mr. RIBBLE, Mr. ROTHFUS, Mrs. DAVIS of California, Mr. POE of Texas, and Mr. DEUTCH.

H.R. 249: Mr. KENNEDY.

H.R. 267: Mr. YOUNG of Iowa.

H.R. 333: Mr. GARAMENDI.

- H.R. 335: Mr. GUTIÉRREZ and Ms. VELÁZQUEZ.
H.R. 381: Mr. TED LIEU of California.
H.R. 430: Ms. LOFGREN.
H.R. 449: Mr. PERLMUTTER.
H.R. 546: Ms. LINDA T. SÁNCHEZ of California.
H.R. 556: Ms. PINGREE.
H.R. 563: Mr. ISRAEL.
H.R. 605: Mr. ISRAEL.
H.R. 612: Mr. MOONEY of West Virginia.
H.R. 670: Mr. DONOVAN and Mr. SMITH of New Jersey.
H.R. 836: Mr. HILL.
H.R. 902: Mr. HIMES.
H.R. 918: Mr. RATCLIFFE.
H.R. 954: Mr. DOLD.
H.R. 971: Mr. FITZPATRICK.
H.R. 1013: Ms. LOFGREN.
H.R. 1095: Ms. JACKSON LEE, Mr. CUMMINGS, Ms. BASS, Mr. GRAYSON, Mr. PASCRELL, Mr. ENGEL, and Mr. POCAN.
H.R. 1116: Mr. DANNY K. DAVIS of Illinois.
H.R. 1192: Ms. ROYBAL-ALLARD, Mr. GRAVES of Louisiana, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTER of Texas, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BYRNE, and Mr. TED LIEU of California.
H.R. 1220: Mr. RICHMOND and Mr. WESTERMAN.
H.R. 1233: Mr. PERRY.
H.R. 1258: Mr. BECERRA.
H.R. 1284: Mr. SMITH of Washington, Ms. LINDA T. SÁNCHEZ of California, and Mrs. DAVIS of California.
H.R. 1427: Mr. BROOKS of Alabama and Mrs. ROBY.
H.R. 1453: Mr. GARAMENDI.
H.R. 1532: Mr. REED.
H.R. 1545: Mr. COSTA.
H.R. 1559: Mr. ALLEN.
H.R. 1595: Mr. MURPHY of Florida and Mr. CURBELO of Florida.
H.R. 1598: Ms. ADAMS.
H.R. 1643: Mr. ROSS.
H.R. 1707: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1763: Ms. MCCOLLUM and Ms. ROS-LEHTINEN.
H.R. 1779: Mr. RUSH.
H.R. 1859: Mr. BROOKS of Alabama.
H.R. 1904: Ms. JACKSON LEE.
H.R. 1905: Ms. JACKSON LEE.
H.R. 1911: Mr. REED.
H.R. 1966: Mr. GRAYSON.
H.R. 2001: Mr. LOUDERMILK and Mr. ROONEY of Florida.
H.R. 2096: Mr. HECK of Nevada.
H.R. 2280: Ms. LEE.
H.R. 2294: Mr. DUNCAN of South Carolina.
H.R. 2429: Mrs. BEATTY.
H.R. 2500: Mr. HUNTER and Mr. TIBERI.
H.R. 2622: Mr. SENSENBRENNER, Mr. CARTWRIGHT and Mr. POSEY.
H.R. 2628: Mr. HILL, Mr. JEFFRIES, Mr. TURNER, and Mr. RODNEY DAVIS of Illinois.
H.R. 2641: Mr. GRAYSON.
H.R. 2738: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2739: Mr. BILIRAKIS, Mr. DELANEY, Mr. PALAZZO, Mr. CARNEY, Mr. OLSON, Mr. GARAMENDI, Mr. CUMMINGS, Mr. HECK of Nevada, and Mr. PETERS.
H.R. 2844: Mr. AL GREEN of Texas.
H.R. 2858: Mr. CLAY and Mr. RUSH.
H.R. 2866: Ms. WASSERMAN SCHULTZ.
H.R. 2895: Mr. COFFMAN.
H.R. 2902: Mr. CARTWRIGHT, Mr. COSTA, Mr. CARNEY, and Mr. DOLD.
H.R. 2903: Mr. HIMES.
H.R. 3012: Mr. BROOKS of Alabama and Mrs. BLACK.
H.R. 3085: Ms. JACKSON LEE.
H.R. 3137: Mr. KENNEDY.
H.R. 3180: Ms. MCSALLY.
H.R. 3229: Mrs. ROBY, Mr. KELLY of Mississippi, and Ms. STEFANIK.
H.R. 3235: Mr. NORCROSS.
H.R. 3255: Mr. YOUNG of Iowa.
H.R. 3397: Mr. PEARCE and Miss RICE of New York.
H.R. 3406: Mr. ROGERS of Kentucky, Ms. PLASKETT, Mr. HIGGINS, Ms. ESHOO, Mrs. CAPPs, Ms. ROS-LEHTINEN, and Mr. KATKO.
H.R. 3410: Mr. BLUMENAUER, Mrs. NAPOLITANO, Ms. KAPTUR, and Mr. CÁRDENAS.
H.R. 3438: Mr. SESSIONS, Mr. RATCLIFFE, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Mr. SENSENBRENNER, Mr. ISSA, and Mr. TROTT.
H.R. 3516: Mr. CRAWFORD.
H.R. 3535: Ms. JACKSON LEE.
H.R. 3589: Mr. ROGERS of Alabama.
H.R. 3613: Ms. JACKSON LEE.
H.R. 3706: Mr. COLE, Mr. PASCRELL, Mr. ZELDIN, Ms. ROYBAL-ALLARD, Mrs. COMSTOCK, Ms. LINDA T. SÁNCHEZ of California, Mr. VIS-CLOSKY, and Mr. DELANEY.
H.R. 3815: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3822: Mr. THORNBERRY.
H.R. 3861: Mr. ROSS and Mr. BLUMENAUER.
H.R. 3926: Ms. TITUS.
H.R. 3991: Mr. RUSH, Ms. CASTOR of Florida, Ms. LOFGREN, and Mr. JOLLY.
H.R. 4027: Mrs. NAPOLITANO.
H.R. 4043: Mr. RANGEL and Ms. LOFGREN.
H.R. 4073: Mr. TED LIEU of California, Mr. HIMES, and Mr. RENACCI.
H.R. 4204: Mr. LOBIONDO.
H.R. 4298: Mr. REICHERT and Mr. JONES.
H.R. 4320: Mr. SWALWELL of California.
H.R. 4374: Mr. SWALWELL of California.
H.R. 4378: Ms. JACKSON LEE.
H.R. 4381: Mr. RATCLIFFE.
H.R. 4456: Mr. SESSIONS, Mr. MOONEY of West Virginia, and Mr. STIVERS.
H.R. 4481: Mr. HONDA and Ms. JENKINS of Kansas.
H.R. 4485: Mr. ROUZER and Mr. RIBBLE.
H.R. 4514: Mr. SESSIONS and Mr. HARPER.
H.R. 4525: Ms. JACKSON LEE.
H.R. 4558: Mr. ISRAEL and Ms. KAPTUR.
H.R. 4559: Mr. HILL and Mr. LAMBORN.
H.R. 4564: Mr. BEYER.
H.R. 4567: Mr. MEEHAN and Mr. ENGEL.
H.R. 4611: Mr. CARSON of Indiana, Mr. MCGOVERN, and Mr. SERRANO.
H.R. 4632: Mr. PERLMUTTER and Mr. EMMER of Minnesota.
H.R. 4665: Mr. MEEHAN and Mr. POCAN.
H.R. 4671: Mr. LAMALFA and Mr. PITTENGER.
H.R. 4715: Mr. NOLAN.
H.R. 4740: Mr. MCGOVERN.
H.R. 4773: Mr. SCALISE.
H.R. 4784: Mr. DOLD.
H.R. 4842: Ms. TITUS.
H.R. 4907: Mr. COFFMAN and Mr. LANGEVIN.
H.R. 4919: Mr. PETERS.
H.R. 4927: Mr. POCAN, Mr. CICILLINE, Mrs. BEATTY, and Mrs. DINGELL.
H.R. 5015: Mrs. COMSTOCK, Mr. KNIGHT, Mrs. BLACK, Mr. RATCLIFFE, Mr. BISHOP of Utah, and Mr. POMPEO.
H.R. 5093: Mr. SESSIONS.
H.R. 5115: Mr. SESSIONS.
H.R. 5116: Mr. SESSIONS.
H.R. 5136: Mr. SESSIONS.
H.R. 5141: Mr. CRAMER.
H.R. 5167: Mr. RANGEL.
H.R. 5204: Mr. PERLMUTTER.
H.R. 5205: Mr. LOWENTHAL and Mr. BLUMENAUER.
H.R. 5213: Mr. ASHFORD.
H.R. 5226: Mr. SESSIONS.
H.R. 5256: Mrs. TORRES, Mr. RICHMOND, Mr. LANGEVIN, and Mr. TONKO.
H.R. 5272: Mr. CARSON of Indiana, Mr. WELCH, Mr. GRIJALVA, Miss RICE of New York, Mr. GUTIÉRREZ, Mr. MOULTON, Mr. TED LIEU of California, and Mrs. NAPOLITANO.
H.R. 5292: Mr. HIMES.
H.R. 5313: Ms. NORTON, Mr. MCGOVERN, Ms. MCCOLLUM, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 5343: Mrs. MILLER of Michigan.
H.R. 5351: Mr. HUIZENGA of Michigan, Mr. KINZINGER of Illinois, Mr. WENSTRUP, Mr. LATTA, Mr. KELLY of Mississippi, Mrs. BROOKS of Indiana, Mr. YOHIO, Mr. ROTHFUS, Ms. JENKINS of Kansas, Mr. SAM JOHNSON of Texas, Mr. BISHOP of Michigan, Mr. GRAVES of Missouri, Mr. WALKER, Mr. ROKITA, Mr. AUSTIN SCOTT of Georgia, Mrs. BLACKBURN, and Mr. WITTMAN.
H.R. 5386: Mr. HUFFMAN.
H.R. 5396: Ms. SLAUGHTER.
H.R. 5415: Ms. MCSALLY.
H.R. 5418: Mr. BRAT, Mr. HILL, Mr. FLORES, Mrs. BLACKBURN, Mr. BRADY of Texas, and Mr. POSEY.
H.R. 5433: Mr. GOSAR.
H.R. 5462: Mrs. NAPOLITANO.
H.R. 5474: Ms. SLAUGHTER, Mr. CLEAVER, Mr. RUSH, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 5482: Ms. MOORE.
H.R. 5489: Mr. THOMPSON of Pennsylvania.
H.R. 5499: Mr. YOUNG of Iowa and Mr. ROKITA.
H.R. 5506: Mr. PETERSON, Mr. HASTINGS, Mr. HECK of Washington, Mr. COFFMAN, Mr. TED LIEU of California, Mr. JOYCE, Mr. HARPER, Mrs. BEATTY, Mr. DONOVAN, Mr. KELLY of Pennsylvania, Mr. FARENTHOLD, Ms. MCSALLY, Mr. BARR, Mr. LOEBSACK, Mr. CUMMINGS, Ms. NORTON, Mr. MEEHAN, Mrs. BLACK, Mr. CLAY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LANCE, Mr. CUELLAR, Mrs. COMSTOCK, Mr. COHEN, Ms. HERRERA BEUTLER, Mr. ROGERS of Alabama, and Ms. WASSERMAN SCHULTZ.
H.R. 5513: Mr. YOUNG of Iowa.
H.R. 5531: Mr. CUELLAR.
H.R. 5532: Mr. KEATING.
H.R. 5537: Mr. KILMER.
H.R. 5555: Mr. RANGEL.
H.R. 5571: Mr. SWALWELL of California, Ms. SLAUGHTER, Mr. CICILLINE, Ms. BONAMICI, Ms. JUDY CHU of California, and Mr. MCGOVERN.
H.R. 5584: Mr. CURBELO of Florida, Ms. LEE, Mr. CONNOLLY, Mrs. RADEWAGEN, Ms. LOFGREN, Ms. MCSALLY, Ms. KAPTUR, Ms. ESHOO, and Mr. FITZPATRICK.
H.R. 5587: Mr. PETERS, and Mr. DAVID SCOTT of Georgia.
H.R. 5620: Mrs. ROBY, Mr. YOUNG of Iowa, Mr. COLLINS of New York, and Mr. CHAFFETZ.
H.R. 5630: Mr. COOPER and Mr. CARTWRIGHT.
H.R. 5646: Mr. SCHWEIKERT and Mr. LAMALFA.
H.R. 5650: Ms. DELBENE and Mr. SCHIFF.
H.R. 5668: Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. ABRAHAM, Mr. BISHOP of Utah, Mr. BYRNE, and Mr. RATCLIFFE.
H.R. 5683: Mr. CRAMER, Mr. OLSON, and Mr. RUSH.
H.R. 5685: Mr. POMPEO and Mr. LONG.
H.R. 5691: Mr. MCGOVERN.
H.R. 5708: Mr. SMITH of New Jersey.
H.R. 5730: Ms. MCSALLY.
H.R. 5732: Mr. DOLD.
H.R. 5734: Mrs. COMSTOCK, Mr. SHUSTER, and Mrs. ROBY.
H.R. 5755: Ms. MCSALLY and Mr. RODNEY DAVIS of Illinois.
H.R. 5756: Mr. CICILLINE.
H.R. 5796: Ms. JACKSON LEE.
H.R. 5817: Mr. CARNEY, Mr. FARR, Mr. GRIJALVA, Mr. HASTINGS, Mr. HUFFMAN, Ms. LEE, Ms. NORTON, and Mr. PALLONE.

H.R. 5836: Mr. PEARCE.
 H.R. 5867: Mrs. BROOKS of Indiana.
 H.R. 5883: Mr. DESJARLAIS and Mr. BARR.
 H.R. 5904: Mr. ROUZER.
 H.R. 5931: Mr. SALMON, Mr. BARR, Mr. EMMER of Minnesota, Mr. ABRAHAM, Mr. GARRETT, Mr. MARINO, and Mr. GIBSON.
 H.R. 5940: Ms. ROS-LEHTINEN.
 H.J. Res. 2: Ms. HERRERA BEUTLER.
 H.J. Res. 48: Ms. JUDY CHU of California.
 H.J. Res. 95: Mr. BARR and Mrs. BLACKBURN.
 H. Con. Res. 33: Mr. WITTMAN and Mr. MULVANEY.
 H. Con. Res. 114: Mr. NUNES and Mr. ROONEY of Florida.
 H. Con. Res. 140: Mr. RICE of South Carolina, Mr. SHIMKUS, and Mr. MARINO.
 H. Res. 12: Mr. BILIRAKIS.
 H. Res. 130: Mr. COFFMAN.
 H. Res. 290: Mr. CONYERS.
 H. Res. 352: Ms. LOFGREN.
 H. Res. 590: Ms. PINGREE, Mr. NUGENT, Mr. SEAN PATRICK MALONEY of New York, Mr.

SIMPSON, Mr. HANNA, Mr. LANCE, Mr. YARMUTH, and Mr. RIBBLE.

H. Res. 617: Mr. BOUSTANY and Mrs. WALORSKI.

H. Res. 647: Mr. BARR.

H. Res. 652: Mr. LARSEN of Washington.

H. Res. 660: Mr. RUSH and Mr. SMITH of New Jersey.

H. Res. 683: Ms. LOFGREN.

H. Res. 686: Mr. CUMMINGS.

H. Res. 766: Mr. SWALWELL of California.

H. Res. 773: Mr. BLUMENAUER, Ms. LOFGREN, Ms. LEE, Ms. TITUS, Mr. MCGOVERN, Mr. TED LIEU of California, and Mr. SCHIFF.

H. Res. 782: Mr. COFFMAN and Mr. YOUNG of Iowa.

H. Res. 792: Mrs. LOWEY.

H. Res. 810: Mr. SEAN PATRICK MALONEY of New York.

H. Res. 811: Mr. MEEHAN and Mr. GIBSON.

H. Res. 831: Mr. PETERSON, Mr. KLINE, Mr. POCAN, and Mr. EMMER of Minnesota.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

84. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2016-29483, urging the United States Food and Drug Administration to repeal its prohibition on men who have had sex with men within the past 12 months from donating blood; to the Committee on Energy and Commerce.

85. Also, a petition of the Borough Council of South Bound Brook, New Jersey, relative to Supporting the H.R. 814 known as the "Thin Blue Line Act" and urging the United States House of Representatives and the U.S. Senate to enact this legislation; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE 9/11
FIRST RESPONDERS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the many first responders to the September 11th terrorist attacks of 2001, as well as to recognize that this September will be the 15th anniversary of that national tragedy.

That day was a time of intense panic and immense sorrow for all Americans, with many losing friends, family, and loved ones. Yet in spite of all of this, our brave first responders from our police services, our fire fighters, and emergency medical services went above and beyond the call of duty to save the lives of their fellow citizens, so that they could go home to their families and friends.

These amazing men and women faced this terror attack with the greatest courage and conviction anyone could exhibit. The valor and fortitude which they showed is beyond expression, with many giving their lives so that their fellow Americans could live. However, many of those who endured and survived are still suffering from the ordeal, with many experiencing PTSD, depression, and physical ailments. These men and women represent the very best of our nation. We should all strive to live up to their extraordinary example.

It is important that we do whatever we can for these heroes, and as such I would like to thank the Hylton Performing Arts Center for their event entitled "Helping First Responders Find Hope, Healing and Resilience" which will be held in Manassas on September 10th, 2016. Through events like this, caring Americans are helping raise awareness to these unfortunate conditions.

Mr. Speaker, I would ask my fellow Members of Congress to join me in honoring some of the bravest of our nation's heroes, and to thank them for all that they did during our country's most desperate hour. May God bless them, and all those whose lives were affected by this day.

HONORING THE PEDROZO FAMILY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize The Pedrozo Family. The Pedrozo's have deep rooted ties to public service in Merced County and are known for their tireless efforts on behalf of the community. They are being honored by Catholic Charities of Merced in appreciation of their service to the Valley.

The late Joe and Barbra Pedrozo raised their six children on the family's dairy farm. They instilled the importance of faith and serving others in their children. Those guiding words have shaped the Pedrozo family. They have been actively involved in Our Lady of Mercy School, St. Patrick's Parish and Sacred Heart Churches, among many other local causes.

Joe is a local business owner and was a volunteer coach for Our Lady of Mercy School sports and City Leagues for 25 years. He gave classes to vocational instruction students at the Juvenile Hall for Merced County Office of Education. Diana has also been an active member of the community, having served as the Executive Director of the Merced County Farm Bureau and as a member of the Merced County California Women for Agriculture.

John and Kelly Pedrozo are parents to two sons and a daughter, 6 grandsons and one granddaughter due this fall. John is a proud graduate of Our Lady of Mercy. He has been on the Merced County Board of Supervisors for twelve years. In this role he has served as an advocate for farmers and Merced County's most underserved. John previously served on the Our Lady of Mercy School Board and the Merced Union High School District Board of Trustees. Kelly worked for Merced County Child Support Services for 30 years. Kelly and John have been supporters of 4-H, St. Patrick's Parish and OLM School.

Ted and Juanita Pedrozo have been married for 35 years, are parents to four children, grandparents to one grandson and another grandson is due in October. Ted and John have a catering business known throughout Merced County for providing food for local charitable and non-profit organizations. Juanita is a teacher and school administrator, serving in this role for 36 years. Ted and Juanita are active members of St. Patrick's Parish and supporters of Our Lady of Mercy School and local 4-H programs.

Judy (Pedrozo) and Harry Blackburn have been married for 24 years. Judy was a teacher and currently serves as Principal at Our Lady of Mercy School. Harry has worked for a private company for 24 years and is a store manager. Judy serves on the Fresno Diocesan School Board. Judy and Harry are active members of St. Patrick and strong supporters of Our Lady of Mercy School.

Josh and Heidi Pedrozo are continuing the tradition of service in the Pedrozo Family. Josh is a teacher at Merced High School and has been a Merced City Councilman for eight years. Heidi assisted the people of the 16th district while serving as a representative in my office, as well as the office of Congressman Dennis Cardoza. Heidi is currently a teacher at El Capitan High School. Their son Owen is a student at Our Lady of Mercy and they are expecting a daughter this fall.

Mr. Speaker, I ask my colleagues to join me in recognizing the great contributions of the

Pedrozo Family. Their contributions will have a lasting impact on the community for years to come. I congratulate the Pedrozo's for this honor and ask that you join me in wishing them continued success.

TRIBUTE TO ANGELA CONNOLLY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Polk County (Iowa) Supervisor Angela Connolly for being honored as a 2016 Iowa Women's Hall of Fame recipient by the Iowa Commission on the Status of Women.

Angela Connolly, a native Iowan, was born to second-generation Italian immigrants and cultivated a strong work ethic at her parents' small Italian restaurant. She attended college in Kansas, returning to Iowa and marrying her husband, Tom, raising three children and overseeing the development of the next generation with four grandchildren.

Ms. Connolly began her career in the Polk County Public Works Department, working for nearly 20 years before being elected a Polk County Supervisor in 1998. She is only one of three female Supervisors ever elected in over 150 years to the Polk County Board of Supervisors and still serves in that post today.

"Community engagement" is the key phrase for Ms. Connolly. Evidenced by her dedication to civic activities, she currently serves as Co-Chairman of The Tomorrow Plan and is Tri-Chairman for Capital Crossroads: A Vision for Greater Des Moines and Central Iowa as well as Chairman for Rebuilding Together. She aptly represents the Polk County Board of Supervisors on a long list of boards and commissions.

Ms. Connolly has played a leadership role in many significant efforts to improve the lives of area residents. She advocates for mental health issues, domestic violence victims, homeless challenges, and most visibly in recent months, the efforts to stop hunger in Polk County. She is a proponent of the Des Moines downtown revitalization efforts as well as updating the historical Polk County Courthouse complex. She never stops and works tirelessly for all Iowans.

Mr. Speaker, it is a profound honor to represent leaders like Angela Connolly in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating Angela Connolly on receiving this esteemed designation and in wishing Ms. Connolly a long and successful career.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF CYRUS JONES

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor Cyrus Jones, head coach of Lincoln University's men's and women's track and field from 1974 to 2010, on his retirement.

Coach Jones led the track and field team at Lincoln to 15 NCAA Division III championships. The men's team won 11 national titles during his tenure, and the women's team won 4 NCAA championships. He also coached more than 300 All American athletes. Coach Jones has been honored as a six-time recipient of the Division III National Coach of the Year Award, the Mid East Region Track Coach of the Year, the Linback Teaching Award, the Outstanding Men of America Award, the Lifetime Achievement Award, one of the top 100 sports figures in the Philadelphia region in the last 100 years by the Philadelphia Tribune and an honorary official during the Penn Relays in 2002. In 2007 Coach Jones was inducted into the U.S. Track and Field and Cross Country Coaches Association's Hall of Fame.

Mr. Speaker, I congratulate Coach Jones on an illustrious career at Lincoln University and wish him the best in his retirement.

SYLVIA BROCKNER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Sylvia Brockner for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

An avid author and environmentalist, Sylvia Brockner has led the Evergreen area preservation movement for more than forty years. Her works culminate in her published book, entitled *Birds in our Evergreen World*. In 1968, Sylvia and her late husband founded the Evergreen Naturalists which has since evolved to the Evergreen Audubon and Nature Center.

Sylvia helped Jefferson County Open Space acquire 319 acres for what would become the Lair O' Bear Open Space Park in 1987, opening to the public in 1991. Sylvia also was a founding member of the Mountain Area Land Trust in 1993, which helped to preserve thousands of acres of open lands within 50 miles of Evergreen. Sylvia's long time role as an advocate for animals and plants has been influential to the community, as evidence of her being honored with the Evergreen Area Community Service Award and Evergreen Audubon Founders' Award. At age 97, Sylvia continues to pursue writing and illustration in her weekly column for the Canyon Courier.

I extend my deepest congratulations to Sylvia Brockner for this well-deserved recognition by the West Chamber.

RECOGNIZING M. SMITH COFFMAN
FOR HER INSPIRATIONAL POEM,
GHOSTS OF THE PAST**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MARCHANT. Mr. Speaker, I rise today to recognize M. Smith Coffman for her powerful poem and kind words of inspiration to many. While the poem is meant to move and inspire our service members and veterans in times of need, I believe everyone should experience it. I intend for everyone to procure some good fortune and hope from her message.

GHOSTS OF THE PAST

The fog shrouded, silent vale,
comes to life before my trail.
Ghosts of the past, ride in the predawn mist,
in their stirring I am by angels kissed.

Here, the plan of war was born,
and there, soldiers' lives were torn.
Brave warriors on snorting, restless steeds,
our heroes against men of evil deeds.

See Lexington and Concord's men of pride.
Rebs and Yanks who at Chickamauga died.
See the tired, straggling wagon train,
faces parched by sun, in battle's strain.

Indians silently move their camps,
past sod houses lit by dim oil lamps.
I see the brave men from the Alamo,
as on, and on, and on they go.

Oh, ancient rocks, you saw it all,
you saw where gallant man did fall.
You echoed the shot, felt the glance of spear,
the price for freedom, we hold dear.

Our troops who fell on foreign soils,
they the victors, won the spoils.
There were those from the sky
and from the sea,
They gave of themselves to keep us free.
Their souls, at last, are at home,
no more foreign lands to roam.

All are soothed in the mist,
as o'er their separate paths they twist.
Their laughter softly echoes from the rills,
and across the windswept, rugged hills.
Mingling, they have enemies no more,
here at home or foreign shore.

In cadence, I heard them say,
"Let not our sons go this way.
Alas the new born cries at birth,
but men must know of joy on earth.
Oh, that we could right the wrong,
Oh, that we could leave but song."

Oh Lord, many of our brave, gallant men of
pride,
put their lives upon the line, fought and
died.

Men with bodies and emotions torn,
this great loss we all should mourn.
I stand and salute you, one and all.
You went through hell, for country's call.

Dear Lord, I pray their pain relive,
give them strength and hope, and ease.
They should receive the best of care,
For Freedom's Cause They did not bend,
they pledged their allegiance to the flag
until the end.

"Children, Listen," the midst does sing.
"We know not what this day or the years
will bring.

Stand brave and strong for liberty's call.
Your country needs you one and all.
Give thanks for all that was and is.
and for the heroes who lived, and live.

Give thanks for freedom that was not lost.
Give thanks to those who paid the cost."
The mist soon melted into the morning sun.
THEY ARE OUR HEART'S BLOOD
THEY ARE NOT GONE.
These brave men and women did not live or
die in vain.
Our flag unfurled we will sustain.
IN GOD WE TRUST
AMEN

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing M. Smith Coffman for her encouraging words.

MS. THAO NHI DO RECEIVES
PRESTIGIOUS FULBRIGHT AWARD**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Thao Nhi Do of Houston, TX for receiving a Fulbright award for teaching English in Taiwan during the 2015 through 2016 academic year.

Each year the Fulbright Program grants students with the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships. Thao graduated Summa Cum Laude in 2011 from Clear Brook High School and earned a full scholarship to Harvard University. As a Fulbright participant, she helped teach English in Taiwan.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ms. Thao Nhi Do for receiving this Fulbright award. Keep up the great work.

IN RECOGNITION OF
DUDLEY BROWN**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize Dudley Brown, a Plymouth, Massachusetts native who passed away on September 24, 2015 at the age of 88.

A man truly devoted to the service of his country, Mr. Brown spent his life working to honor America both in and out of uniform. Mr. Brown, who served from 1944 to 1947 in World War II and from 1950 to 1952 in the Korean war, was not content to sit back and rest upon his return to civilian life.

Balancing his career as a market researcher and salesman around the country for three decades, Mr. Brown sustained a lifelong passion for studying the genealogy of his family and the history of this country. As a direct descendant to William Brewster, one of the original Mayflower pilgrims and a respected religious leader within Plymouth County, Mr. Brown was a proud member of the General

Society of Mayflower Descendants. In 2014, Mr. Brown received an award for 20 years of membership with the National Society of the Sons of the American Revolution, and also acted with admirable integrity as a Private 1st Class within Boston's Ancient and Honorable Artillery Company.

In addition to his passion for family and American history, Mr. Brown was also an avid tennis player and enjoyed speed skating, biking and racing motorcycles as a young man. He is survived by his loving partner, three children, and four grandchildren. Known for his sense of humor and good cheer, Mr. Brown is sorely missed by his family and many friends.

Mr. Speaker, I am proud to honor Dudley Brown's many achievements on the anniversary of his passing. I ask that my colleagues join me in recognizing his life and his service.

PERSONAL EXPLANATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BRADY of Texas. Mr. Speaker, on roll call no. 479, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted YES.

STEVE CAMINS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Steve Camins for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

Since moving to Colorado in 1970, Steve Camins has played an active role in the Jefferson County community. Steve received his bachelor's in Psychology from Colorado State University in 1968, and soon after became a certified financial planner and insurance counselor. For more than forty years, Steve has worked as an insurance agent for his self-owned and -managed company, Financial Dimensions Ltd., an Arvada business that helps Jefferson County citizens manage risk and protect assets.

Steve served on the board of the Arvada Economic Development Association for more than fifteen consecutive years, and also served on the Arvada Chamber of Commerce Board of Directors. He played an instrumental role in the formation of the Arvada Enterprise Center which joined with the West Chamber nine years ago to create the Jefferson County Business Resource Center.

Steve's determination and passion was recognized in 1996 when he was named the Arvada Chamber of Commerce Man of the Year and continues to lift the Jefferson County economy to new heights.

I extend my deepest congratulations to Steve Camins for this well-deserved recognition by the West Chamber.

IN RECOGNITION OF JUNE ROBBINS

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor June Robbins, a life member of the Rosie the Riveter Association for her service during World War II.

Ms. Robbins was born into poverty during the Great Depression. She married her husband, Melvin Robbins, of 65 years, on November 27, 1947. Ms. Robbins is the mother of 7 children, grandmother of 18, and great-grandmother of 8. She comes from a family of "Rosies," as her mother and aunts were also part of the Association.

During World War II, Ms. Robbins applied for a training position at the Philadelphia Naval Shipyard, the first and only female in her class. There, she gained the skills necessary to work as a draftsman in the Shipyard during the War. In addition to a full time job, Ms. Robbins volunteered for the War effort through the Red Cross and the United Service Organizations (USO). As a volunteer for the USO, she was honored by the Netherlands government for her service as a Rosie in helping save the lives of the Holland people during the War.

Wesley Enhanced Living Main Line honored Ms. Robbins for her service as a Rosie the Riveter with a celebration on September 4, 2016. The celebration included a special planting of a Pink Dogwood, which is a symbol of the Riveter movement and of women who served as Rosies.

Mr. Speaker, the United States of America owes a great debt of gratitude to Ms. Robbins. It is an honor to represent her in Congress.

IN HONOR OF BRAMBLETON'S 15TH BIRTHDAY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the town of Brambleton, Virginia on its 15th birthday. Established in 2001, Brambleton has grown to become a thriving community in Loudoun County full of wonderful families and extraordinary localities.

In the span of 15 years Brambleton has gone from a newly planned community to the home of almost 10,000 people. The community has received multiple awards, including the Loudoun County Environmental Preservation Award, and in 2013 was named Community of the Year by the Great American Living Awards. In addition to the six excellent schools which already serve the community, three additional schools will be added by 2020. Its many parks, trails, and pools allow for its residents to enjoy the outdoors and spend time with their friends and family. I am proud to represent such a vibrant community.

Mr. Speaker, I ask my colleagues to join in recognizing the 15th birthday of the

Brambleton community and thanking the residents who bring it to life. I know the community will continue to provide a wonderful environment for families to call home for many years to come.

TRIBUTE TO EMILY ABBAS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Emily Abbas, Chief Marketing Officer and Chief of Staff at Bankers Trust Company for being named a 2016 Women of Influence honoree as Meredith Emerging Woman of Influence by the award-winning central Iowa publication, Business Record.

For 17 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area. Ms. Abbas has devoted her life to doing so many challenges which many others might avoid. She has spent countless hours on various boards while blazing a trail for others to follow. She was selected for the chosen field of expertise, the lasting impact on the community, involvement with civic or nonprofit organization and being seen as a role model because of her lofty achievements and high ethical standards.

Emily Abbas has the determination and drive to be successful in anything she does. Ms. Abbas is charged with furthering Bankers Trust's strategic focus on customers, community and employees, and solid business relationships. In all aspects of her life Emily Abbas is an example of hard work and service who makes Iowans proud.

Mr. Speaker, it is a profound honor to represent leaders like Emily Abbas in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating Emily Abbas on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Ms. Abbas a long and successful career.

RED ROCKS COMMUNITY COLLEGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and congratulate Red Rocks Community College on the completion of their Arvada campus expansion. This expansion triples the size and capacity of the current campus located in Arvada, Colorado. I applaud Red Rocks Community College on this \$22.5 million expansion project as it is the largest expansion project in the history of the

college. This expansion will have a lasting impact on generations to come as well as result in significant economic impact for the Kipling Corridor and Ralston Road Corridor and Arvada and Wheat Ridge communities.

The Physician's Assistant Program at Red Rocks Community College is one of the first of its kind in the country. The relocation of this program to the new Arvada Campus will allow for even more students to participate in this unique program. In addition, the new campus will house all of the college's health professions programs in one place and will host more than four times the current number of faculty and staff.

I congratulate the Red Rocks team for their success on this important expansion. I applaud the school and faculty for their dedication to this project and their leadership and commitment to helping community college students blaze a path for our country's future leaders and innovators. I am proud of the work Red Rocks Community College does every day and I look forward to celebrating future accomplishments of the school and its students in the years to come.

IN RECOGNITION OF THE 150TH ANNIVERSARY OF THE BOROUGH OF SHENANDOAH

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Borough of Shenandoah, which celebrated its 150th anniversary on August 27, 2016. Shenandoah is located in Schuylkill County, Pennsylvania.

The area that became Shenandoah was first settled in 1835 by Peter Kehley, who developed the land for farming. The settlement was maintained for two decades. After anthracite coal was discovered, the land was sold to the Philadelphia Land Company. Planning for the town began under Peter Schaeffer in 1862.

Shenandoah was officially incorporated on January 16, 1866. Situated in the Middle Western Coal Field, the area around Shenandoah contained rich deposits of anthracite. As mining got under way, the borough's population grew in response to the increased demand for labor. Shenandoah became a hub for business, attracting depots for three major railroad companies to ship coal to New York and Philadelphia. Immigrants came first from Wales, Ireland, and Germany. Later, immigrants from Lithuania, Poland, Ukraine and Slovakia arrived. With each new wave of immigrants, parochial schools and places of worship arose unique to their own ethnic group. By the 1920s, Shenandoah had developed a garment industry with 15 large factories at the peak of clothing production.

Today, Shenandoah is experiencing a revitalization. People are moving into the region, some in retirement and many to raise their families. Houses are being restored, businesses are being opened. Shenandoah is now home to popular brands such as Mrs. T's Pierogies, Lee's Oriental Foods, Kowalonek's Kielbasy Shop, Lucky's, and Capitol's Kielbasy.

It is an honor to recognize Shenandoah on its sesquicentennial. I am proud to represent a community so rich in history. May the people of Shenandoah be proud of their past and look forward to a bright future as they celebrate the city's 150th anniversary.

CONGRATULATIONS TO THE
SOCORRO POLICE DEPARTMENT

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. HURD of Texas. Mr. Speaker, I rise today to congratulate the Police Department of the City of Socorro for their selfless and dedicated service to the City of Socorro. The extraordinary efforts of the 28 uniformed officers and their civilian counterparts have helped ensure that Socorro remains a safe city for residents and businesses and for the third time in three years, led to Socorro being named one of the 50 safest cities in the State of Texas. I am proud to represent a community as closely-knit and dedicated to service and safety as Socorro, TX.

I would also like to acknowledge the extraordinary leadership of Police Chief Carlos R. Maldonado, who has used his leadership skills and intimate knowledge of community-focused law enforcement to keep Socorro safe. Chief Maldonado's work in bringing a new training facility to Socorro, his role in ensuring upper-level training for his officers, and his influence in bringing a canine unit to Socorro have benefited the City tremendously. On behalf of the 23rd Congressional District of Texas, congratulations to the entire Socorro Police Department for their excellent work.

IN RECOGNITION OF
CWO4 CHAD ADAMS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BURGESS. Mr. Speaker, I rise today to honor Chief Warrant Officer Chad Adams upon his retirement from 28 years of honorable service to the United States Army, the Kentucky National Guard, the United States Coast Guard, and this great nation.

Adams currently serves as the Coast Guard Food Service Program Manager within the Office of Work-Life, Health, Safety, and Work-Life Directorate at Coast Guard Headquarters (Commandant CG-1111). In this capacity, he is responsible for providing strategic policy and support to the entire \$175M Food Service enterprise, consisting of 1,200 Food Service Specialist (FS) members and over 370 Coast Guard Dining Facilities worldwide. The Food Service Program office is the central authority responsible for the overall technical and administrative management policy, planning, and subsistence requirements to ensure service-wide mission success.

Upon graduation from Shelby County High School in May 1988, Chief Warrant Officer

Adams served with the U.S. Army in the 82nd Airborne Division during Operations Just Cause (Panama) and Desert Shield/Storm as a paratrooper in the Infantry. After being released from the Army, and later the Kentucky National Guard, he enlisted into the Coast Guard in March 1994 and graduated boot camp as the basic training honor graduate for Company E-144. His first assignment was CGC WHITE PINE out of Mobile, AL where he decided to become a Subsistence Specialist (SS) after only six months aboard mess cooking. He graduated SS "A" school as an SS3 in 1995 and was assigned to the CGC MADRONA in Charleston, SC. As the duty cook, he advanced to SS2 and fleeted-up into the Jack of the Dust position, responsible for developing menus and ordering supplies to feed a crew of 50 personnel. He also took over as the Food Service Officer (FSO) when the FS1 was unable to get underway. On his last day aboard the cutter, he advanced to FS1 and reported to isolated duty at LORAN Station St. Paul Island, AK where he served as FSO and was awarded runner-up for galley of the year small ashore for the entire Coast Guard. After one year in isolation, he was selected to become a Company Commander (Drill Instructor) at Cape May, NJ. He trained over 1,500 recruits and advanced to Chief Petty Officer (E-7) during this tour. He also piloted one of the first training sessions with Coast Guard Academy cadets for swab summer in 2001, where he and another Company Commander indoctrinated 100 academy cadets from the Class of 2003. Chief Adams transferred to TRACEN Petaluma, CA in 2002 and took over as Chief of the Watch for FS "A" School, running one of the largest galleys in the Coast Guard. He led a team of three other FSs to re-open the upper galley which had been dormant for over a decade. He was promoted to Chief Warrant Officer in 2005 and transferred to ISC NOLA six weeks before Hurricane Katrina made land fall and flooded his home. In 2006, he graduated from Chief Warrant Officer professional development at the Coast Guard Academy in New London, CT, where he was selected by his peers as the Distinguished Officer of his class. His duties included assisting the Comptroller and Logistics Branch Chief in providing support to all lower 8th Coast Guard District units. He was the D8 IMT Logistics Chief during Hurricanes Gustav and Ike and the 2008 New Orleans oil spill. He was selected to become the FS Assignment Officer in 2010, executing assignments (orders) for hundreds of FSs including the White House, DHS Secretary's Mess, Commandant and Flag Officer Special Command Aides, Instructor, and FSO positions and operational units. In 2012, he was invited to the White House to help cook for the United Kingdom State Dinner and Greek Independence Day Dinner and has assisted the White House chefs for many events since. In July 2014, he was assigned to his current position at CG-1111. In September 2016, he will assume the duties as the new Subsistence Program Manager as a civil service employee.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. WILSON of South Carolina. Mr. Speaker, on Roll Call Number 480, which took place Tuesday, September 6, 2016, I am not recorded because of a scheduling conflict. Had I been present, I would have voted AYE. I stand with my colleagues in the House in support of H.R. 3881, the Cooperative Management of Mineral Rights Act.

HONORING THE WORLD WAR II
AND KOREAN WAR VETERANS
OF ILLINOIS**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on August 10, 2016 with Honor Flight Chicago, a program that provides World War II and Korean War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on August 10th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

John A. Andersen, Thomas L. Bajt, Floyd Seine, Gerald Allen Bendle, Richard T. Blaskie, Louis Bommelje, Sarkis Boyajian, Robert P. Campbell, Manuel A. Ceralde, Rudolph F. Chavez Sr., Mark L. Dames, Edward G. Dasbach, Frank J. DePaul, Charles F. Dickason Jr., Jessie B. Dodd, Ronald C. Donner, Richard C. Druse, John R. Durrbeck, William R. Elliott, William P. Erzig, Charles Felski, Harold P. Fleig, William J. Ganson, Salvador T. Garcia, Robert A. Garritano, Edward J. Gawel, Charles T. Germann, Robert A. Green, John Grzywa, Pleze Haynes, Robert M. Healy, Steve J. Horgash, James L. Hubbs, Donald T. Humphrey, Clarence A. Jannush, George Jasencak, Robert J. Jaskula, Ralph S. Jensen, Andrew E. Joseph, John J. Kanya, Michael J. Kidney Jr., Donald E. Klein, Gene R. Krohn, Donald P. Kuech, Joseph T. Lakatos, Frank Laos Jr., Tony Lara, Kenneth W. Larsen, Albert L. Lemak, Robert G. Lemke, John M. Ley, Harlan M. Lunde, Arthur R. Man-

son, Gerald L. Martin, Glenn J. Masek, James R. Matela, William McNutt, Robert T. McPeck, Edward F. Meier, Robert J. Moore, Joseph J. Muren, Richard E. Nelson, Carl J. Noto, Stuart L. Novy, William F. O'Brien, Daniel D. Ogilvie, Thomas P. Oker, Anthony P. Oleynichak, Charles E. Olson, Henry F. Osters, Raymond J. Paluch, Vernon Mitchell Penland, Joseph A. Pisarczyk, Myron J. Rasmussen, Ricardo E. Reyna, James W. Riordan, John B. Ritzema, Paul William Rodewald, Ramon M. Rodriguez, William L. Rogers, Paul E. Rueff, Robert M. Schiavone, Raymond G. Schmid, Roy E. Schroeder Sr., Lawrence W. Schweik, Henry C. Schwenk, John M. Sherly, Richard S. Simester, Edmond J. Sinnema, Donald David Slovin, Ronald C. Smith, Robert H. Sroka, Robert Stanbery, Creighton Styler, Bruce M. Sublette, Andrew Szocka, Myles N. Tlusty, John Torchalski, Thomas J. Vanek, Sherman Vaughn, Gerald G. Veglia, Arthur T. Vos, Daniel R. Walsh Sr., Philip Warren, Clarence W. Young, James J. Zalusky.

MEDIA DOWNPLAYS "RANSOM
PAYMENT" TO IRAN**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. SMITH of Texas. Mr. Speaker, last month the Wall Street Journal reported that the Obama administration secretly sent \$400 million in cash to Iran on the same day four American hostages detained in Tehran were released.

The president should admit that the ransom payment to the world's leading state sponsor of terrorism was bad policy and endangers the lives of Americans at home and abroad.

The spokesman for the State Department even admitted that the payment was "leverage," which sounds like he's trying to find a nice word for "ransom."

The media also has not been forthcoming. The Media Research Center found that the Big Three networks devoted ten times more coverage to Olympic swimmer Ryan Lochte's alleged robbery in Brazil than to the \$400 million cash payment to Iran.

It's not a surprise why three-quarters of Americans feel the news media are biased in their reporting.

IN RECOGNITION OF THE DOUG-
LASS SCHOOL'S 75TH ANNIVER-
SARY**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the Douglass School, of Leesburg, Virginia, on their 75th anniversary. This is an important milestone for this wonderful school in my District. The Douglass School celebrated this anniversary in Loudoun County last month on the 13th of August, and it is my pleasure to briefly highlight the impact this school has had on my constituents.

The Douglass School has had a terrific history of success since first opening its doors in 1941. Named after Fredrick Douglass, the famous African-American anti-slavery leader, the Douglass School has stood as a pillar of education for those it serves. Before its founding, African-American families needed a place to educate their children. These parents worked tirelessly to raise the four thousand dollars necessary to purchase the land for building the school. Since the school was desegregated in 1968, it has provided high quality education to students from every race, background, and creed. Equipped with top tier teachers and staff, this school has produced countless student success stories.

Coming from a family of educators, I understand how important a strong education is to the future of our nation. It is schools like the Douglass School that will continue to help shape the United States' role in the ever-changing global economy, while also producing many of our nation's future leaders. Over the years, the faculty has shown an impressive dedication not only to its students, but to the Loudoun community as a whole. The success of this school is a tremendous accomplishment that should make past and present faculty proud.

Mr. Speaker, I ask that my colleagues join me in congratulating the Douglass School for 75 years of serving children and their families. I wish them all the best in their future endeavors.

OSCAR REISS, Ph.D.

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Oscar Reiss, Ph.D. and World War II Army veteran for his service to our country.

Dr. Reiss served in the United States Army from January 1944 to 1947. During his time he was assigned as a replacement to the 79th Infantry, 315th Division B Company, in Alsace, France, guarding the right flank during the Battle of the Bulge. His company was transported to a small town in the Netherlands, near the German border to practice crossing the Rhine in confiscated German boats. In 1945, he was wounded by shrapnel and taken to a hospital in Liege, Belgium. He was later awarded the Purple Heart for these injuries. His awards and decorations include the Silver Star Medal, the Purple Heart Medal, the Army Good Conduct Medal, European-African-Middle Eastern Campaign Medal (with 2 bronze service stars), World War II Victory Medal, the Army of Occupation of Germany Medal, and the Honorable Service Lapel WWII pin.

In 1947, after being discharged from the U.S. Army he returned to the U.S. and was accepted to the University of Chicago chemistry program, beginning his long career in medical research. Dr. Reiss received his Ph.D. from the University of Chicago and continued his postdoctoral fellowship with the American Heart Association's Department of Cardiology. Dr. Reiss's decades long service in environmental biochemistry and medicine culminated

in 1991. During his distinguished career he served as a lecturer in various courses on environmental and dental biochemistry at the University of Colorado Medical School and taught foreign seminars, most notably in Germany, France and Bulgaria. Through his courageous service in the military and medical fields, Dr. Reiss charted the path for future generations in this country.

I extend my deepest appreciation to Dr. Reiss for his dedication, integrity and outstanding service to the United States of America.

HONORING THE SERVICE OF
COKE HALLOWELL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize my good friend Ms. Coke Hallowell in honor of the outstanding contributions she has made to the arts community and the entire San Joaquin Valley. Coke is being honored by the Fresno Arts Council in appreciation of her tireless efforts on behalf of the Valley. Her commitment and dedication to her community deserve to be commended.

Coke's career began by teaching remedial reading for ten years at Sanger Unified School District. Later she was elected and served two terms on the State Center Community College District and continued her educational leadership by going on to serve on the State Center Foundation for seventeen years. Coke has been very active in various community organizations such as, the National Parks Conservation Association, the Fresno Arts Council, the U.C. Merced Foundation, the Downtown Fresno Coalition and Revive the San Joaquin. Coke presently serves on the boards of the Planning and Conservation League Foundation and the California Council of Land Trusts.

Coke has strong roots in San Joaquin Valley and is the founding member of the San Joaquin River Parkway and Conservation Trust, and she has served as President of Board of Directors for twenty years. Most recently Coke was elected Chairman of the new San Joaquin River Parkway and Conservation Trust Board.

In addition to all her career accomplishments she also has numerous awards including the YWCA Business and Professional Women of the Year, the Fresno Arts Council Horizon Award, and the NSFRE Outstanding Philanthropist and Volunteer Fund Raiser. In 2002, she received an Honorary Doctorate of Humane Letters from California State University Fresno, and in 2005 she was selected by the Jefferson Awards Board to receive the Jacqueline Kennedy Onassis Award for "Outstanding Community Service Benefiting Local Communities."

Mr. Speaker, it is with great pleasure that I ask my colleagues to join me as we honor and celebrate Coke Hallowell for her dedication to the arts, her community, and education. I am grateful to have had the opportunity to work with Coke and witness firsthand her giving spirit and commitment to causes near to her

heart. She is a true steward of the San Joaquin Valley and we are grateful for her service and the lasting impact of her efforts in the Valley.

TRIBUTE TO EILEEN WIXTED

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Eileen Wixted, Owner and Principal for Wixted & Company for being named a 2016 Women of Influence honoree as CAPTRUST Woman Business Owner of the Year by the award-winning central Iowa publication, Business Record.

For 17 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area. Ms. Wixted has devoted her life to doing so many challenges which many others might avoid. She has spent countless hours on various boards while blazing a trail for others to follow. She was selected for the chosen field of expertise, the lasting impact on the community, involvement with civic or nonprofit organization and being seen as a role model because of her lofty achievements and high ethical standards.

Eileen Wixted has the determination and drive to be successful in anything she does. She is nationally recognized as an expert in strategic communication and crisis management. For over 20 years, Ms. Wixted has actively assisted clients manage potentially brand-damaging issues and prepared them for the media, shareholder meeting and government investigations. In all aspects of her life Eileen Wixted is an example of hard work and service who makes Iowans proud.

Mr. Speaker, it is a profound honor to represent leaders like Eileen Wixted in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Eileen Wixted on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Ms. Wixted a long and successful career.

IN RECOGNITION OF KELLER HIGH
SCHOOL SOFTBALL WINNING THE
6A STATE CHAMPIONSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BURGESS. Mr. Speaker, I rise today to honor the Keller High School softball team, winners of the Texas UIL state championship in the 6A conference. The Indians defeated Pearland High School on June 4th with a final score of 5-0. This is the third state champion-

ship in the school's history. Keller ISD Athletics Hall of Fame teams also took home the state championship title in both 2003 and 2005.

Bryan Poehler, head coach of the Indians, was named 2016 All-Area Softball "Coach of the Year" by the Dallas Morning News. All spring, Coach Poehler pushed his team to prepare for the anticipated difficult season ahead. The advancements made in practice and during the course of competition resulted in players being recognized for their achievements at both the district and state levels.

Kaylee Rodgers, senior pitcher for the Keller Indians, was awarded numerous accolades throughout the season. She was recognized as a 1st team All-American pitcher, UIL State All-Tournament pitcher, Dallas Morning News All-Area pitcher of the year, Texas Girls Coaches Association All-State pitcher, and was named MVP of the state game after pitching a shut-out. In addition, Kaylee's teammate, senior catcher Shelby Henderson, was chosen as a 2nd team All-American for the 2015-2016 season, 1st team for the Dallas Morning News All-Area Team, and was awarded UIL State All-Tournament catcher. Other accolades granted to individual players included 2nd basewoman Camryn Woodall receiving the title as a 1st team All-American for the 2015-2016 season, UIL State All-Tournament 2nd basewoman, and 1st team Dallas Morning News All-Area Team. Additionally, Amanda Desario was awarded UIL State All-Tournament outfielder and 1st team Dallas Morning News All-Area Team.

Congratulations to the Keller Indian Softball team! The Indians were able ambassadors for Keller High School and effectively advanced the athletic achievements of Keller ISD. It is my privilege to represent such an outstanding group of student athletes in the U.S. House of Representatives.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Tuesday, September 6, 2016. Weather across the Midwest delayed my flight to Washington, DC until after votes had been called. Had I been present, I would have voted in favor of H.R. 5578 and H.R. 3881.

LOOKING BACK OVER THE PAST 13
YEARS OF THE CATALINA ISLAND
CONSERVANCY

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LOWENTHAL. Mr. Speaker, as Dr. Ann M. Muscat retired on June 25, 2016 as president and CEO of the Catalina Island Conservancy, it is important to step back and look over her successful tenure. She has served as

president and CEO for more than 13 years—the second longest tenure of any previous Conservancy president.

"Ann and the Conservancy have achieved a lot," said Los Angeles County Supervisor Don Knabe. "I've had the great pleasure of working with Ann and her team, all of them consummate professionals who are dedicated to getting things done."

"Under Ann's leadership, the Conservancy has become a living laboratory of innovation in conservation, education and financial sustainability for nonprofit organizations," said Catalina Island Conservancy Board of Directors Chair Stephen Chazen, Ph.D. "The Conservancy has significantly improved the Island's ecological health, greatly increased access to Catalina's wildlands and expanded and enhanced its educational programs to better serve students living in Avalon and visitors from the mainland."

Here is a look back at how the Conservancy and its stewardship of Catalina Island have flourished since Muscat joined the organization in 2003:

During Ann's 13-year tenure, and through its Catalina Habitat Improvement and Restoration Program (CHIRP), the Conservancy staff has completed vegetation mapping of the entire Island, including non-native and invasive plant species. It has controlled and eradicated numerous invasive plant species that were eliminating native and rare biodiversity. It also expanded the native plant nursery's scope to include landscaping initiatives on the Island, along with restoration, and significantly expanded the native seed collection.

The Conservancy has been a leader in removing non-native and highly destructive animal species from the Island, leading to the rediscovery of native plants previously believed to be extinct. It also brought the Catalina Island fox back from the brink of extinction and supported the successful recovery of the bald eagle.

Its wildlife biologists have implemented innovative social (repatriation) and scientific methodologies (contraception) for managing the bison herd. They also have conducted bird and small mammal surveys, discovering nesting sea birds on cliffs and nearby rocks, and implementing protective measures for bat populations.

In addition, the Conservancy has pursued research partnerships with universities and museums from across the country, including a multi-institution collaboration that resulted in a comprehensive look at the Island's oak woodlands.

Working with the Long Beach Unified School District, the community and philanthropic organizations, the Conservancy has greatly increased access to natural and intellectual resources over the past 13 years. It implemented extensive educational enrichment and internship programs for the local school population through the establishment of the K-12 NatureWorks workforce development and STEM education initiative.

In its continuing service to the local community, the Conservancy provided free access to the wildlands of Catalina for Island families without vehicles. It implemented a free of charge Naturalist Training Program for tour operators and local businesses, as well as Conservancy front line staff.

To ensure visitors to the Island could access the wildlands and learn about Catalina's ecosystem, the Conservancy created the 37.5 mile Trans-Catalina Trail. It also has secured funding and developed plans for further trail improvements and expansions.

It significantly expanded and improved the Jeep Eco-Tour program and developed a signage and way finding system across the Island. It added new running and biking events, an Island Ecology Travel Program and Wild Side Art Program to increase access and awareness. In addition, it increased volunteer program initiatives to include AmeriCorps, American Conservation Experience and numerous university-level spring break programs.

So that visitors and others had more information about Catalina Island and the Conservancy, it added a Nature Center in Avalon and a Mobile Nature Station that has served Avalon and Two Harbors, along with interpretive panels in the Garden and at campgrounds and trailheads. The Conservancy also expanded and revamped its outreach and marketing materials, including maps, field guides, monthly e-newsletters, videos, an extensive photo library and expanded web site.

To serve a greater good beyond Catalina's shores, the Conservancy launched a successful radio show and web site, *Isla Earth*, on environmental issues that aired for 10 years on over 320 radio stations across the country.

To provide the needed programs and ensure the organization's long-term financial health, the Conservancy has focused on raising revenues and creating a sustainable business model that will ensure the Island will continue to be restored and protected for future generations.

In the past 13 years, the Conservancy has increased its operating budget nearly three times through an increase in philanthropic giving and mission-based earned income. It has significantly expanded its donor base and created a reserve fund to address deferred maintenance projects across its 42,000 acres. Projects have included improvements at Airport in the Sky, across its road and bridge system, a new pier, replacement and expansion of its vehicle fleet and upgrades to its numerous buildings.

The Conservancy also revamped its organizational structure, adding new departments and expanding existing functions while providing professional development and training for all staff. The Conservancy's staff has doubled in size and moved to a more customer service/community orientation. The Conservancy also expanded and updated employee housing, adding 14 new units, to support recruitment and retention of staff.

The Board of Directors and the Conservancy's staff have worked together to develop a strategic vision for the organization's future, called *IMAGINE CATALINA*. They worked with nationally recognized sustainability architect William McDonough and landscape architect Thomas Woltz to develop a long-term strategic vision.

It imagines an Island that represents California as it can be, demonstrating how nature and humans can thrive together. It envisions Catalina and the Conservancy serving as models for science-based conservation, for training tomorrow's stewards of the natural

world, for connecting people to nature and for creating sustainable finances and operations.

To implement *IMAGINE CATALINA*, the Board and staff launched the Conservancy's first-ever capital campaign, and they are more than three-fourths of the way to fully funding the first phase. They celebrated the groundbreaking for the campaign's flagship project, the Trailhead Visitor Center, on June 24, 2016. Another groundbreaking is scheduled on October 14, 2016 for the next major project, improvement and expansion of Catalina's trail system, and planning is well underway for a major ecological restoration effort on the Island's West End.

"Ann and her team's excellent stewardship work at the Catalina Island Conservancy is leading edge and has served as a model for many other land trusts," said California Council of Land Trusts Executive Director Darla Guenzler.

Ann has also been a leader beyond Catalina. She was a founding Board member of the California Council of Land Trusts and served as its Chair of the Board. She is also a member of the Steering Committee for the Southern California Open Space Council and an Advisory Board member of University of Southern California's Wrigley Institute for Environmental Studies.

FORT HUNTER LIGGETT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. FARR. Mr. Speaker, I am pleased to bring to my colleagues' attention the seventy-fifth anniversary of Fort Hunter Liggett, California. On December 12, 1940, the War Department purchased 266,950 acres of land between the Salinas River and the Pacific Ocean from William Randolph Hearst, in anticipation of the need to prepare U.S. troops for combat in Europe in 1940. On January 10, 1941, the Hunter Liggett Military Reservation was established and combat troops immediately began training. It is ideally located to provide excellent training opportunities to all U.S. Armed Forces and allied nations.

From its inception, Fort Hunter Liggett has provided a realistic training environment for large-scale military exercises for U.S. Armed Forces. It is the largest installation in the Army Reserve, with more than 165,000 acres of unencroached mountains, valleys, rivers, plains, and forests, providing ideal maneuver areas to meet today's training requirements. Fort Hunter Liggett is one of only a few installations that have a 360-degree live-fire capability for small arms. Its state-of-the-art ranges, training areas, and facilities support year-round joint, multi-component, and interagency training.

In its early history, the installation had five airstrips that were used during WWII to transport troops, supplies and the wounded. William Randolph Hearst's Milpitas Ranch House, commonly referred to as "The Hacienda", was used as the post headquarters. The Army has maintained and preserved the building designed by renowned California architect Julia

Morgan, which is on the National Register of Historic Places. Today, the historic building is a hotel and enjoyed by the public as a tourist attraction.

During the 1970s, Fort Hunter Liggett was the home of the Combat Development and Experimentation Center which provided critical testing and fielding of new weapons and warfare techniques, such as the Cobra Attack Helicopter and M16 Assault Rifle. The 4th and 7th Infantry Divisions used the installation as their primary training grounds, as well as Army Reserve and National Guard units.

Today, Fort Hunter Liggett primarily serves as a world class training platform for Army Reserve combat support and combat service support training and large-scale exercises. Fort Hunter Liggett is funded by the U.S. Army Reserve and falls under the command of the U.S. Army Installation Management Command.

Fort Hunter Liggett is also a leader in meeting the Department of Defense 2020 Net Zero Initiative. The Energy Conservation Investment Program established Fort Hunter Liggett as a prototype since it will be the first installation to achieve Net Zero goals. As one of nine pilot installations chosen by the Assistant Secretary of the Army for Installations, Energy and Environment, the Garrison has installed solar panels and energy storage systems, upgraded the waste water treatment plant, demolished Korean War-era buildings to conserve energy consumption, and ensured that all new construction meets the Leadership in Energy and Environmental Design standards. In addition, Fort Hunter Liggett has partnered with the County of Monterey to field a waste-to-energy gasification plant.

Since 1941, countless numbers of troops have come through Fort Hunter Liggett to train for their deployments to support WWII, the Korean War, the Vietnam War, the Cold War, and today's war on global terrorism. The Fort Hunter Liggett military and civilian workforce proudly serves all branches of the Armed Forces, as well as allied forces. I commend the Installation for all its role in enabling unit, Soldier, and family readiness.

Mr. Speaker, for seventy five years, Fort Hunter Liggett has been an essential training platform for the U.S. Armed Forces, contributing to the security of our nation and strengthening international partnerships that build peace. In times of global unrest both past and present, Fort Hunter Liggett has demonstrated its capacity to ensure the readiness of its troops to defend the American ideals and freedom. I end with the refrain from the Army's Official Song, "First to fight for the right, And to build the Nation's might, And the Army goes rolling along."

RECOGNIZING SEPTEMBER AS
NATIONAL PREPAREDNESS MONTH

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the month of September as National Preparedness Month. I commend the

Guam Homeland Security/Office of Civil Defense (GHS/OCD), first responders and all community organizations, local government agencies, our military partners, and advocates who work to raise awareness and stress the importance of emergency preparedness in our community.

The National Preparedness Month theme for 2016 is "Don't Wait. Communicate. Make your emergency plan today." National Preparedness Month serves as a reminder that we all must take action to prepare, now and throughout the year, for the types of emergencies that could affect us where we live, work, and also where we visit. Guam joins the national campaign throughout the month of September to stress the importance of planning and preparing for natural, man-made and technological disasters. National Preparedness Month gets everyone in the community involved to build a sager, more prepared island community.

I call upon our community to do our part to ensure that we are prepared for any emergency that may occur. Family members may not all be together when a disaster strikes so it is important to work in our individual families to create a plan. National Preparedness Month also encourages businesses, schools and communities to take the steps to prepare.

Additionally, I commend the Guam Homeland Security/Office of Civil Defense along with our island's numerous community partners, organizations and agencies that have come together to actively promote, educate, and provide resources for our people through various programs and initiatives. Guam Homeland Security/Office of Civil Defense carries out the mission of coordinating and facilitating all Government of Guam, military and Federal liaison response agencies and their resources in mitigating, preparing, responding, and recovering from any and all types of emergencies in order to protect the lives, environment, and property of the island of Guam.

On behalf of the people of Guam, I join Guam Homeland Security/Office of Civil Defense and all local government agencies, our military partners, organizations and advocates in recognizing survivors on Guam and commending those who assist in building a stronger, safer and more prepared island community.

HONORING ALABAMA MUSIC
LEGEND JEFF COOK

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. ADERHOLT. Mr. Speaker, I want to recognize Alabama country music legend Jeff Cook in honor of his birthday and the music festival named in his honor in Guntersville, Alabama.

Cook is a lifetime resident of the Fourth Congressional District. He was born and raised in DeKalb County in Fort Payne. It was in Fort Payne that he formed a band with his cousins Randy Owen and Teddy Gentry. The three young men would first call themselves Wild Country, and then in 1977 they changed the group's name to Alabama.

During the next four decades their group, Alabama, would become one of the best-selling music groups in history. Fans of Alabama have bought more than 75 million albums and singles. They were named the 1980s Entertainers of the Decade.

Then, in 2004, Jeff formed the Allstar Good Time Band. Jeff plays backup to his wife, Lisa, who also sings. Jeff and Lisa spend a great deal of their time in Guntersville, Alabama, which is in the heart of the Fourth Congressional District. It is where, each year, Jeff is honored for his birthday with the Jeff Cook Days.

On behalf of the citizens of the Fourth Congressional District of Alabama, I commend, recognize and honor Jeff for his accomplishments and the work he has done and for being a positive image for Alabama, and for his dedication to his home state. Also, I want to take this opportunity to wish him a very happy birthday and many more.

IN RECOGNITION OF
DR. JAMES M. LALLY

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. TORRES. Mr. Speaker, I rise today to honor Dr. James M. Lally for his dedicated service to the medical community in the Inland Empire and across the United States.

Dr. Lally is the President and Chief Medical Officer at the Chino Valley Medical Center in California's 35th district where he leads by example and works tirelessly every single day to give back to his community. In my district alone, he oversees the sports medicine programs of four local high schools in the Chino Valley Unified School District; is a member of the YMCA Board of Directors; serves as medical director for clinics in Chino and Montclair; and serves on the Board of Trustees for Chino Valley Medical Center and Montclair Hospital Medical Center.

Dr. Lally is also committed to educating the next generation of physicians, serving as a clinical professor of family medicine at Western University of Health Sciences, College of Osteopathic Medicine in Pomona, California, and at Touro University California, College of Osteopathic Medicine, in Vallejo.

However, Mr. Speaker, his generous character and service reaches far beyond my district and the state of California. Dr. Lally is a past President of the American Osteopathic Association and currently serves on the Board of Trustees for the Association. Dr. Lally also serves as the team physician as well as the President of the USA Shooting Team. He is the Chairman of the Medical Committee of the International Shooting Sports Federation and a member of the International Olympic Medical Committee.

Today, Mr. Speaker, it is my honor to recognize Dr. James M. Lally for yet another lifetime achievement. He is being honored as the Physician of the Year by the American Osteopathic Foundation. This accolade is designated to an individual whose extraordinary accomplishments and service bring a sense of

pride to the profession and whose actions promote the science of medicine and the betterment of public health.

For his many contributions to my community, and to the greater national healthcare community, I would like to recognize Dr. James M. Lally here on the House floor today.

HONORING COACH STAN SLABY

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of Coach Stan Slaby, of the Third Congressional District, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his career of service and community engagement.

Coach Slaby was a beloved educator at Admiral Farragut Academy for 39 years at its northern campus in Pine Beach, New Jersey. He was born in 1924 to Polish immigrants and enlisted in the United States Navy almost immediately after graduating high school. He received the Navy & Marine Corps medal for saving a drowning marine in the sea at Normandy on June 9th of 1944 and continued on to receive four more service medals before being honorably discharged in April of 1946.

After resuming his education and receiving his BA in History with a Minor in Physical Education, Coach Slaby was hired by Admiral Farragut Academy where he taught history and eventually became the full-time Athletic Director. Coach Slaby coached many great teams and outstanding student-athletes, won coaching awards, and was admired by his peers. He is remembered fondly for his teachings and legacy of discipline, self-reliance, and respect that his coaching philosophy was centered upon.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had Coach Stan Slaby as a selfless and dedicated member of their community, whose coaching legacy and vivacious spirit will never be forgotten. It is with a heavy heart that I commemorate his honorable service to our nation, as well as his coaching career and life, before the United States House of Representatives.

MOMENT OF SILENCE FOR VICTIMS OF AUGUST FLOODS IN LOUISIANA

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. BOUSTANY. Mr. Speaker, I rise today with a heavy heart in the aftermath of a trying and challenging time felt throughout Louisiana, where 13 of our own lost their lives as a result of the recent flooding.

The rain started falling on August 10th and continued for weeks. Water rose up to rooftops, families lost most of their possessions,

schools were damaged, and as the water has continued to recede, the extent of devastation is still being realized. It was most definitely a flood of historic proportions.

Louisiana is known for its *joie de vivre*: we work together, we play, fish and hunt together, and this event showed just how strong that community spirit shines throughout our state. We came together to volunteer at shelters, dispatch our own "Cajun Navy" in rescue efforts, lend hands to gut flood-stained homes, and donate millions of dollars to post storm relief efforts.

It has been said before, and remains true, Louisianans are resilient. We have persevered before and we will again.

Unfortunately, this tragic event resulted in the death of 13 individuals—two deaths in Livingston Parish, two in St. Helena, five in East Baton Rouge, three in Tangipahoa and one in Rapides Parish.

As our community begins to recover from this devastation, I simply ask my colleagues to stand with me, my colleagues from our Louisiana delegation, and with the State of Louisiana for a moment of silence in remembrance of those we lost.

JESSICA NOFFSINGER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Noffsinger, teacher at the STEM Magnet Lab School in Northglenn, CO, for her 2016 Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST).

The PAEMST program, administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy, recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science. Jessica has been an active teacher at the STEM Magnet Lab School and has played an integral role in ensuring her students are prepared with critical thinking and problem-solving skills that are vital to their future success.

Jessica's dedication to teaching and commitment to her students serves as a role model for other teachers and is exemplary of the type of achievement that can be attained with hard work and perseverance.

I extend my deepest congratulations to Jessica Noffsinger for her PAEMST Award and for representing the great State of Colorado on a national level. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE LOUDOUN COUNTY DIVISION OF PROCUREMENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the Loudoun County Division of

Procurement (LCDP) which has received the Achievement of Excellence in Procurement Award from the National Procurement Institute.

The Loudoun County Division of Procurement has worked tirelessly to achieve this award consecutively for the past 18 years. Loudoun County is one of only nine government agencies in Virginia and one of only 48 counties in the United States and Canada to receive this important award. By skillfully acquiring all goods and services, including professional services and construction for Loudoun County Government operations, the LCDP has continued to exude excellence. This has helped many businesses throughout Loudoun to receive the tools they need to advance and prosper.

This accolade exemplifies the great levels of service which the division provides to its citizens. The LCDP has succeeded in its mission to provide resources and strengthen the economic stability of the Loudoun County area and has successfully created an environment which conveys expertise and excellence. I am certain that it has the resources and the backing to continue this trend and live up to its reputation.

Mr. Speaker, this is an institution which helps the American people to thrive and to live out their aspirations within Loudoun. It embodies accomplishing the American dream by giving our citizens a chance to let their ideas grow. I would ask my colleagues to join me in congratulating the Loudoun County Division of Procurement. I wish this institution continued success in the future.

TRIBUTE TO BARB AND LANNY WALKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Barb and Lanny Walker of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on June 4, 1966 at Henderson Christian Church in Henderson, Iowa.

Barb and Lanny's lifelong commitment to each other, their children and grandchildren truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING NORTHWEST
INDIANA'S NEWEST CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate twenty-five individuals who will take their oath of citizenship on Friday, September 16, 2016. This memorable occasion, presided over by Judge Philip Simon, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On September 16, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Jolly Rameshchandra Joshi, Placido Agustin Lopez Garcia, Gun Margaret Porter, Mei Han, Huong Ngoc Kha, Albino Akon Ibrahim Akon, Sergio Alaniz, Rozeta Bajmakoska, Anjin Balleza Carter, Patty Ann Veronica Cornwall, Morten Ring Eskildsen, Shylaja Balakrishnan, Balakrishnan Rajagopala Iyer, Jihwan Jeff Jeong, Vania Nshuti Kagabo, Elizabeth Lopez de Martinez, Pedro Martin Marin, Celia Martinez de Campos, Patricia Navarrete-Arceo, Yejee Oh, Pamelah Akinyi Otieno Owili, Ericka Alejandra Sanchez, Oretha Fannie Smith, Abel Soto, and Shuhui Grace Yang.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on September 16, 2016. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING ELIZABETH MARY
BURKO

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. HUFFMAN. Mr. Speaker, I, along with my colleague, Representative MIKE THOMPSON, rise today in memory of Elizabeth “Liz” Mary Burko who gave nearly thirty years of service to the California Department of Parks and Recreation, and whose career was recently commemorated by a bridge dedication in her name in Bodega Bay, California.

Liz died tragically on Saturday, August 22, 2015 in Duncan Mills, California, cutting short a career dedicated to our state's public lands. Liz began her career as a volunteer interpreter at Año Nuevo State Reserve and serving as a Park Aide. For half of her career, she worked as a ranger in several state parks including Lake Perris State Recreation Area and parks in the Santa Cruz District. Her strong leadership and deep commitment to parks was apparent. She was promoted to Supervising Ranger at Big Basin Redwoods State Park and then to Sector Superintendent in the North Coast Redwoods District. In 2007, she was promoted again to District Superintendent of the Sonoma-Mendocino Coast District.

As a leader, Liz was a mentor, helping to enhance her team's professional development. She had a deep commitment to protecting public lands and sharing nature with the public, and she was dedicated to the mission of the California State Parks: providing for the health, inspiration, and education of Californians while protecting the state's natural and cultural resources and creating opportunities for high-quality recreation. She held this mission to heart and executed her duties with professionalism and respect. Her advocacy to keep parks open during state budget cuts is a testament to her passion and commitment.

Liz fostered strong working relationships with nonprofits like LandPaths for assistance with management of the Willow Creek Addition to the Sonoma Coast State Park. She saw the great value in leveraging community resources for the benefit of parks and its users.

She will be forever missed for her integrity, generosity, sense of humor, unmatched work ethic, and warm smile. Her love and devotion to parks will continue on in the many lives she has touched, the policies she has influenced while serving at the California Department of Parks and Recreation, and now the bridge dedication in her honor at the Bodega Bay Coastal Prairie that will be enjoyed by many visitors for years to come.

It is therefore appropriate that we pay tribute to Liz today for her enduring legacy and express our deepest condolences to her family and friends.

HONORING FLAT WORLD SUPPLY
CHAIN ON THEIR 10TH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a business in my district, Flat World Supply Chain, LLC. It is celebrating their 10th anniversary on September 16, 2016. In 2006, this business was founded by St. Charles County residents, Jeff Rothermich and Kirk Ferrell. Two employees and one client made up the first Flat World Supply Chain office that was located in St. Peters, Missouri. Today, there are sixty-three employees at the current office location in O'Fallon, Missouri. It has several hundred clients throughout the United States in addition to many international clients. Currently, Flat World Holdings includes four operating companies; Flat World Supply Chain, Prologue Technology, Ram International, and Ram Custom Crating.

Flat World Supply Chain provides solutions that are delivered through proprietary software that is customizable to each client's needs. The software has the ability to integrate with almost any Enterprise Resource Planning or operating system. Prologue Technology was founded by Rothermich and Ferrell in 2008; this service provides a custom technology tool that typically involves logistics and improving business processes through various technologies. In 2011, Flat World Hospitality was created to expand their logistical services to the hotel and hospitality industry. The year 2013 was an exciting year for Flat World Supply Chain as it moved to their current office location in O'Fallon, Missouri. In 2015, Flat World Supply Chain purchased Ram International, a St. Louis based international freight forwarder and U.S. Customs House Brokers that was founded in 1982, and Ram Custom Crating, a custom crating company that specializes in building wooden crates for export of any size for transport around the world. In January of 2016, Flat World Supply Chain, Ram International, Prologue Technology, and Ram Custom Crating formed Flat World Holdings as their operating company. The Flat World Supply Chain office expanded in July 2016 to welcome Ram International freight forwarding and U.S. Customs House Brokerage staff into the expanded office.

Flat World Supply has been recognized on numerous occasions, starting in 2014 with being named the “Fastest Growing” privately held company in St. Louis by the St. Louis Business Journal. In 2014 and 2015, it was recognized by Inc. Magazine as one of the “Fastest Growing” companies in the United States. Small Business Monthly recognized Flat World Supply Chain as “Leader in Technology” in 2015.

I ask you to join me in recognizing Flat World Supply Chain on their 10th anniversary. The services it provides and commitment it has to its clients is what sets Flat World Supply Chain apart in this field. Best of luck in the future to the owners of Flat World Supply Chain, Jeff Rothermich and Kirk Ferrell.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, September 6, 2016. Had I been present, I would have voted "yea" on roll call votes 479 and 480.

I strongly support the passage of H.R. 5578, the Survivors' Bill of Rights Act of 2016, which takes an important and much-needed step in ensuring that survivors of sexual assault will have access to the administration of a rape kit as well as rights to have that kit preserved, to be informed of the results, and to be notified of intended disposal of that kit. Although the rape kit backlog still overwhelms forensic labs throughout the country, this bill takes concrete steps to empower survivors to be informed of and make decisions regarding key evidence.

MR. LOGAN PATE WINS TEXAS JUNIOR STATE CHAMPIONSHIP**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Richmond native Logan Pate for winning the 90th Texas Junior State Championship.

After ending two rounds in a three-way tie for first place during the local golf tournament, Logan beat two brothers in the sudden-death playoff hole. Getting par in that last hole put him over the edge past the competing brothers, securing this impressive win. Logan is a recent graduate from William B. Travis High School and is no stranger to placing first, having won the 2016 UIL Region 3-6A individual title. He will continue his promising golf career at the University of Arkansas-Little Rock.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Logan Pate for winning the 90th Texas Junior State Championship. Thank you for bringing this prestigious honor to Richmond. I wish him success on the links in his impressive golf career.

CONGRATULATING YEOMAN CHIEF NATHANIEL L. ROUNDY ON 22 YEARS OF HONORABLE SERVICE IN THE U.S. NAVY**HON. MADELINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and congratulate Yeoman Chief Nathaniel L. Roundy, who is retiring from the Navy after 22 years of honorable service. This career U.S. Navy Flag Writer is from Mystic,

Connecticut, and the son of a U.S. Naval Academy graduate. Chief Roundy graduated from Choate Rosemary Hall and joined the U.S. Navy in 1994, attending Recruit Training Command Great Lakes followed by Yeoman training in Meridian, Mississippi.

Chief Roundy has served onboard two aircraft carriers, USS *Independence* (CV 62) and USS *Kitty Hawk* (CV 63), both forward deployed to Yokosuka, Japan. While serving on these ships, he earned designation as both an Enlisted Surface Warfare and Enlisted Aviation Warfare specialist and served in multiple positions including Air Department Leading Yeoman and Executive Officer's Yeoman. He also earned the distinction of being the only Third Class Petty Officer and non-Damage Control rating Sailor to qualify and serve as an aircraft carrier repair locker investigator.

After brief service with the Navy's Pacific Board of Inspection and Survey in San Diego, California, Chief Roundy attended Yeoman Class 'C' Flag Writer School in Millington, Tennessee, and served as the Flag Writer to Rear Admiral Tom S. Fellin, Commander, U.S. Naval Forces Marianas in Apra Harbor, Guam. Remaining in the South Pacific, Chief Roundy then served Rear Admiral Patrick W. Dunne, the Department of Defense Representative to Guam, the Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, and Republic of Palau. He transferred with Rear Admiral Dunne to Monterey, California, and continued his service as Admiral Dunne's Flag Writer at Naval Postgraduate School. Following Rear Admiral Dunne's retirement, Chief Roundy joined the staff of Rear Admiral William D. French, Commander, Navy Region Northwest in Silverdale, Washington. He returned to Guam when Rear Admiral French assumed command of Navy Region Marianas and followed Rear Admiral French to San Diego at Navy Region Southwest and subsequently during Vice Admiral French's command of Navy Installations Command in Washington, D.C. He currently serves as Flag Writer to Vice Admiral Dixon R. Smith, Commander, Navy Installations Command at the Washington Navy Yard in Washington, D.C.

During his illustrious career, Chief Roundy was awarded the Joint Service Commendation Medal, six Navy and Marine Corps Commendation Medals, four Navy and Marine Corps Achievement Medals, six Good Conduct Medals, the Humanitarian Service Medal, and numerous unit, campaign, and service awards.

Not only has Chief Roundy's career greatly benefitted the Navy, his exemplary service during his three assignments in Guam greatly enhanced the Navy's relationship with the people and leadership of Guam. He was awarded the Ancient Order of the Chamorro from the Governor of Guam in 2009. Additionally, two of his four children were born on Guam, making it a place that he will forever remember and cherish his time spent there.

On behalf of the people of Guam and a grateful nation, I commend Yeoman Chief Nathaniel L. Roundy and his family for their extraordinary service and sacrifice to the U.S. Navy and our country. I extend a sincere with deepest gratitude (un dangkulo na si Yu'os ma'ase) and I wish him the best in his retirement.

RECOGNITION OF EMPLOYEES OF THE OFFICERS AND INSPECTOR GENERAL OF THE U.S. HOUSE OF REPRESENTATIVES WITH 25 YEARS OF SERVICE TO THE HOUSE AND RECIPIENTS OF THE HOUSE EMPLOYEE EXCELLENCE AWARD AND THE OFFICERS' AND INSPECTOR GENERAL'S TEAM PLAYER AWARD**HON. CANDICE S. MILLER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. MILLER of Michigan. Mr. Speaker, Ranking Member ROBERT BRADY and I stand today to recognize the outstanding employees of the Officers (Clerk of the House, Sergeant at Arms, and Chief Administrative Officer) and the Inspector General of the U.S. House of Representatives and congratulate those who have reached the milestone of 25 years of service to the U.S. House of Representatives, as well as the recipients of the House Employee Excellence Award and Officers' and Inspector General's Team Player Award.

The House's most important asset is its extraordinary and dedicated employees, whose work, which is often behind the scenes, is essential to keeping the operations and services of the House running efficiently and effectively. The employees we acknowledge today are commended for their hard work, commitment, professionalism, teamwork, support of House Members and their staffs and constituents, and for their contributions day-in and day-out to the overall operations of the House. These employees possess a wide range of responsibilities and skills that support the legislative process, ensure the security of the institution, maintain our technology and service infrastructure, and contribute to a more effective and proficiently operating House support structure. These dedicated employees have accomplished many great things in a wide range of activities, and the House of Representatives, its Members, staff, and the American public is better served because of them.

We recognize and honor the individuals named below for 25 years of dedicated service to the House. Collectively, this group has provided 450 years of service to the U.S. House of Representatives:

Bernard E. Beidel, Office of the Chief Administrative Officer;

Sherleen V. Boyde, Office of the Chief Administrative Officer;

Thomas E. Coyne III, Office of the Chief Administrative Officer;

Troy N. Derrington, Office of the Sergeant at Arms;

Peggy Fields, Office of the Clerk;

John A. Forgione, Office of the Chief Administrative Officer;

Anthony W. Griffith, Office of the Sergeant at Arms;

Michelle Jones, Office of the Chief Administrative Officer;

Christopher W. Martin, Office of the Chief Administrative Officer;

Lisbeth McBride-Chambers, Office of the Chief Administrative Officer;

James P. Muncy, Office of the Chief Administrative Officer;

Patricia A. Rouse, Office of the Chief Administrative Officer;

David P. Russell, Office of the Clerk;

Barbara A. Smith, Office of the Sergeant at Arms;

Clayton V. Williams, Office of the Chief Administrative Officer;

De'Shun Wimberly, Office of the Chief Administrative Officer;

Nei F. Wu, Office of the Chief Administrative Officer;

James A. Yerge, Office of the Chief Administrative Officer.

We also recognize and congratulate the House employees receiving the Employee Excellence Award. This is a merit-based award, given to an employee from each House Officer organization and the Office of Inspector General. Selected employees exhibited outstanding overall job performance and displayed a willingness to go above and beyond the call of duty for their organization throughout the last year. We honor the individuals named below for receiving this prestigious award.

Kathleen M. Johnson, Office of the Clerk;

Lisbeth McBride-Chambers, Office of the Chief Administrative Officer;

Debessa M. Moore, Office of the Sergeant at Arms;

Alexander S. Stewart, Jr., Office of Inspector General.

And finally, we recognize and congratulate several House employees being presented the Team Player Award. This award recognizes the value the House Officers and Inspector General place on working collaboratively across House organizations to strengthen and protect the U.S. House of Representatives. These awardees have demonstrated a collaborative attitude, commitment to achieving team objectives, respect and support of their teammates, and dedication to the betterment of House operations. We honor the individuals named below for receiving this distinguished award.

Toinetta A. Bridgeforth, Office of the Chief Administrative Officer;

Curt Coughlin, Office of the Sergeant at Arms;

Robin Reeder, Office of the Clerk;

Susan E. Simpson, Office of Inspector General.

On behalf of the entire House community, I offer our congratulations and once again acknowledge and thank these employees for their professionalism and commitment to the U.S. House of Representatives as a whole, and in particular to their respective House Officers, the Inspector General, and collaboratively across these organizations. Their long hours, hard work, diverse skills, and team spirit are invaluable, and their years of unwavering service, dedication, and commitment to the House set an example for their colleagues and other employees who will follow in their footsteps. I celebrate our honorees, and I am proud to stand before you and the Nation on their behalf to recognize the importance of their public service.

JENNY SIMPSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jenny Simpson for her Bronze Medal finish in the 1500 meter race at the 2016 Rio Olympic Games. Jenny is the first American woman to win an Olympic Medal in this event.

Jenny is a native of Florida and was an eight-time state high school champion. She attended the University of Colorado, Boulder and represented the Buffs winning four NCAA titles and set five NCAA records. After graduation, she continued her success where she took gold in the 2011 World Championships and a silver medal in the 2013 World Championships. She was a member of the U.S. Olympic Team in the 2008 Beijing and 2012 London Olympic Games. In addition to her elite performances, I had the pleasure of working with Jenny while she interned for my office in 2009 and have enjoyed watching her success ever since.

The dedication demonstrated by Jenny Simpson is exemplary of the type of achievement that can be attained with hard work and perseverance. Jenny is a role model for other runners and athletes to strive to make the most of their education and develop a strong work ethic.

I extend my deepest congratulations to Jenny Simpson for her Bronze Medal finish at the Rio Olympic Games and for proudly representing the great State of Colorado and the University of Colorado Buffaloes. I have no doubt she will exhibit the same dedication and character in all of her future endeavors.

HONORING MRS. ARLENE TAYLOR FOR HER 38 YEARS OF SERVICE TO THE MISSOURI STATE GOVERNMENT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mrs. Arlene Taylor who retired on Thursday, September 1, 2016 after thirty-eight years with various departments within the Missouri State Government. Mrs. Taylor most recently worked as a Personnel Officer for the Missouri Department of Labor and Industrial Relations/Human Resources. Previously, she worked for the Missouri Department of Social Services and the Missouri Department of Corrections. For thirty-two of the thirty-eight years, Mrs. Taylor has enjoyed working in the human resources field. Throughout her time working in human resources, Mrs. Taylor has served many employees. Some of her responsibilities have included career counseling, assisting employees preparing for retirement, explaining benefits, and helping employees with disability retirement.

Mrs. Taylor grew up in Linn, Missouri and has called Jefferson City, Missouri home for

the last thirty-four years. Throughout her lifetime, Mrs. Taylor has been a member of Cathedral of St. Joseph, Missouri Farm Bureau, and the Daughters of Isabella. She has also been involved with the Jefferson City Apartment Association and Women's Auxiliary Officer. Mrs. Taylor enjoys participating in various craft classes in her spare time. She also loves to travel with her husband, Joe.

With this retirement, Mrs. Taylor will now be able to spend more time with her husband of thirty-three years, Joe. She'll also treasure more moments with her daughter, Kathryn Taylor; son, Brian Taylor and daughter-in-law, Dawn Taylor.

I ask you in joining me in recognizing Mrs. Arlene Taylor on her retirement. The commitment she has shown to the State of Missouri and to the employees she has helped throughout her human resources career is a commendable accomplishment.

HONORING JOE & JULIE MARCHINI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Joe and Julie Marchini. The Marchini's are being honored by Catholic Charities of Merced in appreciation of their years of dedicated service to the community. Both Joe and Julie have contributed countless hours to causes that are close to their hearts in order to make their community a better place.

Joe Marchini was born on December 9, 1938 in Merced, California to Florindo and Elisa Marchini. Joe has lived in Merced County most of his life. A natural love of being outdoors led Joe to begin working on his father's farm from a young age. At 20 years old he was invited to become a partner in his father's business, the Giampaoli-Marchini Company. Upon founding his own company with his brother Richard, Joe became the original radicchio grower in the United States.

Julie Marchini was born on September 14, 1942 in Modesto, California to Jim and Mary Louise Thompson. Her family moved to Merced when she was ten years old. The family is a staple in the community, as business owners in the area, including Merced area fixture Helen and Louise Dress Shop.

Joe and Julie were married 56 years ago and purchased a ranch in Le Grand where they raised their three children. They are parents to Lisa, Jeff and Fania. Joe and Julie are proud grandparents to ten, and come this winter, great-grandparents to six.

It has always been important to Joe and Julie to have balance between work, family, charity and church. They have been active in organizations, such as the Le Grand volunteer firefighters, Italian Catholic federation and the California Tomato Board. Joe has spent many hours cooking BBQ for fundraisers, events, and people in need.

Julie has volunteered time to Hinds Hospice, Our Lady of Lourdes religious education program, and school activities her family has participated in.

Mr. Speaker, I urge my colleagues to join me in honoring the Marchini Family for their commitment to serving Merced County. The community is grateful for their service and the impact they have made in the Valley. I congratulate the Marchini family for this honor and ask that you join me in wishing them continued success.

CONGRATULATING KELLE LYN SCOTT ON RECEIVING A PRESIDENTIAL AWARD FOR EXCELLENCE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Ms. Kelle Lyn Scott on being selected for a Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). This special honor is one shared with a select group of other teachers throughout the United States. Ms. Scott has earned this award through imparting her passion and commitment to learning with all of her students.

The PAEMST program, administered by the National Science Foundation (NSF) on behalf of the White House Office of Science and Technology Policy, recognizes teachers who have demonstrated excellence in giving students the tools they need to succeed in becoming the leaders of tomorrow. Because of this achievement, Ms. Scott will receive a signed citation from President Obama, a \$10,000 award from NSF, and the opportunity to attend an awards ceremony in Washington D.C.

Ms. Scott's hard work, perseverance, and academic excellence are exemplified in her receipt of this honor. Coming from a family of educators, I understand how important a strong education is to the future of our country. We need to encourage more teachers like Ms. Scott who work hard and dedicate their lives to educating our children.

Mr. Speaker, it is my honor to highlight the importance of this award and what it represents for Ms. Scott and our district. I ask that my colleagues join me in congratulating Ms. Scott on receiving a Presidential Award for Excellence in Mathematics and Science Teaching. I wish her all the best in her future endeavors.

TRIBUTE TO VIOLA AND MYRON ROKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Viola and Myron Roker of Glenwood, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on June 2, 1946 in Beatrice, Nebraska.

Viola and Myron's lifelong commitment to each other, their seven children, 21 grand-

children, 27 great-grandchildren, and one great-great-grandchild, truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, and may they continue to love and cherish one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating Viola and Myron on this momentous occasion.

IN HONOR OF THE LIFE OF KAYLA MUELLER AND CELEBRATING THE OPENING OF THE KAYLA MUELLER PLAYGROUND

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. GOSAR. Mr. Speaker, I rise today to join The Kiwanis Club of Prescott in honoring the memory of a constituent in my district who I believe is the personification of a compassionate American citizen. On February 6, 2015, Kayla Mueller of Prescott, AZ was killed by her ISIS captors in Syria. A visage of what it means to be a selfless human-being, Kayla's life was taken too short at the young age of 26.

In such tragic times it can often be difficult to find the light of hope for a better tomorrow. Kayla Mueller embodied this every day in her service and sacrifice to those less fortunate, especially to the children of the world.

Arizona is blessed to have been home to such a compassionate citizen as Kayla. It is easy to see that her spirit has touched not only the hearts of those in her community and state but across this great nation. And with the opening of this new playground, that spirit will continue to impact lives for the better.

I extend my sincere admiration and thanks to the Kiwanis Club of Prescott for their diligent efforts on this playground and for their engagement in the community. To Mr. and Mrs. Mueller, I want to once again express my sincerest condolences. While your daughter may no longer be with us, her loving spirit will live eternally.

HONORING PROFESSOR CAROL ROBERTSON FOR RECEIVING THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Professor Carol Robertson. She has been selected to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This is a prestigious award that will be presented in Washington, DC at the

Daughters of the American Revolution Constitution Hall. In addition to Professor Robertson having the opportunity to attend various recognition events and development activities, she will also receive a \$10,000 award from the National Science Foundation. A citation from President Obama will be presented as well. Professor Robertson is one of only one hundred and eight teachers to receive this award for the 2014–2015 school year.

Professor Robertson is receiving this award for her work at Fulton High School where she was a science teacher for twenty-eight years. She retired from Fulton High School following the 2015–2016 school year. Professor Robertson also taught as an adjunct professor at Central Methodist University from 2007 through 2014 and Missouri State University from 2014 through 2016. She started teaching as an adjunct professor at Westminster College this school year.

The Presidential Awards for Excellence in Mathematics and Science Teaching was established by Congress in 1983. This award is the highest honor bestowed by the United States Government specifically for educators that teach mathematics and science. Since the establishment of the program, over 4,600 teachers have been recognized for their contributions to their students and school districts.

Professor Robertson has had a lifelong interest in science and is passionate about teaching the next generation the importance of engaging in the study of science. Throughout her teaching career, she has seen some of her students obtain a Ph.D. which affirms the dedication with which she teaches. She has utilized partnerships with researchers to enhance the experience of her students. Through those partnerships, students have been able to explore Golden Retriever Muscular Dystrophy, Osteogenesis Imperfecta, Arabidopsis, or maize. This research allowed her students to have real-life applications. Professor Robertson received her B.S. in Science Education and a M.Ed. in curriculum and instruction from the University of Missouri.

I ask you to join me in recognizing Professor Robertson on her achievement and this honor of receiving the Presidential Award for Excellence in Mathematics and Science Teaching.

TRIBUTE TO FORMER RECORD AND CLARION OWNER ROGER MOON

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to the late editor and publisher of Record and Clarion, Roger Moon. As the son of Paul and Velma, the husband of Patricia and the father of Tracy, Renee and Shane, Roger made many contributions to Gladwin County and the great state of Michigan.

Roger began his career in news when he was twelve years old, working at the Record and Clarion, sweeping and taking out the trash. He completed his degree in Journalism at Michigan State University in 1960. After

Roger graduated he returned to Gladwin and began working, yet again, for Record and Clarion. He became the head of the newspaper in 1972 when his father retired. After twenty-one years as the head of the Record, Roger sold the newspaper and retired in 1993.

Roger was more than the editor of the newspaper. Roger also served the community by working as a firefighter for thirty-three years, rising to the rank of assistant chief. He was an active member of the Gladwin Rotary Club and was honored by the organization for his generous donations of time and resources.

Roger loved to hunt and fish, as well as golf. He enjoyed sharing Michigan's outdoor heritage with his children and grandchildren, driving his boat and teaching them to waterski. He was also a Hall of Fame bowler.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Roger Moon for his lifetime of work to the people of Gladwin County.

IN RECOGNITION OF DR. T. BERRY BRAZELTON

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. KEATING. Mr. Speaker, I rise today to recognize the life and accomplishments of Dr. Thomas Berry Brazelton. Throughout his 98 years, Dr. Brazelton has been celebrated as a critically acclaimed leader in pediatric medicine and a change-maker in the lives of countless Massachusetts families.

Although Dr. Brazelton was born in Waco, Texas, the Bay State has been lucky to claim him as its own since 1945, when he completed his residency at Massachusetts General Hospital in Boston. In the decades since, Dr. Brazelton became a pioneering expert in neonatal behavior, authoring more than 200 journal articles and textbook chapters on the subject. Any parent might recognize his name from one of his thirty books on child development and parenting.

However, his primary contribution to the medical community is the Brazelton Neonatal Behavioral Assessment Scale. The scale itself is a metric to highlight behavioral differences among newborns within the first months of their lives. His methods drew the parallel between differing parental methods and infant behavioral development in the first four months of a child's life. These discoveries led to his recognition as a tireless advocate for paternal and medical leave, bringing him from the halls of Congress to interviews with Oprah Winfrey and Ellen DeGeneres to advance that cause. His work earned him a Presidential Citation from President Obama in February of 2013. Today, Dr. Brazelton remains an active member of the pediatric medicine community. He has become a fixture at the Baby Center in Hyannis, helping the underprivileged parents of Cape Cod provide for their children.

Mr. Speaker, I am proud to recognize Dr. T. Berry Brazelton, not simply for his dedicated service to the communities of Massachusetts, but for the work he has done for families across the globe.

IN HONOR OF BONNIE EDMONDSON, UNITED STATES TRACK AND FIELD COACH

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COURTNEY. Mr. Speaker, today I rise to congratulate Bonnie Edmondson of Coventry, Connecticut, an exceptional athlete and public servant, for being chosen as a coach for Team USA's track and field team at the 2016 Summer Olympics in Rio de Janeiro.

Bonnie has a long and dedicated track and field career. During her time at Eastern Connecticut State University in 1987, she threw discus and hammer, earning the title of All-American. Thanks to her talent and commitment, Bonnie ranked tenth in the world and fifth in the nation in hammer throw between 1990 and 1996 and won national championships for her skills in both 1990 and 1991. Later, Bonnie dedicated her career to coaching at all levels of the sport. Most notably, she held positions as an assistant coach in the 1998 World Junior Championship and as a coach for the Team USA throwing events in 2012 and 2014 during the IAAF World Indoor Championships. Most recently, she served as a mentor to the 2015 NESCAC hammer throw champion, Lily Talesnick. Currently, Bonnie is a track and field coach at Trinity College, while also working at the Connecticut Department of Education, overseeing a comprehensive school health education program aimed at motivating children to lead healthier lifestyles.

During her years as a thrower, Bonnie's scores in the 1992 Olympic trials would have qualified her for the Games if there had been a women's division in her sport. However, it wasn't until 1995 that the International Olympic Committee established the Women and Sport Advocacy group which works to implement gender equality policies in all Olympic competitions. In 2000, women's hammer throw was included in the Olympics for the first time. Instead of succumbing to disappointment and defeat, Bonnie contributed to the evolution of the sport, and of the Games, by helping to introduce women's events in the hammer throw. Her talent and passion for the sport makes her an incredible coach, and she has served as a wonderful representative of the United States, and of Connecticut, this August in Rio de Janeiro. Bonnie is more than deserving of this opportunity, and her debut at the games is long overdue.

Mr. Speaker, I ask all my colleagues to join me in congratulating Bonnie and the U.S. track and field team for a terrific performance in the Summer Games. Bonnie and her team have not only brought pride to the State of Connecticut, but to the entire nation.

ELDON LAIDIG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Eldon Laidig

for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

Known for his passion for education and community service, Eldon has been a pillar of the Jefferson County community for more than fifty years. Before becoming a financial planner, Eldon spent 42 years in the U.S. Coast Guard Reserves and 27 years working for Jefferson County Public Schools, 25 of which were spent as a middle school principal.

In 1990, Eldon started Personal Benefit Services Wealth Management, which has been recognized by 5280 Magazine and the Arvada Chamber of Commerce. Eldon's involvement in the Arvada community is unparalleled. He was named the Arvada Sentinel's Man of the Year, has served as club president of the Arvada Council for the Arts and Humanities and Arvada Rotary Club and Friendship Force of Greater Denver, as well as vice president of the Arvada Historical Society. In his five decades in the Jefferson County area, Eldon has worked tirelessly to improve the City of Arvada through community service.

I extend my deepest congratulations to Eldon Laidig for this well-deserved recognition by the West Chamber.

TRIBUTE TO RUBY AND DON GODFREY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Ruby and Don Godfrey of Emerson, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on June 2, 1946 at Henderson Christian Church in Henderson, Iowa.

Ruby and Don's lifelong commitment to each other, their children, Richard and Darrell, and their grandchildren, truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories, may their commitment grow even stronger, and may they continue to love and cherish one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF ERSILIA MARIA ANTONIA VERONICA GHIRLANDA MONETT BALCAEN

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge one of my constituents, Ersilia Balcaen, who will be turning 105 this upcoming September the 17th. Mrs. Balcaen's life has been a truly American story in that despite coming from far away, she made the United States her home. Facing some of the most uncertain times in American history, she not only endured, but flourished.

Ersilia was born in the small comune of Sesta Godano in Italy. She was only five years old when she made the dangerous journey to America with her family. She quickly proved her tenaciousness in her work ethic before she had even grown up through helping her family look after their animals and grow crops, and even held several jobs while studying in high school. She later moved to San Francisco and began work for an insurance company where she inspirationally fought to keep her job despite her recent marriage and did so successfully, only finally being let go after seven months of pregnancy.

Ersilia's tireless aspirations did not end there. She eventually showed her aptitude by doing a test for the civil service and was soon hired by the U.S. Army as a stenographer with the Army's Overseas Supply Division at Presidio, California. During her time in service to her nation, she was part of the first evacuations from Pearl Harbor while attempting to bring back the wounded from the attacks. Her career eventually took her back to California where she helped many veterans and civil servants find work following the end to the war. She was heavily praised for her selfless efforts in caring for all those who worked for her. Despite some levels of discrimination she received, she endured and persisted, leading a highly notable career which she retired from in 1972, after 31 years. Her public service did not end upon retirement. Mrs. Balcaen continued to serve her community through her involvement in local charities.

Mr. Speaker, this is a woman of extreme courage and fortitude, whose tireless efforts in spite of discrimination and difficulties, serves as an inspiration to all. She has spent nearly her entire life in service to others and her selflessness should be acknowledged for all to witness. I would ask my fellow members to stand with me and applaud Mrs. Balcaen and wish her well.

BEAUTY BEHIND BARS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. BLACKBURN. Mr. Speaker, I rise today to acknowledge a wonderful event that 94 FM the Fish hosted called Beauty Behind Bars. This event took place on July 30th of this year at the Vanderbilt Student Life Center. It was an excellent opportunity for women in the community to be transformed, inspired, and empowered.

Beauty Behind Bars is an organization designed to help women and girls break away from mental incarceration and self-imprisonment of low self-esteem, doubt, depression, suicide, and dream killing. They also teach the importance of forgiveness, accountability, and the significance of loving self from the inside out. They educate the community by providing seminars and conferences.

I commend Beauty Behind Bars and 94 FM the Fish for their willingness to host a free training workshop that will continue to influence and change women for the rest of their lives. They have set an excellent example of

what it means to "set the captives free." My hope is that they will continue to bring freedom to women of all ages and for generations to come.

MR. SHAYAK SENGUPTA RECEIVES PRESTIGIOUS FULBRIGHT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Shayak Sengupta of Sugar Land, TX for receiving a Fulbright award for his energy research in India during the 2015 through 2016 academic year.

Each year the Fulbright Program grants students with the opportunity to study, research or teach English abroad in an effort to internationalize communities and campuses around the world. Fulbright scholars focus on the conditions and challenges differing regions face, as well as building valuable U.S. relationships. Shayak graduated from Hightower High School and attended Rice University. Under the Fulbright program, he studied the effectiveness and cost of air pollution control technologies in Indian coal power plants.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mr. Shayak Sengupta for receiving this Fulbright award. Keep up the great work.

HONORING THE SERVICE OF FRESNO POLICE CHIEF JERRY DYER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Police Chief Jerry Dyer of Fresno, California. Chief Dyer is being honored by the Fresno Police Department in appreciation of his 15 years of service as Police Chief. The Fresno community is fortunate to have someone who has devoted his career to serving as an advocate for our city.

Chief Dyer attended California State University, Fresno where he would receive his Bachelor's Degree in Criminology. He would go on to obtain a Master's Degree in Management from California Polytechnic University at Pomona and graduate from the California Command College for law enforcement leaders. He began his service with the Fresno Police Department in 1979.

Chief Dyer has been committed to community policing since becoming the Chief of Police on August 1, 2001. He has made it a priority of the Department to build strong relationships with the community, and instill trust between the officers and the people they serve. These efforts have even been recognized nationally for their effectiveness. Under Chief Dyer, the Department's block parties, forums and numerous community events have helped build trust between the residents and the officers.

Under his leadership, the Fresno Police Department has been in the forefront of imple-

menting the reforms proposed by President Barack Obama's Task Force on 21st Century Policing. By employing new technologies, Chief Dyer has made the Fresno Police Department more effective than ever before.

During his time as the Chief of Police, Dyer and the Department have been acknowledged on many occasions for their achievements. In 2005, Chief Dyer was awarded the Excellence in Public Service Award, which is sponsored by The Fresno Bee, The Fresno Business Council, and the Maddy Institute at California State University, Fresno. That same year, the Department would become nationally accredited through the Commission on Accreditation for Law Enforcement Agencies; something only fourteen other agencies in the state have achieved. The Department was also granted the prestigious California Highway Patrol Commissioner's Award for its traffic safety efforts.

Mr. Speaker, I ask my colleagues to join me in recognizing Chief Jerry Dyer in celebration of this great achievement. It has been a pleasure to work with Chief Dyer in serving the community we both love. We are lucky to have someone who has put in a great effort to make the Fresno Police Department one of the state's top law enforcement agencies. I ask that you join me in wishing Chief Dyer continued success.

PERSONAL EXPLANATION

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LONG. Mr. Speaker, on September 6, 2016, I was away from the Capitol and was unable to vote on any legislative measures on this date.

On Motion to Suspend the Rules and Pass H.R. 5578, the Survivors' Bill of Rights Act, Roll Call Vote Number 479, had I been present I would have voted yes.

On Motion to Suspend the Rules and Pass, as Amended, H.R. 3881, the Cooperative Management of Mineral Rights Act, Roll Call Vote Number 480, had I been present I would have voted yes.

DAWN BAUER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dawn Bauer, a teacher at the Carson Elementary School in Denver, CO, for her 2016 Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST).

The PAEMST program, administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy, recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science. Dawn has been an active teacher at the Carson Elementary School and now in the College and

Career Readiness Office at Denver Public Schools has played an integral role in ensuring her students are prepared with critical thinking and problem-solving skills that are vital to their future success.

Dawn's dedication to teaching and commitment to her students serve as a role model for other teachers and is exemplary of the type of achievement that can be attained with hard work and perseverance.

I extend my deepest congratulations to Dawn Bauer for her PAEMST Award and for representing the great State of Colorado on a national level. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE LIFE OF
PETER CHOU VANG

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Lieutenant Colonel Peter Chou Vang who passed away May 4, 2016. He was 82. Vang Chou was a respected leader in the Hmong American community, whose contributions spanned decades.

Vang Chou was born on April 5, 1938 in the Phac Lac village of Laos to Xia Chong Vang and Xay Lo. Vang Chou completed primary education and went on to receive his Certificat d'Etudes Primaires Complémentaires (French High School Diploma). From an early age he was known as a benevolent man, providing for many members of his extended family. Vang Chou made the decision not to pursue his education further, due to his family's financial hardship and in order to help his mother provide for his seven half siblings. At the age of 20 he became a national police officer in Laos.

1961 was an eventful year for Vang Chou. He began his service as a first Air Guide officer for the CIA and married his wife May Yang. Vang Chou's intricate knowledge of the terrain led to his service as a guide for aerial missions during the Vietnam War. His flying career included 116 aerial missions. In 1968, he was wounded in battle, leaving him partially paralyzed in his right arm. Vang Chou then became the commander of the joint operation center at Long Tien Air Base. He quickly earned the respect of his Hmong, Thai and American counterparts.

Following the end of the war, Vang Chou and his family arrived in the United States as refugees in 1976. The family relocated to Santa Ana, California before eventually settling in Merced County. He initially found work as a machinist, before joining the program to assist newly arrived refugees with resettlement. He was one of the founding members of Merced Lao Family Community, Inc.—an organization that was founded to serve the Southeast Asian immigrant community. He was instrumental in founding similar organizations in California and the Western United States. According to historian Noah Vang, he was a significant member of the community and played a role in building the strong and thriving Hmong community we know today.

Vang Chou is survived by his wife, May Yang Vang; their children, Maly, Wayne, Maykou, Bee and Mayko; twelve grandchildren and three great grandchildren.

Mr. Speaker, I urge my colleagues to join me on this day in a moment of silence in memory of the life and service of Lieutenant Colonel Peter Chou Vang. He will be remembered as a hardworking man, who went above and beyond in the service of his community. His leadership and dedication to the Hmong community will be missed.

IN HONOR OF LOUDOUN COUNTY
DISTRICT JUDGE TOM HORNE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. COMSTOCK. Mr. Speaker, I am honored to recognize the tremendous work of my constituent Tom Horne, a 2016 honoree at the Loudoun Laurels Gala. Judge Horne exemplifies the very best of the traditions of public service, stewardship, and personal contributions to the life and history of Loudoun County. His dedication to a high standard of conduct allowed him to remain honest and loyal while making a positive impact in the legal community.

Mr. Horne graduated from Muhlenberg College in Allentown, Pennsylvania in 1965, and went on to attend the Marshall-Wythe School of Law at the College of William and Mary. He served as a Commonwealth's Attorney for three years before taking the bench in 1982. Chief Judge Thomas D. Horne retired after over 21 years, having served longer than any other judge in the Loudoun County Circuit.

In addition to his long and distinguished legacy as a judge, Judge Horne was a driving force in education as well. He established the 20th Judicial Circuit's Law Camp, a landmark educational experience of young people considering a career in the law. The Law Camp gives students interested in the legal sphere an opportunity to interact with professionals in both a classroom lecture and moot court setting.

Judge Horne is a keen preservationist and has diligently protected and served Loudoun County's historic courthouse building in Leesburg. He is also a member of the Board of the Friends of the Thomas Balch Library.

Mr. Speaker, I now ask that my colleagues join me in thanking Judge Thomas Horne for the outstanding services he provided to the United States throughout his long-lasting career. I wish him all the best in his future endeavors.

TRIBUTE TO NORMA AND
JACK POPE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Norma and Jack

Pope of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married May 26, 1956 at St. John Lutheran Church in Council Bluffs, Iowa.

Norma and Jack's lifelong commitment to each other and their children, Scott and Julie, grandchildren, and great-grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating Norma and Jack on this momentous occasion.

MINNESOTA MOURNS FOR
JACOB WETTERLING

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. MCCOLLUM. Mr. Speaker, on October 22, 1989 a heinous, evil crime was committed against a young boy. For nearly twenty-seven years that unsolved crime devastated a family, terrorized a community, and has haunted the people of Minnesota.

The young boy was eleven-year-old Jacob Wetterling of St. Joseph, MN, and this week we finally learned the truth. Jacob was abducted and murdered by a sexual predator who is presently facing federal child pornography charges.

For twenty-seven years the disappearance and uncertainty of Jacob's whereabouts unleashed a mix of emotions—grief, anger, sadness, but always there was hope. Jacob's mother and father—Patty and Jerry Wetterling—never gave up hope. They inspired hope and compassion from the unimaginable pain of losing their son. Patty's advocacy on behalf of missing and exploited children has made her a national expert and a leading national voice for laws and policies that keep children safe. Not only has she dedicated her life to bringing Jacob home, but she has made protecting families and children her mission. Patty is a woman with incredible courage, strength, and determination whom I admire and respect.

In 1989, Jacob's disappearance transfixed Minnesota. My own household was no different. My son was Jacob's age and my daughter a few years younger. We all wanted to see Jacob come home. I feared for my children's safety. Parents were afraid and so were children all across Minnesota.

It is with much sadness and grief that we now know that Jacob was murdered soon after he was abducted. His remains have been found. The truth has been revealed. And, the Wetterling family can bring their son home and mourn for him with all the love, dignity and respect that Jacob deserves.

May Jacob now rest in peace and may the prayers of all Minnesotans give the Wetterling

family comfort during this difficult and sad time. And, this October 22nd, as I have every year since his disappearance, I leave a light on to remember Jacob and all the children who are still missing.

IMPROVED EMPLOYMENT OUTCOMES FOR FOSTER YOUTH ACT OF 2016

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. McDERMOTT. Mr. Speaker, along with my colleagues Mr. REICHERT, Mr. DOGGETT, Mr. DAVIS of Illinois, and Mr. REED, I am proud to introduce today the Improving Employment Outcomes for Foster Youth Act, which provides federal tax incentives to private sector employers that hire youth transitioning from the foster care system to independence.

The outcomes for transition age foster youth in this coup are heartbreaking: half are unemployed at age 24; half will spend time in a homeless shelter; and 70 percent will be reliant on government assistance after emancipating from foster care. The federal government has both an economic and moral interest in improving outcomes for these youth.

In 2008, we passed the Fostering Connections to Success and Increasing Adoptions Act, which recognized the challenges faced by youth transitioning out of foster care and enables them to continue to receive supports and services until they turn 21. In passing that bill our goal was not to extend dependency on the foster care system, but rather to use the additional time spent in extended foster care to help them become independent. While extended foster care is providing a critical lifeline for thousands of youth across the country, more needs to be done to help these youth connect with career opportunities and attain self-sufficiency.

A key strategy will be engaging the private sector in this effort. There is a developing partnership in California between the nonprofit iFoster, public child welfare agencies, community-based organizations, and the grocery industry to create an employment pipeline for foster youth that is already demonstrating great success in preparing foster youth for competitive work, and supporting them on the job to ensure retention and promotion. The Improving Employment Outcomes for Foster Youth Act will make transition age foster youth categorically eligible for the Work Opportunity Tax Credit (WOTC), an existing federal credit that provides incentives to businesses to hire employees from certain populations with specific employment challenges. In doing so, this bill will help encourage other sectors to follow the grocery industry's lead in hiring and investing in our nation's foster youth and starting them on a successful career path.

I look forward to working with my colleagues to advance this important legislation.

HONORING OLYMPIC GOLD MEDALIST KELSI WORRELL

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. MacARTHUR. Mr. Speaker, I rise today to honor Olympic gold medalist Kelsi Worrell, of the Third Congressional District, in her recent accomplishments at the 2016 Summer Olympic Games in Rio, and to commend her for her outstanding dedication to the sport of swimming.

Kelsi, who is a resident of Westampton, worked diligently to help the United States Women's Swim Team win a gold medal in the women's 4x100m medley relay. In addition to her great accomplishment at the Summer Olympic Games, Kelsi has continued to be a role model for so many young children with aspirations of greatness. Her hard work and determination has instilled a great sense of pride within the local communities of South Jersey. Her achievements exhibit the great pride with which Kelsi represents herself and the United States of America.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have Olympic gold medalist Kelsi Worrell as a member of their community, who has shown a desire to represent her nation with great honor and has worked continuously to do so to the best of her ability. I am honored to recognize her accomplishment and dedication to her sport, before the United States House of Representatives.

DAN PIKE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dan Pike for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

An active Colorado conservationist, Dan began advocating for the environment in 1976 when he opened an office for the Nature Conservancy and drafted the first ever Colorado conservation easement. Since then, Dan has continued to defend the environment as a founding member of both the Mountain Area Land Trust in Evergreen and Gunnison Ranchland Conservation Legacy and as retired president of Colorado Open Lands. Under Dan's leadership, Colorado Open Lands has made vast contributions to the protection of open space, preserving five thousand acres of Jefferson County land overall.

Dan's civic achievements include Vice Chair of the Colorado Coalition of Land Trusts, Chair and Founder of the Mountain Area Land Trust, and a legislative member of the Colorado Conservation Easement Tax Credit Task Force. In 2015, Dan received the Friend of Open Space Award from the Palmer Land Trust for his recent efforts to protect southern Colorado. Recently, Dan has been working on the Jeffco Vision 2020 plan as well as coaching youth sports.

I extend my deepest congratulations to Dan Pike for this well-deserved recognition by the West Chamber.

IN HONOR OF MARGARET MORTON

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize the tremendous work of my constituent Margaret Morton, a 2016 honoree at the Loudoun Laurels Gala. Ms. Morton exemplifies the very best of the traditions of public service, stewardship, and personal contributions to the life and history of Loudoun County. Her dedication to a high standard of conduct allowed her to remain honest and loyal while making a positive impact in the journalistic community.

Margaret Morton is a graduate of Edinburgh University in Scotland. She left her home in Britain to come to America in 1966. Twenty-six years later she entered the world of journalism when she joined the staff of Leesburg Today. Last year, she became a founding member of the writing staff of Loudoun Now, recently judged to be Loudoun County's best new business.

Ms. Morton has nearly a quarter century of experience, granting her the skills and style to serve Loudoun. Her writing illustrates both her intelligence and her deep understanding of the community she loves, and is similarly reflected in her meritorious career. Currently, Ms. Morton is the Dean of the Loudoun County Press Corps.

Serving on Loudoun County's first Historic Review Board, Ms. Morton is an active preservationist. She is an avid supporter of numerous community charitable activities, for which we readily commend her.

Mr. Speaker, I now ask that my colleagues join me in thanking Margaret Morton for the outstanding services she provided to our great Commonwealth throughout her long-lasting career. I wish her all the best in her future endeavors.

TRIBUTE TO PATTY AND JIM COWNIE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Patty and Jim Cownie for being awarded the 2016 Robert D. Ray Pillar of Character Award, presented by the Robert D. and Billie Ray Center at Drake University. They were presented with the honor during the annual Ray Center's Iowa Character Awards in Altoona, Iowa.

Each year, a selection committee of 50 members selects recipients who have exemplified a life filled with volunteerism and sacrifice. The Cownies embody each of those qualities. Ever since the Ray Center opened its doors as Character Counts back in 1997, Patty and

Jim Cownie have given their time and resources to make sure it was a total success.

Patty Cownie has always displayed a commitment to volunteerism throughout her life. From 1999 to 2014 she served on the Drake University Board of Trustees and now dedicates her time and expertise to the Iowa Board of Regents. She has also contributed her time to organizations such as the Iowa State Fair Blue Ribbon Foundation, Meals from the Heartland and Bravo! Greater Des Moines.

Recognized as one of the top businessmen in the State of Iowa, Jim Cownie has still found time to dedicate himself to causes and organizations of which he cares. Along with his wife, Patty, Jim has sacrificed his time and given his expertise to many charitable organizations throughout the state and continues to utilize his own resources to improve the lives of others.

Mr. Speaker, I applaud and congratulate Patty and Jim Cownie for receiving this esteemed designation. It is truly an honor to represent them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating them and in wishing them nothing but continued success.

HONORING ALICIA DICOCHEA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Alicia Dicochea. Alicia is known throughout Merced County for her dedication and service to her community. She is retiring this year after serving as one of the founding members of the Board of Directors of Golden Valley Health Centers since 1971. Alicia has gone above and beyond in the effort to make her community a better place, volunteering her time in health care, education and church.

Alicia was born in Cutler, California. She is the youngest of five siblings, born to parents who immigrated to the Central Valley from Mexico in the 1920s. From an early age she learned the meaning of hard work, working in the fields with her siblings in order to help support the family.

In 1947 Alicia married Jesus Dicochea. The young family, along with their children moved to Los Banos in 1965 in order to pursue work opportunities, where they have lived ever since.

Alicia's involvement with Golden Valley Health Centers began when it was just a single clinic for farm workers. Today the medical center has 25 clinics and serves Merced and Stanislaus counties. Alicia has been an advocate for health care for the Valley's underserved since the beginnings of her involvement with Golden Valley.

Alicia has also been an advocate in education. She made the decision to play an active role in her children's school from the day the first of her ten children began school. She was selected to be a part of a group of parents and UC Davis students to assess the needs of the community in order to properly

use funding available to local students and families. She was involved in Merced College's Los Banos campus from its beginnings. She taught Spanish and advised on the curriculum for English as a Second Language students.

Her strong faith has led to a natural involvement with her church. Alicia served as a delegate for the Guadalupe Society in Los Banos and served as secretary for District 7, which includes Los Banos, Dos Palos, and Atwater.

Alicia's service to her community knows no limits. She has served on the Los Banos Planning Commission and as a member of the National Board of National Association of Farmworkers Organization. During the holiday season, she participates in initiatives to feed the homeless.

Mr. Speaker, I urge my colleagues to join me in honoring Alicia Dicochea. Her forty-five years of service on the Board of Directors of Golden Valley Health Centers, in addition to the wonderful work she has done in the community, should be commended. Los Banos will be forever grateful for the impact she has made in the community.

REMEMBERING LESLIE WITT REICHENBACH

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to remember and honor the life of an important and respected member of the Chicago community, Ms. Leslie Witt Reichenbach.

For nearly 40 years, she woke up generations of Chicago's WXRT listeners on weekend mornings. A native Chicagoan, she earned a bachelor's degree in communications and environmental science from the University of Wisconsin in Madison. Shortly after, she began her radio career as a disc jockey at a progressive rock station in Massachusetts. With her growing enthusiasm for radio, she returned to Chicago to work at WXRT 93.1 FM in 1977. Leslie was also a news reporter for WBEZ, Chicago's Public Radio station in the 1980s, while still DJ'ing on weekend mornings at WXRT.

Leslie, often referred to as "the overnight angel," was known for her kind smile and her ability to connect with others. Her sense of wonder was the source of her ability to communicate about the music with conviction. Leslie's dedication helped mentor many new D.J.'s who preceded her radio shift.

Sadly, Leslie passed away on July 17th, 2016 at age 63 in Riverwoods, Illinois after her battle with ovarian cancer.

Leslie bravely fought her illness by listening to new albums, attending concerts, and practicing ballet. Leslie's top priority was always her family, and the love and support they provided her was the most important thing in her life. Leslie is survived by her husband, Chuck Reichenbach and their adult children Kay and Kurt.

Mr. Speaker, may God bless the Reichenbach family and the memory of a

woman who was truly loved by her friends, her community, and her family.

IN MEMORY OF SERGEANT KENNETH D. JUMPER, SR.

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina is paying positive tribute to the service of American Patriot Kenneth D. Jumper, Sr., of Cayce, South Carolina. I especially appreciate his dedicated model of military service in the National Guard. He was an inspiration to me when we served together in the 218th Mechanized Infantry Brigade as he lived up to the highest standards of service by being the most patriotic, competent, and capable of citizens.

A thoughtful obituary was published in The State newspaper on August 27, 2016:

CAYCE.—Kenneth D. Jumper, 89, of Cayce, South Carolina passed away peacefully with his family by his side on Thursday, August 25, 2016. He was born in Swansea, South Carolina to the late Dewey and Myrtis Smith Jumper.

Kenneth retired from the State Highway Department and The SC Army National Guard as a Staff Sergeant. He was a member of Cayce First Baptist Church for over 60 years. He served several terms on the Cayce City Council. Kenneth coached Little League baseball for many years in Cayce and spent many days helping his neighbors. He will be long remembered for his Godly character, his acts of kindness and Christian faith. He will be missed by all.

Kenneth is survived by his sons, Kenneth D. (Sally) Jumper, Jr. of West Columbia, Keith (Emily) Jumper of Lexington, Karl Jumper of Cayce and Kim (Kimberley) Jumper of Lexington; his brothers, Conley (Joanne) Jumper of Pacolet and Coy (Esca) Jumper of Swansea; his sister, Orene Carter of Cayce; and his daughter-in-law, Lisa Jumper of Swansea. He also leaves behind his 11 grandchildren and 9 great-grandchildren.

He was preceded in death by his loving wife of 60 years, Verna B. Jumper and his son, Kelvin M. Jumper.

The family will receive friends at Thompson Funeral Home of Lexington on Saturday, August 27, 2016 from 6-8 p.m. Funeral services will be held at The Harvest, 4865 Sunset Blvd., Lexington, SC on Sunday, August 28, 2016 at 2 p.m. Interment will follow in Southland Memorial Gardens.

The funeral services were lovingly conducted by his son, Pastor Kenneth D. Jumper, Jr.

BETTY MILLER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Betty Miller for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

When Betty Miller moved in 1959, Jefferson County gained a selfless public servant who had a significant impact on the community until her death in January of 2012. Betty began her involvement by volunteering with both the local League of Women Voters and PTA, and later turned her attention to resolving school finance and county zoning issues until her election to the Colorado House of Representatives in 1964. In that role, she helped establish the City of Lakewood, and served on the first Lakewood City Council from 1965 to 1975.

The Lakewood Sentinel recognized Betty's hard work and awarded her Outstanding Woman of 1972 and the Jeffco Board of Realtors named her Citizen of the Year in 1977. Betty continued her commitment to Jefferson County as Director of Colorado Local Affairs under Governor Dick Lamm and as Chief Administrator for Senator Tim Wirth, where she famously helped shut down Rocky Flats. Betty was named the Leo Riethmayer Outstanding Public Administrator in 1980 and recognized for her "outstanding achievement and distinguished service" as Regional Administrator of HUD under President Jimmy Carter. In 1992, Betty was elected Jefferson County Commissioner, where she helped inspire and lead Jeffco's first long-term planning efforts that helped make our community what it is today.

I extend my deepest congratulations to Betty Miller's family for this well-deserved recognition by the West Chamber.

IN HONOR OF THE LADIES BOARD
OF INOVA LOUDOUN HOSPITAL

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the Ladies Board of Inova Loudoun Hospital, which is commemorating over a century of nursing in the Leesburg emergency room. I would like to personally commend these unselfish women who inspire others through their dedication and generosity in service to their neighbors, friends, and strangers. These commendable citizens embody the very best of this nation's values through their service to our community and exemplary performance in healthcare practice.

The Ladies Board of Inova Loudoun Hospital has been "the heart and soul" of the hospital since 1912, when it was formed simultaneously with Loudoun's first healthcare center. Ever since, it has been raising money to support the hospital in renovations and supplies, and has been consistently rated in the top one percent of patient satisfaction in the nation. Even more recently, the board gifted one million dollars toward the renovation at the Leesburg campus, which was completed three years ago and continues to make important strides for the betterment of our Commonwealth. This is a clear testament to the outstanding work which is conducted by these exemplary individuals every day and they are deserving of recognition.

Mr. Speaker, it brings me immense pride to recognize such a fine group, and I sincerely

hope that we all can live up to their tremendous example. I ask my colleagues to join me in congratulating the Ladies Board. I wish them good luck and hope that they continue to better the future of Loudoun's exceptional healthcare.

TRIBUTE TO EAGLE SCOUT
JARED KAUFMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jared Kaufman of Council Bluffs, Iowa for achieving the rank of Eagle Scout. Jared is a member of Boy Scout Troop 550 in Council Bluffs.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jared's Eagle Project involved community service at Jennie Edmundson Hospital in Council Bluffs. Jared led a team of scouts who collected donations and built carts to hold entertainment supplies such as books, magazines, and puzzles for the patients confined to the hospital. The work ethic Jared has shown in his Eagle Project and every other project leading to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by Jared Kaufman and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Jared and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING MS. KATHERINE
SCHACK FOR RECEIVING THE
PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS
AND SCIENCE TEACHING

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Ms. Katherine Schack. She has been selected to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This is a prestigious award that will be presented in

Washington, DC at the Daughters of the American Revolution Constitution Hall. In addition to Ms. Schack having the opportunity to attend various recognition events and development activities, she will also receive a \$10,000 award from the National Science Foundation. A citation from President Obama will be presented as well. Ms. Schack is one of only one hundred and eight teachers to receive this award for the 2014–2015 school year.

Ms. Schack is receiving this award for her work at Lakeview Elementary where she taught 2nd Grade. During her twelve years as an educator, she has taught first and second grade in the Wentzville School District at Lakeview Elementary School. In 2014, Ms. Schack became the first K–8 Mathematics Coach/Content Lead in her district.

The Presidential Awards for Excellence in Mathematics and Science Teaching was established by Congress in 1983. This award is the highest honor bestowed by the United States Government specifically for educators that teach mathematics and science. Since the establishment of the program, over 4,600 teachers have been recognized for their contributions to their students and school districts.

Ms. Schack has been involved in local district level committees throughout the years, including: Mathematics Curriculum Writing Team, Assessment Writing Team, and Curriculum Review Committee. During her years in the classroom setting, she served as a Singapore Math trainer which required serving the district's ten elementary schools. Most recently, this past year Ms. Schack took the lead in establishing and implementing the district's New Teacher Math Curriculum Training and Beyond Math In Focus Training. Currently as the K–8 Mathematics Coach/Content Lead, she works closely with teachers to increase student engagement, allow for problem solving within and beyond the classroom, and aid in creating a structure of learning in the classroom.

I ask you to join me in recognizing Ms. Schack on her achievement and this honor of receiving the Presidential Award for Excellence in Mathematics and Science Teaching.

HONORING THE LIFE OF
RUBY WILSON

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. COHEN. Mr. Speaker, I rise today to honor the life of Ruby Wilson, a legendary Memphis Blues singer who was known as the "Queen of Beale Street" and was beloved not only by the city of Memphis but by fans all over the world. Ruby Wilson was born in 1948 in Fort Worth, Texas before making Memphis, Tennessee her home in 1972. Over time, Ruby became one of the greatest ambassadors for Memphis and Blues music alike.

Ruby's passion for singing began early as a child in Texas singing in her church choir, which was directed by her mother. Through the choir, Ruby performed with notable gospel singers Rosetta Tharpe, The Blind Boys of

Alabama and Reverend James Cleveland. At age 15, Ruby accepted renowned gospel singer Shirley Caesar's invitation to sing backup during a summer tour.

During this same time in her youth, Ruby learned her love of the Blues from her father, who was an associate of famed guitarist and blues singer Freddie King. It was time spent with her father listening to Muddy Waters and other Blues musicians on the radio that influenced her future music career. This included listening to Memphis Blues legend B.B. King, whom she met in Texas at age 14. They formed a friendship that lasted his lifetime. It was then that B.B. King named Ruby his goddaughter, six years before she would sing with him for the first time.

By 1972, Ruby had lived and worked in Chicago singing gospel and directing church choirs, and had returned to Texas to sing jazz. She was touring by then and had, on occasions, performed in Memphis, where she met Stax Records songwriter, recording artist and producer Isaac Hayes, who suggested she move there. After relocating to Memphis, Ruby taught kindergarten for eight years while building her music career on the nightclub stages of Beale Street and surrounding venues, including Club Handy, Rum Boogie Café, Club Royale, Mallard's, Alfred's, Silky 'O Sullivan's, The Blues Room, In The Alley on Beale, Neil's, Bosco's, 50/50 Tower, The Spot, The Other Place, Beale Street Blues Club, Elvis Presley's (on Beale), and the New Daisy and Old Daisy Theaters. Ruby was also a regular performer at B.B. King's Blues Club and its upstairs restaurant, Itta Bena.

Ruby enjoyed new experiences and performing in new venues across the globe. Throughout her career, Ruby performed in Asia, Europe and New Zealand for audiences that included British and Monégasque royalty. She also performed for U.S. President Bill Clinton and Vice President Al Gore, and she was a featured performer at the New Orleans Jazz & Heritage Festival in 2008, 2011 and 2012. In addition to touring, Ruby Wilson recorded 10 albums and worked alongside Ray Charles, the Four Tops, Willie Nelson, Isaac Hayes, Al Green's Full Gospel Tabernacle Choir in Memphis and countless others. She also appeared in over 10 major films, including *The Firm* (1993), *The Client* (1994), *The People vs. Larry Flynt* (1996), *Black Snake Moan* (2006), and *Delta Rising: A Blues Documentary* (2008).

Ruby was the recipient of numerous awards and recognitions. She earned the title "Queen of Beale Street" in 1992 and has received the "Authentic Beale Street Musician Award," the "Memphis Sound Award for Best Entertainer," the "Blues Ball Award: Special Achievement," the "Willie Mitchell Jus Blues Award," and the "W.C. Handy Heritage Awards: Lifetime Achievement." Ruby also received the St. Jude Children's Hospital "Supporter Award," the "Networking for Memphis Community Service Award," and the "Arc of the Mid-South Community Leader Award." She has been inducted into the African American Hall of Fame, the Afro-American Walk of Fame at Lemoyne Owen College in Memphis and has a brass note in her honor on the Beale Street Walk of Fame. Ruby Wilson received accolades from critics and fans throughout her ca-

reer and she will always be remembered for her great voice and warm personality.

For the city of Memphis, Ruby Wilson was more than just the Queen of Beale Street. She possessed a voice that was sought after by businesses and politicians for television commercials and radio ads because hers was a credible voice of endorsement. She recorded for small local businesses and I am forever grateful for the ads that she recorded for me and the support that she gave me. I am also thankful for the opportunity to have watched her perform many times in Memphis, including at her last benefit performance at B.B. King's Blues Club on July 31st, less than two weeks before her passing. As always, she was beautiful and smiling while performing to a packed house as was befitting of her life, achievements, contributions and memory.

Ruby Wilson's passing places her on the same level, if not higher, as many Memphis legendary geniuses that we've recently lost, including Elvis Presley's guitarist Scott Moore, Stax Records and American Sound Studio producer Chip Moman, The Memphis Horns saxophone and trumpet players Andrew Love and Wayne Jackson, and Maurice White, founder of the multi-Grammy Award winning music group Earth, Wind and Fire.

Ruby Wilson passed away on Friday, August 12, 2016 at 68 years of age. She is survived by her daughters Shalisa Alexander and Stacey Ragston, her sons Keith and Kenneth Moseley, and 12 grandchildren and five great-grandchildren. Ruby Wilson had a unique and incredible voice that Memphis, Beale Street, the entire music community and all of her fans around the world will miss. Hers was a life well-lived.

COMMEMORATING THE BEGINNING OF WORLD WAR II

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. POE of Texas. Mr. Speaker, the date was September 1, 1939. It was a date that would change the world forever. Nazi Germany, under Adolf Hitler, invaded Poland by air, land, and sea, igniting the Second World War and throwing the world into turmoil. Hitler used what is known as the "blitzkrieg strategy" to occupy Poland. He attacked the country by air to destroy its infrastructure; meanwhile, he directed a massive land and sea invasion to take the nation. Poland's troops and military were unequipped to effectively fight the Germans, so consequently Poland quickly fell under the control of Germany and the Soviet Union. Hitler had hoped that Britain and France would tolerate the invasion like they had when Hitler invaded Sudetenland and Czechoslovakia. However, the invasion of Poland was one invasion too many, and it significantly altered the course of history, launching the allied and axis powers into a full scale world war.

Germany initially intended to invade Poland on August 26, not September 1. Hitler had signed a nonaggression pact with the Soviet

Union on August 23 to ensure that the USSR would not come to Poland's aid, and within the treaty, Hitler and Stalin agreed to divide Poland between them once conquered. However, Hitler made a last minute decision to postpone the attack because, on August 25, Britain signed the Polish-British Common Defense Pact, guaranteeing Poland military support if invaded. Hitler utilized false propaganda throughout the next few days in an attempt to justify Germany's impending invasion of Poland and to prevent Britain from coming to its aid. Hitler secretly attacked small installations inside Germany and framed it on Poland, attempting to pose as the victim instead of the aggressor. The propaganda failed, though, and both Britain and France entered the conflict when Germany overtook Poland.

The breakout of WWII, however, cannot be attributed to any single event, but rather an accumulation of issues that climaxed in a destructive standoff between the Axis powers (Germany, Italy, Japan, Hungary, Romania, Slovakia, and Bulgaria) and the Allies (The United States, Great Britain, France and—later—the Soviet Union). The world had been anticipating war for a long time preceding Adolf Hitler's invasion of Poland. The global balance was unstable after World War I (initially and ironically considered "the War to End All Wars") and international tensions remained high. Germany especially was dealing with significant instability and neglect as a consequence of the First World War, and this national crisis led to the election of Adolf Hitler. Hitler's invasion on this day 77 years ago provoked Britain and France to declare war against the malicious power on September 3, 1939, leading to a long and bloody international conflict.

For nearly two years, America attempted to remain out of the military conflict, calling itself a neutral power. However, on several occasions before entering the war, American military vessels (including USS *Reuben James* and USS *Kearny*) and British civilian vessel SS *Athenia* were attacked by German submarines, resulting in American military and civilian casualties. The breaking point for the United States eventually occurred during the morning hours of December 7, 1941. It was a date that would live in infamy, as President Franklin Delano Roosevelt announced. Hundreds of Japanese fighter planes soared over Pearl Harbor, the American naval base near Honolulu, Hawaii, destroying a significant portion of our nation's Pacific Fleet and taking thousands of American lives with it. This unforgivable attack against the United States provoked Roosevelt and Congress to declare war on Japan on December 8, 1941. Subsequently, Germany and Italy declared war on the United States, and America joined the Allied Powers' fight against the Axis. In the end, we notably contributed to the extinguishment of Nazi Germany and the defeat of its allies.

World War II transformed the globe as the deadliest war in history. Over the course of the war, more than 72 million people lost their lives, leaving nations and families from all around the globe in deep despair. Out of the 690 million people who fought in WWII, 16.1 million were Americans; of those 16.1 million courageous soldiers, nearly 292,000 sacrificed their most precious possessions—their lives—

for the greater good of our nation and our world. The United States was left in grieving. Wives cried for their fallen husbands, sisters for their brothers, and mothers for their sons. These heroes honorably gave everything to fight one of the vilest brands of evil the world has ever seen. Thanks to our brave military and committed allies who fought in World War II, the world is a better place.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 6, 2016, on Roll Call Number 479 on the motion to suspend the rules and pass H.R. 5578, Survivors' Bill of Rights Act of 2016, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 5578.

On September 6, 2016, on Roll Call Number 480 on the motion to suspend the rules and pass H.R. 3881, Cooperative Management of Mineral Rights Act of 2016, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 3881.

THE GROWING CRISIS IN SOUTH SUDAN

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. SMITH of New Jersey. Mr. Speaker, on April 27 of this year, the subcommittee I chair held a hearing on South Sudan's prospects for peace. An accord that appeared to finally end the civil war that broke out in December 2013 was reluctantly signed by both the Government of South Sudan and the Sudan People's Liberation Movement—In Opposition in August 2015. Perhaps too much was read into the signing of that agreement and not enough into the continuing criticism of the accords by both sides.

Peace was never fully established in South Sudan as a result of the August 2015 agreement. In fact, fighting spread to areas that had not previously seen armed conflict. An estimated 50,000 South Sudanese have been killed since December 2013, more than 2.5 million have been displaced, and 4.8 million face severe hunger. According to the UN Mission in the Republic of South Sudan, or UNMISS, "gross violations of human rights and serious violations of humanitarian law have occurred on a massive scale."

South Sudanese women have long reported cases of sexual assault by armed forces throughout the country—sometimes in sight of UNMISS bases. This past July, between 80–100 armed soldiers broke into the Terrain apartment compound, which houses aid workers and international organization staff, and for

several hours, they sexually assaulted women, beat residents, murdered one South Sudanese journalist and looted the facility.

UNMISS did not respond to the desperate calls for help from residents, even though their own personnel lived in the Terrain compound, and UNMISS officials say the various components of UNMISS didn't respond to orders to mobilize from within the organization.

UN peacekeepers were minutes away but refused to intervene despite being asked and having a robust legal mandate to do so. A contingent of the South Sudanese military ultimately rescued the victims from other rampaging troops. The investigation by the South Sudanese government is scheduled to be completed within days, and there must be consequences for those found guilty. The rapidly deteriorating security and the increasingly dire humanitarian situation led me to undertake an emergency mission to South Sudan two weeks ago along with Staff Director Greg Simpkins.

I have known Salva Kiir since he became First Vice President in the Government of the Republic of Sudan in 2005—as a matter of fact I met him in Khartoum only weeks after he assumed that office—and I hoped my visit might convey to him the outrage over the murder, rape, sexual assault, attack on aid workers, and the precarious situation his government faces. South Sudan is at a tipping point. The United Nations will likely take up a measure to impose an international arms embargo on South Sudan this month. The International Monetary Fund has strongly recommended a mechanism for financial transparency and meets next month, likely expecting a response from South Sudan. Meanwhile the House and Senate both have measures that contain an arms embargo and other sanctions.

In Juba, we met with President Kiir, his Defense Minister Kuol Manyang Juuk and the top members of the general staff, including Chief of General Staff Paul Malong, considered by many to be a major power behind the scenes. I emphasized to them that the widespread rape and sexual exploitation and abuse by soldiers must stop now, and that perpetrators of these despicable crimes must be prosecuted. In response, both President Kiir and Defense Minister Jook agreed to produce a 'zero tolerance' presidential decree against rape and sexual exploitation and abuse by all armed forces. Such a decree not only informs perpetrators that they will be punished for their actions, but it places the government on the line to enforce such a decree.

The UN High Commissioner for Human Rights has previously described the South Sudan government's efforts to hold perpetrators of abuses accountable as "few and inadequate." That must change.

President Kiir also gave us a copy of a presidential order forming a commission to investigate the incident at the Terrain compound. The result of that investigation is due any day now. There are four military officers and one civilian in custody for looting the Terrain compound, but no one has been arrested for the sexual assaults, beatings or the public murder of the South Sudanese journalist.

One of the victims of sexual assault at Terrain is from my congressional district. After relaying horrible details of the sexual assault by

two soldiers, she gave us the name of the soldier who "rescued" her and who might be able to provide information that could be used to find and prosecute those who attacked her at the Terrain compound.

There are about 20,000 humanitarian aid workers in South Sudan—2,000 of whom are from the United States and other foreign countries. If there is not greater security for these humanitarian personnel and supplies, vital assistance will diminish at the time it is needed most.

The exploitation of children as child soldiers must stop as well. According to UNICEF, 16,000 child soldiers have been recruited by all sides since civil war began in December 2013. Moreover, this year's US State Department Trafficking in Persons Report gave South Sudan a failing grade—Tier 3—in part because of child soldiers.

South Sudan faces the possibility of a UN arms embargo and other sanctions. A new 4,000 Regional Protection Force—designed to augment the over 13,000 UN uniformed peacekeepers—has already been approved by the UN Security Council.

There is yet time for South Sudan to make its pivot to peace and good governance by faithfully implementing the comprehensive peace accord—including and especially the establishment of a Hybrid Court—signed one year ago but time is running out.

The governments of the three guarantors of South Sudan's peace—the United States, the United Kingdom and Norway—all have expressed their disgust with the South Sudan government and its armed opposition for not adhering to the August 2015 peace agreement and providing to the extent it can for the security and well-being of its own people. However, expressions of disdain are not enough.

This hearing I convened on South Sudan today was not only intended to examine culpability for the current situation, but also to try to find solutions that will safeguard the future of one of the world's newest nations and its citizens. As a guarantor of the peace, we can and should do no less.

TRIBUTE TO TYPHANIE AND NICK MAHLSTADT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Typhanie and Nick Mahlstadt of Indianola, Iowa as honorees of the 2016 Angels in Adoption Award.

Each year, the Congressional Coalition on Adoption Institute (CCAI) selects individuals, families or organizations who demonstrate a commitment to improving the lives of children in need of permanent, loving homes. Many have come away from this experience with a renewed commitment to serve the needs of the millions of children who are waiting for a loving family to call their own.

I am proud that you are being welcomed into a select group of distinguished leaders who CCAI recognizes as 2016 Angels in

Adoption honorees. Your tireless dedication to children sets you apart as a shining example in Indianola, across Iowa and throughout the United States, earning you well-deserved recognition as extraordinary individuals and quite worthy of this award.

Mr. Speaker, it is an honor to represent Typhanie and Nick Mahlstadt in the United States Congress and it is with great pride that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating the Mahlstadt family as they receive this honor and wish them nothing but the best in their lives and the lives of children everywhere.

IN RECOGNITION OF INOVA LOUDOUN EMERGENCY DEPARTMENT EXPANSION

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Inova Loudoun's brick breaking ceremony for the emergency department expansion, taking place on September 7th, 2016. Since 1912, Inova Loudoun's healthcare professionals have worked to provide their patients with the best care and treatments to continue saving lives. Not only does Inova Loudoun provide a crucial service for its community, but the hospital uses state-of-the-art technology to give their doctors the tools they need to treat their patients. This is an important milestone for this wonderful hospital.

One of the foundations of modern society is the ability of all people to have access to quality emergency care. The mission of Inova Loudoun, providing top-notch medical services, has given residents in Virginia peace of mind, knowing that some of the country's best medical care is right around the corner. Through its stellar work, Inova Loudoun has proven that it ranks among the best hospitals in the country.

Over the years, this hospital has bettered the lives of countless Americans, not only through its emergency services, but also through its mobile health screenings and education initiatives. Its outstanding work has earned it many accolades and awards. Inova Loudoun has continued to provide a valuable service to communities and their families.

Mr. Speaker, I ask that my colleagues join me in congratulating Inova Loudoun on its brick breaking ceremony of the emergency department expansion. I wish this hospital all the best for its promising future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees

to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 8, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 12

5 p.m.

Committee on Foreign Relations

To receive a closed briefing on the failed coup in Turkey and the future of United States-Turkish cooperation.

SVC-217

SEPTEMBER 13

9:30 a.m.

Committee on Armed Services

To hold hearings to examine encryption and cyber matters; with the possibility of a closed session in SVC-217, following the open session.

SH-216

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

Business meeting to consider H.R. 2647, to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands.

SR-328A

Committee on Foreign Relations

To hold hearings to examine Brexit, focusing on United States interests in the United Kingdom and Europe.

SD-419

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the National Flood Insurance Program, focusing on reviewing the recommendations of the Technical Mapping Advisory Council's 2015 Annual Report.

SD-538

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold hearings to examine an original bill entitled, "Better Online Ticket Sales Act of 2016".

SR-253

SEPTEMBER 14

10 a.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine protecting Internet freedom, focusing on the implications of ending United States oversight of the Internet.

SD-226

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine terror financing risks of America's \$400 million cash payment to Iran.

SD-538

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine North Atlantic Treaty Organization expansion, focusing on the accession of Montenegro.

SD-419

Committee on Indian Affairs

To hold hearings to examine S. 2636, to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the land is wholly within a reservation, S. 3216, to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation", S. 3222, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and an original bill entitled, "The Hualapai Tribe Water Rights Settlement Act of 2016".

SD-628

2:30 p.m.

Committee on Appropriations

Subcommittee on Energy and Water Development

To hold hearings to examine the future of nuclear power.

SD-138

Committee on the Budget

To hold an oversight hearing to examine the Congressional Budget Office.

SD-608

Committee on Veterans' Affairs

To hold hearings to examine the future of the Department of Veterans Affairs, focusing on examining the Commission on Care report and the VA's response.

SR-418

Special Committee on Aging

To hold hearings to examine maximizing Social Security benefits.

SD-562

SEPTEMBER 15

10 a.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SR-253

September 7, 2016

EXTENSIONS OF REMARKS, Vol. 162, Pt. 9

12009

Committee on Homeland Security and Governmental Affairs	10:30 a.m.	2:15 p.m.
To hold hearings to examine the state of health insurance markets.	Committee on Small Business and Entre- preneurship	Committee on Foreign Relations
SD-342	To hold hearings to examine the Federal response and resources for Louisiana flood victims.	To hold hearings to examine reviewing the civil nuclear agreement with Nor- way.
	SR-428A	SD-419

HOUSE OF REPRESENTATIVES—Thursday, September 8, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 8, 2016.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

PAUSE AND REFLECT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, I rise today as we approach the somber anniversary of the attacks of September 11, 2001, to honor the memory of the innocent people who perished on that terrible day and extend our continued prayers and sympathy to their loved ones.

For 15 years, I have stood at firehouses and schools, churches and veterans halls, and heard the stories of bravery and heroism from that morning that forever changed America. New Jersey lost more than 700 residents in the attacks, 81 of them from communities I represent here in Congress.

Each personal story is remarkable in its own way, offering a different memory or perspective on the events of September 11. In hearing stories from that day, Americans relive that morning, recalling where they were when they heard the news of the planes that struck the World Trade Center, the sickening realization that our Nation was under attack, and the tremendous heroism and self-sacrifice of so many

in New York, at the Pentagon, and on a plane over Shanksville, Pennsylvania.

Many of these stories are not new but need to be retold as a younger generation comes of age, that their neighbors—innocent people in their communities—were targeted in an act of war upon this Nation, and from such heinous acts came brave first responders, courageously initiating rescues, knowing their lives were in great danger, friends and coworkers helping each other to safety, and many young Americans who then answered a call to service to protect and defend the United States.

It is our duty to instill in the generations that follow respect and honor for the lives lost that terrible day and the lives lost in defense of our Nation in the years that have followed. It is our duty here in Congress to protect this Nation, to provide for the common defense, and vividly to recall the pain of a wounded Nation so that we be aware always of what it takes to keep this Nation safe and free.

The lives lost in the ensuing battles abroad have continued to try the foundation of our will. We have proven steadfast in the commitment to our values. Our freedom and liberty have been protected by brave men and women who selflessly answered the call of service by volunteering for military service.

No matter the challenges we face, we must remember that our Nation is truly blessed. I ask all Americans today to pause and reflect on the tragedy of September 11, 2001. Please pray for the victims and honor their memory. Please pay tribute to the men and women who serve and defend us today against the dangers we still face. May God bless them, and may God continue to bless the United States of America.

CROWN POINT, INDIANA, GUN SHOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, “Gun to the right, no gun to the left” was the greeting I heard as I entered the Industrial Arts Building in Crown Point, Indiana. On this particular sunny Sunday afternoon in July, the enormous building was playing host to the Central Indiana Gun and Knife Show.

The building, which sits on the Lake County Fairgrounds, plays host to garden shows, home improvement and

craft vendors; but on this date, the 90-year-old brick building was featuring products that were of an altogether different nature.

As they enter the gun show, visitors carrying weapons had to demonstrate to security that their guns were not loaded, while those not carrying could enter without screening. I paid my \$5 entry and was asked if I resided in Indiana. Being an Illinois resident, I answered no and received a hand stamp depicting me as out of State.

At first glance, I saw kids hanging around vendors, munching on hot dogs. There were several hundred people in attendance by lunchtime, mostly White, middle-aged men, but a few women as well. Judging by the license plates in the parking lot, there were a healthy number of gun enthusiasts from my home State of Illinois in attendance.

At most tables, you could hear the hagglers looking for a better deal or discussing options for their purchase. They would ask: Chrome-lined or stainless steel barrel? What about a free-float rail? The possibilities seemed endless, as people wandered among dozens of tables.

Sellers were offering everything from high-volume magazines and sophisticated scope systems to attachable bipods and customized stocks. Prices for assault weapons typically ranged from \$600 to \$2,500, including a bipod and two drum magazines, each capable of holding 100 rounds. One dealer explained that the wide variation in pricing depended on the bells and whistles and the markup.

Not every weapon was particularly pricey. One vendor, who seemed eager to reduce inventory, marked down one of his assault rifles to under \$400. There were tables upon tables of handguns for sale, as well as a folding single-shot, .22-caliber rifle, small enough to fit in a backpack, for under \$200. Still other vendors offered to help customize your purchase on the spot. You could choose from dozens of barrel lengths and styles to go with your choice in stocks and other components.

There was plenty of ammo to go with any weapon you might purchase. Depending on the caliber and ammunition type, prices started as low as \$10 for a box of 50. Boxes of ammunition with a similar number of rounds for many assault rifles cost as little as \$20. Another dealer offered high-capacity, 50-round magazines for a gun show special of one for \$20 or three for \$55.

There was a lot of gear aimed toward women as well, with pink, single-shot

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

rifles, body armor tailored for women, and purses designed for concealed carry. Even local charities got on the scene, with an AR-15 being auctioned off to benefit the Marine Corps League. All you had to do to be included was buy a \$1 raffle ticket and give your first name and phone number.

It was a surreal atmosphere within the midst of recent tragedies. It made me wonder if those in attendance were either oblivious or all too aware of those heartbreaking headlines. The gun show returns this month to Crown Point, but given the number of deadly weapons already on the streets of my hometown of Chicago, I think I will wait for the next home improvement show before making a return trip.

KILLING THE INNOCENTS IN SYRIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Speaker, I want to tell you a story. There was a little boy named Ali Daqneesh, age 10, and his little brother is Omran. That is the boy you see in the photo here that was shared across the Internet, worldwide, 2 weeks ago.

Ali was a really good big brother. He loved to play outside, and he was still at that age when kids really get to dream big and imagine their future. I can only imagine the life that Ali looked forward to. Maybe he wanted to be a police officer; maybe he wanted to be a teacher or a doctor. I really can't say for certain because, tragically, his life was cut short by an airstrike.

Ali's death is an all-too-common fate for many of Syria's men, women, and children. These are the people who have lost their chance at life from the brutality of Bashar al-Assad and Vladimir Putin.

Of the over 500,000 dead Syrians, more than 50,000 are Syrian children who have been killed since the evil dictator Bashar al-Assad turned against his own people in 2011. Yet, even as the world continues to be outraged over these atrocities and pictures of dazed and bloody Syrian children like Ali's brother Omran, Assad and Russia and their Iranian backers are still barrel-bombing and launching chemical weapons against civilian targets.

On a daily basis, we hear that Syrian and Russian fighter planes have launched attacks on medical facilities and hospitals across the country. When these facilities are bombed, it is the children who suffer. In fact, the regime's belief is don't target, necessarily, military assets because, when you target innocent civilians, you inflict more collective pain on the population of Syria; and in Assad's estimation, that brings the war closer to an end.

At the end of July, a maternity hospital in Idlib was bombed. A recent

story in *The New Yorker* highlighted the horror that comes with these bombings. In Aleppo, newborns in incubators suffocated to death because a Syrian or Russian airstrike cut off power to a hospital. Who is doing this? And why?

Bashar al-Assad continued the legacy of brutality against his people from his father—his father, who had one goal, and that was to keep power. Power is a crazy motivator for some people. The people of Syria, in 2011, decided they wanted some freedom, as is humanity's right, and they stood up and protested peacefully against Assad.

What did Assad do? Did he respond by saying: Well, let's talk and maybe find a way to have an outlet for your interests or your concerns? No. Assad rolled the tanks. Assad said he would kill his opposition. And what ensued after that was the incubation of a group we know today as ISIS, the opening of a civil war in Syria that is now spreading all over the Middle East, a massive refugee crisis around the world.

I hear some people in political conversations today express admiration for Vladimir Putin. They express admiration for Vladimir Putin's strength, as if oppressing and killing people is something to be proud of. That doesn't show strength. That shows weakness.

Mr. Speaker, Vladimir Putin and Russia are tearing Europe apart. Vladimir Putin and Russia are delivering bombs on medical facilities and on children in Syria. They are no ally of ours. Sometimes the enemy of our enemy is still our enemy.

Mr. Speaker, I hear people sometimes say that dictatorships work in the Middle East. Sometimes they say that this introduction of freedom has somehow been terrible for people who just aren't ready for it. I agree. The introduction of freedom to a society that is not used to it can sometimes be very messy, and sometimes in the course of looking back over 20 years of history we see the success. That happened in our own founding. We went through the Civil War. We went through a bloody Revolution. We went through a time where we kept an entire race in chains. But, Mr. Speaker, when people say that dictatorships work, no, they don't.

This kid, I always wonder what is going through his mind. Probably not much because he was stunned at the bomb that landed on his house and killed his brother.

□ 1015

FUND THE ZIKA EMERGENCY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. PRICE) for 5 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, we often hear from constituents who are frustrated by Congress'

failure to act on many of the most pressing issues facing our country.

Seven weeks ago, as if we were determined to confirm this indictment, Congress adjourned for summer recess with a long list of critical unfinished business. We came nowhere near finishing our appropriations bills, leaving open the question of whether we can even keep the government open past September 30. We failed to pass the most rudimentary gun violence measures, leaving the tragedies of San Bernardino and Orlando unaddressed.

And then there was Zika, perhaps the most incredible failure of all. With an epidemic bearing down on us—an epidemic with disastrous human consequences, but with a prescribed course of action that could do much to prevent and mitigate the catastrophe—still, Congress refused to act.

Now we are back in session, facing daily headlines about the dangers posed by Zika. The number of Zika travel-related cases in the continental U.S. is increasing, the number of pregnant women infected is growing, and the number of babies being born—or worse, lost—with microcephaly or other Zika-related complications is rising. Increasing numbers of mosquito-borne cases have been reported in Puerto Rico and south Florida. I learned this week that five service members and retirees from Fort Bragg in North Carolina are being treated for Zika.

It has been more than 6 months since the President requested an emergency supplemental appropriation of \$1.9 billion from Congress to fund Zika preparedness, response, and prevention, as well as critical research. The request was carefully and comprehensively documented and justified.

In the meantime, our local, State, and Federal public health agencies and authorities have continued to shift funds and reorder priorities in an attempt to get a handle on this public health emergency. Indeed, our own universities and other research centers have been shifting money around for months, as I learned at a conference I helped organize in North Carolina on June 7.

Researchers testified there as to the great promise of the work they are doing, but also as to the great efforts they have been required to make, in the face of inadequate and uncertain funding, to ensure that the work continues. I left that conference impressed and encouraged by the work that was going on. But I also left chagrined and angered at the way Congress, under Republican leadership, with no serious attempt at bipartisan cooperation, is letting these dedicated researchers and the entire country down.

The House and Senate Republican conference report contains only \$1.1 billion of the requested funds, but the larger problem is that it robs other

critical public health priorities—notably, Ebola, but also disaster preparedness—in order to satisfy Republican budget ideologues.

Adding insult to injury, the Republican conference report also includes several misguided and dangerous policy riders. These poison pills would severely limit access to contraceptives in Puerto Rico, where thousands of cases of Zika have been recorded. It would take yet another shot at Planned Parenthood and would roll back certain clean water regulations, ostensibly to allow for the increased spraying of pesticides.

I recently met with Director Anthony S. Fauci of the National Institute of Allergy and Infectious Diseases, who explained the incredible lengths to which NIH and CDC have gone in order to protect the health of the American people. They have desperately cobbled together a budget, most recently taking money even from vital research into cancer, Alzheimer's, heart disease, and other diseases. Despite such extraordinary efforts, the CDC and NIH will run out of money after October 1.

Mr. Speaker, it is imperative that we honor the President's request of \$1.9 billion in a bill free of destructive offsets and ideological riders. It is crucial that Congress take action for the pregnant women in their first trimesters who are scared to leave their homes; for the children born with a range of disabilities, of which microcephaly is only the worst; for the service men and women stationed across the globe who are at particular risk; and for the 25 percent of Puerto Rico's population who will potentially contract this disease.

We can and we must as a country do better than this. Let's do the right thing for our constituents, our country, and for the rest of the world by finally funding this public health emergency. We have long since run out of excuses. We can wait no longer.

OBAMA ADMINISTRATION'S WAR ON POLICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, never has an American President been so willing to shoot first and ask questions later when a police officer uses deadly force in self-defense or to protect innocent lives. Never in American history has a President's legacy been a consistent disregard for the rule of law.

Time after time, after police shootings of African Americans, the Obama administration's knee-jerk, racially divisive strategy has been to paint a disturbingly false image of racial bias in police shootings that conflicts with a recent 2016 Harvard University study that found that police are 24 percent

less likely to fire upon African Americans than Caucasian Americans.

For emphasis, let me repeat that. A 2016 Harvard University study by African American Professor Roland Fryer, Jr., found that police fire upon African Americans 24 percent less often than police fire upon Caucasian Americans.

On July 7, well before the facts of two police shootings of African Americans were known, President Obama, again, stoked racial prejudice flames by claiming that "Black folks are more vulnerable to these kinds of incidents." President Obama even defended subsequent, sometimes violent, protests as rather benign "expressions of outrage."

Shortly after the Obama administration attacked the motives of America's law enforcement officers and, perhaps, helped inspire even more violence against police, a Dallas sniper gunned down five police officers and injured many others during a Black Lives Matter protest. The shooter justified his murders by stating he was upset by police shootings, referenced Black Lives Matter, and stated that he wanted to kill White people, especially White police officers.

Three days later, after these horrific murders of police officers, President Obama reiterated his politically motivated, racial division narrative by blaming the attacks, in part, on a racial prejudice problem that police must fix because "that is what's going to ultimately help make the job of being a cop a lot safer."

Showing great hutzpah at the Dallas memorial ceremony for the slain officers, Obama, again, publicly blamed police racial bias as a contributing cause of police assassinations.

Mr. Speaker, when tearful Americans seek solace and unification, the Obama administration dishes out racism and antipolice profiling that helps inspire even more violence against police.

The result of the Obama administration's politics of racial division and hatred?

So far this year, as of September 2, firearms-related deaths of American law enforcement officers are up 56 percent.

The Obama administration's relationship with police has deteriorated so badly that William Johnson, the executive director of the National Association of Police Organizations, accuses Barack Obama of engaging in a "war on police," adding that the Obama administration's "continued appeasements at the Federal level with the Department of Justice, their appeasement of violent criminals, their refusal to condemn movements like Black Lives Matter actively calling for the death of police officers, that type of thing, all the while blaming police for the problems in this country, has led directly to the climate that has made Dallas possible."

Mr. Speaker, no one condones illegal shootings by police. Police who ille-

gally use excessive force should be, and are, prosecuted criminally and civilly to the fullest extent of the law. But the Obama administration repeatedly pours gasoline on an open fire, rushing to antipolice judgment before the facts are known, and justice had, thereby helping to incite murders and assassinations of American police who dedicate their lives to our protection.

The solution, Mr. Speaker, is generating more respect for law and order and those who enforce it. That solution is absent in Obama administration pronouncements.

Mr. Speaker, I want the public to know that I stand with the rule of law. I stand with America's brave police officers who protect the rights and lives of all Americans. And I here and now publicly thank America's law enforcement officers for risking their lives to protect law-abiding Americans from crime and anarchy.

STUDENT LOAN DEBT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, when I traveled around northwest Oregon last month, from town hall meetings to the grocery store, I spoke with Oregonians about the challenges they are facing and what keeps them up at night. Time after time, the conversation turned to the cost of higher education.

It is likely we have all spoken with parents trying to make ends meet who can't save for their young children's education and recent graduates who are worried about finding jobs that will cover their looming student loan payments. But we also hear from too many people who are trying to balance their current student loan debt with child care, housing, and other expenses. Many are getting by, but 1 month of unexpected unemployment or illness could set them back years. Unfortunately, for too many, the threat of default is already a reality.

Currently, more than 8 million student loan borrowers are in default on their educational debt, and the number is growing. These are hardworking Americans—mothers, fathers, veterans, nurses, teachers, and young people—who are trying to improve their lives, but have been pulled into financial turmoil.

The 8 million people in default—a group, roughly, twice the size of Oregon—are at risk of financial ruin. Their tax refunds and Social Security benefits may be withheld. Their wages can be garnished and they can face legal action. And with damaged credit, borrowing for a home, car, or business, or even renting an apartment can be an impossible task.

What can Congress do for those who are struggling to make their student loan payments?

The answer is SIMPLE.

Today I am pleased to introduce legislation with my friend and colleague from Pennsylvania, Congressman RYAN COSTELLO. Our bill, the Streamlining Income-Driven Manageable Payments on Loans for Education, or SIMPLE Act, makes it easier for millions of at-risk student loan borrowers to access protections that are already available under the law.

Income-driven repayment plans allow borrowers to make loan payments that are based on how much they earn. So, in other words, what they can afford. As a result, they are much less likely than other borrowers to default on their debt. That is good for the borrower, their families, and local economies.

Unfortunately, too many at-risk borrowers don't know about these plans or they are unable to navigate the complicated application for enrolling, so they don't receive the benefit of lower payments. In fact, 70 percent of borrowers in default from the government's largest student loan program, the Direct Loan program, would have qualified for lower payments.

Even if borrowers enroll in income-driven repayment, they must complete a burdensome process to update information. In one study, more than half of the borrowers did not recertify their income on time. When this happens, a borrower's payments can spike and suddenly push the borrower toward delinquency and default.

In short, the government makes it unnecessarily difficult for people who are weighed down by student debt to get the help the law already affords them.

Our bipartisan SIMPLE Act streamlines the process and removes barriers that prevent borrowers from benefiting from income-driven repayment. The bill uses borrowers' existing income data to automatically provide at-risk borrowers on the verge of default with lower loan payments. The bill provides for automatic updates of borrowers' income information each year, so they continue to pay what they can afford.

As college costs continue to rise and more students leave school with increasing levels of debt, it is clear that this House needs to act to make higher education more affordable for everyone. The SIMPLE Act is part of that broader effort. It works by reaching at-risk borrowers, simplifying the process to get them into a plan with repayment based on income and helping them keep their payments affordable and avoid default.

I thank Mr. COSTELLO for his partnership on this bill and urge all of my colleagues to join us in supporting this legislation.

□ 1030

HONORING THE LIFE AND SERVICE OF DALLAS KNOX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to celebrate the life and legacy of an American patriot, a patriot who served his country with honor and distinction before passing away last month in a boating accident at only 35 years old.

Mr. Speaker, I rise today to honor Chief Warrant Officer Dallas Knox of Treasure Island, Florida. Chief Knox faithfully served his country as a Black Hawk Medevac helicopter pilot in the U.S. Army and the Army Reserve. Chief Knox had multiple deployments, including tours in Afghanistan, Iraq, and Kosovo. Chief Knox also served as a Black Hawk instructor pilot.

Having attended his memorial service, his colleagues each spoke that Dallas was one of the most gifted pilots they ever served with, a man of bravery, valor, always thoughtful, and always giving to others.

The medals Knox earned for his service speak volumes about his dedication and his commitment to the country he so loved. Knox was awarded the Meritorious Service Medal, the Army Commendation Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Iraq Campaign Medal with Bronze Service Star, and the Global War on Terrorism Service Medal, among so many other awards.

Described by his family as selfless, compassionate, loving, and full of life, Chief Knox is survived by his mother, Carol, his father, Richard, sister, Kirsten, as well as loving nieces and nephews.

May God bless Chief Warrant Officer Dallas Knox, his family, and his friends; and may God bless the country Chief Knox so proudly fought for, the United States of America.

DISAPPOINTED BUT NOT DEFEATED

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, on July 14, I stood in this very spot to express my disappointment that my Republican colleagues and leadership showed both cowardice and callousness by failing to call up a single commonsense gun violence prevention measure before leaving town for 53 days.

I rise today not just disappointed. Instead, I am ashamed; I am appalled. Republicans adjourned for a historic 7-week recess from D.C. without fulfilling their duty to the American people, and, once again, our most vulnerable communities paid the price.

I am disappointed, but I am not defeated. So I rise today to remind my

colleagues of what 7 weeks of Republican inaction looks like.

In my district in Chicago, gun violence claimed the lives of 90 people and injured 375 more in August alone. This Labor Day weekend, Chicago passed 500 homicides for the year, the first time we have crossed this threshold in two decades.

Outside of my district, 7 weeks of congressional inaction meant that more than 4,100 families lost a loved one to gun violence. In 2016, gun violence has taken the lives of almost 10,000 and wounded more than 20,000; 10,000 people killed by guns in less than 9 months—10,000.

When will this number be high enough for us to take action? Who has to die for us to have the courage to pass commonsense gun legislation? Why does Democrats sitting in protest outrage Republicans, but 10,000 deaths merits no response?

We have heard the majority threaten to admonish Democrats for speaking the truth, but 10,000 lives lost to guns gets nothing—no votes, and 7 weeks of inaction.

In this D.C. bubble, it is easy to forget that 10,000 isn't just a number. They are 10,000 mothers, fathers, sons, and daughters. Behind each gun death is a family who once celebrated a life, but now mourns the loss of a loved one.

Behind each gun death, there is a fearful mother now too afraid to let her children play outside. Behind each gun death, another small-business owner debates closing up shop for good.

While it is no secret that gun violence affects all communities across our Nation, it is our most underserved neighborhoods that are the most devastated. Congressional inaction allows the most vulnerable in our Nation to continue to suffer.

So I urge my colleagues, let's use this time in September wisely. Let's work together and pass legislation that will reduce gun violence in our communities.

I am not just talking about a need to pass commonsense measures that keeps guns out of the hands of those seeking to do harm. I am talking about a comprehensive approach that addresses the root causes of this gun violence epidemic.

Too often we boil down this complex problem to talking points about comprehensive background checks, closing loopholes, and improving mental health services when, in reality, it is also about economic opportunity, building trust between the community and law enforcement, as well as passing these commonsense gun violence prevention measures.

In April, I launched the Urban Progress, or UP, Initiative to address these root causes of gun violence. UP partners with local community leaders, activists, business leaders, and elected officials to promote economic opportunity, improve community policing,

and build on commonsense gun violence prevention strategies.

With the input from the UP Initiative partners and many of my colleagues here in the House, I introduced the Urban Progress Act, a bill that would ensure that the Federal Government remains committed to reducing the gun violence ravaging our communities.

My bill would reinvest in our economically underserved communities, take steps to restore the vital trust between law enforcement officers and the community, and would keep guns out of the hands of those seeking to do harm.

Mr. Speaker, let's talk about these issues in my bill. Let's debate them. Let's vote on them. I urge my colleagues to listen to the American people.

Lastly, I am outraged that anyone would accuse the President of starting any type of racial issue. The President has spoken about gun violence prevention and preventing cops from getting killed and preventing innocent people from getting killed also, so I am outraged to hear these statements.

SUICIDE PREVENTION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, since September 1, the first day of National Suicide Prevention Month, 944 Americans have died by suicide, including 160 veterans.

Since the passage of H.R. 2646, the mental health reform act, in the House of Representatives in July, 7,552 Americans have died from suicide, including 1,280 veterans.

I had the honor of meeting the parents of Sergeant Daniel Somers, who served bravely in Operation Iraqi Freedom. On June 13, 2013, Daniel took his own life after suffering from PTSD and traumatic brain injury. His family is heartbroken.

He left a letter for his family before he took his own life, and I would like to share his words. He wrote:

I am sorry that it has come to this. The fact is, for as long as I can remember, my motivation for getting up every day has been so that you would not have to bury me. As things have continued to get worse, it has become clear that this alone is not a sufficient reason to carry on.

The fact is I am not getting better, I am not going to get any better, and I will most certainly deteriorate further as time goes on. From a logical standpoint, it is better to simply end things quickly and let any repercussions from that play out in the short term than to drag things out into the long term.

I really have been trying to hang on for more than a decade now. Each day has been a testament to the extent to which I cared, suffering unspeakable horror as quietly as possible so that you could feel as though I

was still here for you. In truth, I was nothing more than a prop, filling space so that my absence would not be noted. In truth, I have already been absent for a long, long time.

My body has become nothing but a cage, a source of pain and constant problems . . . It is nothing short of torture. My mind is a wasteland, filled with visions of incredible horror, unceasing depression, and crippling anxiety.

Is it any wonder then that the latest figures show 22 veterans killing themselves each day? That is more veterans than children who were killed at Sandy Hook every single day. Where are the huge policy initiatives?

Well, Mr. Speaker, this is a letter that did not have to be written. I can't even imagine the grief of the parents of Daniel, but I also know that they want to spare other parents the same kind of grief.

I continue to practice psychology at Walter Reed National Military Medical Center at Bethesda. I work with veterans who, like Daniel, suffer from depression and PTSD and traumatic brain injury. I have seen firsthand that, with treatment, these soldiers can and do get better.

When our brave men and women come home, they and their families deserve better care. Yet we do not have enough crisis psychiatric hospital beds. Half the counties in America have no psychiatrists or no psychologists. And for every 1,000 people with an addiction disorder, only 6—only 6—get evidence-based care, and families are blocked from helping by a massive bureaucracy.

So we can read more sad letters like Daniel's, or we can act. The House answered that call on July 6, 2016, when we passed, by a near-unanimous vote, H.R. 2646, the Helping Families in Mental Health Crisis Act. But it only works and it only gives help if it is signed into law.

I don't want any more moments of silence for Daniel or the thousands of other veterans or citizens who have died by suicide. We don't need more moments of silence. We need times of action. Those moments of silence are a slap in the face to the mothers and fathers who struggle to get help for their sons and daughters.

So I ask: How can the Senate even contemplate the talk of going home before this is passed with this death toll climbing, even when they have the solution in their hands?

Indecision and politics are overruling compassion and common sense. What about veterans like Daniel, for whom help never came?

On behalf of those silenced voices, I call upon the Senate to take action and pass H.R. 2646 before they go home at the end of September. We must have treatment before tragedy. We must provide mental health support. After all, 90 percent of suicide deaths have a co-occurring mental illness. Otherwise, what will we tell those family members who find the next suicide note, that

when there was a chance to act, Congress went home?

These veterans will never go home. These thousands of other people who commit suicide, nonveterans, will never go home again, and the Senate should not go home again in September without passing H.R. 2646.

Remember, where there is help, there is hope.

NATIONAL SUICIDE PREVENTION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it is a pleasure for me to follow my good friend, Dr. MURPHY, on the floor. I appreciate his tireless efforts in terms of mental health and of suicide prevention. I was pleased this week to introduce with him legislation to recognize September as National Suicide Prevention Month.

We have this ritual of designating certain days, weeks, and months in honor of issues that can be momentous and sometimes arcane, but this one is existential.

We are looking at a time of great division not just in Congress but in American society. Suicide prevention ought to be a great unifier. We lose five lives every hour to a cause that is usually treatable and often preventable. The nature of the suicide epidemic, which has been increasing every year for the last decade, has the power to unite and bring people together to make a difference.

I applaud him for his work on the mental health legislation. I hope that we are all encouraged and emboldened, particularly as relates to our veterans, and his work there is commendable.

We are losing a veteran almost every hour to suicide. It is also the second leading cause of death among young people ages 10 to 34, yet people who commit suicide almost always show symptoms that could be diagnosed and treated.

In addition to the tragic disruption on individuals and families, it is estimated that suicide results in \$44 billion in combined economic and work costs. It is a national crisis and a tragedy that has touched almost every family I know.

The area of suicide prevention is one of shared passions that can contribute to solutions. For mental health professionals, it is rich with possibilities. If you are concerned about gun violence, this is an area of opportunity. Those who attempt suicide with a firearm are successful about 85 percent of the time.

Drug and alcohol abuse is a factor in many cases. Due to the underlying substance abuse or issues, individual actions can be clouded by the influence of drug or alcohol when suicide is attempted.

There is a role for each and every one of us to play as advocates, as individuals, for treatment and suicide prevention counseling, recovery, and to support the grief of the family members left behind.

I am excited about the network of organizations across the country, often with major volunteer input, who are making a difference. I visited one recently in my community, Lines for Life, that has volunteers manning 24-hour phone lines to help people in a time of crisis.

□ 1045

It is overseen by licensed clinicians. This one volunteer-driven organization handles nearly 55,000 calls per year, offering immediate assistance to people who want to overcome substance abuse, prevent suicide, and find treatment for happier, more productive lives.

Mr. Speaker, I am hopeful that we will, in fact, designate September as Suicide Prevention Month, but that every month will be Suicide Prevention Month and that we will all rededicate ourselves to combating this epidemic that touches lives in every one of our communities.

THE SIMPLE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of the Streamlining Income-Driven, Manageable Payments on Loans for Education Act or, more simply, the SIMPLE Act.

I first want to thank Congresswoman SUZANNE BONAMICI for her leadership and hard work on this bill, which I am proud to introduce with her today.

Education is an area where we should be focused on bipartisan solutions because every Pennsylvanian—indeed, every American—deserves the opportunity to succeed, and that path to success starts with an education.

Many of my constituents have expressed concerns about the cost of a college education, including making payments on their student loans after they graduate. The challenge of how to responsibly manage student debt makes this bill so important.

The SIMPLE Act would assist millions of Americans who carry student loan debt. For many young people, student loan debt is the first type of debt they incur, but it can leave them unable to invest in their future, despite being employed and working hard.

Consider that borrowers who miss payments may face lifelong ramifications that make it more expensive and, in some cases, prohibitive to rent an apartment or purchase a home or a car.

Our bill would assist borrowers on the verge of default by notifying them

of more affordable repayment plans. “The SIMPLE Act establishes processes to automatically enroll severely delinquent borrowers in income-driven repayment plans with low monthly payments. The legislation also automates the annual process for updating income information while enrolled in these plans, ensuring that borrowers continue to make affordable payments.”

“This measure uses the information borrowers already have on file at the Internal Revenue Service to eliminate the obstacles to enrolling in an affordable repayment plan and lets borrowers benefit from lower monthly payments.” But even those enrolled in affordable repayment plans face the paperwork hassle of a complicated process of having to annually recertify their income to keep their low payment. Failure to promptly recertify can, as I mentioned, result in substantial economic detriment. That is, again, why our legislation will responsibly relieve some of that burden by automatically updating a borrower's income.

I urge my colleagues to support this bill. It will assist borrowers in getting back on track and, in turn, reduce the negative impact of a missed loan payment.

RECOGNIZING 95 YEARS OF EXEMPLARY SERVICE OF THE LIMERICK FIRE COMPANY

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize 95 years of exemplary service to the 14,000 residents of Limerick Township, Montgomery County, by the Limerick Township Fire Company.

Organized in 1921 and chartered in 1927, its now 250 members and 35 active firefighters are doing a tremendous job in keeping Limerick Township safe, dedicating thousands of hours every year.

I want to thank the company president, Tom Walters, and all the members of the Limerick Township Fire Department for the great work that they do. I wish them the very best for the next 95 years of service to the Limerick Township Fire Company and beyond.

JULY'S VICTIMS OF GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, the minority has for many months now begged and pleaded to have a bill come to this floor for a vote on gun violence prevention. We have even had a sit-in. But all that my colleagues on the other side of the aisle are willing to do is have moments of silence and then be silent.

The only moments of silence are for those names that are in the headlines. That is not good enough. All of the deaths matter, and all of the deaths from mass shootings in the month of

July deserve to be recognized by all of us.

So as I have done each month since the beginning of this year, I will now read the names of all those who were killed in mass shootings in the month of July:

Alex Freeman, 28, and Marcus Cal, also 28, were killed on July 4 in Chattanooga.

Armando Cardona, 45, and Naome Innis, 35, were killed on July 4 in Phoenix.

Charles Jackson, 28, Jamal Dataunte Dixon-Lackey, 26, and Daquarius Tucker, 19, were killed at a Fourth of July block party in Houston, Texas. Daquarius' brother was also shot and killed this summer. Police said both brothers were innocent bystanders.

Demetrius Grant, 39, was killed at a party on July 5 in LA.

Jeffrey Adams, 52, was killed by his neighbor on July 5 in Hiram, Georgia.

Jennifer Rooney, 44, was killed by a mass shooter while driving on July 7 in Bristol, Tennessee.

Five Dallas police officers—Brent Thompson, Patrick Zamarripa, Michael Krol, Michael Smith, and Lorne Aherns—were killed in the line of duty on July 7 in Dallas, Texas.

Domingo Rodriguez Rhines, 40, was killed in Shreveport, Louisiana.

Joseph Zangaro, 61, and Ron Kienzle, 60, both court bailiffs, were killed by an escaping suspect on July 11 in St. Joseph, Michigan.

Jacara Sproaps, 38, and Maurice Partlow, 40, were killed by Jacara's boyfriend on July 13 in St. Louis, Missouri. Jacara was an elementary school principal beloved by the community.

Eric Gaiter, 22, was killed July 14 in Akron, Ohio, while at a vigil for another gun violence victim.

Three unidentified people were killed at a home in Crosby, Texas.

Joseph Lamar, 38, Janell Renee Knight, 43, and Zachary David Thompson, 36, were killed by their friend on July 15 in Woodland, Washington.

Miguel Bravo, 21, was killed when gunmen open-fired on the house party next door on July 16 in Bakersfield, California.

Three police officers, Montrell Jackson, 32, Matthew Gerald, 41, and Brad Garafola, 45, were killed in the line of duty on July 17 in Baton Rouge, Louisiana.

Edward James Long, 49, was killed on July 17 in Houston, Texas, while standing outside a Walgreens.

Bobbie Odneal, III, 23, and Rickey McGowan, 25, were killed on July 23 at a nightclub in Cincinnati, Ohio.

Erica Rodriguez, 21, her 3-year-old son, and Paula Nino, 20, were killed by Erica's boyfriend on July 23 in Bastrop, Texas.

Kalif Goens, 22, was killed by his brother on July 24 in a bar in Hamilton, Ohio.

Sean Archilles, 14, and Stef'An Strawder, 18, were killed outside an

under-18 club on July 25 in Fort Myers, Florida.

Denzel Childs, 25, and Kayana Armond, 34, were killed on July 28 at a block party in Chicago, Illinois. Jessica Williams, 16, witnessed the shooting and suffered an asthma attack that killed her.

Davon Harper, 23, was killed on July 28 in Baltimore, Maryland.

Anna Bui, Jake Long, and Jordan Ebner, all 19, were killed on July 30 in Washington when Anna's ex-boyfriend showed up at the house party with an AR-15.

Carole Comer, 71; her son, John Comer, 50; and her daughter, Rebecca Kelleher, 45, were killed by their husband and father on July 30 in Bridge-ton, Missouri.

Takeeya Fulton, 39, and her children, Nuckeria and Corey, were killed by Takeeya's boyfriend on July 31 in Miami-Dade County, Florida.

A few words about my constituent, Teqnika Moultrie, 30, who was killed on July 31 in Austin, Texas.

She was from San Carlos and worked as a school bus driver for Sequoia Union High School District. She was visiting with her wife's family in Austin when a gunman opened fire as she exited a doughnut shop. She died in her wife's arms. They had only been married for 3 months. After her death, her wife said: We just wanted to live a normal life, an everyday life and raise a family, be good moms and do it together. Now we don't get to do anything.

So many of these people killed at parties, on the sidewalks, and in their homes by people who were supposed to love them don't get to do any of that.

Mr. Speaker, deaths matter. All deaths matter.

ZIKA FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today to implore Congress to take action to fund Zika response efforts in South Florida, throughout the country, and all over the world. Seven months have passed since the administration made its initial request for \$1.9 billion to combat Zika, a request I supported.

As of September 7, the State of Florida alone has seen 596 travel-related cases and 80 Zika infections involving pregnant women. Across the United States, thousands more have been infected with the virus.

Mr. Speaker, Florida has been ground zero for Zika, and we are seeing firsthand the devastating impacts it has not only on public health but on our economy as well.

Neighborhoods in Wynwood and Miami Beach and other communities across Florida are seeing decreased

tourist traffic, and some residents, especially pregnant women, are fearful to venture outdoors. My wife and I know pregnant women who have moved away from South Florida to protect themselves and their unborn babies from a potential Zika infection.

Over the months of July and August, I met with the director of the Centers for Disease Control, Dr. Tom Friedman, as well as other government officials, including Senator RUBIO, Governor Scott, and my Florida colleagues from both parties to discuss the progress of the government's response and the importance of funding these efforts long-term.

It is imperative that Congress act on Zika legislation as soon as possible to provide the CDC and other agencies at the national, State, and local levels the tools they need to rid our neighborhoods of this disease. Combating Zika is not a Republican or Democrat initiative. It should be a national priority.

The mosquitos carrying this disease will not discriminate between congressional lines or infect people from only certain States. All Members of Congress from both parties and across the country must appreciate the severity of inaction on passing Zika funding legislation. Let's put politics aside and get this done for our communities and for all Americans.

CONDEMNING AL-ASSAD'S BRUTALITY

Mr. CURBELO of Florida. Mr. Speaker, today I rise again to strongly condemn Bashar al-Assad's atrocities against the Syrian people. It has been reported that the government has, once again, unleashed barrel bombs with chlorine gas in Aleppo as the regime continues its brutal siege of that city. Victims of the attack suffered from breathing difficulties similar to the symptoms we have seen in the past when the government ignored international law by assaulting innocent people with chemical weapons.

This was the second recent chlorine attack that affected Syrians who have been cut off from aid and are unable to escape. In spite of repeated warnings, the Syrian Government continues to utilize barrel bombs filled with chemical weapons as a tool to remain in power.

This continued disregard for human life and the well-being of Syrians underscores why Assad must go and not be allowed to take part in the political transition discussions or Syria's future. The death and destruction in Syria is one of the greatest blemishes on human history. The entire world must do more to put an end to it.

BACK TO SCHOOL

Mr. CURBELO of Florida. Mr. Speaker, the end of the summer marks the beginning of the school year and a fresh start for teachers, students, and families. As a father of two young students and as a former school board member from Miami-Dade County Pub-

lic Schools and now the husband of a teacher, I greatly cherish this time of year and the excitement that children feel while preparing to enter the next grade.

Soon after classes started, I visited Redland Middle, a school in my district that has greatly benefited from my amendment to provide students learning English an extra year to become proficient before test scores count against their teachers and schools. Like all students, English language learners must be counted without being counted out, and their teachers deserve our support.

As a proud member of the Education and the Workforce Committee, ensuring young people the brightest future possible is a central focus of my work in Congress. I wish the students, parents, teachers, support staff, and families of Miami-Dade and the Florida Keys much success as this new school year gets underway.

□ 1100

HONORING MS. TANGELA SEARS

Mr. CURBELO of Florida. Mr. Speaker, I rise today to honor Ms. Tangela Sears, a local activist who has spent decades serving the south Florida community. She has been an outspoken leader on many topics, including gun violence and the need to protect young people in our community from these senseless crimes. She is a confident leader who stands up for her beliefs, and a fearless advocate who works to make south Florida a safer place to live.

A year ago, Tangela's son, David, died at the hands of gun violence, a tragedy she had worked her entire life to prevent. Though heartbroken, she used the memory of David as an opportunity to continue spreading the message of nonviolence and justice more than ever before.

I thank Ms. Sears for her years of service, advocacy, passion, and strength to make our community a better place for all, especially those who live in neighborhoods that have seen a troubling spike in violent crimes. We are extremely grateful for your unrelenting dedication to our community, and I know that David is extremely proud of you.

DEMANDING ACTION ON FLINT, MICHIGAN, AND THE ZIKA VIRUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, I rise today to join my colleagues who are demanding action for the families in Flint, Michigan. First, I want to acknowledge many Members of the Michigan delegation, led by Flint's Representative, Congressman DAN KILDEE, who are

fighting every day to bring justice to these families. Their work is essential to ensuring the people of Flint have the resources that they need to recover.

Mr. Speaker, the situation in Flint is nothing short of a tragedy, and a tragedy that could have been prevented. Michigan State officials sacrificed the health and futures of Flint's children in order to save a few dollars in water costs. This really is a shame and a disgrace.

Mr. Speaker, I have to ask, would this have happened in a city where the residents had the advantage of wealth? Or do these gross breaches of public trust only happen in cities where politicians believe the residents are expendable?

Sadly, I think we all know the answer to that question. After the incredible harm that has already been done to these families, our elected officials are, once again, turning their backs on the people of Flint. These families deserve better.

The people of Flint were already hurting before the water crisis. The average family income in the city is just \$24,834 a year. No one can raise a family on that. Many of these courageous and resilient families struggle to find high-quality child care, access healthcare services, and afford healthy food. And now the costs of this crisis are mounting for families, the schools, and the entire community. We can, and we must, do more for our fellow Americans in their time of need.

Two years since this tragedy began, families are still relying on bottled water for daily life. Imagine using bottled water for everything from brushing your teeth to making a bottle for a hungry baby.

We can do better by these families. They need support, including health care, nutrition, specialized education, and developmental care. And we need to fix the root of the problem: the degraded, dangerous pipes, and infrastructure that caused this tragedy.

The shortsighted, dangerous actions of Michigan officials have already caused unimaginable pain for these families. We cannot allow Congress to betray these families as well.

Let me just say that I was part of a congressional delegation that traveled to Flint, Michigan, to listen to the residents regarding the horrendous impact of these government decisions that led to the poisoning of those children and families. The environmental injustice in Flint is an example of how many low-income communities of color throughout our country, not just in Flint, throughout the United States, an example of how they are treated differently than affluent communities.

Mr. Speaker, Congressman DAN KILDEE and members of the Michigan delegation have introduced legislation that would help these families rebuild their

lives and get the care they need for their children. The Families of Flint Act, H.R. 4479, is a comprehensive plan to address their most urgent needs. It would provide for critical investment in Flint's water system to replace the lead pipes that poisoned these families.

This legislation would also provide essential support services to the families of Flint to help these children mitigate and overcome lead exposure.

These are simple, commonsense measures for the people of Flint. Addressing this tragedy really shouldn't be a partisan issue. Every Member of this Chamber should understand the need for urgent action. It could happen in any of our communities. Yet, congressional Republicans have not held one single vote, or even a hearing, on this bill. That is just simply outrageous.

And let me just say that Flint is not the only public health crisis that congressional Republicans have ignored. There are 17,000 Americans—including almost 1,600 pregnant women—who have contracted the Zika virus. The President submitted an emergency request of \$1.9 billion for Zika funding more than 6 months ago, and the Republicans have failed to act on it. Now, if we don't act soon, the CDC will be out of money to combat Zika in a matter of weeks.

Congressional Republicans also failed to do their job on gun violence. Every day, more than 90 million people die from gun violence. This, too, is a public health crisis; but congressional Republicans, once again, have refused to take up any commonsense gun legislation, even though 91 percent of Americans support background checks to keep guns out of the hands of terrorists and criminals.

It is clear that the American people need Congress to do its job. The women in Florida who can't leave their homes for fear of a mosquito bite need Congress to do its job. The families who fear gun violence on their block need Congress to do its job.

CALLING FOR ACTION ON PUBLIC HEALTH CRISES FACING OUR COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 5 minutes.

Ms. SCHAKOWSKY. Mr. Speaker, on July 14, House Republicans streamed out of the Capitol as I stood on this floor with my Democratic colleagues calling for action on the public health crises facing our country: gun violence, Zika, and Flint, Michigan's, poisoned water.

It is now nearly 8 weeks later. Congress has returned from the longest summer recess in more than 60 years, but we still have seen no action from the Republican majority on our Nation's most urgent crises.

Meanwhile, we are in the midst of a Zika outbreak. Puerto Rico is on track to see 25 of its population infected. Florida has locally transmitted Zika cases, and it is only a matter of time until we see cases in other States. Actually, we have seen some in other States. Parents who should be looking forward to the birth of a child are terrified that the baby may be born with devastating lifelong health problems.

Yet, Republicans refuse to provide the funding we need to combat this outbreak. Instead of passing a bill with sufficient funding, Republicans insist on making sure, believe it or not, that the Confederate flag can fly at VA cemeteries and on preventing family planning clinics from helping patients with Zika.

That is right. Even though Zika has the greatest impact on women who are, or could become, pregnant, Republicans want to add a rider to stop the family planning clinics that serve women from responding to Zika.

Today, family planning clinics, like Planned Parenthood, are already on the front lines in fighting against Zika. In addition to providing family planning services, Planned Parenthood volunteers are visiting 25,000 households in Florida to find people of reproductive age, especially young women, who have likely not been reached by State or Federal Zika education efforts. They are providing Zika kits for pregnant women, containing items like insect repellent and standing water treatment.

Family planning clinics are an important part of our response to Zika. But instead of recognizing that fact, Republicans have doubled down on their extreme views on women's health.

Dr. Anthony Fauci, the head of the Infectious Disease Institute at the National Institutes of Health, has said in no uncertain terms that if we do not pass additional Zika funding, we will have to stop our efforts to develop a vaccine. Already, Federal agencies have had to borrow money from other critical health priorities to address the Zika problem. We have allowed money to be taken—or the Republicans have—from Ebola, cancer, heart disease, and diabetes. We can't keep fighting back by cutting back our fight against these other diseases.

Republican's refusal to pass Zika funding will have serious, deadly consequences for years to come. Americans can't wait any longer.

At the same time, the people of Flint are still waiting for congressional assistance after the tragic lead poisoning crisis in that city. I joined 25 of my Democratic colleagues in Flint earlier this year. We heard from nearly 200 community members, including parents, worried about their children's future. After that trip, we said we wouldn't forget these families, and Democrats haven't.

Again and again, I have joined with my colleagues to call on Republican leadership to bring the Families of Flint Act—that is a bill—to the floor. Flint's Congressman KILDEE's bill would provide supplemental funding to repair and support this community's needs. Lead has often devastating brain development effects, but families can meet that challenge if we provide the health, education, and the wraparound services that they need.

But months later, we have come up dry. No bill to fund Flint aid. No funding for Zika. No gun safety legislation. Nothing.

What is on the floor this week?

Well, we have bills that will help Wall Street make even more money. And we have a bill to impeach the head of the IRS, mentioned by exactly no one—zero constituents in my district—over the 7-week recess. We have wasted critical weeks during the summer recess, and Republicans are now wasting our first week back in session.

We have only 15 legislative days before we are scheduled to leave town again. Let's get to work and pass the critical funding for Flint and Zika and do something about gun violence.

HONORING THE CLEAR RIDGE BASEBALL TEAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LIPINSKI) for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the Clear Ridge baseball team on winning the Senior Little League World Series in Bangor, Maine, on August 6. This is the first team from Illinois to ever win this prestigious international tournament during its 56-year history.

The Clear Ridge Senior League Championship team is made up of 16 extraordinary 15- and 16-year-old men from the Garfield Ridge and Clearing neighborhoods in Chicago, all of whom attend area Catholic high schools. Their journeys to becoming champions began as tee-ball players when they were very young. But this Senior League team only came into existence in May of this year. In a short amount of time, they were able to come together to form an extraordinary team.

Clear Ridge showed dominance throughout the summer by not losing a single regular season game. In the postseason, they continued this trend by winning 19 straight games after a single loss to neighboring Burbank National in the first game of the district playoffs.

The championship game pitted Clear Ridge against Asia-Pacific champion, Australia, whom they had already defeated once in the tourney, and who were considered by some to be the team to beat. But Clear Ridge turned out to be that team, prevailing 7-2 to capture the world title.

The following Saturday, I joined hundreds of people at Hale Park to honor players, coaches, and everyone who contributed to the success of the team. The title and the celebration were especially meaningful to me, having played 8 years in Clear Ridge Little League when I was growing up. This team embodies the best of the close-knit neighborhoods on the southwest side of Chicago that I know so well. These are the people who often seem to be forgotten or overlooked in our country today. Many of these kids have parents who are police or firefighters, and all come from hardworking, middle class families.

□ 1115

When I read the names, you will hear a diverse mix of Irish, Mexican, Polish, and other Central European names. The championship players are: Paolo Zavala, Mike Skoraczewski, Bobby Palenik, Gary Donohue, Gage Olszak, Noah Miller, Tom Doyle, Joe Trezek, Tim Molloy, Dave Navarro, Mike Rios, Jake Gerloski, Jake Duerr, Mel Morario, Julian Lopez, and Zach Verta.

Of course, these kids could not do it on their own. Team manager Mark Robinson and coaches Ray Verta and Will Trezek provided the strong leadership and dedication that helped demonstrate the importance of determination and the results that come from hard work.

Clear Ridge is more than just this one Senior League team. Multiple teams of both boys and girls compete in various leagues. Heading up all of these leagues are President Adam Rush, Vice President Ryan Aderman, and Treasurer Jay Derby. Without the work of these men and countless others who prepare the fields, work the concessions, and do all of the other thankless but necessary jobs, Clear Ridge could not function.

Congratulations go to the parents of all of the players. They not only raised champion baseball players, but good, respectable young men.

Mr. Speaker, when I met with the team at the celebration, I told them how proud they make me, and I encouraged them to keep up the good work. Now I ask my colleagues to join me in recognizing this great achievement by the Clear Ridge Senior League team and in congratulating them on their world championship. I wish each and every player continued success.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 17 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

We pray this day, O Lord, for peace in our world, that freedom will flourish, and righteousness will be done.

The attention of our Nation is drawn toward an impending election, but there is work yet to be done.

Send Your spirit upon the Members of this people's House, that they might judiciously balance seemingly irreconcilable interests. Help them to execute their consciences and judgments with clarity and purity of heart, so that all might stand before You honestly and trust that You can bring forth righteous fruits from their labors.

Bless us this day and every day, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. WOMACK) come forward and lead the House in the Pledge of Allegiance.

Mr. WOMACK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CONFRONTING THE ZIKA THREAT TO SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise for the third time this week since the House reconvened to demand Federal funding to stop the Zika epidemic

that is impacting families throughout our Nation, but especially in my area of south Florida.

Reports have suggested that even those individuals charged with protecting our communities—in this case, a police officer from Miami Beach—are not safe from Zika as they do their jobs to patrol our neighborhoods.

Local businesses in the Miami neighborhoods most impacted by Zika are suffering, including those at the lovely Wynwood Yard, a very popular outdoor food and culture scene, where small businesses are suffering from reduced foot traffic.

Many public outdoor areas are being closed to visitors, including the beautiful Miami Beach Botanical Garden after extensive testing found Zika-infected mosquitos on the ground.

The Zika virus is costing residents their peace of mind and access to their public spaces and outdoor recreational activities.

Mr. Speaker, we need more Federal funding now to confront this threat. When will Congress act? Every day that we delay is a threat to our families in south Florida.

NEW HAMPSHIRE COLLEGE AND UNIVERSITY COUNCIL CELEBRATES 50 YEARS

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize and celebrate the New Hampshire College and University Council, which recently celebrated its 50th anniversary.

I would also like to recognize Thomas Horgan, the president and CEO of the council, who announced earlier this week that he will be stepping down after 23 years on the job. Tom has been a leader in the higher education field for many years and has made a tremendous impact on our community.

The New Hampshire College and University Council has long been committed to working to strengthen the Granite State's higher education system and ensuring that students are given the opportunities they so deserve. The council works tirelessly to collaborate with both public and private institutions and to promote greater awareness and understanding of New Hampshire higher education at every level, from students, professors, and administrators, all the way to the college presidents.

New Hampshire's colleges and universities are major contributors to our State's economy, employing over 17,000 people throughout the Granite State, with salaries and benefits exceeding \$1 billion. Education at every level is vitally important. We must continue to promote higher education in New Hampshire.

RECOGNIZING MR. GUS BELL

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Gus Bell and his 50 years of service to the Hussey Gay Bell Firm, a design and architecture company located in Savannah, Georgia, dedicated to innovating the engineering field.

Mr. Bell joined the company in 1966 and, with his hard work, purchased the company 20 years later. He then led Hussey Gay Bell's expansion to international clients, proving itself an international pioneer in architecture and engineering.

While a big one, this is only one of Mr. Gus Bell's many accomplishments. For the last five decades, Mr. Bell has also dedicated himself to the enrichment of the State of Georgia. He has chaired the board of Mercer's medical school, founded the St. Andrew's School Board, and represented the State of Georgia in a major water dispute. Mr. Bell's influence is felt throughout the region and, certainly, beyond.

I am honored that Mr. Bell is a resident of Georgia's First Congressional District, and I thank him for his dedication to our area.

On a personal note, I thank him for all of his assistance to me while I was mayor of the city of Pooler. I am honored to call him my friend.

CAMPAIGN FINANCE

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise today with a warning, a warning that the voices of the American people are at risk of not being heard.

Outside groups funded by the deepest of pockets have taken center stage in this year's election. The Center for Responsive Politics reported this week that outside spending has already reached two-thirds of a billion dollars in 2016. That is more than twice what these groups spent at this point just 4 years ago. Wave after wave of these ads dominate our screens and turn political debate into a pro wrestling match.

But there is more to the problem. This system gives a small group of the wealthiest Americans a disproportionately loud voice. It affirms the fear that so many Americans have that special interests and deep pockets have undue say. That is not good for the future of our country or of our democracy.

It is time we stood up and said, "Enough." It is time we stood up and said that corporations are not people. It is time we pass campaign finance reform, and it is time we revitalize our democracy and bring people power back.

OBAMA'S CASH PAYMENTS TO IRAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, sadly, my remarks condemning the shocking \$400 million ransom payment to Iran were understated. Yesterday, The Wall Street Journal revealed:

The Obama administration followed up a planeload of \$400 million in cash sent to Iran in January with two more shipments totaling \$1.3 billion . . . lawmakers have voiced concern that Iran's military units . . . would use the cash to finance military allies, including the Assad regime in Syria, Houthi militias in Yemen, and the Lebanese militia, Hezbollah.

Last month, The Augusta Chronicle disclosed: "No legitimate case can be made that none of the . . . billions . . . will fund terror. It's inevitable. The White House even admits it."

I appreciate House Foreign Affairs Committee Chairman ED ROYCE's efforts to advance legislation to ensure this can't happen again for enemies who still chant, "Death to America. Death to Israel."

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism. The President's legacy is American families at greater risk of attack, ever, with financing.

REMEMBERING CONGRESSMAN MARK TAKAI

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, 2 weeks ago, I attended the funeral of one of our colleagues, my good friend, Congressman Mark Takai of Hawaii, who lost his battle with pancreatic cancer.

Mark was a great leader. He served his country both in the military and the Hawaii National Guard, as well as being a public servant in the Hawaii State House and here in the U.S. Congress.

He was taken from us far too soon. Mark was only 49 and left behind his wife and two children. He was a wonderful father and deserved more time with them.

Pancreatic cancer has one of the lowest survival rates of any cancer. Just 6 percent survive 5 years past their diagnosis. While death rates for other cancers are declining, pancreatic cancer is projected to become the second leading cause of cancer-related death in the U.S. in the next 4 years.

Every year, pancreatic cancer survivors and family members walk the Halls of Congress advocating for more Federal funding for pancreatic cancer research, with the goal of doubling their survival rates by 2020.

For too long, those calls have fallen on deaf ears. But perhaps now, in the wake of losing one of our own colleagues, Congress will do what is right and dedicate much-needed funding to curing this deadly disease.

TRIBUTE TO MRS. PAT WALKER

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to remember the life of Pat Walker of Springdale, Arkansas, who passed away on September 3 at the age of 97.

Pat was a northwest Arkansas icon whose spirit of philanthropy touched so many lives. She not only provided critical resources for charities involved in medicine, the arts, education, and her beloved Razorbacks, but she also inspired those around her to get involved and be of service to their fellow man.

She was steadfastly dedicated to our community, and the honors bestowed upon Pat are evidence of this. A member of the Arkansas Women's Hall of Fame, Pat was named one of the Most Distinguished Women in Arkansas. She was a lifetime member of the Winthrop P. Rockefeller Cancer Institute, the 2002 American Heart Association Tiffany award recipient, inducted into the Towers of Old Main, and was a member of the University of Arkansas Chancellor's Society and given the University of Arkansas for Medical Sciences Distinguished Service Award.

Northwest Arkansas will long remember the contributions made by Pat Walker, and we join her 2 children, 7 grandchildren, and 15 great-grandchildren in celebrating her wonderful life.

VOTING RIGHTS

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today in support of all of those individuals who died or were assaulted trying to register to vote and vote. I rise today in support of all of those individuals who are registering to vote and will vote. I also rise to condemn the assault on Americans' fundamental right to vote.

Across the country, including in my home State of Ohio, we are seeing greater restrictions on voting rights following the Shelby County v. Holder decision. It is no secret these laws are designed to make it harder for Americans to vote, specifically, minorities. They are laws like the one passed by the Ohio Legislature taking away "Golden Week," a week-long period allowing individuals, Mr. Speaker, to both register to vote and cast a ballot at the same time.

Well, I say enough is enough. Our democracy is stronger when all Ameri-

cans, not just a few select, are able to vote. As our chaplain said today, let us work together so freedoms flourish.

Let us not give up, Mr. Speaker. Let us pass H.R. 885, the Voting Rights Amendment Act, to restore the full power of the Voting Rights Act and right the wrongs created.

RECOGNIZING KIMBERLY BIGOS

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today to recognize Kimberly Bigos, a student at Spring Arbor University in my district.

Kimberly created the moving piece of artwork displayed to my left. I have had the privilege to see it in person, and the picture doesn't do it justice. It is a life-size wheelchair made out of little toy green Army men, innocent as they might be. She used more than 1,000 Army men and spent more than 60 hours to finish it.

The sculpture signifies all the aspects of military service, from fighting on the front lines in battle, to returning home with life-altering injuries, to the supreme sacrifice.

America's veterans sacrifice so much and we often lose sight of the effects of their service. Kimberly's sculpture is a powerful reminder about real life for our wounded warriors. These men and women have displayed incredible courage and heroism in service to our country, and now it is time for us to serve them.

□ 1215

STARBUCKS AND FEEDING AMERICA TACKLING HUNGER

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, to kick off Hunger Action Month, today I joined with Representative LYNN JENKINS of Kansas on a tour of Starbucks on Capitol Hill to learn about an innovative partnership between Feeding America and Starbucks to donate unused food.

At the end of each day, Starbucks will package surplus ready-to-eat food that gets picked up overnight and delivered to local food banks. I was impressed by the selection of nutritious food. We often think of Starbucks as a place to stop for a great cup of coffee, but we saw a number of healthy options like salads, sandwiches, and more.

Starbucks will expand the project to all its stores in the next few years. They expect to donate 50 million meals annually, diverting 60 million pounds of surplus food away from landfills and to hungry families in need.

More than 47 million Americans suffer from hunger and food insecurity. In the richest country in the world, we must do all we can to ensure that no family goes hungry, and donating unused food is a key step. Starbucks deserves much credit for being a leader in the effort to end hunger.

SUICIDE PREVENTION MONTH

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, recently, Roger Webb, of the University of Manchester, conducted a study which found that when parents have psychiatric illnesses or have attempted suicide, their children are at increased risk for attempting suicide themselves.

Our healthcare system for families with genetic histories of other biological diseases should be no different from those of psychiatric diseases. We must intervene early before the mental health crisis starts. But, unfortunately, in the United States, with too few psychiatric beds, a shortage of psychiatrists and psychologists, and 112 Federal agencies that are a disjointed mess, no, we are not there yet.

But the House passed the Helping Families in Mental Health Crisis Act in July to make a difference in this. We now call upon the Senate to make a difference as well. They need to make sure they pass this bill and don't pass up the opportunity to save lives.

So far, since September 1, 7,672 lives have been lost related to mental illness; and since the House-passed bill, 61,000. We have to understand we must have treatment before these tragedies and provide help before hope.

I hope the Senate passes H.R. 2646 before they leave in September.

RECOGNIZING SUSAN MARCHESE

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today to recognize one of Omaha's most illustrious athletes, Susan Marchese. Susan has been a dominant figure in Nebraska amateur golf for 40 years, dating back to her first two high school State championships in 1977 and 1978 as a student athlete at Omaha's Duchesne Academy.

After high school, she attended the University of Oklahoma, where she was a four-time letter winner and an individual runner-up in the Big Eight tournament in 1981.

Throughout the course of her post-college career, Susan has won 18 State amateur golf championships, 16 Omaha city championships, and six Nebraska senior women's golf championships. Her success on the green led to her induction as a member of the Nebraska

Golf Hall of Fame, Nebraska High School Hall of Fame, Omaha Athletic Hall of Fame, and the Duchesne Academy Sports Hall of Fame.

Now, as a Member of the House of Representatives, I am here to recognize the outstanding career of Susan Marchese.

DEFECTIVE MILITARY EQUIPMENT

(Mr. HUIZENGA of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today with grave concerns over a recent Justice Department Inspector General report detailing how Federal Prison Industries manufactured defective military equipment that endangered the lives of our troops.

The DOJ investigation into FPI, which is owned and operated by the U.S. Bureau of Prisons found that "FPI had endemic manufacturing problems."

This photo of a test mannequin in an NBC News story about defective prisoner-made equipment shows brain damage likely would have occurred from a small 9 millimeter bullet through a helmet.

Making matters worse, the investigation also uncovered that FPI employees instructed inmates to lie and falsely indicate that the helmets being manufactured had passed inspection and met the required safety specifications. This is completely unacceptable, and potentially criminal.

The FPI response? Reassign the employees.

Can you imagine if these were private sector employees rather than government bureaucrats?

In order to hold FPI accountable, I have introduced H.R. 4671, the Small Business Protection Act. It is our responsibility to supply our troops with the highest quality, American-made gear available. FPI does not deliver on that promise, and I request the support of my colleagues in this endeavor.

ZIKA IS A GROWING PUBLIC HEALTH CRISIS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, when we left Washington 7 weeks ago, there were 311 Zika cases in Florida, and no local infections. Now there are over 600 cases, including 56 local infections, and the number of cases in pregnant women has doubled.

Rather than meeting the serious public health crisis with serious policy, Republican leadership is playing a dangerous game by blocking Zika funding to make a political statement about Planned Parenthood and abortion.

We get it. You oppose women exercising their constitutionally protected

rights. You would like to live in a world where women don't have access to safe and legal abortion. You want to live in a world where *Roe v. Wade* is not the law of the land and where women do not have access to contraception. Enough.

In the real world, Zika is spread by mosquitoes and Zika spreads through sex. Safe sex means fewer infections, and Planned Parenthood will help in this fight.

It is time to protect American families in the real world, where the Constitution protects women's health care rights, and where we are facing a public health crisis from the Zika virus.

Mr. Speaker, I urge Republican leaders to listen to anxious Floridians, Democrats and Republicans alike, who want Congress to act for them and not for attempted political gain.

100 YEARS OF SUPPORT FOR MINNESOTA FARMERS

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate the 100th anniversary of the Anoka County Farm Bureau. As a supporter of agriculture in Minnesota's Sixth District, the Anoka County Farm Bureau does an excellent job promoting the interests of Minnesota's farmers and their products and produce.

For many farmers in Minnesota, farming is not just a job; it is a way of life often passed from one generation to the next. They work 7 days a week, from dusk till dawn, to ensure that our groceries are stocked and that Minnesotans are fed quality food. It is not an easy job, but it is a vital one.

As the backbone of Minnesota's economy, our farmers deserve as much help as possible. Without the constant support of the Anoka County Farm Bureau, our district and our State would not be where it is today. That is why I not only want to congratulate the Anoka County Farm Bureau on this very special anniversary, but I want to thank them for supporting Minnesota farmers for the past century, and we look forward to a long future.

ZIKA VIRUS IS PUBLIC HEALTH EMERGENCY

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to discuss the Zika virus, which has now become a serious public health emergency. Officials from the Department of Health and Human Services have spent August reiterating the dire need for funding to protect the American public from Zika and its potential harm.

While the Centers for Disease Control worked furiously to control and re-

search the mosquitoes that carry this virus, and the National Institute of Allergy and Infectious Diseases labors over finding a vaccine for the virus, Congress has stalled over funding the package.

You have heard the cry from Democrats and Republicans about how serious this is. In the United States, including territories, we currently have 16,832 active Zika virus cases. In south Florida, we now have cases of local transmission that could have been prevented with better vector control and preparedness.

We must give our health professionals the tools they need to fight the spread of this virus. Today I ask that we in Congress do our jobs, please.

COMMEMORATING FRANCIS BELLAMY

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Mr. Speaker, I rise today to commemorate Francis Bellamy, one of the most influential individuals from Mount Morris, New York. Francis Bellamy is the author of the Pledge of Allegiance.

Today marks the 124th anniversary of the Pledge of Allegiance, which was first published in a magazine called *The Youth's Companion*, on September 8, 1892.

The Pledge was originally written as part of a campaign to put American flags in every school in the United States. In its original form, it read: "I pledge allegiance to my Flag and the Republic for which it stands, one nation, indivisible, with liberty and justice for all."

In 1923, the words "the Flag of the United States of America" were added.

In 1954, Congress added the words "under God," creating the 31-word pledge we say today.

Bellamy's words are recited millions of times every day and are ingrained in our society as an expression of national pride and patriotism.

HURRICANE HERMINE AND THE NORTH FLORIDA WAY

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, more than 250,000 people were without power. Ten-foot storm surges destroyed homes. Lives were lost. This is what my hometown and north Florida has experienced in the past week as a result of Hermine, the first hurricane to strike Florida in 11 years.

It was one of the worst storms ever to hit north Florida, but throughout all the devastation and destruction, we also witnessed community, kindness, and love, or what I like to call the north Florida way.

Organizations like the Red Cross and Salvation Army sheltered and fed those in need. Churches opened their doors to those suffering, and neighbors took in neighbors to help give them respite and relief from the heat.

Mr. Speaker, it will take weeks and months for us to recover from this storm, but today I want to recognize and thank all organizations, volunteers, workers, and people who have helped us all in our time of need. Thank you from the bottom of my heart. We are truly grateful.

HURRICANE HERMINE

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, this past week, the Tampa Bay Area was impacted by the flooding as a result of Hurricane Hermine. I personally visited the flooded areas in my district throughout the weekend, and I saw families and properties that were devastated. Some of the worst-hit areas were along the Anclote River Basin.

Unfortunately, despite infrastructure improvements throughout the county, this area has been repeatedly impacted by flooding. One potential solution is to dredge the Anclote River to help improve flood water egress through the basin. This will help provide residents with long-term relief.

I have reached out to the Army Corps of Engineers to ask that the agency help craft a permanent, workable solution. The safety of our community is at stake, and I will not rest until we get this done.

ZIKA IS A PUBLIC HEALTH CRISIS

(Mr. BERA asked and was given permission to address the House for 1 minute.)

Mr. BERA. Mr. Speaker, we have got a public health crisis on our hands. We have to get funding to address the Zika crisis. We now have over 16,000 identified cases. It is a terrible virus, and we have to get ahead of this.

As a doctor and public health expert, I understand the importance of giving our physicians, our healthcare professionals, and our scientists all the tools that they need. The NIH is doing magnificent work getting a vaccine up and running and into clinical trials, but we have to give them the resources; we have to get ahead of this.

We also have to make sure all the patients have access to reproductive healthcare choices, like Planned Parenthood and other assets, so they can prevent the terrible effects of this virus on their fetuses and their babies.

So it is incredibly important, let's get that funding out there. Let's stop playing politics with this, and let's get the help to the places that need it. It is

a public health emergency. Let's do our job.

□ 1230

SHAME

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, too often victims of human sex trafficking are ashamed. But, Mr. Speaker, the traffickers and the buyers are the ones who should be ashamed and shamed.

Buyers and sellers want to remain anonymous, but those days are over. It is time to use public punishment for their dastardly deeds. As a judge in Texas, I successfully used public punishment.

The SHAME Act will give Federal judges the discretion to publish the names and photographs of convicted human sex traffickers and buyers as well as sending them off to prison. Buyers and sellers who force victims to repeatedly sell their bodies should be publicly shamed for all of us to see.

Photos of slave traders and buyers that appear on billboards will also deter other would-be criminals. Such photographs should appear before large conventions or sporting events—events where trafficking, unfortunately, increases. Let the public see the faces of slave traders and buyers of children—children that are sold on the marketplace of sex trafficking.

Shame traffickers, and shame on them.

And that is just the way it is.

COMPREHENSIVE IMMIGRATION REFORM

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, I rise today to call upon the House of Representatives to address our broken immigration system, one that serves our national security poorly, one that inhibits the ability of law enforcement to keep our communities safe and replace it with comprehensive immigration reform so we know who is here, so that people who are here illegally will be required to register and get right with the law and pay a fine, that we provide a pathway to citizenship for people who are here and playing a productive role in our economy, and that we can make sure that parents aren't taken away forcibly from their American citizen children.

It has been scored by the Congressional Budget Office that immigration reform would reduce our budget deficit by over \$200 billion. There are people here today working, Mr. Speaker, and we don't even know if they are paying

taxes. We need to make sure that everybody who works in our country pays their just share of taxes, fulfills their responsibilities as legal residents or as citizens of our country, and the only way that we can do that is through congressional action.

I am proud to support comprehensive immigration reform. I call upon Speaker RYAN and the Republican majority to put a bill forward that secures our border, reduces our deficit, and provides a way that people are required to get right with the law and have workplace authentication.

DEMAND ACTION ON ZIKA

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, with summer coming to an end and a new school year underway, the threat of Zika still lingers on, a threat we in the House took up months ago.

The House passed legislation back in June ensuring the administration would continue to have resources in place to protect the public from the threat of Zika. This legislation came with tight restrictions to ensure the funds are spent appropriately. Despite this and after already agreeing to the proposed funding levels, Senate Democrats have repeatedly blocked this much-needed funding. Tuesday night, HARRY REID and Senate Democrats, again, voted to block this legislation—leaving the public's health in limbo.

This is unacceptable. Before the district work period, I joined my colleagues in the Georgia delegation, along with our Senators, ISAKSON and PERDUE, in a letter to the President demanding that we put aside politics and urge immediate passage of Zika funding.

With newly reported Zika cases in our country daily, we should be focusing on protecting Americans from this virus and not petty politics.

I am so thankful that our 12th grandchild, Robin Hampton Wills, born Monday, January 12, did not have to face this threat. That is why I urge Senate Democrats to give up partisan politics and move this legislation forward so that families do not have to face the threat of this terrible virus.

HONORING THE MEMORY OF CAPTAIN ROBERT "DAVE" MELTON

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to honor the memory of Captain Robert "Dave" Melton, who was killed in the line of duty several weeks ago in Kansas City, Kansas, in my district.

Each night we sleep soundly knowing that there are men and women patrolling the streets and guarding our borders to keep us safe and defend our freedom. Like Captain Melton, they put themselves in harm's way out of service to our community and to our country.

When one of these brave Americans loses their life in the line of duty and on our behalf, it is a devastating blow to all who wear the uniform and the families who support them. My heart breaks at each and every loss of one of these heroes.

Captain Melton is a true hero who served 17 years in law enforcement and did tours in the military in Iraq and Afghanistan throughout his distinguished career of service to our country. He did not deserve to have his life cut short at age 46.

Mr. Speaker, may God bless Captain Melton, his family, and all those who serve our great Nation.

RECOGNIZING DEMARCUS COUSINS

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Mr. Speaker, I rise today to recognize Mobile native DeMarcus Cousins for winning an Olympic gold medal as a member of the U.S. Men's Basketball Team.

Throughout Olympic play, he averaged 9.1 points and 5.8 rebounds. While his play on the court is to be commended, I was more impressed by DeMarcus' work back home in Alabama. DeMarcus recently held a free basketball camp for young children at his alma mater, LeFlore Magnet High School.

Following the basketball camp, DeMarcus organized an important conversation about relations between members of the African American community and law enforcement.

Like many communities across the Nation, my hometown of Mobile has faced our share of challenges in this area; but thanks to local leaders and leaders like DeMarcus Cousins, Mobile can serve as a prime example of how to defuse racial tension and increase understanding between all members of our community.

So on behalf of Alabama's First Congressional District, I want to, again, congratulate DeMarcus on his gold medal and applaud him for his continued leadership in our community.

CONGRATULATING DAVID PLUMMER

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise to congratulate Wayzata's David Plummer on winning the bronze medal in

the 100-meter backstroke in this year's Olympic Games.

David's path to the Olympics was not an easy one. David is an alumnus of the University of Minnesota and the very first former Golden Gopher men's swimmer to win an Olympic medal for the United States. After missing the 2012 games in London by a fraction of a second, he thought his Olympic aspirations might be shattered. However, David never gave up and continued to pursue his dream. This year, at the age of 30, he made the Olympic team and reached his goal of competing and winning the bronze medal at the Olympic Games.

On top of his achievements in the pool, David is also a leader in our community. He is the head coach of the Wayzata High School boys' swim and dive team, leading them to a State championship in his first season, as well as winning Minnesota's State Coach of the Year.

Mr. Speaker, we can draw inspiration from David's determination to overcome any obstacle. David has made the State of Minnesota and our entire country proud.

Congratulations, David.

PROVIDING FOR CONSIDERATION OF H.R. 2357, ACCELERATING ACCESS TO CAPITAL ACT OF 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 5424, INVESTMENT ADVISERS MODERNIZATION ACT OF 2016

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 844 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 844

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2357) to direct the Securities and Exchange Commission to revise Form S-3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-62. That amendment in the nature of a substitute shall be

considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5424) to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in part B of the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I rise in support of this rule, which is a fair rule that makes in order every single amendment submitted to the Rules Committee. The rule provides for consideration of H.R. 5424, the Investment Advisers Modernization Act of 2016, and H.R. 2357, the Accelerating Access to Capital Act of 2016.

This package comes to the floor via the chairman of the House Financial Services Committee, Chairman JEB HENSARLING, who brought this package to the Rules Committee because of the needs of the American people and the needs of the financial services industry that is trying to grow jobs, investment, and opportunity for people in America.

We have an incredible opportunity before us today, Mr. Speaker, an opportunity to take good ideas, good ideas that come directly from the American people. It is called the financial services industry of the United States of America, men and women who get up and handle our financial needs, many men and women who not only have dedicated themselves to the success of this country, but also to the success of the American people.

We are trying to take this opportunity to move those ideas that they bring to us today through the House of Representatives so that we have a bill that we can present on a bipartisan basis to the United States Senate and to the President of the United States and say these are great ideas.

Mr. Speaker, I will tell you that your work that you do personally to make sure these ideas are brought forth not only to the Financial Services Committee, but to other areas of this Congress to make sure that we are passing legislation that is about jobs, job creation, and the availability of the American people to have a better shot at the American Dream, is why we are here today.

□ 1245

The goal of this rule and the underlying legislation is simple: to keep the flow of capital moving across our capital markets, to make it easier—not harder—to make it easier to overcome barriers for small businesses, entrepreneurs, and startups to have the capital that they desperately need to grow and thrive.

Mr. Speaker, this part of the American Dream is someone who has great ideas, the ability, and the desire, and to take those ideas and match it up with the capital, a marketing plan, and the ability to move forth in that plan. That is part of the American Dream to make not only your life better but, along the way, a bunch of other people who meet their American Dream also.

Capital is the lifeblood of growing new companies—not a surprise—and

access to capital can literally make or break small business. Mr. Speaker, it can make or break a person's great idea also. That is why we are here today on the floor. Good ideas that come from men and women in the industry, men and women who talk to the Financial Services Committee on a partisan basis, men and women of this Congress bringing these great ideas, and it is all on behalf of trying to give people a better shot at the American Dream through growing companies accessing capital and making the hard break become successful.

I have seen firsthand the detriment of overregulation in industries and poorly written laws, and I have also seen the power of the free enterprise system. While serving as chairman on the board of the Greater East Dallas Chamber of Commerce, I saw, firsthand, companies that could not get the capital that they needed because they weren't large enough to qualify or perhaps had some other burden or impediment in front of them.

As we know today, because of technology, time, and people's purpose, we have the opportunity for doing something remarkable. We have the ability today to enact legislation that will bolster opportunities for small businesses to secure capital, to reduce the strain of a one-size-fits-all regulatory regime, and to take that and add an opportunity to overcome these by using the American spirit and killing regulatory things that stand in the way. That is why we are here.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, over 6 months ago, the Obama administration actually identified the Zika virus as a public health crisis. It is well reported on. My constituents are aware of it. It has already affected many Americans in States like Florida, Texas, and Louisiana. The Obama administration requested additional resources to combat the virus.

The White House and the CDC correctly predicted that the virus would soon spread to the Southern United States. In fact, just as Congress left for its 7-week break, there were several reports of Zika transmission in south Florida. In fact, just last week, the Director of the CDC warned that, without congressional action, they will soon run out of money for combating Zika.

Now, in a moment, I will talk about the bills we are considering, but I think the American people expect Congress to react to a public health crisis. Had we reacted 7 weeks ago, perhaps we wouldn't be where we are today. I need and call upon this body to act today so that we are in a better situation 7 weeks hence.

In fact, the House is only in session for 15 more days before taking at least

a 6-week break in October and November. In the handful of days we have left, it is critical to provide an emergency package to fight back against Zika. That is not currently on the calendar, Mr. Speaker. Instead, we are considering these bills. I will be going into the merits and lack thereof of them; but certainly, I think my colleagues on the other side of the aisle would agree with the objective assessment that these bills do nothing to combat Zika or address the public health concerns around Zika.

The Senate did pass a partisan Zika funding bill to provide emergency resources. It doesn't have unrelated poison pills unrelated to Zika. Obviously, issues like where or if the flag of the rebel States, the Confederate flag, is displayed, or whether Planned Parenthood is funded, these are contentious issues here, but I think we all agree they have nothing to do with Zika. The Confederate flag does not have an impact on Zika. Planned Parenthood has at least a related aspect to it—reproductive health.

Of course, one of the symptoms or one of the effects of Zika is a higher rate of microcephaly among children that are born to women who suffer from Zika while they are pregnant. So certainly the family planning aspect of it is relevant, but not central, to the issues affecting public health around Zika. We need to make sure that there aren't any of those poison pill provisions and move forward.

Instead, we have different bills here. We have bills related to financial markets.

The first one is the Accelerating Access to Capital Act of 2016. That one brings together several different bills that had been offered.

First, it includes a bill that affects microcap companies, or pink sheet companies, and removes many of the SEC transparency regulations around how they sell stock and how they are listed. It is not a step forward for transparency. In fact, this kind of effort is likely to decrease confidence in our public marketplace. It is likely to hurt the very stock market that presumably it was designed to help.

This would effectively allow microcap companies worth less than \$75 million with one class of securities to issue an unlimited number of shares using shelf registration in a 12-month period, not even notifying the SEC ahead of the issuance, and permit unlisted microcap companies to sell up to one-third of the aggregate market value of their common equity using shelf registration in a 12-month period.

In many ways, these provisions are at odds with the other bills that I will talk about, which provides some regulatory relief towards private equity by favoring small cap public companies. It is hard for a small company to be public. It is questionable whether small cap companies should be public.

When we talk about private equity in a moment, we will see that one of the features of that is: A, they have, of course, a more sophisticated ownership; and, B, they have a more concentrated ownership. So, for instance, the issues like runaway executive pay, CEO pay, is less of a problem with private equity and a significant problem with public companies, and, again, in particularly small cap companies with diffuse ownership, which this bill would likely lead to more of.

It would also remove exchange protections like corporate governance requirements. Again, these kinds of measures reduce confidence in the public marketplace, they hurt the stock market, and, in the immediate and long term, they hurt the ability of companies to go public and access public capital because of the reputation of the pink sheets and the reputation of microcap.

It is a fine line. I am sure that we would probably agree on some regulatory relief around small cap companies, but this package is not it. This package would hurt the stock market, hurt access to capital, and hurt the very legitimate players that it is designed to help.

The second bill in here is the Micro Offering Safe Harbor Act. It would eliminate Federal and State investor protection around crowdfunding in regulation A under certain conditions.

First, I was an original sponsor of the JOBS bill. I worked with many of my colleagues on both sides of the aisle to get that through. I will be among the first to say that I was disappointed with the way that that has been implemented by the administration. Crowdfunding should be easy. It should not have 900 pages of regulations.

The main consumer safeguard that we have in there is that nonaccredited investors are only allowed to invest up to \$10,000. That is a very important protection that we have. This would eliminate that protection under several circumstances. One, if there are 35 or fewer purchasers; or, two, the aggregate amount of securities sold by the issuer is \$500,000 or less in a 1-year period. It basically does away with one of the legislatively imposed consumer protections in the JOBS Act.

Now, I would agree. I think there has been some regulatory-imposed inhibitions in the JOBS Act that I wish that we could strike out in a laser-like way with a scalpel. In fact, many States, including my own State of Colorado, have implemented more sensible bipartisan crowdfunding legislation that enables it to occur at least within a State in a much easier way than the very cumbersome Federal law which does inhibit both the use of crowdfunding as well as the presence of crowdfunding as part of an overall capital strategy because of the difficulties concerning other types of capital investors and capital partners.

I would love to see reform of the JOBS Act or reform around micro offering, but this particular answer really undermines the entire concept of the consumer protections. It is not targeted. It removes the protections for smaller of the smallest of the small offerings. And again, what you would find and the danger here is folks—we can call them scam artists or folks trying to make a buck off of this and not build legitimate businesses—can simply set up a number of companies each raising under \$500,000 to meet the criteria of this exemption. There is not any consumer protection around that. There is nothing to stop a bad actor from asking for significant investments for each of those companies, even from the same individual depleting the savings of that individual rather than sticking to the \$10,000 cap, which was in our JOBS Act.

So again, I would like, and many of my colleagues on my side of the aisle would like, crowdfunding to be easier, to be done quicker, to remove some of the excess paperwork and regulation A requirements, but maintaining that basic consumer safeguard and not providing exemptions just because there are 35 or fewer purchasers or \$500,000 or less over a 1-year period. It doesn't even address overlapping ownership or related status between, again, multiple companies that might each raise \$500,000, might substantially have the same external owners, but would get around the JOBS Act consumer protection provisions by effectively cloning a bunch of small companies and offering them up separately for individual investors. These things need to be thought through.

There is a kernel of an idea in there. I agree that the administration has gone beyond the legislative intent of the JOBS Act in its implementation of the JOBS Act. There is, hopefully, a way that we can work together to empower crowdfunding to play a more central role in capital development in entrepreneurship in our country. This bill is not it.

The final component of that bill, the Private Placement Improvement Act of 2016, would make it very difficult for the SEC to finalize investor protections that it proposed back in 2013. The title would require issuers selling securities under an exemption that allows companies to raise an unlimited amount of money to file within 15 days of sale a single notice of sale, which the SEC would then be required to make available to State and other regulators.

This relates to some current rules that the SEC is moving forward with. I think that, again, there is a way to tweak those rules, but I don't think that this is the way to do it, to allow for unlimited capital to be raised under a single notice of sale. And, of course, this also affects the prerogative of

State regulators, and there are a variety of practices there, by requiring the SEC to make it available to State and other regulators.

I think that there is room for improvement in that area, but, again, the bill falls short.

Now, the other bill, the Investment Advisers Modernization Act of 2016, a majority of Democrats on the committee support it. Many also voiced concerns. Some were the concerns of the Obama administration about some of those provisions. But I am glad to say that many of those concerns have been addressed by my colleague's, Mr. FOSTER's, amendment.

First, a little bit about private equity and what this bill does and doesn't do.

□ 1300

My State and my district, like, probably, every other district in the country, has seen the benefits and the impact of private equity investment in its providing growth capital to companies, providing stability in ownership. There are over 100 private equity-backed companies headquartered in Colorado that we know of that support close to 100,000 jobs in Colorado. In 2015, private equity firms invested \$12 billion in Colorado-based companies. They are real jobs, and they have contributed to the economic growth that Colorado has seen over the last few years and that the country will see over the next few years.

Private equity has helped to create and sustain thousands of jobs and has made substantial investments in every State in the country. It provides returns to public pensions, to university endowments, to many people as part of their own individual retirement plans and savings. It is important both from a capital perspective and from an operating perspective—a very important sector. Firms that are owned by private equity—at least, because, again, there could be some that are not part of this—employ over 8 million people. The private equity industry invested over \$600 billion into these companies. For physical infrastructure, for additional hires, for expansion, private equity has been a source of capital for Main Street businesses across our country, in my State, and everywhere else in the country.

That is why the bill passed the Financial Services Committee with a majority of Democrats—with strong bipartisan support—and I think it will pass this body with strong bipartisan support as well.

Of course, there have been stories about bad actors in private equity just as there could be bad actors among any type of ownership entity. That is what private equity is. It is a type of entity that may own a local company.

What are the other kinds of ownership that a company may have?

It may have public ownership. It may be public. We talked about that in the microcap bill. In many ways, that is a worse form of ownership in that there is additional administrative overhead that is associated with being public. Even if the regulatory relief were to become the law, there is still significant additional overhead with being public. It is very difficult for a \$20 million or a \$50 million company.

Two, because of the diffuse ownership, frequently, there is no one watching the shop, meaning that management runs it. We have the problems of excess CEO pay, of excess executive pay. There are horror stories of CEOs making hundreds of times the pay of the line workers. Those kinds of things don't happen in private equity-backed companies. There is someone minding the shop, and the entity that is minding the shop is an entity that is looking for long-term growth, for long-term stability. They are not in and out.

There has been some confusion among Members of this body in discussing hedge funds versus private equity. Private equity is not a hedge fund. Hedge funds have liquidity, and they make transactions rapidly. They don't participate in governance and growth. Private equity is very, very different. It is more analogous to venture capital. They are in there for 5 years, 6 or 7 years, 10 years—long-term investors who are building the companies, serving on boards, recruiting others to serve on boards, providing sound corporate governance, making sure that CEOs and executives aren't paid too much, making sure that talent is in the company, making sure that growth capital is available.

H.R. 5424 just takes a scalpel approach to existing regulations by focusing on aspects of SEC adviser registration that impede the capital formation in the private equity industry. For instance, there are provisions in the bill that would make reporting to the SEC more efficient and effective for their purposes and less costly and burdensome for private equity firms.

Keep in mind that private equity firms do not represent, in any way, shape, or form, a systemic risk to our Nation's financial security. They are simply a type of ownership that Main Street companies have. If a private equity firm invests poorly, runs companies poorly, they will deliver a very poor return for their investors. That does not impact in any systemic way the economy in the way that a hedge fund—placing highly leveraged bets on derivatives or on some other financial instrument—can cause an entire economic meltdown, as we saw during the mortgage-backed security crisis in 2008 and in 2009.

Private equity firms provide patient, stable, long-term capital to privately owned businesses across the country. In fact, they help take the emphasis off

of the quarterly financial reports that are so important for public companies.

One of the failures of public company governance is that there is too much emphasis on the short term at the expense of the long term—too much emphasis to pump up the quarter at the expense of medium- and long-term growth—2 years, 3 years, 4 years—in underinvestment in research and in underinvestment in long-term growth. Having a private equity ownership of an operating company addresses that kind of moral hazard that exists with regard to the incentives of the public marketplace.

Private equity firms have a long-term outlook that results in lower volatility. While the public company model may not perform as well as private equity firms, it, obviously, can provide access to capital, to additional liquidity that private equity doesn't have. The two are related in that, for some private equity investors, their goal is a public offering exit in the 5- to 10-year time frame. That is not always the case, but that can be the case; and having an operable public market in addition to a private equity market is, of course, of interest and importance to the private equity industry as well, which is why the reforms in the other bill are so bad, because they deteriorate confidence in the stock market. They ultimately will result in decreasing liquidity for the good actors, meaning some of the private equity-backed or owner-operator-owned companies that want to have a public partial exit or exit through the public marketplace.

Again, the bill isn't perfect. The White House identified a number of issues. But, fortunately, my colleague, Representative FOSTER, offered an amendment, which has been accepted and, hopefully, that will address a number of these issues.

The amendment removes a provision of the bill that would have allowed certain ancillary or minor funds or entities that are affiliated with a private equity firm to also be exempt from annual audits or surprise inspections. It addresses concerns around transparency by continuing the current requirement that advisers provide information about fees and services in a brochure. It restores the transparency elements while maintaining the concept of the regulatory relief of redundant regulations with regard to capital formation and private equity.

The goal is to enact this common-sense bill that will make it more efficient for private equity firms to operate and continue to grow businesses on Main Street in districts like mine and across the country while simultaneously maintaining the regulatory regime to make sure that nothing untoward is occurring.

The bill does not, as some have falsely argued, allow private equity firms to

escape regulation by any stretch. In fact, most private equity firms have embraced the changes that have been implemented under Dodd-Frank. They have compliance teams to make sure they are operating properly under the new regulatory scheme. In any form, they do not represent a systemic risk, but to protect investors, many of them agree with the sensible regulations that have been imposed with the exception of those that we are seeking to remove that are redundant and that create overhead. When you create overhead for private equity firms, that results in less investment in our Main Street businesses. If they have to divert funds to comply with unnecessary regulations for the sake of regulations, it is that much less money and that many fewer jobs in your Main Street businesses located in your districts.

The substitute amendment makes positive changes to the legislation. It addresses many of the concerns that have been raised about the bill. I and many of my colleagues plan to support its passage and also take this occasion to make sure that our colleagues are aware of the contributions of this particular model of ownership to our Main Street businesses. It has been a growth sector, in fact, largely due to showing, over time, superior performance to companies that have a public governance model, in fact, in large part, due to their dissipated owner base and lack of concentration in ownership.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Colorado's not only observations as a business leader from Colorado, but as a member of the Rules Committee. He recognizes the need for ideas to flow up from the industry to Members of Congress, for us to, on a bipartisan basis, approach these issues to where we can provide safety and soundness for the American people.

Mr. Speaker, I yield 5 minutes to the gentleman from Delano, Minnesota (Mr. EMMER), the gentleman who is offering his legislation, which is a part of title II of the legislation.

Mr. EMMER of Minnesota. I thank the chairman.

Mr. Speaker, government doesn't create jobs; people create jobs. But with the President, Congress can create Federal policies that establish a pro-worker and pro-business environment to lift people out of poverty, to help families, and to allow Americans to realize their greatest dreams.

One problem today that is impeding job growth is the access to capital for small business. Often, American entrepreneurs can't get the money they need to start a new enterprise or to grow an existing one. In fact, small businesses still create the majority of new jobs in our country today despite the fact that far fewer small business loans are being made today than were being made prior to the 2008 recession.

Compounding this problem even further is the unfortunate reality that entrepreneurs from less affluent communities often have the greatest difficulty in securing the capital they need to make their business dreams come true. As a result, thousands of jobs and hundreds of new products are left on the drawing board as unrealized aspirations of American entrepreneurs. Thankfully, if the rule before us today is adopted, the House can consider four solutions that will address this small business access to capital problem immediately.

The Accelerating Access to Capital Act of 2016 will make it easier for businesses to raise capital. First, thanks to Congresswoman WAGNER, this legislation will make it easier for small companies to comply with SEC security registration requirements by simplifying the process, by eliminating duplicative paperwork, and by, ultimately, allowing people to do their business instead of compliance.

Second, thanks to Congressman GARRETT's Private Placement Improvement Act, the bill will make it easier for small businesses to raise capital under rule 506 of regulation D, ultimately leading to greater access to capital for small businesses and unleashing the full potential of title II of the JOBS Act.

Third, the Micro Offering Safe Harbor Act will make it easier for Americans to raise capital from friends and family if three simple criteria are met. These three criteria include that the investor has a substantive preexisting relationship with the owner, that there are 35 or fewer investors, and that the aggregate amount of the investment does not exceed \$500,000.

Additionally, this provision would exempt such offerings from blue sky requirements, but with all Federal and State antifraud laws remaining in effect. It is important to note that this micro offering proposal does not create a new law, but, rather, simply clarifies an existing law by making an explicit safe harbor for certain private security offerings under the Securities Act of 1933.

Finally, thanks to Congressman HURT and Congressman VARGAS, the Investment Advisers Modernization Act will modernize the Investment Advisers Act by removing redundancies and making necessary enhancements to increase capital formation.

With American productivity decreasing, wages essentially stagnant, and the U.S. economy struggling to get to historically normal GDP growth levels, these proposals in the Accelerating Access to Capital Act will help jump-start our ailing economy. By providing new opportunities to make the most of capital formation vehicles that are already available or by creating new ones, these proposed reforms will enable American entrepreneurs and small

businesses to access the capital they need to grow and to prosper.

I thank the Speaker of the House and the chairman of the Financial Services Committee for prioritizing the consideration of these pro-business, pro-jobs, and antipoverty bills. I encourage my colleagues in the House to support the rule. This is a tremendous opportunity for the House to support Main Street mom-and-pop stores, aspiring entrepreneurs, and established manufacturers to create jobs, wealth, and opportunity for Americans from all walks of life.

Mr. POLIS. Mr. Speaker, I do have a speaker, but I can't locate her right now.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, you just heard from one of our brightest new members of the Committee on Financial Services. This committee is full, on a bipartisan basis, of men and women who care very much about growing our economy.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROYCE), a senior member of the Financial Services Committee and the chairman of the House Foreign Affairs Committee.

Mr. ROYCE. I thank the chairman.

Mr. Speaker, I rise in support of the rule and the underlying legislation of this H.R. 2357. It encompasses, by the way, H.R. 4850, and this is the Micro Offering Safe Harbor Act.

What I will share with my colleagues is that California is the innovation capital of the world. From Silicon Valley to Orange County, technology startups are reimagining the way that the world works, and these new companies don't have thousands of people on payroll.

□ 1315

They don't need dozens of floors of office space. They don't need billions of dollars to function, but they do need capital. They need that capital to operate. Our current regulatory framework creates impediments to these small businesses tapping into the market.

According to the Federal Reserve, the startup rate has fallen sharply over the past 30 years. It was 14 percent of total companies in a given year, but today it is down to 8 percent. The likelihood of a young firm being a high-growth firm has also declined over the years, and these trends are alarming, if you think about the consequences. These trends need to be reversed.

The Micro Offering Safe Harbor Act turns the tide by lowering compliance burdens for firms seeking low-dollar investments from a small group of investors that they have a relationship with. So the legislation appropriately scales the regulatory oversight of capital formation, while keeping intact investor protections.

The resources that startups would sink into compliance and legal costs

could be redirected—to what?—to hiring workers, redirected to creating new products. Uber, Google, and Airbnb, these were all startups. Passage of the Micro Offering Safe Harbor Act ensures that the next success story will be told.

I thank Mr. EMMER of Minnesota for his work on this important issue.

I urge my colleagues to support both the rule and the legislation.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman talked about the Micro Offering Safe Harbor Act. Again, I think that there is the kernel of a good idea there, if the good idea would be to streamline the excess regulation above and beyond the consumer safeguards that were put in the JOBS Act; if the bill, for instance, were to take some of the best practices from the States, including my home State of Colorado, around crowdfunding and put them into a revised version of Federal direction.

To be clear, I would join my colleagues in agreeing that the administration went well beyond the expressed legislative intent and legislative language of the JOBS Act in creating barriers to micro financing across the country. Unfortunately, that is not what this bill does.

It cuts back by providing gaping loopholes on the consumer protections that Congress very thoughtfully intended to put in the JOBS Act. So these are not the unintended regulatory aspects that the administration added to the JOBS Act. These are cutting away at the very consumer protections which Congress deliberately—including, as one of the coauthors of the bill along with my Republican colleagues, Mr. ISSA and many others, the protections that we actually put into the bill, this would gut. So, again, a kernel of a good idea.

Perhaps the inception of this bill is, hey, we messed up on the implementation of crowdfunding. Let's fix it. Unfortunately, that is not what this bill does. I wish it was what this bill does. It is something I am certainly interested in doing. I think many of my Democratic colleagues are, and we would be happy to work on a bipartisan basis to address the poor implementation of the JOBS Act.

Of course, if there was something expressly provided legislatively, we would be happy to go back and look at that. But this glaring loophole that is opened is simply not it, with regard to if there are fewer than 35 purchasers, under \$500,000, some kind of preexisting relationship. These loopholes are simply too broad and would effectively remove the consumer protections that we have in crowdfunding.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up the bipartisan no fly, no buy legislation, which I am proud to support. It would allow

the Attorney General to bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

If somebody is on the FBI terrorist watch list, they should not be allowed to quietly assemble an arsenal to commit a terrorist act. In fact, the FBI should immediately be on top of the situation, find out their intent, and see what is going on. It is a commonsense bill that would help keep America safe. My amendment would give the House an opportunity to simply vote on this commonsense bill, which so far, unfortunately, the Republicans have not even allowed us to debate. We cannot wait any longer for Congress to take meaningful action to reduce the risk of terrorism in our own country, and this bill would do that.

Mr. Speaker, I ask unanimous consent to include in the RECORD the text of my amendment, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, we have been talking about thoughtful young members of the Financial Services Committee, who work with people all across the United States who are engaged in financial services to bring more capital to bear, not only for small business, but also better investment tools, investor tools. We have had the advantage of having not only Mr. POLIS, a young entrepreneur from Colorado, but we have had ED ROYCE. We have had TOM EMMER.

We now would like to have another very bright, young man who serves on the Financial Services Committee to talk to us, who brings this bill to us from Winfield, Illinois.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, I rise today in support of H. Res. 844, which provides for the consideration of H.R. 2357, the Accelerating Access to Capital Act, and H.R. 5424, the Investment Advisers Modernization Act.

I know how hard my colleagues on the Financial Services Committee worked in crafting this legislation that will strengthen our economy. I am, also, grateful for the hard work to make sure that this is a bipartisan effort. I was proud to support this legislation in the committee, and I am hopeful it will see a strong vote of approval when voted here on the House floor.

I am proud to join Representatives VARGAS, STIVERS, FOSTER, and SINEMA as a cosponsor of Mr. HURT's legislation, H.R. 5424, the Investment Advisers Modernization Act. The modest

changes that this legislation would make makes it easier to invest in job creators, our families, and our communities.

Dan Gallagher, a recent Commissioner of the Securities and Exchange Commission, agrees and has testified in the Financial Services Committee that the bill "preserves the registration regime for private fund advisers while at the same time removing or modernizing—in rather modest ways—some of the more unnecessary, outdated, and overly burdensome requirements of the now 76-year old Advisers Act that drive costs up for funds and investors, and hinder the efficient allocation of capital to help grow businesses and create jobs."

These changes will make it easier to invest in our communities, and these administrative savings then can be passed on to investors.

The Accelerating Access to Capital Act, led by my colleague on the Financial Services Committee Mrs. WAGNER, would make it easier for small businesses and entrepreneurs to access the capital they need to grow their companies and create jobs.

It is important that we have smart regulations in place that provide certainty to investors and to our markets. It is equally important that the Securities and Exchange Commission not unnecessarily inhibit capital formation. In fact, the agency has a mission that states these two things should be treated with equal importance.

This important package of legislation includes relatively modest but meaningful changes to our securities laws that will improve access to capital for smaller businesses and entrepreneurs without jeopardizing consumer protection.

Title I of this package authorized by Mrs. WAGNER makes it easier for more small companies to use a less burdensome document when registering with the SEC. Over the last 5 years, the number of smaller companies—those with less than 500 employees—has declined. This is the first time that this has happened since the U.S. Census Bureau began keeping data on the subject.

In 2012, the SEC's Government-Business Forum on Small Business Capital Formation report included a recommendation to modernize and expand the utility of form S-3 for a great number of public companies. This is just what Mrs. WAGNER's legislation proposes to do.

Furthermore, the report noted that investor protection concerns have been substantially eliminated with the advanced information technology, including EDGAR, which is the SEC's electronic disclosure filing system.

The Accelerating Access to Capital Act includes two other very important titles. The gentleman from Minnesota (Mr. EMMER) has put forth legislation

that would exempt certain micro offerings from the registration requirement of the Securities Act of 1933. This important change in law would allow a startup business—the engines driving growth in our economy—to solicit friends and family to invest in their businesses.

Investors with a preexisting relationship with those most committed to the company's success likely have the greatest understanding of its growth trajectory and prospects for generating a healthy return on investment. This will allow small business to access capital without having to navigate more complicated Federal securities registration or win approval of the SEC. Mr. EMMER's legislation will help fuel growth on Main Street and help create the jobs our constituents deserve.

Mr. GARRETT, the chairman of the Subcommittee on Capital Markets and Government Sponsored Enterprises and a strong leader on these issues, has put forth legislation to ensure the SEC returns more of its focus to supporting capital formation, just as Congress intended in the JOBS Act.

Mr. GARRETT's legislation would direct the SEC to revise regulation D, so fewer small businesses are required to register their securities with the agency. It would help eliminate some of the most excessive regulation we hear about far too often from our constituents.

The legislation will allow entrepreneurs and small businesses to go back to doing what they do best—innovating and creating jobs—ensuring families in our communities have a paycheck to put food on the table, can cover the increasing costs of health care, and provide opportunities to help their children be successful in the world.

Again, I would like to thank Chairman HENSARLING and my colleagues on the Financial Services Committee for all of this hard work. I encourage all of my colleagues to support the rule and the legislation to follow.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. SESSIONS. Mr. Speaker, in fact, in this colloquy, I do have an additional speaker, and then I would choose to close.

Mr. POLIS. Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, the Committee on Financial Services has presented a number of their members who have come to the floor today to offer thoughts and ideas on a bipartisan basis, thoughts and ideas that have emanated up from literally financial services experts across the country, commonsense ideas, and investor ideas. They have been vetted. They have been looked at. They have been talked about. They have been marked up on a bipartisan basis; and that is

why we are here today, to make capital easier and more available from an investor perspective, as well as from the perspective of the financial services industry.

One of the leaders from the Financial Services Committee for a number of years has been our next speaker, and I am delighted to yield 5 minutes to a favorite son of St. Elizabeth, Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. Mr. Speaker, I want to thank the distinguished gentleman and friend from Texas, the chairman of the Rules Committee, for that eloquent introduction. I also thank him for all of his hard work on his committee as well as bringing this important bill to the floor.

I also want to recognize my colleagues on the Financial Services Committee, Mr. GARRETT, Mrs. WAGNER, Mr. EMMER, and Mr. HURT, for their tireless efforts on behalf of our Nation's investors and small businesses.

Mr. Speaker, today or tomorrow, the House will consider legislation that will allow small businesses and those starting or investing in small businesses to access needed capital without being subject to burdensome and unnecessary regulation.

As we have seen throughout the financial services sector and across our economy, one-size-fits-all rules are damaging our Nation's businesses, financial institutions, and, as a result, American workers and their families. Main Street has been crushed under the weight of this administration's regulatory regime, as even the ranking member admits.

H.R. 2357, composed of three bills that passed the Financial Services Committee earlier this year, simplifies registration requirements for small companies and facilitates access to capital without triggering costly regulatory expenditures.

H.R. 5424, the Investment Advisers Modernization Act of 2016, eliminates duplicative requirements for investment advisers, allows for greater capital formation and development, and streamlines elements of the 76-year-old Investment Advisers Act.

I recently met with a company in my district that relied upon private equity to stay afloat and continued to employ my constituents. Capital should be used to create jobs and spur economic growth and, as the chairman mentioned in his opening remarks, to help Americans realize the American Dream. Capital should not be used to fulfill meaningless and unproductive regulatory requirements.

Our economy sits in idle. It is time to put it in drive. Regulation should serve to protect taxpayers and not hurt them. It should enhance the economy, not stymie it. There is no room for regulation that serves to appease bureaucratic demands.

□ 1330

Mr. Speaker, I come from the business world, and in another life I was a banker on the regulatory side of the table as well as a bank examiner. I have seen the impact of rules and regulations on small businesses and communities, and my community as well. I have looked across the table and helped those small businesses get started. Capital is the lifeblood of these small businesses being able to start businesses, help employ people, and be able to help people have jobs and enhance the communities that they come from. It is extremely important.

These discussions that we are having today are important from the standpoint of enhancing our ability as a nation to continue to thrive and grow, and to stymie what is hurting ourselves. The statistics are there. Small businesses have been deteriorating. We have lost more small businesses in the last several years than we have had. So, therefore, why do you think we have the jobs problem that we have today? It is pretty evident to me.

This rule and the underlying bills we will consider during the remainder of this week will move us towards an economic recovery and a more responsible regulatory environment.

I want to, again, thank my colleagues on the Committee on Financial Services and the Committee on Rules for their work on these issues and for their advocacy on behalf of our Nation's investors, small businesses, and employees.

Mr. POLIS. Mr. Speaker, is the gentleman from Texas prepared to close?

Mr. SESSIONS. Mr. Speaker, I would expect at this time that I have no further speakers and will close when given that opportunity.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, while I do applaud Democrats and Republicans for coming together around H.R. 5424, the Investment Advisers Modernization Act, I wish that we had come together around the pressing public health crisis of Zika. I wish we had come together to prevent terrorists from assembling arsenals to commit terrorist acts in our country. Unfortunately, while the Senate has acted in a bipartisan way to address Zika, House Republicans continue to sit on their hands and ignore this critical public health issue. The CDC is quickly running out of money to combat Zika. We have yet to even begin serious discussions on comprehensive immigration reform, with only a couple months left in this session, not to mention the crisis of lead in the pipes in Flint, Michigan. And, of course, in the weeks after the deadliest mass shooting in our Nation's history, Congress has not acted on anything around preventing violence, as well.

We should be voting on those kinds of bills. Many of those are also bipartisan,

just as this private equity bill is, but I would argue that they are more timely, more important. Instead of focusing on policies that help save lives, Republicans are instead spending time on two bills, one of which will almost certainly receive a veto from the President. The other one, we hope that Mr. FOSTER's amendment addresses the issues the President had with it, but both of which are not likely to pass the United States Senate.

We are spending more of our time and taxpayer money ignoring the most pressing issues before us, issues that could move through the Senate, issues that I hear about from my constituents every day back home.

Again, I applaud the Democrats and Republicans coming together around the H.R. 5424 bill. This bill, if it were to become law, would absolutely encourage greater investment in mainstream businesses in our communities. It might make the difference of them making that additional hire or two. That might be your neighbor; that might be your cousin; that might be your spouse; it might even be you, that extra job or two or three that is created by encouraging private capital resources to be put into our communities.

Again, private equity had nothing to do with the financial meltdown in 2008 and 2009. There is nothing systemic about it. It is simply ownership groups of companies, and whether those owners are local ownership groups, whether they are founders, whether they are family offices, whether they are private equity, whether they are publicly traded, they all have pros and cons.

We, of course, like to think of the very idealized vision of a mainstream business where it is owned by your neighbor and somebody who is accountable that you know, but those kinds of businesses have transition issues as well. When their owner-operator gets ill or passes on, what is to become of those businesses? What is the route to sustainability? How can we make sure they continue to add value in the community? For many, for transition planning, private equity can provide that answer.

I urge my colleagues to vote "no" on the bill and defeat the previous question so we can reduce the risk of a terrorist attack in our country, and vote "no" on this restrictive, misguided rule.

Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, may I inquire as to the time I have remaining.

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Texas has 7¼ minutes remaining.

Mr. SESSIONS. Mr. Speaker, thank you very much. I yield myself the balance of my time.

Mr. Speaker, I want to congratulate and thank my colleague, Mr. POLIS.

Today has been a thoughtful exercise where there was some disagreement. That is okay. That does not bother me, and it should not bother him that he had to speak his mind in areas that he felt were important.

But today, Mr. Speaker, Mr. POLIS has very objectively been able to critique the bill in front of us, to provide his analysis of that bill, acknowledging it is a bipartisan bill, acknowledging that this bill is about jobs, job creation, making life better, albeit that it might be one or two people in a neighborhood. This country is full of neighborhoods and full of people who want a better job, people who want a better opportunity to invest, people who want to have their ideas taken up, and this bill came directly to us today from back home, back home people who have ideas, back home people who are looking at rules and regulations and saying, wow, that is an impediment to my good idea.

Mr. LUETKEMEYER, Mr. EMMER, Chairman ROYCE all said, oh, by the way, they have an American Dream they are trying to live up to also, and there are things that are getting in the way of their dream. So they do the things that are necessary to float their ideas up to their Member of Congress. It came to the Committee on Financial Services. The young chairman, JEB HENSARLING, creates ideas that are able to move to legislation. That is why we are here on the floor today, subscribing ideas that provide more capital that is available.

The cost of securities regulation continues to fall heaviest on small companies. Small companies are the engine of our economy, where many of the bright people who today, by graduating from college, going to business school, learning things, they realize as they enter the marketplace, wow, there is another hurdle out there.

That is why we are here today. They want to bring their ideas to the marketplace. We are here to help them through safety and soundness, through working through the instruments of government, and to do so so that traditional financing options are available for small companies that work.

Our predatory administration—that is this Obama administration—is using Dodd-Frank as its main weapon against the free enterprise system today. This administration is using the weapons that they have available to them to stop and stifle and to make more difficult the creation of jobs, the creation of more wealth, the creation of investment, and it is all done. We see this, Mr. Speaker, when we look at GDP growth. Our country is stagnant.

Yesterday, when we were having the motion to recommit, the young gentleman from the Democratic side acknowledged most forthrightly, these are difficult financial times. All across America there are terrible financial

times because of an administration that chooses to strike at the heart of the free enterprise system: the heart of the free enterprise system in health care, the heart of the free enterprise system in banking, and regulations on the energy industry, striking at the heart of people trying to get homes and keep jobs and to move things.

This administration has a constant attack against jobs, job creation, and, I believe, the American worker, yet they find it easier to give lots of money to other people but not Americans for our own job creation. That is why we are here today. But we are not going to cast this as what this is about.

What this is about is a positive effort about the American Dream, about good ideas, about bipartisanship, about following the rules to get things through a committee, to get things to the Committee on Rules, to get things on the floor, to get people to vote on a bipartisan basis.

We have, essentially, four bills in this rule, four bills that I believe are desperately—I will use that word, “desperately”—needed by small business to grow and innovate ideas. What is on the other side of that? We have already said it 10 times, the American Dream. But it is also freedom. When issuers sell securities to the public, that means more money goes into the company, money that can be used to hire more people, push a product and make it successful. That is why we are here. We are here to take the ideas, a process, in a bipartisan way.

Lastly, Mr. Speaker, I include in the RECORD a letter which addresses an issue that my dear colleague has talked about, and that is the Zika funding issue.

The letter was written to the President of the United States on July 14, 2016, and among other things it says: “The House passed a conference report that would provide an additional \$1.1 billion in emergency supplemental funding to continue to prepare for, and prevent, Zika both domestically and internationally. It is unfortunate that Democrats have blocked action on this legislation in the Senate.” Mr. Speaker, they continue to do it today.

This letter—which was signed by the chairman of the House Committee on Appropriations, the gentleman HAL ROGERS; the gentleman THAD COCHRAN, chairman of the Senate Committee on Appropriations; Chairman TOM COLE, House Appropriations Subcommittee on Labor, Health and Human Services; ROY BLUNT, chairman, Appropriations Subcommittee on Labor, Health and Human Services; KAY GRANGER from Fort Worth, Texas, chairwoman, House Appropriations Subcommittee on State and Foreign Operations; LINDSEY GRAHAM, chairman, Senate Appropriations Subcommittee on State and Foreign Operations—very clearly says: Mr. President, until that block by Senate

Democrats is stopped, we give you authorization to reprogram money that would be available. You seem to find lots of money that is available to bring people to this country who might be displaced in other places around the world. Why don't you spend a little bit of money on important issues like the Zika virus?

We are on record. We are waiting for the Senate to move the bill. Mr. Speaker, I want you to know your time that you have allocated today, the precious time of this House, was done today for bills that came to us from ideas from the American people that floated on a bipartisan basis directly up to the Committee on Financial Services, which brought these bills forward. They have been talked about, marked up, and vetted. They are good to go, and I am in full support of not only this rule, but this legislation; and for that reason, I urge my colleagues to continue to support this rule and the underlying bills.

APPROPRIATIONS COMMITTEE SENDS JOINT HOUSE AND SENATE LETTER TO THE WHITE HOUSE URGING ACTION ON ZIKA FUNDING

WASHINGTON, July 14.—House Appropriations Committee Chairman Hal Rogers, along with Senate Appropriations Chairman Thad Cochran and other senior members of the House and Senate committees, today sent a joint letter to President Obama urging White House action on Zika funding.

Senate Democrats today again blocked legislation that would immediately fund efforts to prevent and fight the spread of the Zika virus. Chairmen Rogers and Cochran wrote that given the critical need for these funds and absent the funding that was blocked today, the White House should “aggressively use funds already available to mount a strong defense against the virus.”

The full text of the letter is below:

JULY 14, 2016.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Your Administration has asked Congress to provide additional resources to prepare for, and prevent, the spread of the Zika virus. We have responded by both supporting the reprioritization of existing resources and passing through our respective chambers legislation that would provide additional Zika response funding.

On February 18, 2016, we called upon your Administration to repurpose available funds to be spent immediately to fight the disease. On April 6, 2016, you did so through the use of existing authorities, repurposing \$589 million for Zika response activities. Given the urgency of your request, we were surprised last week when Politico reported the following based on information shared by Administration officials: “The Obama administration has so far distributed only about one-sixth of the unspent Ebola funding that it diverted to combat the Zika virus.” This money is available immediately to prepare for and combat Zika, yet is seemingly not being spent.

The House passed a conference report that would provide an additional \$1.1 billion in emergency supplemental funding to continue to prepare for, and prevent, Zika both domestically and internationally. It is unfortunate that Democrats have blocked action on this legislation in the Senate. The conference report provides the same amount of

funding that every Senate Democrat previously supported. It fully funds vaccine research, and increases funding for mosquito spraying and eradication, Zika surveillance, and advanced development of treatments and diagnostics. The conference agreement provides the same access to health services as your supplemental request, contains no new prohibition on any health service, and expands access to health services in Puerto Rico beyond your initial request.

If Senate Democrats continue to block consideration of Zika legislation, we urge you to aggressively use funds already available to mount a strong defense against the virus. We also note that the fiscal year 2016 appropriations bills allow the Administration access to additional funds. The Secretary of the Department of Health and Human Services has transfer authority that can be used as an additional source for Zika preparedness. The previous Secretary did not hesitate to use this authority to support the failing Affordable Care Act Exchanges. The Secretary of State also has authority to reprogram funding to provide additional foreign assistance to address the Zika virus outside the United States.

We urge you to use available funding now to ensure our nation is prepared.

Sincerely,

REP. HAL ROGERS,
Chairman, House Appropriations Committee.

SEN. THAD COCHRAN,
Chairman, Senate Appropriations Committee.

REP. TOM COLE,
Chairman, House Appropriations Subcommittee on Labor, Health and Human Services.

SEN. ROY BLUNT,
Chairman, Senate Appropriations Subcommittee on Labor, Health and Human Services.

REP. KAY GRANGER,
Chairwoman, House Appropriations Subcommittee on State and Foreign Operations.

SEN. LINDSEY GRAHAM,
Chairman, Senate Appropriations Subcommittee on State and Foreign Operations.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 844 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and suspending the rules and adopting H. Res. 660.

The vote was taken by electronic device, and there were—ayes 238, noes 180, not voting 13, as follows:

[Roll No. 489]

AYES—238

Abraham	Collins (GA)	Gibbs
Aderholt	Collins (NY)	Gibson
Allen	Comstock	Gohmert
Amash	Conaway	Goodlatte
Amodel	Cook	Gosar
Babin	Costello (PA)	Gowdy
Barletta	Cramer	Granger
Barr	Crawford	Graves (GA)
Barton	Crenshaw	Graves (LA)
Benishek	Culberson	Graves (MO)
Bilirakis	Curbelo (FL)	Griffith
Bishop (MI)	Davidson	Grothman
Bishop (UT)	Davis, Rodney	Guinta
Black	Denham	Guthrie
Blackburn	Dent	Hanna
Blum	DeSantis	Hardy
Bost	Diaz-Balart	Harper
Boustany	Dold	Harris
Brady (TX)	Donovan	Hartzler
Brat	Duffy	Heck (NV)
Bridenstine	Duncan (SC)	Hensarling
Brooks (AL)	Duncan (TN)	Herrera Beutler
Brooks (IN)	Ellmers (NC)	Hice, Jody B.
Buchanan	Emmer (MN)	Hill
Buck	Farenthold	Holding
Bucshon	Fincher	Hudson
Burgess	Fitzpatrick	Huelskamp
Byrne	Fleischmann	Huizenga (MI)
Calvert	Fleming	Hultgren
Carter (GA)	Flores	Hunter
Carter (TX)	Forbes	Hurd (TX)
Chabot	Fortenberry	Hurt (VA)
Chaffetz	Fox	Issa
Clawson (FL)	Franks (AZ)	Jenkins (KS)
Coffman	Frelinghuysen	Jenkins (WV)
Cole	Garrett	Johnson (OH)

Jolly	Mooney (WV)	Scott, Austin	Rush	Sires	Veasey	MacArthur	Pompeo	Smith (TX)
Jones	Mullin	Sensenbrenner	Ryan (OH)	Slaughter	Vela	Marchant	Posey	Stefanik
Jordan	Mulvaney	Sessions	Sánchez, Linda T.	Smith (WA)	Velázquez	Marino	Price, Tom	Stewart
Joyce	Murphy (PA)	Shimkus	Sarbanes	Speier	Visclosky	Massie	Ratcliffe	Stivers
Katko	Neugebauer	Shuster	Schabowsky	Swalwell (CA)	Walz	McCarthy	Reed	Stutzman
Kelly (MS)	Newhouse	Simpson	Schiff	Takano	Wasserman	McCaul	Renacci	Thompson (PA)
Kelly (PA)	Noem	Smith (MO)	Schrader	Thompson (CA)	Schultz	McClintock	Ribble	Thornberry
King (IA)	Nunes	Smith (NE)	Scott (VA)	Thompson (MS)	Waters, Maxine	McHenry	Rice (SC)	Tiberi
King (NY)	Olson	Smith (NJ)	Scott, David	Titus	Watson Coleman	McKinley	Rigell	Tipton
Kinzing (IL)	Palmer	Smith (TX)	Serrano	Tonko	Welch	McMorris	Roby	Trott
Kline	Paulsen	Stefanik	Sewell (AL)	Torres	Wilson (FL)	Rodgers	Roe (TN)	Turner
Knight	Pearce	Stewart	Sherman	Tsongas	Yarmuth	McSally	Rogers (AL)	Upton
Labrador	Perry	Stivers	Sinema	Van Hollen		Meadows	Rogers (KY)	Valadao
LaHood	Peterson	Stutzman		Vargas		Meehan	Rohrabacher	Wagner
LaMalfa	Pittenger	Thompson (PA)				Messer	Rokita	Walberg
Lamborn	Pitts	Thornberry				Mica	Rooney (FL)	Walden
Lance	Poe (TX)	Tiberi	Bishop (GA)	Johnson, Sam	Sanchez, Loretta	Miller (FL)	Ros-Lehtinen	Walker
Latta	Poliquin	Tipton	Brown (FL)	Nugent	Walters, Mimi	Miller (MI)	Roskam	Walorski
LoBiondo	Pompeo	Trott	Clarke (NY)	Palazzo	Westmoreland	Moolenaar	Rothfus	Weber (TX)
Long	Posey	Turner	DesJarlais	Reichert		Mooney (WV)	Rouzer	Webster (FL)
Loudermilk	Price, Tom	Upton	Johnson, E. B.	Ross		Mullin	Royce	Wenstrup
Love	Ratcliffe	Valadao				Mulvaney	Russell	Westerman
Lucas	Reed	Wagner				Murphy (PA)	Salmon	Williams
Luetkemeyer	Renacci	Walberg				Neugebauer	Sanford	Wittman
Lummis	Ribble	Walden				Newhouse	Scalise	Womack
MacArthur	Rice (SC)	Walker				Noem	Schweikert	Woodall
Marchant	Rigell	Walorski				Nunes	Scott, Austin	Yoder
Marino	Roby	Weber (TX)				Olson	Sensenbrenner	Young (AK)
Massie	Roe (TN)	Webster (FL)				Palmer	Sessions	Young (IA)
McCarthy	Rogers (AL)	Wenstrup				Paulsen	Shimkus	Young (IN)
McCaul	Rogers (KY)	Westerman				Pearce	Shuster	Zeldin
McClintock	Rohrabacher	Williams				Perry	Simpson	Zinke
McHenry	Rokita	Wilson (SC)				Pittenger	Sinema	
McKinley	Rooney (FL)	Wittman				Pitts	Smith (MO)	
McMorris	Ros-Lehtinen	Womack				Poe (TX)	Smith (NE)	
Rodgers	Roskam	Woodall				Poliquin	Smith (NJ)	
McSally	Rothfus	Yoder						
Meadows	Rouzer	Yoho						
Meehan	Royce	Young (AK)						
Messer	Russell	Young (IA)						
Mica	Salmon	Young (IN)						
Miller (FL)	Sanford	Zeldin						
Miller (MI)	Scalise	Zinke						
Moolenaar	Schweikert							

NOES—180

Adams	Doggett	Levin
Aguilar	Doyle, Michael F.	Lewis
Ashford	Duckworth	Lieu, Ted
Bass	Edwards	Lipinski
Beatty	Ellison	Loeb sack
Becerra	Engel	Lofgren
Bera	Eshoo	Lowenthal
Beyer	Esty	Lowey
Blumenauer	Farr	Lujan Grisham
Bonamici	Foster	(NM)
Boyle, Brendan F.	Frankel (FL)	Luján, Ben Ray
Brady (PA)	Fudge	(NM)
Brownley (CA)	Gabbard	Lynch
Bustos	Gallego	Maloney, Carolyn
Butterfield	Garamendi	Maloney, Sean
Capps	Graham	Matsui
Capuano	Grayson	McCollum
Cárdenas	Green, Al	McDermott
Carney	Green, Gene	McGovern
Carson (IN)	Grijalva	McNerney
Cartwright	Gutiérrez	Meeks
Castor (FL)	Hahn	Meng
Castro (TX)	Hastings	Moore
Chu, Judy	Heck (WA)	Moulton
Cicilline	Higgins	Murphy (FL)
Clark (MA)	Himes	Nadler
Clay	Hinojosa	Napolitano
Cleaver	Honda	Neal
Clyburn	Hoyer	Nolan
Cohen	Huffman	Norcross
Connolly	Israel	O'Rourke
Conyers	Jackson Lee	Pallone
Cooper	Jeffries	Pascarell
Costa	Johnson (GA)	Payne
Courtney	Kaptur	Pelosi
Crowley	Keating	Perlmutter
Cuellar	Kelly (IL)	Peters
Cummings	Kennedy	Pingree
Davis (CA)	Kildee	Pocan
Davis, Danny	Kilmer	Polis
DeFazio	Kind	Price (NC)
DeGette	Kirkpatrick	Quigley
Delaney	Kuster	Rangel
DeLauro	Langevin	Rice (NY)
DelBene	Larsen (WA)	Richmond
DeSaulnier	Larson (CT)	Roybal-Allard
Deutch	Lawrence	Ruiz
Dingell	Lee	Ruppersberger

Scott, Austin	Rush	Sires	Veasey
Sensenbrenner	Ryan (OH)	Slaughter	Vela
Sessions	Sánchez, Linda T.	Smith (WA)	Velázquez
Shimkus	Sarbanes	Speier	Visclosky
Shuster	Schabowsky	Swalwell (CA)	Walz
Simpson	Schiff	Takano	Wasserman
Smith (MO)	Schrader	Thompson (CA)	Schultz
Smith (NE)	Scott (VA)	Thompson (MS)	Waters, Maxine
Smith (NJ)	Scott, David	Titus	Watson Coleman
Smith (TX)	Serrano	Tonko	Welch
Stefanik	Sewell (AL)	Torres	Wilson (FL)
Stewart	Sherman	Tsongas	Yarmuth
Stivers	Sinema	Van Hollen	
Stutzman		Vargas	
Thompson (PA)			
Thornberry			
Tiberi	Bishop (GA)	Johnson, Sam	Sanchez, Loretta
Tipton	Brown (FL)	Nugent	Walters, Mimi
Trott	Clarke (NY)	Palazzo	Westmoreland
Turner	DesJarlais	Reichert	
Upton	Johnson, E. B.	Ross	

NOT VOTING—13

□ 1405

Mr. WALKER changed his vote from “no” to “aye.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 181, not voting 13, as follows:

[Roll No. 490]

AYES—237

Abraham	Culberson	Harris
Aderholt	Curbelo (FL)	Hartzler
Allen	Davidson	Heck (NV)
Amash	Davis, Rodney	Hensarling
Amodei	Denham	Herrera Beutler
Babin	Dent	Hice, Jody B.
Barletta	DeSantis	Hill
Barr	Diaz-Balart	Holding
Barton	Dold	Hudson
Benishak	Donovan	Huelskamp
Bilirakis	Duffy	Huizenga (MI)
Bishop (MI)	Duncan (SC)	Hultgren
Bishop (UT)	Duncan (TN)	Hunter
Black	Ellmers (NC)	Hurd (TX)
Blackburn	Emmer (MN)	Hurt (VA)
Blum	Farenthold	Issa
Bost	Fincher	Jenkins (KS)
Boustany	Fitzpatrick	Jenkins (WV)
Brady (TX)	Fleischmann	Johnson (OH)
Brat	Fleming	Jolly
Bridenstine	Flores	Jones
Brooks (AL)	Forbes	Jordan
Brooks (IN)	Fortenberry	Joyce
Buchanan	Fox	Katko
Buck	Franks (AZ)	Kelly (MS)
Bucshon	Frelinghuysen	Kelly (PA)
Burgess	Garrett	King (IA)
Byrne	Gibbs	King (NY)
Calvert	Gibson	Kinzing (IL)
Carter (GA)	Gohmert	Kline
Carter (TX)	Goodlatte	Knight
Chabot	Gosar	Labrador
Chaffetz	Gowdy	LaHood
Clawson (FL)	Granger	LaMalfa
Coffman	Graves (GA)	LaMalfa
Cole	Graves (LA)	Lamborn
Collins (GA)	Graves (MO)	Lance
Collins (NY)	Griffith	Latta
Comstock	Grothman	LoBiondo
Conaway	Guinea	Long
Cook	Guthrie	Loudermilk
Costello (PA)	Hanna	Love
Cramer	Hardy	Lucas
Crenshaw	Harper	Luetkemeyer

NOES—181

Adams	Esty	Maloney, Sean
Aguilar	Farr	Matsui
Ashford	Foster	McCollum
Bass	Frankel (FL)	McDermott
Beatty	Fudge	McGovern
Becerra	Gabbard	McNerney
Bera	Gallego	Meeks
Beyer	Garamendi	Meng
Blumenauer	Graham	Moore
Bonamici	Grayson	Moulton
Boyle, Brendan F.	Green, Al	Murphy (FL)
Brady (PA)	Green, Gene	Nadler
Brownley (CA)	Grijalva	Napolitano
Bustos	Gutiérrez	Neal
Capps	Hahn	Nolan
Capuano	Hastings	Norcross
Cárdenas	Heck (WA)	O'Rourke
Carney	Higgins	Pallone
Carson (IN)	Himes	Pascarell
Cartwright	Hinojosa	Payne
Castor (FL)	Honda	Pelosi
Castro (TX)	Hoyer	Perlmutter
Chu, Judy	Huffman	Peters
Cicilline	Israel	Peterson
Clark (MA)	Jackson Lee	Pingree
Clay	Jeffries	Pocan
Cleaver	Johnson (GA)	Polis
Clyburn	Johnson, E. B.	Price (NC)
Cohen	Kaptur	Quigley
Connolly	Keating	Rangel
Conyers	Kelly (IL)	Rice (NY)
Cooper	Kennedy	Richmond
Costa	Kildee	Roybal-Allard
Courtney	Kilmer	Ruiz
Crowley	Kind	Ruppersberger
Cuellar	Kirkpatrick	Rush
Cummings	Kuster	Ryan (OH)
Davis (CA)	Langevin	Sánchez, Linda T.
Davis, Danny	Larsen (WA)	Sarbanes
DeFazio	Larson (CT)	Schakowsky
DeGette	Lawrence	Schiff
Delaney	Lee	Schrader
DeLauro	Levin	Scott (VA)
DelBene	Lewis	Scott, David
DeSaulnier	Lieu, Ted	Serrano
Deutch	Lipinski	Sewell (AL)
Dingell	Loeb sack	Sherman
	Loftgren	Sires
	Lowey	Slaughter
	Lujan Grisham	Smith (WA)
	(NM)	Speier
	Luján, Ben Ray	Swalwell (CA)
	(NM)	Takano
	Lynch	Thompson (CA)
	Maloney, Carolyn	Thompson (MS)
		Titus

Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey

Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz

Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bishop (GA)
Brown (FL)
Butterfield
Crawford
DesJarlais

Johnson, Sam
Nugent
Palazzo
Reichert
Ross

Sanchez, Loretta
Walters, Mimi
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1412

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR THE TERRITORIAL INTEGRITY OF GEORGIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 660) expressing the sense of the House of Representatives to support the territorial integrity of Georgia, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 6, not voting 15, as follows:

[Roll No. 491]

YEAS—410

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishkek
Bera
Beyer
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine

Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clauson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen

Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier

Deutch
Díaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Fudge
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Kaptur
Katko
Keating

Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsock
Lofgren
Long
Loudermillk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney
Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascarell
Paulsen
Payne

Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda
T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey

Vela
Velázquez
Visclosky
Wagner
Walden
Walker
Walorski
Walz
Wasserman
Schultz
Waters, Maxine

Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack

Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—6

Amash
Duncan (TN)

Jones
Massie

Rohrabacher
Smith (TX)

NOT VOTING—15

Bishop (GA)
Brown (FL)
DesJarlais
Frelinghuysen
Gabbard

Huelskamp
Johnson, Sam
Nugent
Palazzo
Reichert

Ross
Sanchez, Loretta
Walberg
Walters, Mimi
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1419

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ACCELERATING ACCESS TO CAPITAL ACT OF 2016

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 2357, to direct the Securities and Exchange Commission to revise Form S-3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 844 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2357.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1423

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2357) to direct the Securities and Exchange Commission to revise Form S-3 so as to add listing and registration of a class

of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, regrettably, we know that we continue to be mired in the slowest, weakest, and most tepid economic recovery in the history of the Republic, and our fellow citizens continue to suffer. The economy continues to not work for working people.

Now, we hear a lot of happy talk coming out of the administration, and they throw statistics at us telling us how happy we should be with this economy. But the economy is limping along at 1.5 to 2 percent of economic growth when the historic norm is 3.5 percent; and if you can't grow America's economy, you cannot grow the family economy.

So all this happy talk coming out of the administration, try to convince the 8 million Americans who don't have a job that this is a good economy. Try telling that to the 6 million Americans who want to work full time but only find part-time employment. Mr. Chairman, tell that to the 94 million Americans who are out of the workforce entirely. So many of them have just given up ever being able to find any type of gainful employment in this economy.

Again, it is falling so far short of its potential. All across America, American families are worrying: How are they going to pay the bills? How are they going to pay the mortgage? How are they going to be able to pay their skyrocketing healthcare premiums under ObamaCare?

We must—we must—get this economy moving again, but, Mr. Chairman, our great challenge is the job engine of America is broken, and the job engine is small business. One of the primary challenges for small business is they cannot access capital. Right now, bank lending to small businesses is at a 25-year low. Entrepreneurship, the launching of new business, and innovation, Mr. Chairman, is at a generational low. We have more small-business deaths than we do births in America today. This cannot be allowed to stand.

That is why, Mr. Chairman, I am so happy that today the House Financial

Services Committee is putting together a package of bills that will help unleash capital for our innovators, for our entrepreneurs, and for our small businesses.

It is all part of the House Republican Better Way. We don't have to be stuck in this lackluster Obamanomics economy that is not working for working people. We can do better, and we must do better. So I am happy today that we will soon be voting on H.R. 2357, the Accelerating Access to Capital Act, sponsored by the gentlewoman from Missouri (Mrs. WAGNER), who has been a real leader in access to capital.

This is a bill which simply amends a registration form with the Securities and Exchange Commission to eliminate unnecessary cost for small private companies.

This overburdensome regulation that has nothing to do with consumer protection is strangling small businesses. We need to pass this bill, again, because the cost of securities registration is falling heaviest—heaviest—on our small companies.

Another bill in this package, Mr. Chairman, is H.R. 4850, the Micro Offering Safe Harbor Act sponsored by the gentleman from Minnesota (Mr. EMMER). This would give really small businesses and startups more flexibility to raise funds from existing relationships without having the added cost of having to register with the Securities and Exchange Commission.

The third bill in this package is H.R. 4852, the Private Placement Improvement Act sponsored by the chairman of our Capital Markets and Government Sponsored Enterprises Subcommittee, the gentleman from New Jersey (Mr. GARRETT), and it helps the bipartisan JOBS Act reach its full potential by maintaining a clear and commonsense approach to regulations for private offerings.

Again, it simply helps smaller companies raise capital. You cannot have the benefits of capitalism for American families without capital.

I commend each of my colleagues on the House Financial Services Committee for authoring these bills, for furthering these bills, and for what they will do to ensure that we can have economic growth for all, bank bailouts for none.

Now, we will soon hear from the other side of the aisle, Mr. Chairman, and if history is our guide, we will have great angst, wailing, and gnashing of teeth that somehow this is hurting consumers. Nothing—nothing—in this package does anything to detract from the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940, the Investors Advisers Act of 1940, the Sarbanes-Oxley Act of 2002, and the list goes on. Fraud is fraud. Fraud is illegal. You cannot have competitive, efficient markets with it.

□ 1430

But the SEC has a tri-part mission. Part of that mission is capital formation, and they have failed. They have failed. We must succeed on behalf of American families.

I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I yield myself such time as I may consume.

I am going to oppose this bill because I think it rolls back too many investor protections. But I understand and appreciate the chairman's goals here. We all support the goal of increasing capital formation. We just disagree on the best way to accomplish it.

My view is that the best way to stimulate investment is to treat investors well and protect them, and that means strong investor protections. I firmly believe that markets run more, and better, on confidence than on capital.

Unfortunately, this bill goes in the wrong direction. It strips away protections that investors want in order to feel comfortable investing in startups and small companies.

I have particular concerns with title I of this bill, which would allow very small and thinly traded companies to sell securities using the faster shelf registration process. This raises serious market manipulation concerns. Let me explain why.

Shelf registration allows companies to register securities in advance and then sell them later on short notice, without getting SEC approval. Traditionally, shelf registration has been limited to larger, well-known companies, like GE or Apple, that are already widely followed by the markets, in other words, companies that investors are already very familiar with.

In 2007, the SEC decided to expand the number of companies who are eligible to use shelf registration. In doing so, however, the SEC was very careful to balance this against the need to maintain strong investor protection.

The SEC was comfortable allowing certain very small companies to have a limited ability to use shelf registration to offer securities, but only on the condition that the company have at least one class of securities listed on the exchange. This was because the exchanges have their own standards that companies must meet in order to get their securities listed on the exchange. These listing standards provide investors with sufficient assurance that the company is legitimate, has a reasonably wide investor base, and will have enough trading interest to assure a reasonable amount of liquidity in the stock.

Without the comfort provided by the exchange's initial screening procedures for these companies, however, I am not sure we should be comfortable allowing these very small companies to use shelf registration. But that is what this bill would do. It would allow very small

companies that trade in over-the-counter markets to sell securities using shelf registration.

Allowing a small company, whose stock is very thinly traded to quickly sell a large amount of securities under the shelf registration raises real concerns about potential market manipulation. A company could easily bid up the price of its stock and then immediately dump a large amount of new stock to investors at the artificially inflated prices.

As Columbia Professor John Coffee noted in his testimony before the Financial Services Committee on this proposal last Congress: "Letting a small company with a modest \$50 million public float use shelf registration to attempt to sell \$150 million in securities invites potential disaster and investor confusion."

Mr. Chair, I include in the RECORD his entire, very critical testimony of the dangers of this legislation.

STATEMENT OF PROFESSOR JOHN C. COFFEE, JR., ADOLF A. BERLE PROFESSOR OF LAW, COLUMBIA UNIVERSITY LAW SCHOOL, APRIL 9, 2014

LEGISLATIVE PROPOSALS TO ENHANCE CAPITAL FORMATION FOR SMALL AND EMERGING GROWTH COMPANIES

Chairman Garrett, Ranking Member Waters, and Fellow Members of the Committee:

Introduction

I thank you for inviting me. I have been asked to comment on seven proposed bills, some of which appear to be a still early stage of drafting. Reasonable people can disagree about several of these provisions, but others are beyond the pale. Still, my overarching comment is that each of these bills represents a piecemeal attempt to "tweak" something in our existing system, but collectively they are uncoordinated and lack any consistent vision. If there is any common theme to these bills, it is that better integration and coordination is desirable between our twin disclosure regimes under the Securities Act of 1933 and the Securities Exchange Act of 1934. That could well be true. If so, the appropriate starting point might be to mandate a study by the SEC (within, say, a realistic two-year period) of how to better coordinate both (1) these two disclosure systems, and (2) public and private offerings. Absent such an attempt at coordination, we will obtain only piecemeal (and fumbling) reforms that resemble the seven blind men groping at the elephant. In particular, as these proposals suggest, private placements may soon overtake public offerings—without adequate attention being given to the appropriate role of each.

More generally, we seem to be moving from JOBS Act I to a JOBS Act II without any serious evaluation of the impact of the first round of changes. On balance, the JOBS Act may have had only modest impact, and the proposals that are being considered today will likely have less. Because my time is limited, I will analyze these proposals in terms of the intensity of my reaction, moving from those that I feel are likely to cause real harm to those that are understandable (but that probably do not require legislation). I will 509 begin with a provision (the definition of "well-known seasoned issuer") whose impact has not been adequately or candidly explained.

1. The Definition of "Well-Known Seasoned Issuer." This may be the most radically deregulatory of the seven proposals now before this Subcommittee, but it has not been adequately explained just how far reaching this proposal would be. The proposal derives from the 2011 Report of the SEC Government-Business Forum on Small Business Capital Formation, where it was the 19th out of 25 recommendations made by that body. Frankly, it received only lukewarm support. The recommendation there made was to:

"Expand the availability of the special public offering provisions currently applicable only to 'well-known seasoned issuers' (WKSI) to all public companies, including smaller reporting companies and foreign private issuers. This would permit such companies to, among other things:

- a. File a universal shelf registration statement;
- b. Test the waters;
- c. Pay as you go; and
- d. Use forward incorporation by reference for Form S-1 registration statements." (Emphasis added)

Each of these "benefits" can be debated. For example, a WKSI is exempt from the "gun jumping" and "quiet period" restrictions of Section 5(c) of the Securities Act of 1933, and there can be reasonable debate about the wisdom of freeing smaller companies from these rules. Still, the key implication of expanding the definition of "well-known seasoned issuer" has not been explained: it would permit the majority of public companies to qualify for "automatic shelf registration." This may not have been the intent, but it is the consequence.

Under Rule 405, a "Well-Known Seasoned Issuer" generally qualifies for "automatic shelf registration." Since 2005, the instant that a "well-known seasoned issuer" files a registration statement, the registration statement becomes "effective" and the securities can be sold under it—without any prior SEC review. As a practical matter, allowing a company to qualify for automatic shelf registration both (1) denies the SEC's staff any opportunity to review and correct the registration statement before sales are made, and (2) makes it much more difficult for the issuer, its investment bankers, and its other agents to conduct a pre-offering "due diligence" review of the registration statement's contents (because there no longer is a pre-offering period between the filing of the registration statement and its effectiveness). Further, the SEC has a substantial staff in its Division of Corporation Finance that conducts a pre-effectiveness review of the registration statement and engages in a dialogue with the issuer. This provision short-circuits that review and largely renders them irrelevant for such issuers.

At present, a "well-known seasoned issuer" (or "WKSI" in the parlance) basically must either (i) have a "public float" of at least \$700 million (that is, the worldwide market value of its common equity, voting and nonvoting, held by non-affiliates must equal or exceed \$700 million), or (ii) have issued over the last three years \$1 billion in non-convertible debt securities. These are high standards. By some estimates, only about a third of the issuers on the NYSE meet this standard.

Under the proposed legislation, the \$700 million standard would be reduced to \$250 million. At that point, probably a majority of the issuers on both the NYSE and Nasdaq could become WKSI—and in most cases could use "automatic shelf registration." Many of these issuers might be followed by

only a single securities analyst, and do not necessarily trade in an efficient market. The SEC's staff that reviews registration statements would be unable to focus on these offerings and would be left to concentrate on IPOs and very smaller issuers. This seems a poor allocation of the SEC's resources.

Since 1933, prior review by the SEC's staff of the registration statement has been one of the bedrock protections of our federal securities laws. Thus, I suggest to you that it is a fairly radical step to deny the SEC's staff any opportunity for a pre-offering review of the securities to be issued by most issuers. Yet, that is what this proposed expansion of the definition of WKSI does. This result may or may have been intended, but it both invites misbehavior (if an issuer knows it will not be subject to prior review) and encourages costly litigation (if errors are later discovered).

Even if this proposal were cut back so that it only permitted smaller issuers to use "universal shelf registration," I would still have some concerns. When shelf registration was first introduced in 1983, the issuer had to allocate the gross dollar value of its offering to specific types of securities (i.e., debt, equity, warrants, etc.). Then, in 1992, the SEC permitted unallocated shelf registration. In such a "universal" shelf registration, the issuer may pre-register debt, equity and other classes of securities in a single shelf registration statement without any allocation of offering amounts among these classes. In 509 1992, the SEC lowered the threshold for Form 5-3 and universal shelf registration to \$75 million (well below the \$250 level here proposed).

Thus, smaller issues can already make use of universal shelf registration. What then is achieved by expanding the definition of WKSI (other than entitling the issuer to use "automatic shelf registration")? A partial answer is that WKSI can uniquely register securities for sale for the account of selling shareholders without separately identifying "the selling security holders or the securities to be sold by such persons" until the time of the actual sale by such persons. See General Instruction ID(d) to Form 5-3. In short, by expanding the definition of WKSI, we facilitate not primary offerings by the issuer, but secondary sales by large shareholders. This does not raise capital for the issuer or create jobs, but essentially encourages a bailout by insiders. Such secondary sales, which do not have to be disclosed in the original registration statement, seem particularly problematic in the case of smaller companies.

To sum up, this provision is not what it seems. It does not simplify the issuer's access to capital, but it does both (i) strip the SEC of its pre-offering review authority, and (ii) facilitate secondary bailouts by insiders.

2. HR 2659 ("Accelerated Filer"). This provision would modify the definition of "accelerated filer" in SEC Rule 12b-2 (17 C.F.R. 240.12b-2), which today makes an issuer an "accelerated filer" if it has a "public float" of between \$75 million and \$700 million (that is, the value of its equity shares not held by affiliates). Under the proposed revision, the new test would be moved up to \$250 million (instead of \$75 million), and in addition the issuer would need to have "annual revenues of greater than \$100,000,000 during the most recently completed fiscal year for which audited financial statements are available" (see Section 2 of H.R. 2629). Thus, many issuers today deemed accelerated filers would escape that label under this revised test, including some with very large market capitalizations.

What is the consequence of this change? First, it will allow many companies to escape Section 404(b) of the Sarbanes-Oxley Act and its requirement of an annual audit of internal controls. The JOBS Act already did this with respect to “emerging growth companies” (at least for a five-year “on ramp”), but this provision would exempt older companies that did not qualify for that exemption. Also, the exemption could continue forever and not just for five years. Second, under the instructions to Form 10-Q, an “accelerated filer” must file its Form 10-Q within 40 days after the end of the fiscal quarter, whereas all other issuers must file within 45 days after the end of the quarter. This is a further small step away from transparency.

If the goal is to cut back further on the scope of Section 404(b), this might best be done directly without causing any other collateral consequences. Still, some estimate should be made of just how many companies will escape Section 404(b) by this back door. Finally, the JOBS Act had a stronger rationale for its Section 404(b) exemption, (namely, that it permitted a temporary accommodation for young and emerging companies), whereas this bill’s exemption covers old companies and potentially forever.

3. Raising the Disclosure Exemption Under Rule 701(e) from \$5 million to \$20 million. Currently, Rule 701 exempts from registration sales by non-reporting issuers of their securities to employees, consultants and advisors (and their family members) pursuant to a written compensatory benefit plan or compensatory contract. Effectively, this rule shelters non-reporting companies from the potentially expensive obligation to register stock options and similar equity compensation under the Securities Act of 1933. But under Rule 701(e), some minimal disclosure is required, including financial statements and “information about the risks associated with investment in the securities.” This limited obligation to provide such information is not applicable if the issuer sells less than \$5 million of its securities under this exemption during any consecutive 12-month period. The proposed bill before this Committee would raise this \$5 million level to \$20 million.

Because the disclosure obligation under Rule 701 is minimal and does not require the preparation of any formal disclosure document, this proposal to raise the exemption by 400% to \$20 million seems hard to justify. First, there is no rationale advanced for the \$20 million threshold. Second, there is little hardship or burden in giving your financial statements to your own employees. This proposal did not even seem to win substantial support within the small business community (as it has not been regularly cited at the SEC’s Government-Business Forum on Small Business Capital Formation).

Further, once the volume of sales under Rule 701 exceeds \$5 million and begins to approach \$20 million, the cost of providing minimal disclosure falls as a percentage of the total transaction. It may seem a nuisance to an issuer to provide disclosure when its Rule 701 sales are minimal, but if the sales fall into the \$5 to \$20 million range, this is a major (and probably recurring) activity for the issuer.

4. Expanding the Availability of Form S-3. Today, eligibility for use of Form S-3 (and thus the ability to use shelf-registration) generally requires that an issuer have a “public float” of at least \$75 million. See General Instruction IB(1) to Form S-3. In addition, other registrants can use Form S-3 if

(i) the aggregate market value of securities sold by the registrant during the period of 12 calendar months immediately preceding and including the sale does not exceed one-third of its public float (i.e., the aggregate market value of its common equity held by non-affiliates—see General Instruction IB(6)(a) to Form S-3), (ii) the issuer is not a “shell company,” and (iii) the registrant has at least one class of common equity registered on a national securities exchange (General Instruction IB(6)(c) to Form S-3). In effect, this alternative test allows listed companies with less than a \$75 million public float to use Form S-3, but places a ceiling on the size of the offerings that they may do using Form S-3 that is equal to one-third of their public float. Letting a small company with a modest \$50 million public float use shelf registration to attempt to sell \$150 million in securities invites potential disaster and investor confusion.

Nonetheless, a bill before this Committee, known as the “Small Company Freedom to Grow Act of 2014” would permit this by eliminating most of these limitations. Effectively, it would allow any company, which is not a “shell company” (as defined in Rule 405) and that has not been a “shell company” for at least 12 calendar months, to use Form S-3. Under this provision, even microcap companies could thus use shelf registration and offer securities from time to time in any amount, at least if they were reporting companies and were current in their 1934 filings (to thereby satisfy General Instruction IA).

This would represent a significant change in long-standing SEC policy, and I suggest that Committee consult the SEC to hear its view. Traditionally, shelf registration was limited to seasoned issuers with a sizable market capitalization and an established market following. Under this provision, even companies traded only on the Pink Sheets or the OTC Bulletin Board might use shelf registration and make a sizable offering with no prior notice. As a practical matter, I doubt that the market will accept such offerings or that reputable underwriters will feel comfortable with them, but the door is at least opened (and in a frothy market, anything can happen and has).

5. Blue Sky Preemption. The above-noted “Small Company Freedom to Grow Act of 2014” would also preempt state “Blue Sky” laws in the case of “smaller reporting companies” and “emerging growth companies.” Currently, Section 18 of the Securities Act preempts only “nationally traded securities” that are either (i) listed on certain national securities exchanges (under SEC rules that look to their listing standards), or (ii) are issued in certain exempt transactions involving qualified purchasers. This proposal would extend the scope of Section 18’s preemption of state blue sky law by an order of magnitude. Potentially, companies traded on the Pink Sheets (or not even traded at all) would be exempted if the issuer was a reporting company.

This makes little sense at a time when the SEC is resource-constrained and cannot Challenge every transaction. The cases most likely to sneak under the SEC’s radar screen are precisely those involving local or regional companies that are traded over-the-counter, on the OTC Bulletin Board, or on the Pink Sheets. Unfortunately, these are exactly the low visibility companies that this statute would exempt from the scrutiny of state regulators.

Perhaps, the sponsors of this bill see state “Blue Sky” regulators as difficult, overly suspicious, bureaucratic, or prone to delay. I

believe such a characterization is unfair. State regulators are hard-working, have more than enough to do, and typically focus their attention on precisely those smaller companies that the SEC is most likely to overlook. Preempting state law simply because an issuer files reports with the SEC places excessive reliance on the SEC and invites fraud and misconduct.

6. Form S-1 and Forward Integration. For some time, the SEC’s Government-Business Forum on Small Business Capital Formation has called for changes to permit smaller reporting companies that have filed a Form S-1 to incorporate by reference documents filed with the SEC. Effectively, this would make the Form S-1 “evergreen” in the sense that it would not become stale. Of the various proposals before this Committee, I believe this one does have real efficiency justifications and could help smaller issuers.

Again, I believe the Committee should seek the views of the SEC on this matter, and I do not suggest that Form S-1 should be expanded to become a vehicle for shelf registration (which should instead require that the issuers qualify for the use of Form S-3). But I do see merit in this proposal.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I share Professor Coffee’s concerns about this proposal.

I also oppose title II of this bill, which would create another exemption for the securities law for certain microcap offerings of less than \$500,000.

Unfortunately, history has proven that there is a good deal of petty fraud in microcap offerings. So ensuring that there is proper oversight of microcap offerings—ideally, by State securities regulators—is important if your goal is to protect retail investors from fraud.

Finally, title III of the bill would strip away even the most modest investor protections that the SEC has proposed for unregistered, private securities. It is important to note that we are already seeing a trend toward much greater use of unregistered, private securities rather than publicly registered securities. In fact, the private securities market is now larger than the public securities market. In 2014, companies raised \$2.1 trillion through the private securities market compared to only \$1.35 trillion through the public securities market.

What this means is that more securities are being sold with fewer investor protections. Title III of this bill would take away yet another investor protection by allowing companies to sell unregistered, private securities without having to file any information with the SEC first.

I think this bill goes in the wrong direction. We should be talking about strengthening investor protections, not weakening them.

I would also like to note that President Obama has issued a veto threat on this bill and states that all three titles are dangerous for investors. He states that markets function more efficiently when they are transparent, well regulated, and trusted by investors and insurers alike.

These bills would reduce transparency, inhibit effective regulatory

oversight of our capital markets by the SEC, and would undermine not only the health and integrity of our markets, but the very capital formation process they claim to promote.

Mr. Chair, I include in the RECORD this veto.

STATEMENT OF ADMINISTRATION POLICY
H.R. 2357—ACCELERATING ACCESS TO CAPITAL
ACT OF 2016—REP. WAGNER, R—MO)

The Administration strongly opposes H.R. 2357, the Accelerating Access to Capital Act. The Rules Committee Print of H.R. 2357 contains the text of H.R. 2357 as reported (Title I), as well as texts of H.R. 4850, the Micro Offering Safe Harbor Act, as reported (Title II), and H.R. 4852, the Private Placement Improvement Act, as reported (Title III). Markets function most efficiently when they are transparent, well-regulated, and trusted by investors and issuers alike. These bills would reduce transparency and inhibit effective regulatory oversight of our capital markets by the Securities and Exchange Commission (SEC). These bills would undermine not only the health and integrity of our markets, but the very capital formation process they claim to promote.

H.R. 2357 (Title I) would weaken investor protections by reducing the quality or availability of information needed to make informed investment decisions. By compelling the SEC to amend Form S-3, the bill would: (1) allow microcap companies traded on an exchange to issue an unlimited number of shares using shelf registration within a 12-month period; and (2) permit unlisted microcap companies, including those listed on the "pink sheets," with less than \$75 million in common equity to sell up to 1/3 of the market value of their common equity using shelf registration in a 12-month period. This bill would harm investors by reducing disclosure requirements and infringe on the SEC's ability to appropriately respond to market developments. Such changes would increase the risks posed by accounting fraud, market manipulation, insider trading, and the sale of artificially-inflated stock.

H.R. 4850 (Title II) would similarly undermine investor protections and the integrity of capital formation for small businesses. Specifically, the bill eliminates all existing investor protections for crowdfunding and Regulation A offerings, provided that the securities: (1) are sold to purchasers with a substantive pre-existing relationship with individuals affiliated with the company, including controlling investors; (2) involve 35 or fewer purchasers; (3) do not exceed more than \$500,000, annually; and (4) do not involve a person who has violated the securities laws. These criteria do not negate the need for consumer protections embedded in current regulations.

This legislation would create yet another unnecessary and unwarranted exemption from the Securities Act of 1933 to enable the sale of microcap offerings (those involving sales of securities valued at \$500,000 or less in a single year) without appropriate regulatory protections. While the legislation would limit the total number of investors in such offerings, it lacks a requirement that those investors have the financial sophistication to understand potential risks of the offering or the financial means to withstand losses. It requires only that they have a "preexisting relationship" with an officer, director, or major shareholder of the issuer, a condition that provides no meaningful protections.

Finally, H.R. 4852 (Title III) runs counter to SEC efforts to enhance disclosure require-

ments, limiting the SEC's ability to finalize previously proposed investor protections, and would weaken other key consumer protections and provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Additionally, H.R. 4852 bars the SEC from taking appropriate actions to provide needed oversight of the financial markets, encourages widespread non-compliance with existing SEC filing requirements, and undermines the SEC's informed policymaking.

If the President were presented with H.R. 2357, his senior advisors would recommend that he veto the bill.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I would just like to close by reminding our colleagues on both sides of the aisle why these investor protections were put in place. We still have not recovered from the 2008 crisis where literally millions of Americans lost their homes, lost their jobs, and, depending on which economist you listen to, \$15 to \$18 trillion of wealth in this country lost and down the drain.

I just came from a hearing of the Joint Economic Committee where testimony included a statement that this was the first financial crisis in the history of our country that could have been prevented by better regulation and oversight of our markets. I do not understand why anyone in this body would want to support rolling back investor protections. This merely keeps in place protections that have worked well for this country and for investors.

I urge all of my colleagues to vote against this bill.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chair, I yield 3½ minutes to the gentlewoman from Missouri (Mrs. WAGNER), the author of H.R. 2357, the Accelerating Access to Capital Act.

Mrs. WAGNER. Mr. Chair, I thank the chairman of the Financial Services Committee.

I am proud to sponsor the Accelerating Access to Capital Act, H.R. 2357. I would also like to thank and congratulate my colleagues, Representative EMMER and Chairman GARRETT, for their legislation as well.

Regulatory burden is one of the reasons why we are still in the slowest recovery of our lifetime since the financial crisis. Small businesses are finding it more and more difficult to find financing in order to grow and expand their business.

Dodd-Frank has made traditional bank lending for small businesses more scarce. Smaller companies that wish to go to the capital markets are finding compliance and regulatory requirements too extensive and far too costly.

This legislation builds upon other efforts by this committee to provide simplified disclosure and reduce burdens for smaller companies in order to lower the cost of raising capital.

Specifically, this would extend to smaller reporting companies the ability to utilize Form S-3, a much more simplified registration for companies

that have already met prior reporting requirements with the SEC. Allowing small companies to use this form would provide significant benefits with its shorter length, allowing forward incorporation by reference and the ability to offer securities off the shelf, which are all things that larger companies are currently able to enjoy.

Streamlining disclosure will lower compliance costs associated with filing redundant paperwork, which will in turn allow companies to direct more resources to growing their business. Fuel Performance Solutions, which is a fantastic company based in my hometown of St. Louis, has spent the last 10 years working on exciting fuel products that could potentially save Americans money at the pump and reduce harmful emissions.

In order to fund this research in breakthrough technology, Fuel Performance Solutions eventually decided to register with the SEC and go public to raise more capital and expand their business.

The company conducted a study, Mr. Chair, and found that, instead of filling out a 100-page registration form which takes about 4 to 6 weeks to complete, this legislation would allow them to fill out a 20-page form which only takes 2 days to complete. As a result, they would have incurred less legal fees, less accounting, and less investment banking fees and saved close to \$225,000.

Additionally, under this job growth legislation, they could have received SEC approval in days, rather than months, and thereby obtain certainty in regard to funding their business.

I am proud that the greater Metropolitan St. Louis region is the fastest growing startup scene in the country. But we must provide opportunities for these businesses and many others to grow and drive and thrive in the marketplace.

Extending these cost-saving provisions to smaller companies that large companies are currently able to enjoy is absolutely critical and can make the difference in their ability to issue an additional offering, expand their business, and create more jobs. The Accelerating Access to Capital Act will do just that.

I urge the passage of this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I yield 3½ minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chair, I thank the gentlewoman for yielding.

I rise in opposition to H.R. 2357, the Accelerating Access to Capital Act.

Mr. Chair, 7 weeks ago, the Republican majority recessed the House for the summer district work period—7 weeks. Seven weeks is a long time, time that we in Congress could have spent addressing the many pressing issues that are facing the country right now.

The 7 weeks did, however, provide me and my colleagues an opportunity to go back to our districts, meet with our constituents, and learn about what their priorities are, what the priorities are that the American people have for the remainder of the 114th Congress.

I, for one, heard from my constituents on a number of things. They are concerned about the arrival of Zika in the United States, and they want a more comprehensive Federal response to that outbreak.

□ 1445

They were shocked by the devastation in Flint, Michigan, and worried about their own water quality.

They were bewildered that the gun lobby continues to block sensible gun safety reforms in the face of increasingly routine mass shootings and senseless gun violence on our streets.

Incredibly now, Mr. Chairman, we have returned; and what are we doing in our first days? What are we doing? What are some of the first things that we are bringing up in spite of what the public has said its priorities are?

Yet again, we are voting on a bill that is designed to roll back the important oversight of our financial markets and to eliminate critical consumer protections that guard against unscrupulous securities sales. This bill, H.R. 2357, the Accelerating Access to Capital Act—or, as I call it, the “Wolf of Wall Street Enhancement Act”—would jump-start fraud in our capital markets. Each of the bill’s three titles would reduce transparency, weaken consumer disclosure, and fuel fraud in our financial markets.

I want to ask my colleagues: Who are the people out there who are asking for these changes in our securities law? Did anyone hear in a town hall that they did? Did anyone hear at those meetings this summer about the need to expand shelf registration for unproven companies? Who back home is clamoring for unregistered, undisclosed security offerings? Who wants to further tie the hands of the SEC’s in adopting even the most modest disclosure requirements?

Yet again, Congress’ agenda has been warped by the undue influence of narrow special interests. Yet again, we are ignoring the real priorities of the American people. Mr. Chairman, we have more important business than this. I urge my colleagues to vote against this legislation.

Mr. HENSARLING. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the Republican leader and the leader of our Innovation Initiative.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Chairman, innovation is the key to America’s future. With it, America can continue to be the economic and cultural leader of the world while pro-

viding important and good-paying jobs here at home. With it, our government can spend more time and money in helping Americans who need it and less in supporting a wasteful, ineffective, and outdated bureaucracy. I have seen firsthand the power of innovation in America, and it is not just in Silicon Valley. Centers of innovation are growing across our country and are bringing with them new opportunities and second chances.

I recently visited a company called ZeroFOX in south Baltimore. They provide social media security and they gather intelligence on the threats that are facing employees, businesses, and other organizations online. ZeroFOX is a bright spot in a city, like so many others in America, that was hit hard by a recession but that was struggling long before then. These communities were centers of industry—they manufactured and thousands were employed. Then some companies closed up shop; manufacturing declined; and people lost their livelihoods.

But America is not a story of decline. Even today, you can see communities rising again, not by trying to recreate the past, but by looking to the future. New centers of innovation from south Baltimore to San Antonio and from North Carolina to Louisiana are spreading across America and are bringing with them new economic activity, new construction, new jobs, and, especially, new hope. That is what our country needs. That is what working people across America need.

The package of bills we have before us today is part of the Innovation Initiative—our legislative project to bring innovation into government and to allow innovation to thrive in the private sector. What this package of bills does is to help innovators gain access to capital. You can ask any business owner or dreamer out there. They know that ideas and work ethic are fundamental but that it takes capital to be able to make those ideas a reality—to make even more success stories in communities across our country like in south Baltimore.

I thank those Members who worked on these bills: ANN WAGNER, TOM EMMER, SCOTT GARRETT, and, especially, Chairman JEB HENSARLING. We need more practical solutions like these to create new opportunities for the American people, not in theory, but in their everyday lives.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

I am really underscoring that my colleagues should vote against this bill because it rolls back investor protections.

Why in the world do we want to roll back investor protections?

We have heard some of my Republican colleagues suggest that, because the bill does not alter the securities

laws regarding fraud, it has no bearing on fraud and will only help small businesses. This is wrong for a number of reasons. Let me try to explain this with a real life example.

Robbie Dale Walker was a former police officer who was living with his mother in Dripping Springs, Texas. Mr. Walker approached his mother’s best friend, Dolores “Pokey” Conn, and offered to sell her an investment in an oil and gas drilling program. Mrs. Conn was a 96-year-old widow at the time of the solicitation. After gaining her trust, Mr. Walker sold Mrs. Conn an investment of \$100,000 in an oil and gas drilling program. Later, he convinced her to invest another \$100,000. Mr. Walker convinced two other individuals to invest an additional \$55,000.

In this case and in similar instances, State securities regulators often get calls asking whether an issuer or a dealer is selling legitimate securities. If the securities are not registered and have not filed a Form D with the SEC, the State securities regulators can warn investors about a potential red flag. In addition, the regulators’ enforcement divisions can open investigations into the matters.

If title II of H.R. 2357 is enacted, the Texas regulator in this case would not be able to quickly provide a red flag to a concerned investor like Mrs. Conn because Mr. Walker would not have to provide any disclosures to investors or regulators.

Although I don’t doubt that the Texas regulator eventually would have caught Mr. Walker, the most likely outcome would have been that he and fraudsters like him would have been able to have run their schemes for several more years, further defrauding other seniors like Mrs. Conn. Today, Mr. Walker is serving a 25-year prison sentence for this fraud, and Congress should not be making it easier for the next Mr. Walker to defraud another grandmother.

Again, I urge a “no” vote on this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield myself 30 seconds just to say, with regard to the gentleman’s anecdote, if the gentleman engaged in fraud, apparently, he went to prison. Fraud is against the law, and people who perpetrate it should be in prison. Apparently, they are, and nothing in this bill changes that.

I was also struck by the previous speaker from the Democratic side who cited all of these constituent priorities and who didn’t once mention the plight of middle-income workers, who are falling behind, whose paychecks are stagnant, and whose savings have been decimated. The National Small Business Association has found that 20 percent of small businesses had to reduce the number of employees as a result of

tight credit. That is why we are working to get access to capital for small businesses.

Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. GARRETT), the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee of the Financial Services Committee, and who also happens to be the author of H.R. 4852, the Private Placement Improvement Act.

Mr. GARRETT. I thank the chairman.

Mr. Chairman, I rise in support of H.R. 2357, the Accelerating Access to Capital Act of 2015.

I also want to thank Mrs. WAGNER, Mr. EMMER, and all of my colleagues on the Financial Services Committee who have continued to support legislation that will allow our economy to grow and to expand opportunities for all Americans across this country.

Mr. Chairman, as I spend time with my constituents in the Fifth District, the message I hear from them is largely the same one I have been hearing for the last 8 years. People are concerned about jobs. They are concerned about their economic security and retirements. Perhaps, most importantly, they are concerned about whether their kids—their children—are going to have the same kinds of opportunities that they have enjoyed.

You see, there is no more ambiguity remaining about the economic legacy of the Obama administration. Last month's news that the economy grew at an abysmal 1.1 percent during the second quarter merely confirms what we already knew: we are mired in the weakest economic recovery since World War II. Some economists now think we are heading into another recession. It appears that all of the promises that came with the passage of Dodd-Frank, ObamaCare, the \$800 billion stimulus package, and the thousands of regulations in the last 8 years were just that: promises.

Fortunately, for the last 5 years, the Financial Services Committee has been an oasis in a desert of bad ideas. Our committee has been at the forefront of putting forth job-creating, bipartisan legislation—most notably, the JOBS Act of 2012, as well as a number of other important measures that were signed into law in 2015.

Here we have H.R. 2357. It is a compilation of bills, if you will, that have passed our committee and would help empower entrepreneurs and small businesses, not bureaucrats and Washington insiders.

First, we have Mrs. WAGNER's bill, which would expand the number of companies that could take advantage of the short form registration. Allowing more companies to use the form would significantly reduce paperwork and man-hours. As she has indicated, last year, it would have saved 70,000

man-hours and over \$84 million in compliance costs. Allowing expanded use has been a frequent recommendation of something called the SEC's Government-Businesses Forum on Small Business Capital Formation; but it is not surprising that the SEC has ignored those ideas year, after year, after year.

H.R. 2357 also includes Mr. EMMER's ideas, under the Securities Act of 1933, to allow the so-called micro offerings. What this means in layman's terms is that a business would be allowed to stand up before a local Chamber of Commerce or Kiwanis Club and solicit an investment without running afoul of all of the securities laws. This really is an innovative idea, and it requires Congress to step in and facilitate it.

Finally, you have mine. You have the Private Placement Improvement Act, which I authored. This is part of the package, and it would prohibit the SEC from implementing onerous, new regulations or requirements on companies that raise capital—how?—through private channels that they proposed back in 2013. As several experts have testified before our committee, the mere existence of these amendments by the SEC is preventing more job creation.

Taken together, finally, Mr. Chairman, all of these bills continue the good work of the Financial Services Committee, under our chairman, JEB HENSARLING, over the last 5 years, to bring our capital markets into the 21st century and create opportunities for American businesses and their families.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

I would like to respond to the chairman of the Financial Services Committee in that the point of these investor protections is to enable regulators to stop the abusive practices and fraud, as was being perpetrated on the friend of Mr. Walker's mother. Because they had disclosure requirements and he had not disclosed or filed with the SEC, they knew it was a fraud securities and were able to intercede and stop the fraud and arrest Mr. Walker.

I feel that these rollbacks are really very dangerous to investors, and I cannot understand why anyone would want to make it easier for a "Mr. Walker" to defraud grandmothers in this country.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MAXINE WATERS), the distinguished ranking member.

□ 1500

Ms. MAXINE WATERS of California. Mr. Chairman, I certainly appreciate Congresswoman MALONEY holding down the fort while I was away today, and I appreciate the work that she has put in this committee on these issues. I am very pleased to be here with her today.

Mr. Chairman, I rise today in strong opposition to H.R. 2357, a toxic package

of bills that would outright encourage fraud in our financial markets and put retail investors and small businesses at risk. Instead of addressing a host of critical issues facing the American people, including helping the people of Baton Rouge, for example, where there has been a loss of 160,000 homes, instead of helping to come together with this side of the aisle to deal with Zika, instead of helping to deal with the problem we have of water up in Flint, or dealing with the idea that we need to expand Social Security, here we are.

Those people in Baton Rouge, who have just suffered all these devastating losses following the historic flooding last month, are looking to us for help and support. Here we are under the leadership of our Republicans prioritizing a bill that would make it easier for companies to scam investors by escaping regulatory scrutiny.

In particular, H.R. 2357 would allow small companies that are not listed on a national stock exchange to publicly offer their stock as an accelerated filer, without first alerting the Securities and Exchange Commission or gaining its approval.

Currently, this accelerated filer status is reserved for larger companies that meet the standards of and are traded on a national stock exchange. They also are closely followed by analysts, giving investors more insight into their activities. Small companies traded off exchange simply don't have the same safeguards in place.

Providing this type of quick access to our securities markets without sufficient oversight and transparency would lead to accounting fraud, market manipulation, insider trading, and sales of unofficially inflated stock. Anyone who has seen the movie, "The Wolf of Wall Street," can tell you just how bad this would be for our investors and their savings.

Next, the bill would recreate a private securities offering that would be exempt from Federal and State securities laws. The bill would carve out a scenario where a private company could sell stock to certain investors without providing them or the SEC with any information. This stock could then be distributed to the public at large without restriction and, again, without any information.

What is more troubling is that the SEC previously eliminated this exact type of offering exemption after concluding that it, in fact, facilitated fraud. Specifically, the exemption had been used frequently in fraudulent pump-and-dump schemes where these early investors aggressively promoted the stock to artificially inflate its price and then dump their shares on unsuspecting investors.

The provision also ignores the fact that the JOBS Act created similar, yet responsible, exemptions to facilitate small company offerings under the

crowdfunding rules in regulation A. As a result, this bill would simply create a big loophole for companies to secretly conduct public offerings and swindle investors.

Lastly, the bill would stop the SEC dead in its tracks in advancing important investor protections in the trillion-dollar private securities market. In particular, it would block the Commission from requiring companies to file a short, simple notice of a sale to alert the SEC and State regulators to possible fraud.

It also would prevent the SEC from stopping private equity funds and hedge funds from using misleading advertising materials. This would essentially allow bad actors to run wild and sell stock to unknowing investors about their true intentions.

Mr. Chairman, it is clear that this bill represents reckless shortsightedness and woeful disregard for the history of fraud in the securities market by undoing much-needed disclosure requirements and investor protections. The administration has threatened to veto this bill saying it would “undermine not only the health and integrity of our markets, but the very capital formation process they claim to promote.”

I therefore strongly urge my colleagues to join me, investor advocates, and State securities regulators in opposing H.R. 2357.

I close by raising the questions: Why is it, coming back from break, with all of these important issues facing the American public, do we move so quickly to protect Wall Street, to protect private equity, to protect hedge funds? Who are we looking out for in the Congress of the United States of America? Do we have to go back and remind people what happened in this country in 2008 when we put so many families and communities at risk because we didn't have the oversight, we didn't have the transparency, we didn't have the watchful eye of the cop on the block really doing the work we needed to protect our investors and our citizens? Why are we doing this? Why are we spending this time?

I am hopeful that my colleagues will join me and vote against this bill and send a message to our citizens and our constituencies that we are on the side of Main Street, not Wall Street.

Mr. HENSARLING. Mr. Chairman, I yield myself 30 seconds to answer the ranking member's question. We are here because we care about the plight of the working poor. We care about the fact that middle-income families are falling behind. The other side of the aisle has had 8 years of their economics, and we don't have a healthy economy. So we are growing the economy through this bill, and that is why it is so vitally important.

I must say, Mr. Chairman, I think it is the first time since coming here as a

Member of Congress that I have heard a Hollywood film cited as an authority. If I recall the film, the guy went to jail, as he well should have.

I yield 3 minutes to the gentleman from Minnesota (Mr. EMMER), the author of H.R. 4850, the Micro Offering Safe Harbor Act which would give our very small businesses and startups more flexibility to raise funds and create jobs for a better economy.

Mr. EMMER of Minnesota. Mr. Chairman, with real unemployment at almost 10 percent, labor force participation at an all-time low, and a mere 1 percent economic growth last quarter, it is clear that the American economy is just not working.

Contributing to the problems are the regulatory burdens caused by the Dodd-Frank Wall Street Reform Act, which has reduced the number of credit unions and community banks in my State of Minnesota by nearly 25 percent over the past 6 years.

Because of this, it is increasingly difficult for entrepreneurs to find the capital they need to start a new business or expand an existing one. In fact, today there are 3 million fewer small business loans made annually than prior to the 2008 crisis.

This is particularly alarming because small business creates roughly 70 percent of the new jobs. And today's small businesses, as we all know, are tomorrow's Fortune 500 companies. Just think of all the great businesses in this country that started with a dream in a garage: Amazon, Apple, Microsoft, Disney, Harley Davidson, and Minnesota's own Medtronic.

I fear that with our current lack of access to capital, many of them would not have gotten off the ground today. Who knows what future American success story we may not be able to witness due to these issues. In fact, according to the Kauffman Index, a measure that tracks business startups in each State, America has dropped from prerecession highs when it comes to starting new businesses.

Our legislation, the Micro Offering Safe Harbor Act, which is included in this proposal before us, will fix the access to capital problem that is limiting sustainable growth in our communities. It will make it easier for entrepreneurs to borrow money from their friends and family. Minnesotans will be able to launch their business ideas and encourage the creation of jobs, wealth, and opportunity for everyone.

Specifically, this legislation allows Americans to do a private security offering, free from any hoops to jump through by the SEC if they meet these three simple criteria: the investor has a substantive preexisting relationship with the owner; there are fewer than 35 investors; and the aggregate amount from all investors is no more than \$500,000.

Not only will this help Americans, but the other two bills we are consid-

ering today are equally important. The Accelerating Access to Capital Act will make it easier for certain companies to register securities, and the Private Placement Improvement Act will make it less complicated to issue securities under regulation D.

Together, these bills will generate economic prosperity, boost wages, and help Americans from all walks of life find good paying and rewarding jobs.

I want to thank Congresswoman WAGNER, Congressman GARRETT, and Chairman HENSARLING for their leadership on these issues.

I urge all of my colleagues to support these proposals.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

Again, I want to underscore that this bill is bad for investors, bad for the financial industry, and bad for our country. It moves us in the wrong direction. It treats investors terribly. They were treated awfully in the financial crisis where millions lost their jobs, millions lost their homes, and well over \$15 trillion of private money evaporated from the economy of this great country.

Now, investor protections are there to protect investors. I cannot understand any valid reason why anyone would want to roll back protections, some of which have been on the books since the Great Depression.

Again, I urge a “no” vote on it.

I would like to inform the chairman of the Financial Services Committee that I have no further speakers.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2½ minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the House Small Business Committee who knows how desperately these bills are needed to aid our small business growth.

Mr. CHABOT. Mr. Chairman, I rise today in support of H.R. 2357, the Accelerating Access to Capital Act of 2015. I especially want to voice my strong support for the Micro Offering Safe Harbor Act, which is now an integral part of this bill and which I was happy to cosponsor when it was first introduced.

I want to thank Chairman HENSARLING and all of the folks on the Financial Services Committee for working on behalf of small businesses all across the country. I happen to chair the House Small Business Committee, as was mentioned.

Small businesses are hurting across America. There is no question about that. Access to capital is a critical issue for America's 28 million small businesses.

At the Small Business Committee, we like to acknowledge that every small business started with an idea. Those ideas can become jobs. In fact, those ideas create about 7 out of every 10 new jobs created in this country

every year, but access to capital is the key ingredient.

A lot of our existing laws and far too many Federal regulations make access to capital harder for small business. It is harder for them than it is for larger companies, larger corporations, and hedge funds. H.R. 2357 takes an important step in addressing this problem. By clarifying the law in a way that allows small businesses to raise capital through limited, smaller scale, non-public offerings, we are cutting through the red tape that has kept far too many new investors just out of reach from a lot of our small businesses.

□ 1515

This legislation also addresses the unfair share of the Federal regulatory burden that our small businesses carry. At the Committee on Small Business, we hear countless examples of businesses that have to decide between meeting regulatory costs and meeting their payroll, and that affects many, many families, American families all across the country that depend on these small businesses.

That is what happens when regulators don't consider the impact of what they are imposing on businesses of every size. A regulation that might be workable for a large company can prove devastating for a small business. The Small Business Regulatory Flexibility Improvements Act, which the House passed last year, addresses this problem. Today's legislation also fully recognizes that the Federal Government's regulatory approach cannot be a one-size-fits-all, especially where small businesses are concerned, and that is why I am here to support it.

I again want to thank Mr. HENSARLING and all the folks on the Committee on Financial Services for their hard work in this area. We have to do something about helping small businesses all across the country. The regulatory burdens that come out of this city, out of Washington, D.C., are killing companies all across America. They are killing jobs. Thank you very much for working hard on this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I am very pleased to yield 3½ minutes to the gentleman from Virginia (Mr. HURT), vice chairman of our Subcommittee on Capital Markets and Government Sponsored Enterprises.

Mr. HURT of Virginia. Mr. Chairman, I rise today in support of the Accelerating Access to Capital Act. Like many of us here, when I first ran for Congress, I ran because I believed that Washington had become too far removed from the people it is supposed to represent. I was concerned then, as I am today, that Washington's policies

are negatively impacting Fifth District Virginians and the future for our children and grandchildren.

I represent a sweeping district along the Blue Ridge Mountains that spreads from Fauquier County south to the North Carolina border. Within our district, there are few areas with robust economic activity. In fact, most of our district is comprised of rural countryside and Main Street courthouse towns. Unfortunately, much of our district has suffered devastating unemployment, at times reaching double digits. That is why I am pleased with the work that we have done on the Committee on Financial Services under the leadership of Chairman HENSARLING, as it has a real impact on the economic growth of our small companies and their access to our capital markets. Our Nation's small businesses are our most dynamic job creators, and helping them grow and expand ultimately creates jobs.

This bill is not about Wall Street. This bill is, indeed, about Main Street. H.R. 2357 is comprised of three titles, the first being authored by Representative WAGNER. This measure would amend the Securities and Exchange Commission's Form S-3 registration statement to expand eligibility to small reporting companies. The cost of securities regulation falls heaviest upon smaller companies, and title I eliminates unnecessary costs by expanding the use of Form S-3 to smaller reporting companies. This would lower compliance costs and would not eliminate the SEC's ability to bring enforcement actions. Every one of the investor protection provisions in Federal securities laws would remain unchanged.

Title II of the legislation is Mr. EMMER's Micro Offering Safe Harbor Act. This measure would amend the Securities Act of 1933 to provide an exemption for small, private offerings of securities known as micro offerings. For this exemption to apply, each investor has to have a preexisting relationship with the owner, there must be 35 or fewer purchasers, and the amount cannot exceed \$500,000. Again, the SEC still has the authority to bring enforcement actions, and every investor protection provision in the Federal securities laws remains intact.

Finally, title III, Mr. GARRETT's Private Placement Improvement Act, would direct the SEC to revise reg D to eliminate the SEC's harmful proposed rule that is hindering small businesses' ability to raise cash. As we all recall, the purpose of the bipartisan JOBS Act we passed in 2012 was to make it easier for startups to market their securities; but when the SEC implemented the new law, the SEC proposed a separate rule that would impose new regulatory requirements on small companies seeking to use the rule 506 to raise capital. This is not consistent with Congress' intent, and now companies seeking to

raise capital using rule 506 would be required to submit additional form D filings on an ongoing basis. The SEC has not acted on this proposed rule, which is why it is incumbent upon Congress to prevent it from doing so.

In closing, the SEC has the responsibility to facilitate capital formation while remaining true to its duty to protect investors. The legislative package before this body today is about ensuring that our Nation's small businesses are in the best position possible to do what they do best: to innovate, grow their businesses, and create jobs. These commonsense proposals will help them do just that.

I urge my colleagues to support this good bill, and I thank the chairman for the time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume.

I include in the RECORD a letter from the North American Securities Administrators Association, where they come out strongly against this bill. They say that it shifts "policies in the wrong direction, weakening the oversight of our capital markets and placing retail investors needlessly at risk."

NORTH AMERICAN SECURITIES ADMINISTRATORS ASSOCIATION, INC.

Washington, DC, September 8, 2016.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

Re H.R. 2357—Accelerating Access to Capital Act of 2016

DEAR SPEAKER RYAN AND LEADER PELOSI: On behalf of the North American Securities Administrators Association (NASAA), I write to express strong concern regarding H.R. 2357, the Accelerating Access to Capital Act, which may be considered by the House of Representatives this week. State securities regulators have taken steps to help expand opportunities for small businesses to access investment capital including implementation of intrastate crowdfunding regimes and support of the SEC's recent proposal to modernize Rule 147 and increase the offering limits of Rule 504. We are, however, very concerned that the provisions of the H.R. 2357 that are discussed below would shift policies in the wrong direction, weakening oversight of our capital markets and placing retail investors needlessly at risk.

SECTION 2: (THE MICRO-OFFERING SAFE HARBOR ACT OF 2016)

Section 2 of the Accelerating Access to Capital Act would amend Section 4 of the Securities Act to create a new transactional exemption from registration for certain securities offerings, including offers to retail investors. As presently constituted, the bill would permit the offering of private or unregistered securities to an unlimited number of unaccredited investors that may lack financial sophistication or wherewithal. For reasons that NASAA has already discussed extensively in comments to the Financial Services Committee regarding this legislation, state securities regulators continue to question the practical necessity of this proposed exemption and the nature of the

issuers it is intended to serve. We note that there are already several provisions at the state and federal level that small, microcap issuers can rely upon for limited offerings to unaccredited investors, including intrastate crowdfunding and other limited offering exemptions.

Further, Section 2 would preempt state authority to review securities offerings that are by their nature local, state-based offerings. Preemption for this type of localized offering is inconsistent with investor protections afforded by state review, and would handcuff the regulators best positioned to regulate the marketplace for these offerings.

SECTION 3: (THE PRIVATE PLACEMENT IMPROVEMENT ACT OF 2016)

Section 3 of H.R. 2357 would prohibit the Securities and Exchange Commission ("SEC") from adopting proposed rules to implement common-sense reforms for Regulation D, Rule 506 offerings.

Title II of the Jumpstart Our Business Startups ("JOBS") Act repealed the long-established prohibition on general solicitation and advertising of securities under Rule 506. When the SEC adopted rules to implement Title II, on July 10, 2013, it also voted to propose rules that could mitigate the risk to ordinary investors from 506 offerings, including by requiring a pre-filing of "Form D" when issuers intend to advertise Rule 506 securities to the general public, and by imposing meaningful penalties on issuers who fail to file a Form D. Section 3 of H.R. 2357 would effectively prohibit the SEC from adopting these rules.

State securities regulators, pursuant to their antifraud authority, are the primary regulators of offerings under Regulation D, Rule 506, and fraudulent offerings involving Rule 506 offerings are routinely among the most frequent violations reported by state securities regulators. The SEC's proposal to require the timely filing of Form D and establish consequences for issuers who fail to file a Form D when conducting a Regulation D, Rule 506 offering, is a common-sense step that is long overdue.

Form D is a short form that captures basic information about the issuer including the issuer's business address, officers, directors, business type, and minimal information about the securities being offered. The information contained in a Form D is crucial to state securities regulators, who regularly encourage investors to "investigate before you invest." When investors contact their state regulators, particularly after learning about an offering through an advertisement or solicitation, Form D is often the only information available about an issuer when an investor calls. In addition to furnishing information that may allow regulators to look for "red flags" indicative of a fraudulent offering, Form D provides regulators with the only direct source of information about the "private placement" market generally. The modest burden that Form D may impose on issuers is vastly outweighed by the essential role that it plays in state and federal efforts to understand and police the Rule 506 marketplace.

State securities regulators oppose Section 3 of H.R. 2357 or any action by Congress that would further diminish the ability of regulators to effectively regulate the private placement marketplace, effectively address investor protection concerns associated with these offerings, or gather important data that provides minimal transparency of this otherwise opaque market.

Thank you for your consideration of NASAA's views. Please do not hesitate to

contact me or Michael Canning, NASAA's Director of Policy, if we may be of any additional assistance.

Sincerely,

JUDITH M. SHAW,
NASAA President and Marine
Securities Administrator.

Mrs. CAROLYN B. MALONEY of New York. Again, I urge a "no" vote on this. I feel it is a very dangerous bill, but I would also like to point out to my good friends on the other side of the aisle that keep talking about the economy, and I would like to point out that when President Obama took office, this country was shedding 700,000 jobs a month, and because of his leadership and Democratic policies, we have climbed out of that deep red valley of job loss and we are gaining jobs. Since March of 2010, this country has gained 14.6 million private sector jobs. That is a lot better than losing 700,000 jobs a month.

When President Obama walked into office, we were at 10 percent unemployment. We are now at 4.9 percent unemployment. I can assure you, no Democrat will be satisfied until every American who wants a job has a good American job, but this is a shift in the right direction of an improved economy. We have had well over 74 months of private sector job growth and, again, we are climbing—we would like to be doing better, but, again, it is a lot better than shedding 700,000 jobs a month.

One of the ways that we grow an economy is by having safety and soundness in our financial institutions, trust in our financial institutions, trust that investors will be protected, and that is why I feel so strongly that this bill is going in the wrong direction. We should be protecting investors, not putting them more at risk.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I would like to inquire how much time is remaining on each side, please.

The CHAIR. The gentleman from Texas has 6½ minutes remaining. The gentlewoman from New York has 3 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), a distinguished member of our Committee on Financial Services.

Mr. SCHWEIKERT. Mr. Chairman, I was just listening to my friend from New York, and I would like just sort of a little consistency. At one point we talk about job growth and the desperate need for more job growth, but then how many have come behind the microphones today and talked about a little technical problem we have. We are shedding—closing—more small businesses than we are opening, and this has been going on for years now.

So those of us who were involved in the JOBS Act a few years ago—and remember, it was a bipartisan discussion

saying we desperately need to find ways to move capital to the little businesses that are just trying to find some cash, some way to grow, some way to expand. And then you look at a piece of legislation like this, and let's be brutally honest with each other, these are little tiny things that do good, but this isn't necessarily a revolution of Dodd-Frank. It is not a revolution of the capital markets. These are silly—excuse me, these are simple—simple—logical, obvious steps.

Let's take a look at some of the small offerings. If I am reaching out to people who know me, know my business, it is limited to, what, 35? That is somehow a risk to the financial stability of the country that I am a small entrepreneur and I may be able to reach out to people who know me and my business and ask them to invest in my capital formation so I can grow and create those jobs and expand the business as I desperately need?

How about cleaning up what we all agreed to, what, 4 or 5 years ago in regards to reg D offerings of how it mechanically was going to work? Remember, we sat there over and over for weeks discussing how reg Ds were going to work, and then the SEC decides they are going to change what we all thought the understanding was. How is that a danger to capital markets, fixing where we already thought we were?

The CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. SCHWEIKERT. In some ways it breaks my heart, and I wish we could get over this game we play around here where it is a Republican piece of legislation, and a couple of my friends on the left feel obligated to stand up and oppose it, even though you and I know when we had the conversations of building parts of this just 4 years ago, 5 years ago, these were the very things we talked about we were agreeing to.

We desperately need economic expansion if we are going to keep the social entitlement promises of this society, and to stand in front of even the small attempts to expand the economy—we need to get on the same page here.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I yield myself such time as I may consume to respond to my good friend on the other side of the aisle.

Democrats certainly support expanding and growing capital markets and liquidity in the markets. I was one of the lead sponsors on portions of the JOBS Act, and I supported the JOBS Act, but I do not support rolling back protections for investors.

The protections that are in the law now, that they are attempting to roll back—which they will not be able to because the President has said he will

veto it—these protections are not Dodd-Frank. These have nothing to do with Dodd-Frank, although I understand there will be a markup totally repealing it next week, so I have been told. But these are protections that have been on the books for decades. Title III, in particular, concerns a \$2.1 trillion market. Now, that is not a small deal. \$2.1 trillion is a lot of money.

We just are recovering from massive rollbacks of regulations which economists say led to the worst economic downturn in the history of this country. Christina Romer testified before this Congress that the economic shocks at the time she was the head of the President's Council of Economic Advisers were three times deeper and stronger than the Great Depression. So I am mystified why anyone would want to roll back protections for investors that have worked well for people in this country.

We have the strongest markets in the world. More people invest here, come here because they trust our markets. Why in the world do we want to undermine that trust? I would say that the best way to stimulate investment is to treat investors well, and that means strong investor protections.

I yield such time as she may consume to the gentlewoman from California (Ms. MAXINE WATERS), the distinguished ranking member of the Committee on Financial Services.

Ms. MAXINE WATERS of California. Mr. Chairman, I simply want a little colloquy with the gentlewoman from New York about what she just alluded to. I think she said something about we will be faced with legislation very soon that would roll back all of the work we have done with Dodd-Frank? Did I hear her say something like that?

Mrs. CAROLYN B. MALONEY of New York. As the ranking member knows, there is a bill before the Committee on Financial Services which would completely roll back Dodd-Frank. I was clarifying that these rollbacks have nothing to do with Dodd-Frank.

□ 1530

These are protections that have been on the books since we recovered from the Great Depression. But, apparently, that is on the agenda, or so I have been told. I am not in charge. The gentleman across is the chairman. He knows the schedule, but I have been told that that will be before the committee next week.

Mr. Chair, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. I thank the gentleman from the great State of Texas for yielding.

Mr. Chair, we are at a time when the American people are forced to comply

with crushing regulations that stifle business growth and strip Americans of their livelihood. At this time, Congress must take steps to reduce the red tape in the private sector.

Earlier this year, the American Action Forum reported that the Dodd-Frank Act is costing Americans and consumers more now than any time since it was enacted. What ObamaCare has done to the cost of health care, Dodd-Frank has done to our financial sector.

Since it was enacted, this law has resulted in 73 million hours of paperwork and \$36 billion of harmful costs riding on the backs of taxpayers. In fact, The Wall Street Journal reports that regulatory compliance is now the fastest growing job field in the financial services sector.

To put that in perspective, Dodd-Frank takes 37,000 full-time employees just to comply with the law for 1 year. These statistics are evidence of Ronald Reagan's warning that "government is not the solution to our problem; government is the problem."

H.R. 2357, the Accelerating Access to Capital Act, would expand the number of companies that are eligible to use a simplified registration form for public offerings, which will allow companies to obtain SEC approval in a matter of days instead of months.

For too long, the SEC has been a barrier to investment capital, which is contrary to its mission. This change would allow private companies to focus more on growing their businesses and creating jobs and less on complying with excessive regulations.

Mr. Chair, at a time when our Nation is in the slowest economic recovery since the Great Depression, we must take bold and decisive steps to reduce the excessive reach of government in our lives and foster a healthy economy. H.R. 2357 achieves these goals, and I encourage my colleagues to support the legislation.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the American people continue to suffer in this lackluster economy.

I don't care what happy talk there is from Washington politicians, the American people know the economy is not working for them. They have anxiety about how they are going to pay their bills. Their paychecks are stagnant. Their savings have been decimated. And they look around, and where is the economic opportunity? Small business has been decimated in America. The job engine of America has been decimated.

As one of my constituents from Henderson County told me, when regulations get out of control, they put many small businesses out of business. And that is what we are seeing today, Mr. Chairman. People aren't getting ahead.

We need to unlock capital for our innovators, for our entrepreneurs, for

our small businesses. We have three modest bills today that are doing just that. And yet we are being fought tooth and nail by those who want to grow Washington's economy and not the Main Street economy; those who believe that Washington bureaucrats always know what is best.

This House must enact the Accelerating Access to Capital Act. You can't have capitalism without capital. Small businesses can't get it, innovators can't get it, entrepreneurs can't get it.

So it is time that we move forward. And there is great news for the minority, who must not realize—I wish they would study and see this—we still have the Securities Act of 1933, the Securities Exchange Act of 1934, Investment Company Act of 1940, and it goes on.

You can't have an effective market without consumer protection. But guess what? We also must have capital formation if we are going to have a healthy economy for working families that are falling behind after 8 years of Obamanomics. We must pass H.R. 2357, the Accelerating Access to Capital Act.

Mr. Chair, I yield back the balance of my time.

Mr. HILL. Mr. Chair, today I rise in support of H.R. 2357, the Accelerating-Access to Capital Act, which continues to build on the successes of the JOBS Act to stimulate capital formation for small businesses to help grow the economy and create good-paying jobs.

Last week, I visited the Venture Center in Little Rock, Arkansas, with my good friend Mrs. WAGNER, the lead sponsor of this bill.

The Venture Center has been working with the public financial services IT company, Fidelity Information Systems (FIS) to launch the VC FinTech Accelerator, a program that will bring innovators and entrepreneurs from across the world to Little Rock.

I had the pleasure of attending their Demo Day last month, where FIS and the Governor of Arkansas announced a two-year partnership with the program.

This exciting program has only been active for a short time, but has already proven its ability to assist in our efforts to grow new technology jobs across the region.

These start-ups, however, often face significant and costly hurdles to obtain funding in the capital markets that is necessary to continue to grow or go public, as the cost of securities regulation disproportionately falls on small companies.

H.R. 2357 helps reduce some of this regulatory burden by making it easier for small companies to register with the Securities and Exchange Commission and creates a cost-effective way for small companies to raise capital through "micro-offerings," so long as the sale meets certain criteria.

It also prevents the SEC's costly and complex proposed Regulation D rules from taking effect, which are inconsistent with the JOBS Act and Congress' intent to make it easier for small businesses to raise capital.

We need regulation in our capital markets, but we need smart regulation that does not unduly burden startups across the nation, who

are at the forefront of innovation and job creation.

I thank my colleagues on the Committee—Mrs. WAGNER, Mr. EMMER, and Capital Markets Subcommittee Chairman GARRETT—for their work on this thoughtful legislation, and I urge my colleagues to support.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-62. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2357

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Accelerating Access to Capital Act of 2016”.

TITLE I—ACCELERATING ACCESS TO CAPITAL

SEC. 1. EXPANDED ELIGIBILITY FOR USE OF FORM S-3.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S-3—

(1) so as to permit securities to be registered pursuant to General Instruction I.B.1. of such form provided that either—

(A) the aggregate market value of the voting and non-voting common equity held by non-affiliates of the registrant is \$75,000,000 or more; or

(B) the registrant has at least one class of common equity securities listed and registered on a national securities exchange; and

(2) so as to remove the requirement of paragraph (c) from General Instruction I.B.6. of such form.

TITLE II—MICRO-OFFERING SAFE HARBOR

SEC. 2. EXEMPTIONS FOR MICRO-OFFERINGS.

(a) IN GENERAL.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following:

“(8) transactions meeting the requirements of subsection (f).”; and

(2) by adding at the end the following:

“(f) CERTAIN MICRO-OFFERINGS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the transactions referred to in subsection (a)(8) are transactions involving the sale of securities by an issuer (including all entities controlled by or under common control with the issuer) that meet all of the following requirements:

“(A) PRE-EXISTING RELATIONSHIP.—Each purchaser has a substantive pre-existing relationship with an officer of the issuer, a director of the issuer, or a shareholder holding 10 percent or more of the shares of the issuer.

“(B) 35 OR FEWER PURCHASERS.—There are no more than, or the issuer reasonably believes that there are no more than, 35 purchasers of securities from the issuer that are sold in reliance on the exemption provided under subsection (a)(8) during the 12-month period preceding such transaction.

“(C) SMALL OFFERING AMOUNT.—The aggregate amount of all securities sold by the issuer, including any amount sold in reliance on the

exemption provided under subsection (a)(8), during the 12-month period preceding such transaction, does not exceed \$500,000.

“(2) DISQUALIFICATION.—

“(A) IN GENERAL.—The exemption provided under subsection (a)(8) shall not be available for a transaction involving a sale of securities if any person described in subparagraph (B) would have triggered disqualification pursuant to section 230.506(d) of title 17, Code of Federal Regulations.

“(B) PERSONS DESCRIBED.—The persons described in this subparagraph are the following:

“(i) The issuer.

“(ii) Any predecessor of the issuer.

“(iii) Any affiliated issuer.

“(iv) Any director, executive officer, other officer participating in the offering, general partner, or managing member of the issuer.

“(v) Any beneficial owner of 20 percent or more of the issuer’s outstanding voting equity securities, calculated on the basis of voting power.

“(vi) Any promoter connected with the issuer in any capacity at the time of such sale.

“(vii) Any investment manager of an issuer that is a pooled investment fund.

“(viii) Any person that has been or will be paid (directly or indirectly) remuneration for solicitation of purchasers in connection with such sale of securities.

“(ix) Any general partner or managing member of any such investment manager or solicitor.

“(x) Any director, executive officer, or other officer participating in the offering of any such investment manager or solicitor or general partner or managing member of such investment manager or solicitor.”.

(b) EXEMPTION UNDER STATE REGULATIONS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) in subparagraph (F), by striking “or” at the end;

(2) in subparagraph (G), by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(H) section 4(a)(8).”.

TITLE III—PRIVATE PLACEMENT IMPROVEMENT

SEC. 3. REVISIONS TO SEC REGULATION D.

Not later than 45 days following the date of the enactment of this Act, the Securities and Exchange Commission shall revise Regulation D (17 C.F.R. 501 et seq.) in accordance with the following:

(1) The Commission shall revise Form D filing requirements to require an issuer offering or selling securities in reliance on an exemption provided under Rule 506 of Regulation D to file with the Commission a single notice of sales containing the information required by Form D for each new offering of securities no earlier than 15 days after the date of the first sale of securities in the offering. The Commission shall not require such an issuer to file any notice of sales containing the information required by Form D except for the single notice described in the previous sentence.

(2) The Commission shall make the information contained in each Form D filing available to the securities commission (or any agency or office performing like functions) of each State and territory of the United States and the District of Columbia.

(3) The Commission shall not condition the availability of any exemption for an issuer under Rule 506 of Regulation D (17 C.F.R. 230.506) on the issuer’s or any other person’s filing with the Commission of a Form D or any similar report.

(4) The Commission shall not require issuers to submit written general solicitation materials to the Commission in connection with a Rule 506(c) offering, except when the Commission requests

such materials pursuant to the Commission’s authority under section 8A or section 20 of the Securities Act of 1933 (15 U.S.C. 77h–1 or 77t) or section 9, 10(b), 21A, 21B, or 21C of the Securities Exchange Act of 1934 (15 U.S.C. 78i, 78j(b), 78u–1, 78u–2, or 78u–3).

(5) The Commission shall not extend the requirements contained in Rule 156 to private funds.

(6) The Commission shall revise Rule 501(a) of Regulation D to provide that a person who is a “knowledgeable employee” of a private fund or the fund’s investment adviser, as defined in Rule 3c–5(a)(4) (17 C.F.R. 270.3c–5(a)(4)), shall be an accredited investor for purposes of a Rule 506 offering of a private fund with respect to which the person is a knowledgeable employee.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 114–725. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands that amendment No. 1 and amendment No. 2 will not be offered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LOUDERMILK) having assumed the chair, Mr. DUNCAN of Tennessee, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2357) to direct the Securities and Exchange Commission to revise Form S–3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form, and, pursuant to House Resolution 844, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILMER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILMER. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kilmer moves to recommit the bill H.R. 2357 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of title III the following:

(7) CYBERSECURITY RISK DISCLOSURE.—The Commission shall revise Rule 506 of Regulation D to condition the availability of the exemption under such Rule on an issuer's disclosure to the Commission of the issuer's cybersecurity risks. The Commission is authorized to tailor such disclosure requirement based on the size of the issuer making the disclosure.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 5 minutes.

Mr. KILMER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Mr. Speaker, I rise today to encourage my colleagues to support the motion to recommit, which is about protecting the personal information of the American people. It would require that those who are soliciting investments directly from individuals to develop a plan to ensure their personal financial data is protected against cyberattacks.

Before coming to Congress, I spent a decade working in economic development professionally, and before that, I was a business consultant advising some of the Nation's leading technology companies. I actually agree with my Republican colleagues that we need to help small, innovative companies raise additional capital so that they can grow, bring their ideas to market, and create jobs. However, we need to make sure that these new companies are taking seriously the risk of cybersecurity to ensure that those who are putting up capital to fund these companies aren't subject to identity theft or other cybercrimes.

Last month, I met with a group of cyber professionals from my State who told me that the threat of cybercrime is growing exponentially. According to these experts, every single business that has access to confidential personal data should have a plan in place to protect that data and to quickly respond in the event of a cyber attack.

This isn't just anecdotal. We can look at the statistics. In 2005, cybercrime cost the average business just \$24,000. By 2015, that number had jumped to over \$1.5 million for the average American business.

We all want small and emerging companies to succeed. We also need to be sure that they are prepared to deal with the growing threat of cybercrime so that the personal information of their investors is protected.

We also know that the financial services industry is a particularly ripe target for cybercriminals. The Securities and Exchange Commission is already taking action on a case that resulted in the private records of more than 100,000 individuals being compromised. Commission Chair Mary Jo White has called cybersecurity the biggest risk to the financial system.

We also know the impacts of cybercrime can be real. For an individual, a stolen identity can be devastating. It can lead to financial losses, lost time at work or with family dedicated to the stressful and extensive effort of clearing up financial records. These impacts are even greater when the victim is a senior citizen, who are often targets of cybercrimes.

We need action for the future growth of our economy and to give investors confidence that their personal information will remain secure. The motion to recommit would do that. It would require companies taking advantage of rules that allow them to solicit investments directly from wealthy individuals to disclose their cybersecurity risks to the Securities and Exchange Commission. This will provide the SEC with a better approach to helping smaller companies deal with the threat of cybercrime.

The MTR is sensitive to the needs of smaller companies by allowing them to develop a plan that can be tailored to the size and risk profile of the company.

Mr. Speaker, this is a sensible approach to addressing a real and growing threat. It allows small companies to continue to take advantage of expedited procedures while protecting investors from identity theft and other crimes.

I encourage my colleagues to adopt the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I have some good news for my colleague from Washington. The Financial Services Committee has already passed a robust cybersecurity bill, and passed it on a strong bipartisan basis: 46-9. We look forward to working with all of our colleagues in the House to forwarding this bill, working with our colleagues on House Energy and Commerce Committee and others. It is a serious topic.

But I would also point out, Mr. Speaker, with respect to this extra disclosure, if cybersecurity is material, it already must be disclosed under current law. And I would add that, yet again, this is just one more burden, the subject matter of the motion to recommit, when we are trying to ease burdens on capital formation.

I would remind all of my colleagues again that a recent report from the National Small Business Association released just this week showed that 41 percent of small businesses said that the lack of capital is hindering their ability to grow their business. If they can't grow their business, they can't give raises, they can't expand, they can't promote. Twenty percent said they had to reduce—actually lay off employees—as a result of tighter credit. That is the whole purpose, Mr. Speaker, of why we are passing this bill today. It is to grant greater access to capital.

We have heard from so many small businesses and angel investors across the Nation about the need for capital formation for our entrepreneurs, for our small businesses, for our innovators. We have heard from the co-founder and CEO of NextSeed: "Obtaining traditional financing from banks is still a tall order for many small businesses, especially for smaller amounts."

Well, we want to respond to that.

□ 1545

We don't need yet one more hurdle from the motion to recommit to get in the way of small businesses' end capital. It is also one more out-of-pocket cost. We heard from the senior partner at Centerfield Capital: "These out-of-pocket costs and time spent by our professionals on SEC registration and compliance detract from our mission of empowering small businesses to grow."

We want to empower small businesses on Main Street to grow, yet the motion to recommit would do just the opposite.

Nothing could be more obvious than a quote from the gentleman, the CEO of Wilde & Company: "When corporations access capital, they hire people."

We want people hired. We want people promoted. We want people on good career tracks. We want middle-income people to rise. We want the working poor to become members of middle-income America, and they can't do that unless we access capital.

The choice again is: Are we going to have another top-down, Washington-grown economy, or are we going to build our economy from Main Street up?

House Republicans say it is time to build it from Main Street up. So it is time that we reject the motion to recommit and assure that our small businesses can access capital so that we can grow this economy, grow the family economy, and have a better America.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. KILMER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of the passage of the bill.

The vote was taken by electronic device, and there were—yeas 180, nays 233, not voting 18, as follows:

[Roll No. 492]

YEAS—180

Adams	Gallego	Neal
Aguilar	Garamendi	Nolan
Ashford	Graham	Norcross
Bass	Grayson	O'Rourke
Beatty	Green, Al	Pallone
Becerra	Green, Gene	Pascarell
Bera	Grijalva	Payne
Beyer	Gutiérrez	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan	Heck (WA)	Peterson
F.	Higgins	Pingree
Brady (PA)	Himes	Pocan
Brownley (CA)	Hinojosa	Polis
Bustos	Honda	Price (NC)
Butterfield	Hoyer	Quigley
Capps	Huffman	Rangel
Cárdenas	Israel	Rice (NY)
Cardenas	Jackson Lee	Richmond
Carson (IN)	Jeffries	Roybal-Allard
Cartwright	Johnson (GA)	Ruiz
Castor (FL)	Johnson, E. B.	Ruppersberger
Castro (TX)	Kaptur	Rush
Chu, Judy	Keating	Ryan (OH)
Cicilline	Kelly (IL)	Sánchez, Linda
Clark (MA)	Kennedy	T.
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Kirkpatrick	Schrader
Cohen	Kuster	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Costa	Lawrence	Sherman
Courtney	Lee	Sinema
Crowley	Levin	Sires
Cuellar	Lewis	Slaughter
Cummings	Lieu, Ted	Smith (WA)
Davis (CA)	Lipinski	Speier
Davis, Danny	Loeb sack	Takano
DeFazio	Lofgren	Thompson (CA)
DeGette	Lowenthal	Thompson (MS)
Delaney	Lowey	Titus
DeLauro	Lujan Grisham	Tonko
DeBene	(NM)	Torres
DeSaulnier	Luján, Ben Ray	Tsongas
Deutch	(NM)	Van Hollen
Dingell	Maloney,	Vargas
Doggett	Carolyn	Veasey
Doyle, Michael	Maloney, Sean	Vela
F.	Matsui	Velázquez
Duckworth	McCollum	Visclosky
Edwards	McDermott	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Waters, Maxine
Esty	Meng	Watson Coleman
Farr	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth
Fudge	Nadler	
Gabbard	Napolitano	

NAYS—233

Abraham	Benishak	Brady (TX)
Aderholt	Bilirakis	Brat
Allen	Bishop (MI)	Bridenstine
Amash	Bishop (UT)	Brooks (AL)
Amodei	Black	Brooks (IN)
Babin	Blackburn	Buchanan
Barletta	Blum	Buck
Barr	Bost	Bucshon
Barton	Boustany	Burgess

Byrne	Hudson	Poe (TX)
Calvert	Huelskamp	Poliquin
Carter (GA)	Huizenga (MI)	Pompeo
Carter (TX)	Hultgren	Posey
Chabot	Hunter	Price, Tom
Chaffetz	Hurd (TX)	Ratcliffe
Clawson (FL)	Hurt (VA)	Reed
Coffman	Issa	Renacci
Cole	Jenkins (KS)	Ribble
Collins (GA)	Jenkins (WV)	Rice (SC)
Collins (NY)	Johnson (OH)	Rigell
Comstock	Jolly	Roby
Conaway	Jones	Roe (TN)
Cook	Jordan	Rogers (AL)
Costello (PA)	Joyce	Rogers (KY)
Cramer	Kelly (MS)	Rohrabacher
Crawford	Kelly (PA)	Rokita
Crenshaw	King (IA)	Ros-Lehtinen
Culberson	King (NY)	Roskam
Curbelo (FL)	Kinzing (IL)	Rothfus
Davidson	Kline	Rouzer
Davis, Rodney	Knight	Royce
Denham	Labrador	Russell
Dent	LaHood	Salmon
DeSantis	LaMalfa	Sanford
Diaz-Balart	Lamborn	Scalise
Dold	Lance	Schweikert
Donovan	Latta	Scott, Austin
Duffy	LoBiondo	Sensenbrenner
Duncan (SC)	Long	Sessions
Duncan (TN)	Loudermilk	Shimkus
Ellmers (NC)	Love	Shuster
Emmer (MN)	Lucas	Simpson
Farenthold	Luetkemeyer	Smith (MO)
Fincher	Lummis	Smith (NE)
Fitzpatrick	MacArthur	Smith (NJ)
Fleischmann	Marchant	Smith (TX)
Fleming	Marino	Stefanik
Flores	Massie	Stewart
Forbes	McCarthy	Stutzman
Forben	McCaul	Thompson (PA)
Fox	McClintock	Thornberry
Franks (AZ)	McHenry	Tiberi
Frelinghuysen	McKinley	Tipton
Garrett	McMorris	Trott
Gibbs	Rodgers	Turner
Gibson	McSally	Upton
Gohmert	Meadows	Valadao
Goodlatte	Meehan	Wagner
Gosar	Messer	Walberg
Gowdy	Mica	Walden
Granger	Miller (FL)	Walker
Graves (GA)	Miller (MI)	Walorski
Graves (LA)	Moolenaar	Weber (TX)
Graves (MO)	Mooney (WV)	Webster (FL)
Griffith	Mullin	Wenstrup
Grothman	Mulvaney	Westerman
Guthrie	Murphy (PA)	Williams
Hanna	Neugebauer	Wilson (SC)
Hardy	Newhouse	Wittman
Harper	Noem	Womack
Harris	Nunes	Woodall
Hartzel	Olson	Yoder
Heck (NV)	Palmer	Yoho
Hensarling	Paulsen	Young (AK)
Herrera Beutler	Pearce	Young (IA)
Hice, Jody B.	Perry	Young (IN)
Hill	Pittenger	Zeldin
Holding	Pitts	Zinke

NOT VOTING—18

Bishop (GA)	Katko	Ross
Brown (FL)	Lynch	Sanchez, Loretta
Capuano	Nugent	Stivers
DesJarlais	Palazzo	Swalwell (CA)
Guinta	Reichert	Walters, Mimi
Johnson, Sam	Rooney (FL)	Westmoreland

□ 1608

Messrs. DENHAM, ZINKE, Mrs. BLACK, Messrs. ROSKAM, AUSTIN SCOTT of Georgia, WEBSTER of Florida, NEWHOUSE, Mrs. LOVE, and Mr. POLIQUIN changed their vote from “yea” to “nay.”

Ms. JACKSON LEE changed her vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—aye 236, noes 178, not voting 17, as follows:

[Roll No. 493]

AYES—236

Abraham	Gibbs	Messer
Aderholt	Gibson	Mica
Allen	Gohmert	Miller (FL)
Amash	Goodlatte	Miller (MI)
Amodei	Gosar	Moolenaar
Babin	Gowdy	Mooney (WV)
Barletta	Granger	Mullin
Barr	Graves (GA)	Mulvaney
Barton	Graves (LA)	Murphy (PA)
Benishak	Graves (MO)	Neugebauer
Bilirakis	Griffith	Newhouse
Bishop (MI)	Grothman	Noem
Bishop (UT)	Guthrie	Nunes
Black	Hanna	Olson
Blackburn	Hardy	Palmer
Blum	Harper	Paulsen
Bost	Harris	Pearce
Boustany	Hartzler	Perry
Brady (TX)	Heck (NV)	Peterson
Brat	Hensarling	Pittenger
Bridenstine	Herrera Beutler	Pitts
Brooks (AL)	Hice, Jody B.	Poe (TX)
Brooks (IN)	Hill	Poliquin
Buchanan	Holding	Pompeo
Buck	Hudson	Posey
Bucshon	Huelskamp	Price, Tom
Burgess	Huizenga (MI)	Ratcliffe
Byrne	Hultgren	Reed
Calvert	Hunter	Renacci
Carter (GA)	Hurd (TX)	Ribble
Carter (TX)	Hurt (VA)	Rice (SC)
Chabot	Issa	Rigell
Chaffetz	Jenkins (KS)	Roby
Clawson (FL)	Jenkins (WV)	Roe (TN)
Coffman	Johnson (OH)	Rogers (AL)
Cole	Jolly	Rogers (KY)
Collins (GA)	Jordan	Rohrabacher
Collins (NY)	Joyce	Rokita
Comstock	Katko	Ros-Lehtinen
Conaway	Kelly (MS)	Roskam
Cook	Kelly (PA)	Rothfus
Costello (PA)	King (IA)	Rouzer
Cramer	King (NY)	Royce
Crawford	Kinzing (IL)	Russell
Crenshaw	Kline	Salmon
Cuellar	Knight	Sanford
Culberson	Labrador	Scalise
Curbelo (FL)	LaHood	Schweikert
Davidson	LaMalfa	Scott, Austin
Davis, Rodney	Lamborn	Sensenbrenner
Denham	Lance	Sessions
Dent	Latta	Shimkus
DeSantis	LoBiondo	Shuster
Diaz-Balart	Long	Simpson
Dold	Loudermilk	Smith (MO)
Donovan	Love	Smith (NE)
Duffy	Lucas	Smith (NJ)
Duncan (SC)	Luetkemeyer	Smith (TX)
Duncan (TN)	Lummis	Stefanik
Ellmers (NC)	MacArthur	Stewart
Emmer (MN)	Marchant	Stivers
Farenthold	Marino	Stutzman
Fincher	Massie	Thompson (PA)
Fitzpatrick	McCarthy	Thornberry
Fleischmann	McCaul	Tiberi
Fleming	McClintock	Tipton
Flores	McHenry	Trott
Forbes	McKinley	Turner
Fortenberry	McMorris	Upton
Fox	Rodgers	Valadao
Franks (AZ)	McSally	Wagner
Frelinghuysen	Meadows	Walberg
Garrett	Meehan	Walden

Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—178

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard

Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—17

Ashford
Bishop (GA)
Brown (FL)
DesJarlais
Guinta
Higgins
Johnson, Sam
Lynch
Nugent
Palazzo
Reichert
Rooney (FL)

CELEBRATING 50TH ANNIVERSARY
OF WAUBONSEE COMMUNITY
COLLEGE

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to honor Waubonsee Community College, which is celebrating 50 years of service to northern Illinois.

Founded in August of 1966, it was named after a Native American chief, whose name means “early dawn,” and provides innovative education to its students. Offering career programs, business training, and professional learning, the college has stayed true to its mission of fostering a literate, democratic society through accessible, quality, and innovative institutions.

This month, Waubonsee will reopen its Aurora Fox Valley Campus, dedicated to health programs. Critical to Waubonsee's success is President Dr. Christine Sobek.

As a member of my Higher Education Advisory Committee, she regularly provides me with advice and wisdom on the needs of community colleges and guidance on improving education policy at the Federal level. I am grateful for her friendship and leadership in offering students high-quality education.

Congratulations, Waubonsee, on your 50th anniversary. Your hard work helps our community's students succeed.

DEMOCRATIC NATIONAL
COMMITTEE HACKING

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, 2016 is shaping up to be a banner year for cybersecurity, and not in a good way. From attacks on the Ukrainian power grid to attempts to undermine American electoral confidence through the dissemination of hacked documents from the Democratic National Committee, cyber tools are fully emerging as instruments of state power.

If these incidents seem to be disproportionately affecting us and our allies, it is because our cybersecurity posture has not yet matched the threat we face. That being said, we recognize, of course, it is easier to attack than to defend.

Thankfully, there are steps we can take to protect our networks. We can invest in our cyber defenses, we can clarify cybersecurity roles and responsibilities within government, we can build our workforce to take on these new challenges, and we can also build our resilience.

The goal of our adversaries is not necessarily just to leak emails, but it is to shake faith in our electoral system. We cannot allow that to happen.

PENNSYLVANIA WILDS CENTER
FOR ENTREPRENEURSHIP

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in August, I was proud to announce a grant of \$500,000 from the Appalachian Regional Commission to the Pennsylvania Wilds Center for Entrepreneurship, located in Warren County in Pennsylvania's Fifth Congressional District.

The Pennsylvania Wilds region includes 2 million acres of land in the north central and northwestern portion of Pennsylvania and includes 12 counties. Tourism in that area has increased dramatically in recent decades, with plenty of opportunities for fishing, hunting, kayaking, and canoeing, not to mention plenty of forestland for hiking.

This grant will be dedicated to the Center's Nature Tourism Cluster Development in the Pennsylvania Wilds, which is intended to develop a network of small businesses to support the increased need for products and services in the Pennsylvania Wilds region.

The Pennsylvania Wilds Center for Entrepreneurship currently offers two business development programs, assisting prospective businessowners one on one to connect them with lenders, technical assistance providers, marketers, public lands managers, and other resources needed to start a business.

Mr. Speaker, tourism is one of Pennsylvania's largest and most vibrant industries. I look forward to seeing what this initiative can do to help grow the industry in the communities of the Pennsylvania Wilds.

GUN VIOLENCE IN NEW YORK CITY

(Mr. MEEKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEKS. Mr. Speaker, Tiarah Poyau was young and full of life, like my daughters. She was the same age as many of the interns in my office. Like them, she had big dreams and she was full of promise. She completed her bachelor of science at St. John's University in my district and was pursuing a master's degree. She dreamt of being an accountant.

At 22, she had the promise of being a successful young woman and an outstanding and upstanding member of society. But those dreams and that promise, they ended this past weekend. They ended when Tiarah's life was cut short by a bullet in New York City.

That same night, less than a block away from where she was shot, 17-year-old Tyreke Borel was gunned down—less than a block away.

Behind every gun death is a person like Tiarah and Tyreke, a person with

□ 1616

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

dreams and with promise. These victims of gun violence and their families and friends have received thoughts and prayers from this Congress, but because of the Republican majority, they haven't received action.

Victims and their loved ones deserve better. They deserve a debate and a vote on commonsense gun reform on the House floor.

In this Nation, we encourage our kids to dream big. We tell them that with hard work, they can transform their potential into success. We let them down if we fail to protect them, and so far, that is exactly what we have done.

HONORING HOWARD "RED" MCCARRICK

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to honor Howard "Red" McCarrick, a World War II veteran from Lake Orion, Michigan.

On a whim, Mr. McCarrick signed up for the United States Army Air Corps in 1942. He had to wait until his 18th birthday in 1943 before officially joining. Initially, Mr. McCarrick trained to be a pilot, but he changed his focus and volunteered to be a ball turret gunner.

After graduating gunner training as a corporal, he flew B-24s on national security missions until the end of World War II and was honorably discharged in 1946.

After his time in the Army Air Corps, Mr. McCarrick continued down the path of public service, working for the Rochester Community Schools for 31 years.

Mr. McCarrick is an American hero—a patriot, a father, and a proud member of the Lake Orion community. He was recently honored by Chief Jerry Narsh and the Lake Orion Police Department as the 2016 Lake Orion Honored Veteran.

Mr. Speaker, I am honored to have such an outstanding American hero in my district.

Thank you, Mr. McCarrick, for your service to our country and your commitment to our community.

RECOGNIZING CLARESSA SHIELDS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, I rise to recognize a remarkable young woman from Flint, my hometown. Her name is Claressa Shields. Her accomplishments as an athlete and as an Olympian and continued commitment to our State and to our community really make us proud.

Introduced to boxing at a young age, Claressa has built an impressive career that boasts two consecutive gold med-

als from the 2012 Olympics in London and the 2016 Olympics in Rio de Janeiro.

That feat makes her the first American, male or female, to win back-to-back gold medals in boxing. She also made history in 2012 at the Olympics in London when she became the first American woman ever to win gold in boxing.

Through her victories, Claressa has inspired the dreams of young people in Michigan and across the country. She is an extraordinary young woman who credits her success to hard work and to her faith.

Claressa Shields represents the resilience of the American Dream and the strong, proud spirit of our mutual hometown of Flint. I applaud her for her dedication to her sport, and thank her for her dedication to our hometown. The good news is Claressa Shields is just getting started.

RECOGNIZING THE UNIVERSITY OF ARIZONA'S LUNAR AND PLANETARY LAB

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, it is launch day. I rise today to recognize the dedicated men and women at the University of Arizona's Lunar and Planetary Lab, who are leading NASA's historic OSIRIS-REx space mission.

Launching from Cape Canaveral, Florida, tonight, the OSIRIS-REx spacecraft will embark on a 7-year journey to the Bennu asteroid, where it will collect samples before returning to Earth. If successful, the mission will mark the first time a spacecraft has gathered samples from a moving asteroid.

The University of Arizona's leadership of the OSIRIS-REx mission adds to its already impressive reputation in planetary sciences.

I would like to extend my best wishes to all of the scientists at UA and elsewhere working on this project for a successful launch and mission.

□ 1630

JEFF AND DERALYN'S 60TH WEDDING ANNIVERSARY

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise to congratulate Jeff and Deralyn Davis of Fort Worth, who celebrated 60 years of marriage on August 25 of this year.

Jeff met his beloved Deralyn and began a courtship that led them to the sacred union of marriage on August 25, 1956, in Corsicana, Texas. For 55 years of their union, they have been resi-

dents of the city of Fort Worth. Throughout the years, Jeff and Deralyn have been very, very active in the community.

Jeff is a member of the Omega Psi Phi Fraternity and has served as the assistant superintendent of the Everman Independent School District. Jeff's influence in education was such that he was commemorated by having a school named after him—the Jefferson Davis 9th Grade Center.

Deralyn was a graduate of Jackson High School in Corsicana and was a graduate of Huston-Tillotson University in Austin. She is also active in AKA, Alpha Kappa Alpha Sorority, Incorporated, the Fort Worth chapter. Deralyn was also very instrumental in the creation of the Texas Coalition of Black Democrats during its heyday.

The Davises have two children—daughter Jefflyn Davis and their son, Jock Kevin Davis, who passed away in 2005—and three grandchildren.

I congratulate Jeff and Deralyn on 60 years of marriage.

IN MEMORY OF ROBERT KERSTIENS, SR.

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise to commemorate a man who, I think, is bigger than life. He is a longtime resident of Red Bluff, California. He is a cattleman. His name is Robert Kerstiens, Sr. He just passed recently here at the age of 92.

Mr. Kerstiens was a World War II veteran and was also a ranger with CAL FIRE in California. He was a well-respected and revered figure in the community, known for his selfless service, caring personality, and strong leadership.

Straight out of high school, Bob joined the Army and was immediately sent off to training. When recalling his time in serving the country, we learned he was involved in the Battle of the Bulge and in the Battle of Remagen, which earned him a Bronze Star as well as a Presidential Unit Citation for his group. These are places I have read about in history and that movies have been made about. Bob Kerstiens has lived that, and he was an integral part of helping win those battles—very important ones for us in winning the war in Europe.

Following his return from the war, Kerstiens continued his path of service in a new role—as a firefighter foreman for CAL FIRE, where he worked his way up the ranks to the department's ranger in charge, after which he was appointed to the State Board of Forestry. His service and contributions to our community and State left a lasting impact that shaped many of the policies that keep our forests safe and healthy.

In the community, his involvement never went unnoticed. An eight-time board president on the Tehama District Fair Board, a shareholder in the Red Bluff Round-Up Association, and a beloved judge of the Wild Horse Race Rodeo, his involvement never went unnoticed. He was a true cattleman, a true gentleman, a great man from Tehama County in northern California. He will be missed.

PASS THE FAMILIES OF FLINT ACT

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFMAN. Mr. Speaker, the ongoing crisis in Flint, Michigan, is a clear reminder that this Congress has unfinished work to do.

Our constituents will rightly judge our job performance by our work, not by our finger-pointing, not by empty expressions of concern. We need to get to work, and we need to work together to provide clean water for the people of Flint; but we can't stop there because Flint is not an isolated incident. We have seen dangerous lead levels in schools that are outside of Fresno, California, and that are even in our own Capitol buildings here in Washington, D.C.

What has happened in Flint is a symptom of a much greater ill of underinvestment in our Nation's clean water infrastructure. A generation ago, it was a Republican President and a Californian, Ronald Reagan, who signed significant updates to the Safe Drinking Water Act in 1986. He knew then that clean water infrastructure was not a partisan issue. Thirty years later, it is our turn. The bipartisan case for investing in clean water infrastructure has never been stronger.

Every single American deserves access to clean and safe drinking water. So let's get to work. Let's pass the Families of Flint Act, and let's work on a national clean water infrastructure plan to prevent another disaster like this from happening in the future.

THE ZIKA VIRUS AND GUN SAFETY

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise to echo the pleas of the American people, especially those in my own home district of the United States Virgin Islands, in calling for this Congress to pass a Zika funding bill and to pass commonsense gun safety legislation.

It has been more than 6 months since the President submitted a plan to this Congress and almost 3 months since House Democrats took to the floor to

call for a vote on commonsense gun safety legislation. Instead of passing these bills, Congress has decided to focus its attention on politically charged investigations into investigations. While this Congress was in its longest recess in 60 years, the number of overall confirmed Zika cases and the number of Americans killed and wounded by gun violence continued to grow.

There have been 4,500 lives lost to gun violence in the time that we have been out in recess. This number, sadly, includes the lives of almost a dozen young men and women in the Virgin Islands, including the lives of two police officers and a firefighter. Additionally, there are now more than 11,000 confirmed cases of Zika in the United States, 243 of those confirmed cases being in the U.S. Virgin Islands, and 14 of those are pregnant women.

The lifetime cost of treating a child with microcephaly is estimated to be more than \$10 million for that child—a cost that will only exacerbate the financial woes of this country's and the territories' public health apparatus. The lack of funding for these public health activities will put hundreds of thousands of pregnant women at risk.

Mr. Speaker, I call on this Congress to act quickly and fully fund the President's emergency request to fight the Zika virus as well as to pass lifesaving, commonsense gun safety legislation.

THE ZIKA VIRUS: A PUBLIC HEALTH EMERGENCY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, you have heard the cries of our colleagues. You have heard the cries of the American people. Redundancy is not a question here. It is telling the truth. In fact, our health professionals have indicated that the Zika virus presents an unprecedented threat to the people of our Nation, especially to pregnant women. We cannot hear this often enough, and although busy with the beginning of the school year and with going back to work, it is important to warn the American people of this impending and ongoing threat.

While we are fiddling and doing things that have no impact on providing a portion of the \$1.9 billion that is needed by the American people, we have 1,600 cases of Zika virus in the United States—200 plus women who are pregnant and 35 known transmitted diseases here in the United States of the Zika virus. We also now know, through health professionals, that it is sexually transmitted. We know that the entire United States is vulnerable, but most of the vulnerable States are in the Gulf region.

It is time now to address the question of funding without riders, like pre-

venting Planned Parenthood from getting funding, and without riders for allowing the Confederate flag to be in a veterans' cemetery.

Where is our concern about the American people—for the people in Louisiana with a lot of water? for the people in Texas with a lot of water? in Florida? in Puerto Rico?

It is important that this funding comes now to rapidly expand mosquito control programs and to accelerate a vaccine. That is really important—to be able to provide the American people with a vaccine. They are in the midst of the research. They need the funding. The CDC and the NIH have reprogrammed more money than they have to try to help those who are desperate.

I make the argument that it is time now for us to do the job. The other body needs to engage in providing a bill, and this body, this House, needs to stop playing those kinds of politics and provide the funding—the funding that does not take from Ebola but the funding that the American people need to be safe.

Mr. Speaker, we are currently in a state of a public health crisis as a result of the growing rate of Zika infections across the country.

Sadly, we are failing as our nation's leaders in our ability to respond to this crisis.

As days and months go by it is alarming and the level of action and inaction my colleagues are taking to hamper the ability of our federal government to respond to this rapidly growing public threat.

In particular, I am concerned that we—as a body of Congress—have not taken the critical steps to move forward and appropriate necessary funding that will help screen, treat, vaccinate and test deadly cases of Zika infections.

According to the Coalition for Sensible Safeguards, Congress should be looking for ways to strengthen our nation's regulatory system by identifying gaps and instituting new science-based safeguards for the public.

I cannot agree more—as we are now in perilous times where the Zika virus presents unprecedented threats to the people of our nation.

As cited by Tom Frieden, Director of the Centers for Disease Control and Prevention and Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health in an op-ed, dated August 21, 2016:

There have been more than 16,800 cases of Zika infection reported to the Centers for Disease Control and Prevention in the U.S. and its territories, including more than 2,700 on the mainland.

Laboratory tests have confirmed that 1,595 pregnant women have been infected with the virus, and tragically, 17 babies have been born with birth defects related to Zika.

As highlighted by Frieden and Fauci—"We have an obligation to meet the Zika threat and protect this country"—as "the potential cost of a funding shortfall will be measured in human misery and even death."

Now is not the time to pass measures or engage in futile debates that will undermine or

slow the ability of our federal and local governments to address and respond to this growing threat and active cases of Zika infections.

Rather, we need to invest in stopping this deadly, but preventable virus, before it is too late.

We cannot afford to stand by with our hands tied any longer.

Our limited time as the days in September wane down cannot be wasted.

We should be focused on the crucial mission of protecting our nation's people.

That is why, in these critical times of need, I am calling upon my colleagues to place the growing epidemic of the Zika virus at the top of our priorities and demand no less than fully financed measures to timely and adequately respond to this devastating and deadly public health emergency.

[From Time, Sept. 7, 2016]

HOW TO FIGHT ZIKA AND CURE NATION'S AILING PUBLIC HEALTH SYSTEM—ENACT A LAW TO RESPOND QUICKLY TO THREATS

(By Sheila Jackson Lee)

There is an excellent model that demonstrates how the U.S. should reform the current reactive model of public health emergency management—it is the solution found to address disasters established by the Stafford Disaster Relief and Emergency Assistance Act. Under the Stafford Act, enacted in 1974 and later updated in 1988, authorizes the President of the United States, when disaster strikes, to deploy the coordinated efforts and resources of the federal government to save lives and property, and restore communities hit hard by a calamity. The federal government provides warnings of hurricanes and floods, and in cases of wildfires dispatches resources to extinguish flames before they threaten people and property.

The knowledge of public health experts, the Centers for Disease Control and Prevention, policy makers, health-care professionals and patient advocacy organizations should be brought together with the relevant committees in the House and Senate to develop measurable criteria to create baselines for defining, responding and mitigating public health threats to effectively and immediately without the delay engendered by the need for Congress to pass an emergency supplemental appropriations.

The U.S. must be capable of responding quickly to emerging threats that are identified anywhere in the world. The Ebola and Zika viruses for examples existed in other nations for many years before they became a clear and present threat to public health in the Western Hemisphere and the U.S. The cost of waiting until a public health threat is present in the U.S. increases the threat to our nation's public health systems; it reduces the likelihood of success in winning the battle against a pathogen and it risks a new contagious disease becoming endemic—akin to the common cold. In addition, the cost of putting down a public health threat increases as time passes.

There is a long history of threats to public health posed by pathogens. In March 1918, in Kansas, the U.S. had its first case of the Spanish Flu, which is recorded as the first H1N1 flu epidemic. This pandemic killed 50 million persons worldwide it ended abruptly in 1919. The mortality rate of the Spanish Flu was as high as 1 death for every 5 infections and 50% of the deaths, or about 25 million, occurred in the first 25 weeks of the

outbreak. We are now in the 31st week of the Zika Virus global health emergency, which was declared by the World Health Organization on Feb. 1, 2016.

The world is still battling the HIV/AIDS global pandemic, which became known to public health experts well before the disease made it into the United States. Still, it took President Clinton's efforts to put the full force of the federal government behind finding an effective treatment for HIV that slowed the progression of the disease from becoming full blown AIDs. By 2011, more than 60 million people globally had been infected by AIDS and 25 million had died.

The legislative process has proven itself not to respond in a timely manner to public health threats. The U.S. to be more robust enough needs to have in place mechanisms designed to respond systemically to federally declared public health emergencies and deliver assistance to support state and local governments in carrying out their responsibility to protect the public health. This is the second time in three years that a global health emergency has been declared that required Congress to act by passing a new law to fund the national response. This is the second time that the legislative process failed to act quickly when the public health threat was known and its consequences were clearly understood by domestic infectious disease experts.

On Aug. 24, 2014, the Democratic Republic of the Congo Ministry of Health notified the World Health Organization of an outbreak of Ebola virus. On Oct. 8, 2014, Ebola claimed the life of Thomas Eric Duncan after he presented symptoms at the time of admission to an emergency room. He had recently traveled to a country where the disease was actively being transmitted; he had a fever over 100 degrees accompanied by abdominal pain, dizziness, nausea and headache. Communications had gone to public health officials, hospitals, and health-care providers from the Centers for Disease Control stating that all patients should be asked whether they had traveled to West Africa recently; and checked for symptoms of Ebola, which include a dangerously high fever, abdominal pain, nausea and headache. Unfortunately, Mr. Duncan having all of the symptoms to be considered a possible Ebola patient was not admitted for observation, tests, and treatment, but instead sent home.

As of April 13, 2016, globally there were 28,652 suspected Ebola cases; 15,261 laboratory confirmed Ebola cases and 11,325 deaths from Ebola. Today, the CDC continue to monitor for Ebola disease outbreaks. We can no longer act as if a disease outbreak in a nation on the other side of the world has no relevance or importance to the public health status of communities within the U.S. In fact, we know that this is not the case. H1N1, Ebola, and Zika viruses are hard lessons to the global health community teaching that the world has changed and that it is time the U.S. adjusts by becoming proactive and cease being reactive in preparing for and defending against public health threats and emergencies.

Establishing a model that is quantitative and based upon measurable changes in public health conditions around the world as well as within the U.S. and having the capacity to react quickly can save lives and assures public health system stability. Our nation has some local health-care systems that are second to none, such as the Houston Medical Center, but our national public health system has glaring weaknesses when handling pathogens that may be as dangerous as

Ebola and as contagious as the Spanish Flu. There are only four hospitals in the U.S., and a total of 15–16 beds, for persons infected with a human viral hemorrhagic fever: Emory University Hospital in Atlanta has two Ebola beds, St. Patrick Hospital in Missoula, Montana, has one or two; National Institutes of Health in Bethesda, Maryland, has the capacity to treat two patients in its Special Clinical Studies Unit, according to the National Institute of Allergy and Infectious Diseases at the NIH; and Nebraska Medical Center in Omaha, reportedly has a biocontainment facility with 10 beds total.

The public health challenge for our nation is to effectively address the sudden emergence of a highly contagious pathogen with a mortality rate of 1 in 5 so that the public health threat may be identified within hours of patient zero, a team of public health experts deployed with the requisite equipment and resources within 24 hours to any point on the globe, establish field labs, hospitals, coordinate with local public health officials, communicate with public health and disease experts globally; type and identify the threat; its method of transmission; and determine what is needed to contain the threat; while beginning work on treatments and potential cures. Their work would also be to calculate mortality rates and the point when the disease may become endemic over a 25 week time period to stop its spread, which should include communicating to local, state and tribal public health officials' the information they will need to prepare to face the threat that may be just a flight away.

A Public Health Relief and Emergency Assistance Law is overdue—I urge the leadership of the House and the Senate to work in a bipartisan fashion to put on the desk of the President of the United States a law that will be the cure for the weaknesses in our nation's public health system when it is faced with public health emergencies.

President Obama is calling on Congress to fight the Zika virus by providing \$1.8 billion in emergency funds to:

Rapidly expand mosquito control programs.

Accelerate vaccine research and diagnostic development

Educate health providers, women, and partners about the disease.

Improve health services and support for low-income pregnant women.

Help Zika-affected countries better control transmission.

HOW IS ZIKA TRANSMITTED?

Zika is primarily spread to people through the bite of infected Aedes mosquitoes. It can also be transmitted from a pregnant mother to her baby during pregnancy, though we do not know how often that transmission occurs.

There is also evidence that the Zika virus can be sexually transmitted by a man to his partners. At this time, however, there is no evidence that women can transmit the Zika virus to their sex partners. You can learn more about the Zika virus and guidance to avoid sexual transmission.

WHERE ARE PEOPLE CONTRACTING ZIKA?

People are contracting Zika in areas where Aedes mosquitoes are present, which include South America, Central America and the Caribbean. As the CDC notes, specific areas where the Zika virus is being transmitted are likely to change over time.

WHO IS AT RISK OF BEING INFECTED?

Anyone who is living in or traveling to an area where the virus is found is at risk for infection.

WHY ARE THERE SPECIFIC RECOMMENDATIONS FOR PREGNANT WOMEN?

There may be a link between a serious birth defect called microcephaly—a condition in which a baby's head is smaller than expected—and other poor pregnancy outcomes and a Zika infection in a mother during pregnancy. While the link between Zika and these outcomes is being investigated the CDC recommends that you take special precautions if you fall into one of these groups:

If you are pregnant (in any trimester):

You should consider postponing travel to any area where the Zika virus is active.

SUPPLEMENTAL APPROPRIATIONS FOR FLOODING IN LOUISIANA

(Mr. GRAVES of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Louisiana. Mr. Speaker, yesterday I had the opportunity to come and update the House on the flooding conditions in the State of Louisiana. I talked about how this is, potentially, the fourth most costly flood disaster in U.S. history. Louisiana received 31 inches of rain in a 36-hour period, which is what the American average rainfall is. It would translate to nearly 25 feet of snow if it were a snowstorm.

Mr. Speaker, I want to put this in a personal context. Think about a person who owns a \$200,000 house. That person's house is now worth \$100,000 because it is flooded and gutted. That person is going to have to pay \$120,000 to finish his mortgage, which means he is upside down on his mortgage. It is going to cost him \$80,000 to rebuild his house, \$40,000 to replace his car, \$10,000 to replace his wardrobe.

Mr. Speaker, the Stafford Act is insufficient to address these financial situations that people are facing today. This isn't one person. This is tens of thousands of homeowners and businessowners across south Louisiana who are facing this impossible financial decision before them in the coming weeks.

I urge the White House to immediately send a supplemental appropriations request to the Congress. Let's get working on this and resolve this issue. Make this an easy decision for folks back home so we can get back on our feet.

15TH ANNIVERSARY OF SEPTEMBER 11, 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New Jersey (Mr. FRELINGHUYSEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. FRELINGHUYSEN. Mr. Speaker, this Sunday, September 11, marks the 15th anniversary of the vicious attacks on America.

I very much appreciate the leadership's scheduling a commemoration on

the steps of the Capitol tomorrow morning, but more needs to be said as, I fear, time and events have dulled our memories.

In addition, our Nation has grown by over 60 million since September 11, 2001—children born after the towers came down, including the 13,000 babies who came into this world on that incredible day. Unlike the rest of us, they have no direct memories of these horrendous events that changed our Nation forever as hate-filled extremists struck in the streets of Lower Manhattan, in the fields of Pennsylvania, and at the Pentagon. Over 700 citizens from my State of New Jersey died on that day.

Our mere words cannot possibly capture the sentiments that surround September 11. So in lieu of extended, formal remarks, I would like to read, as I have in past years, "The Names," a poem written by the then-poet laureate Billy Collins, which he read before a congressional joint session in New York City just after the attacks which Members of Congress heard firsthand.

"THE NAMES"

By Billy Collins

Yesterday, I lay awake in the palm of the night.

A soft rain stole in, unhelped by any breeze, And when I saw the silver glaze on the windows,

I started with A, with Ackerman, as it happened,

Then Baxter and Calabro, Davis and Eberling, names falling into place As droplets fell through the dark.

Names printed on the ceiling of the night. Names slipping around a watery bend.

Twenty-six willows on the banks of a stream. In the morning, I walked out barefoot

Among thousands of flowers

Heavy with dew like the eyes of tears,

And each had a name—

Fiori inscribed on a yellow petal

Then Gonzalez and Han, Ishikawa and Jenkins.

Names written in the air

And stitched into the cloth of the day.

A name under a photograph taped to a mailbox.

Monogram on a torn shirt,

I see you spelled out on storefront windows

And on the bright, unfurled awnings of this city.

I say the syllables as I turn a corner—

Kelly and Lee,

Medina, Nardella, and O'Connor.

When I peer into the woods,

I see a thick tangle where letters are hidden As in a puzzle concocted for children.

Parker and Quigley in the twigs of an ash,

Rizzo, Schubert, Torres, and Upton,

Secrets in the boughs of an ancient maple.

Names written in the pale sky.

Names rising in the updraft amid buildings.

Names silent in stone

Or cried out behind a door.

Names blown over the Earth and out to sea. In the evening—wakening light, the last

swallows.

A boy on a lake lifts his oars.

A woman by a window puts a match to a candle,

And the names are outlined on the rose clouds—

Vanacore and Wallace,

(let X stand, if it can, for the ones unfound) Then Young and Ziminsky, the final jolt of Z.

Names etched on the head of a pin.

One name spanning a bridge, another under-going a tunnel.

A blue name needled into the skin.

Names of citizens, workers, mothers and fathers,

The bright-eyed daughter, the quick son.

Alphabet of names in a green field.

Names in the small tracks of birds.

Names lifted from a hat

Or balanced on the tip of the tongue.

Names wheeled into the dim warehouse of memory.

So many names, there is barely room on the walls of the heart.

Mr. Speaker, I yield back the balance of my time.

□ 1645

IGNITING AMERICA'S ECONOMY WITH FAIRTAX

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WOODALL) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I am down here with some of my colleagues to talk about one thing, and one thing only in our time, and that is about igniting America's economy.

We can talk all we want to about putting people back to work; but nibbling around the edges of the American economy isn't going to solve the problem for the men and women in the Seventh District of Georgia, nor the men and women in the great State of Texas, nor the men and women in Alabama, or anywhere across this country.

What we need is a competitive advantage on the rest of the world. We have the most capable workforce on the planet. We have the hardest working workforce on the planet. We have the best infrastructure on the planet. We have the most freedom on the planet.

Why is it, Mr. Speaker, that we then would not have the most robust and growing economy on the planet? I tell you it is for one reason, and one reason only, and that is the burden of the American Tax Code on the American entrepreneur.

It is the burden of the American Tax Code on those men and women who want to make America great, who want to put people back to work, but who cannot do it because the Tax Code disadvantages them relative to the rest of the world.

Mr. Speaker, there is an idea in this Chamber—and you know it well—it is called the FairTax, and it is H.R. 25. Anybody in America can look it up. It is at www.congress.gov.

In just over 100 pages, H.R. 25 describes how we could rip this United States Tax Code out by the roots and replace it—where we can rip this Code out by the roots and, rather than having the single worst Tax Code on the

planet, have the single best Tax Code on the planet. It describes how we could rip it out by the roots and, rather than punishing people for how productive they are, begin to tax people based on how much they take out of the economy, a consumption tax. That is the way our Framers founded this country, and that is the way we could fund this country again.

Mr. Speaker, right now is the time. With the economic challenges, the headwinds blowing against America as they are today, right now is the time. I do not want to compete with the rest of the world based on low wages. I do not want to compete with the rest of the world based on unsafe workplaces. I do not want to compete with the rest of the world based on whose air is dirtier or whose water is unsafe.

I want high wages. I want safe workplaces. I want clean water, and I want clean air. But I do want to compete with the rest of the world based on whose Tax Code makes the most sense.

Mr. Speaker, I was elected in 2010, just 5½ short years ago. One of the Members in that freshman class with me was Mo BROOKS from northern Alabama. He's down here on the floor tonight. When I got ready to introduce the FairTax in that Congress, Mo was one of the first folks out of the box to say, ROB, we can make a difference, we can make a difference for the country, and we can make a difference for individual families; put me down as a sponsor of the FairTax.

I yield to the gentleman from Alabama (Mr. BROOKS).

Mr. BROOKS of Alabama. Mr. Speaker, I thank the gentleman from Georgia for the opportunity to stand with him tonight as we discuss the FairTax. Quite frankly, I wish my eloquence was that of yours. Certainly, my passion is for the FairTax, with all the economic benefits that it would yield to the American people, the job creation it would yield, and the simplification of the headaches that occur every March and April as American people, including job creators, have to try to figure out how much taxes they have to pay.

In that vein, I have some prepared remarks, but I am available for any colloquy that you may want to have afterwards.

Mr. Speaker, America's Tax Code is so complex as to border on impossible for any one person to understand. According to the National Taxpayers Union, in 2016, American taxpayers suffered an economic loss of \$234 billion from the 1.9 billion hours of time spent trying to figure out and pay their taxes.

Making matters worse, from 1986 when President Reagan signed the Tax Reform Act into law to today, the Tax Code has grown from 30,000 to 70,000 pages, more than doubling in size. Further, the corporate tax rate has skyrocketed to 39.1 percent, easily claim-

ing the highest rate in the industrialized world.

I cannot emphasize enough the detrimental impact America's complicated Tax Code has on our economy and the burden it creates for taxpayers and job creators alike.

As such, I strongly support Representative ROB WOODALL's FairTax Act to abolish the Federal income tax, employment tax, and estate and gift tax, and replace them with a national sales tax and prebate that eliminates the effect of sales taxes on low-income families.

Businesses and families know how to best spend their hard-earned money. We need a system that puts power back into the hands of the taxpayer, not government bureaucrats. The FairTax proposal makes this possible. In particular, it eliminates the income tax and stops the Federal Government's snooping into American citizens' incomes, savings, and bank accounts, while still producing the revenue needed to fund the Federal Government.

The FairTax is simpler, thereby saving taxpayers billions of hours and hundreds of billions of dollars in trying to determine tax liability.

In addition, the FairTax dramatically stimulates America's economy by eliminating costly income tax and compliance costs for America's employers, thus cutting the cost of producing American goods and services by roughly 15 to 20 percent, a huge competitive advantage in an increasingly tough international marketplace. This competitive advantage for American job creators means more jobs and higher incomes for American workers.

Mr. Speaker, I urge you to bring the FairTax legislation to the House floor for a vote to simplify the Tax Code, return American individual freedom, and grow the economy.

Similarly, Mr. Speaker, I encourage the Members of the House of Representatives to support this plain, commonsense way of collecting taxes, stimulating the economy, and getting the Federal Government more so out of our own personal lives.

Mr. Speaker, to the extent Congressman WOODALL has more that he wants to discuss, I am available.

Mr. WOODALL. Mr. Speaker, the gentleman had me at more jobs and higher wages for workers. You had me there.

One of the things we don't ever talk about is the snooping that you describe. Now, "snooping" is a powerful word. As you were talking about that, it dawned on me that the Federal Government knows more about my finances than any member of my family. Think about that. The Federal Government knows more about me and my finances than I am willing to tell any member of my family.

When I think about freedom in this country, when I think about what the

government needs to do to keep us safe, to keep the economy growing, I don't think about that degree of invasiveness as being necessary today.

I yield to the gentleman from Alabama (Mr. BROOKS).

Mr. BROOKS of Alabama. Mr. Speaker, it is not just the snooping. It is also the coercion where the Federal Government uses, Washington uses the Tax Code to compel people to engage in conduct that they otherwise would not engage in, or to not engage in conduct that, under normal circumstances were they free to do so without potential retaliation by the IRS, they would engage in.

We have some issues, by way of example, where the Internal Revenue Service has been used to try to achieve political gains, where the Internal Revenue Service has been used to punish people because they have chosen to exercise their freedom of speech rights or their religious rights or because they chose to associate with some people rather than other people, all rights guaranteed in the United States Constitution and the Bill of Rights.

The power that we have given the Federal Government and the Internal Revenue Service through the Tax Code can all be taken away from the Federal Government by going to the FairTax.

The reasons to support the FairTax so far greatly outnumber any potential harms that detractors may describe. Again, I urge the Speaker of the House to allow this legislation to come up for a House floor vote so that we can support it, so that we can pass it through the House of Representatives. Should it fail, the American people will know who was on record in support of liberating the American people from the Internal Revenue Service and who wants to keep the Internal Revenue Service as our masters with our being in bondage to their whims. So there are lots of advantages and very few disadvantages.

Again, I want to thank the gentleman from Georgia and the people of the great State of Georgia who have sent him here so that he can advocate on their behalf and advocate for a FairTax that just makes sense.

Mr. WOODALL. Mr. Speaker, I have appreciated the gentleman's friendship and his leadership since he and I arrived here together just two terms ago.

While the gentleman from Alabama was speaking, I put up a poster that has a postmark that reads April 15. You were talking about what it means to make March and April less intimidating, less frightening. He talked about coercion and intimidation.

I would wager there is not a single American citizen age 16 or older—anyone who has ever held a job and had a paycheck—that when I put up a postmark of April 15 they don't know exactly what that means. That means that is the day the tax man is going to come calling.

I am going to do the very best I can to get it right. But if I don't because it is too complex and I just can't figure it all out, the Federal Government and criminal enforcement are going to come calling. It is a frightening day for folks to do a civic responsibility, and that's to help keep the government open.

If I had to choose a region of the country that led as aggressively as Alabama leads, as Georgia leads, it would have to be the great State of Texas. We are joined tonight by the chairman from the great State of Texas, Mr. CONAWAY.

I believe, if I went back and counted all the cosponsors of the FairTax, the FairTax is the single most widely cosponsored tax reform bill in the entire United States House of Representatives. I believe we have more cosponsors from the State of Texas than any other State in the Nation. Of course, Texas has abolished their income tax and is governed by a consumption tax.

Mr. CONAWAY. Mr. Speaker, I am not sure Texas ever had an income tax, and I am pretty sure we are not ever going to have one.

As part of my professional background, I am a CPA and my license is still current. Before I joined Congress, I spent 30-plus years helping clients cope, deal, understand, and pay their taxes.

Speaking of the IRS and the intimidation factor, as a CPA, if I get a letter from the IRS addressed to me, my heart rate goes up before I open it. Now, it shouldn't be that way. It shouldn't have that kind of impact on any of us because I work really hard, as you might expect, to make sure that I get my taxes done.

My colleagues have both hit many of the high points on the FairTax. The choices we have out there now: there is the current Code, and there are advocates for that; there is a flat tax, and there are advocates for that; then there is a national sales tax, and I have cosponsored it after six terms and am proud to do that.

There are several reasons I have settled on the sales tax. One, it eliminates the IRS. Every government needs taxes in order to run. That tax collection scheme should have no other purpose, other than collecting the minimum amount of money needed to fund that government.

The current Code from '86 forward—and back, actually, to 1916—has been used over and over and over to manipulate this behavior, to incentivize that, disincentivize this, reward this half, punish, all these kinds of things.

□ 1700

That is manipulative and it is inefficient, and it is just the wrong use of a Tax Code. We shouldn't be using it that way. So that is why I have settled on a national sales tax. The reason I do that

versus a flat tax is because, quite frankly, the flat tax, as most people understand it, leaves in place the IRS, leaves in place the opportunity for the mischief that goes on with the current Code.

We could go to a flat tax, as we did sort of in 1986. The 1986 act was more in that direction. It reduced rates, flattened the rates out, eliminated some, those kinds of things. Thirty years later, we are more complicated today than we were in 1986. The flat tax leaves all of that opportunity for mischief in place going forward.

So the ink wouldn't be dry on the flat tax until somebody would say, hey, you know, if you give us a little relief on that flat tax thing for this area, look how it would prosper, grow the economy, create jobs, all those kinds of good things, and every one of those provisions are in there, so the flat tax and the current Code share much of that same risk.

Sales tax, on the other hand, is collected by the States. You would eliminate the IRS, so it is collected at the point of sale. The compliance, the studies show that the compliance with that sales tax would be greater than the current compliance we have with the income tax that we currently have, and so compliance would be better. It would be left up to the States to collect it. They would get a little slice for doing that on our behalf. The rest of the money would come into the Federal Government.

You would eliminate the entire bureaucracy that is the IRS and the good and the bad that they have done in the past, more bad lately than good because of the punishing taxpayers, going after taxpayers because their political beliefs are different from the current boss of the IRS, who is Barack Obama. That goes away, and it is just better.

I would caution, though, there are those who would argue, well, let's just do both. Let's have a little bitty income tax and a little bitty sales tax. Don't do that. The jurisdictions who have both wind up raising both. Let's pick one and stick with it, as hard as it might be to transition and all this kind of good stuff. Let's do that because of the impact it has on the opportunity for manufacturing in the United States to compete, as you just said. In addition to the tax, there is that overregulation thing that hurts them as well, but the Tax Code creates a huge competitive disadvantage that we can do something about now.

Overregulation, you know, that is in the eye of the beholder, but the income tax, the impact the income tax has on the cost of goods sold outside of the country, that is clear, and there is definitely something we could do about that.

I appreciate my colleague bringing this up.

The one thing that people ask back home who are supportive of the

FairTax is: What do we do? How do we get this done? Quite frankly, it is educating taxpayers, because the uninitiated would listen to that 30-second commercial that says, you know, this politician is in favor of a percentage increase in taxes. They leave out the little nugget that we would do away with the IRS, do away with income tax, estate tax. That kind of gets left out of that 30-second commercial.

We have got to have an educated taxpayer base out there that looks at that commercial and says, no, wait a minute, as Paul Harvey said, that is not—there is more to it, there is "the rest of the story" associated with that tax increase that they would like to champion this to go against it—so, educating taxpayers.

I ask folks, when I bring this up at a townhall, to look at it themselves. What does it do to your business? What does it do to you personally? How does it impact you? Educate, because there is no interest like self-interest. So look what it does for you, and it is a better way to get at it.

It has got all these advantages. All this investment would stay here in the United States. I have cosponsored it for 6 years.

One quick anecdote and I will shut up. I have not had a CPA come to me and complain about sponsoring the FairTax, that you are going to put us out of business. I did have the mother of a CPA come to me, and she was a diminutive little lady who thumped me on the chest really hard and said: Don't you put my daughter out of business. I said: Ma'am, I have got that. I have got that.

Well, it just so happens I am real good friends with the CPA daughter. I ran into her a couple weeks later. She said: Hey, I understand you saw my mom. I said: Yeah, she was worried about me putting you out of business. She said: Don't worry about my mom. If the Code went away, all that tax compliance work went away, we would find really good stuff that we could do for our clients to promote their business, help them be more efficient, help them grow and do all those kinds of things that we would really rather do than comply with an ever-changing Tax Code.

I appreciate my colleague sponsoring this hour tonight and those who are about to speak and have spoken, because it is important to educate the American taxpayer so that that groundswell of support—you know, the folks who support a national sales tax, the folks who support a flat tax, basically, are telling Congress, we want something other than the current Code. The problem is we have got to have enough oomph, enough political muscle from the electorate—I am not sure how she is going to spell that—to back it so they would represent that two-thirds to overcome a policy that is

this invasive, this expansive, and make that happen.

So it is about educating taxpayers, getting them on board to create that political will that then gets communicated to the 435 of us who actually have the voting cards that can make it happen.

So I appreciate my colleague for sponsoring this tonight and allowing me to prattle on for a whole lot longer than you probably wanted, but thank you for letting me be with you tonight.

Mr. WOODALL. Mr. Chairman, your leadership has been invaluable on this, not just because of the people you represent, but because of your background as a CPA. The American people know instinctively there is a better way to do it, and to have it from someone who spent a lifetime in that space, we really can move on. I laughed at your story about getting thumped in the chest.

We have been joined by JODY HICE from the great State of Georgia. In our district, folks thump you in the chest and say, you better put your name on the FairTax. In fact, Congressman HICE has constituents out in the hallway right now but cared enough about the FairTax to come down just for a moment. I appreciate him doing that. I am happy to yield to him.

Mr. JODY B. HICE of Georgia. It is just a great honor anytime to be able to speak on the FairTax, and I just want to say thank you for your incredible leadership in keeping this ball moving forward. But, yes, you are right. In fact, one of the first things I did when I took office here was to co-sponsor the FairTax.

If there is any one issue in the 10th District of Georgia that I hear more than anything else, it is support for the FairTax. I think it is because the people know, really, two key things. Number one, taxes are far too high, excessive, and burdensome, and the Tax Code is absolutely too complicated. I hear this over and over and over. Every year it gets more and more complicated and bigger and bigger and bigger. And so, you know, we are at a point that the Tax Code itself literally cries out for reform, and I don't know of any better way of dealing with this than the FairTax.

We talk about having an economic boom, the likes of which we have never seen before. It is all wrapped up in reforming the Tax Code in a manner that can be done here with the FairTax. And, you know, this is something that absolutely we need to do. It is going to strengthen individual freedom.

Just think of this. Individual freedom is wrapped up in economic freedom, and the more we confiscate through our current tax system, the less individual freedom we have. It is going to promote jobs, the likes of which we haven't seen before. It is going to eliminate the IRS. Who among us doesn't want to see that happen?

The IRS, as we watch it these days even targeting individuals, it is just insane to think of any government agency targeting citizens of this country, but particularly an agency like the IRS that literally has the power to destroy lives. It is just an incredibly important issue for us to address, and so I am a strong supporter of the FairTax, and thank you for your leadership on this.

I think, as we come to the close of this 114th Congress, we need to do all we can to keep this on the forefront—tax reform and, in particular, the FairTax. We need to move this needle forward. To you and your predecessor, John Linder, you have carried this weight on your shoulders a long time, and I am deeply appreciative of this and for your leadership in this Special Order. Thank you for letting me participate in it. I am deeply appreciative.

Mr. WOODALL. I thank the gentleman. He is a new, first-term Member here, and he is already leading on all of these issues, and I am grateful to him for that. He has got his ear to the pulse of what folks want back home, and what folks want is more freedom and more economic opportunity. I am so grateful to him.

If I can ask the chairman: Trained as a CPA as you are, what is the benefit of the Tax Code? Everybody in this Chamber, from the far left to the far right, every Republican, every Democrat, everybody wants a better job environment. They want growth in the economy. They want the American people to succeed and be prosperous. What is in it for America to keep what we have today?

Mr. CONAWAY. Well, a couple things. Obviously, there is an industry created to help comply with a really complex Code. There is a smaller but, nevertheless, powerful industry that is in place to promote new changes and additional issues to add to the Code to make it more complicated. Every one of those special programs in the Code—deductions or credits—has an advocacy group. Somebody somewhere is using that piece in their tax return.

Here is an example. I was talking back home about the advantages of eliminating—A Better Way has got another tax program. But I said, making a comment, we are going to eliminate all those deductions and credits for individuals. I said, now, that is going to take political will because every one of them has an advocate, a taxpayer, not a lobbyist or all those kinds of bad words, but a taxpayer; and in order to overcome it, we are all going to have to give up our little special niches to make that happen.

No sooner was that out of my mouth and I finished it than a guy came up to me and said, hey, I agree with doing away with all those tax credits and all those deductions, but leave in place section 1031. Well, 1031 is that like-kind exchange section where I can take in-

come-producing property, sell it, defer the gain, invest it in another income-producing property, and just kind of daisy-chain that down the road. Well, he is a broker. He sells ranches and farms, so it was in his best interest personally to make that happen.

It is hard to make broad statements that it does good stuff, but every one of those provisions has somebody somewhere in America who is taking advantage of it.

Here is another thing that just happened, and this has really nothing much to do with this. I got two calls today, one while I was sitting here waiting for this to start from a voice that said, "Hello," very stern, this is so-and-so from the IRS, Internal Revenue Service, and you have an audit problem that you have not addressed. There is a big deal going on, and if you don't call this number back right away, we will interpret that as you trying to run from us, and it will enhance the charges against you. A clear scam because the IRS doesn't call you. But nevertheless, there is a scheme out there available that someone could use as a scam artist to frighten taxpayers because, to an uninitiated person, they would call that number back. I have no idea what it would do to your phone if you called it back.

There is something going on there that hasn't happened, but here is what would never happen. You will never get a call that says you have not paid your sales taxes, and because you have not paid your sales taxes, we are coming to get you. No, sales taxes are collected at the point of sale, and there will be no collection agency. There will be no opportunity for a scam in that regard.

But back on who benefits. Obviously, there are a group of folks who do tax compliance, and much of that is offshored, quite frankly, and then the people who use those individual pieces. So part of this is to overcome that inertia to change.

Mr. WOODALL. Mr. Chairman, I am glad you mentioned that scam. I am going to find the camera that is focused down here and tell folks, if you get a call from the IRS, it is not legitimate. Do not deal with somebody at the end of a 1-800 number who says there is an arrest warrant out for you. If you don't have any other option, call your Congressman, and we will intervene for you in that space. It is hundreds of millions of dollars that have been scammed from American citizens, Mr. Chairman, through this scheme.

The scheme works for one reason and one reason only, and that is that the IRS really is that scary to the average American citizen, and we created it. It is our creation, and we are complicit in this scam. Please, it is happening to your parents, your grandparents. I get those calls, too. I am in constituents' homes. The calls are coming in then, and not everyone knows it is a scam.

Folks are so frightened by the IRS, they are paying these folks hundreds of millions of dollars today.

I appreciate you mentioning that.

Mr. CONAWAY. I thank the gentleman. Again, I appreciate him sponsoring this hour. I know you have a couple other Members who want to speak. Thank you for your generosity tonight.

Mr. WOODALL. Thank you, Mr. Chairman.

We have got down here with us what I would say is a gentleman who is second to none in terms of FairTax support. He is STEVE KING, from the great State of Iowa. Even before I was elected to Congress, I could turn on C-SPAN, and when folks wanted to talk about tax reform, I would see STEVE KING down here talking about a better way to do a Tax Code. I would hear him talking about, from his own personal experience, what it was like to be targeted by an agency like this and what it would mean, as a small-business owner himself, to be free of that burden and be able to go out and hire. I have always been grateful for his friendship since he has arrived, and I am pleased to yield to the gentleman from Iowa tonight.

Mr. KING of Iowa. I thank the gentleman from Georgia for yielding, but especially for his leadership here in the United States Congress, and especially on the FairTax. And that introduction, Mr. Speaker, it flashes back to me some of the things that I haven't really spoken to recently and how far we haven't come over the years that this became, obviously, the best thing that we could possibly do from a tax perspective in America—or anywhere in the world, for that matter.

I have often told the story, but I should say I used to tell this story often, and that is that I am running my little construction business that I started up in 1975, and we have completed 41 years in business. I was audited one too many years in a row by the IRS, and I had learned that—we didn't have copy machines in those days, so if they could ask for data, I would have just said: Here, I will run all these copies. You can analyze them. I will go out and start a machine up and go to work, make a little money so I can pay my taxes.

What it really did was it shut me down. It shut me down because I had to sit there in my office and serve papers out to the auditor because I was the one who knew where the papers were, and they were in my filing cabinet. And I had learned in previous audits that I didn't want to just say: Here is the filing cabinet. I am going to work. Let me know what the bill is when you are done.

It didn't work out too well for me.

□ 1715

So, I sat there for 4 days, and I served papers to the IRS. I would say: I will

give you a paper. You can look at it. You can take your notes. Do what you will. When you are done with that paper, hand it back to me and I will put it in the file, and then you ask for another record and I will give it to you.

We did that for 4 days. At the end of that period of time, we had an intense negotiation. It came down to a number. I remember it clearly. It doesn't seem so big today as it did then, but it was big then, and it was wrong.

I paid the taxes that I owed and had done that with good intent as well. I complied with the law, and I had intent to comply with the law. But they seemed to have intent that they were going to justify the 4 days of being drug through—I thought I was drug through that, not them—but when it was all done, I had to go to the bank to borrow the money to pay the IRS that I believe to this day I did not owe. If I had otherwise borrowed the money to hire a lawyer to defend myself against the IRS and the Federal Government, the odds of success were so infinitesimally small that I had to decide do I want to stand on principle or—if I stand on principle, I can sacrifice my company—or do I want to borrow the money and pay bondage to what was an unjust principle and try to keep my business alive? That is what I decided to do.

Those who know me for the time I have been here know how hard that is—for me, especially. I had to swallow as hard as I have ever had to swallow. But I went back out to work, and I fired up that old bulldozer and I climbed in the seat and the smoke went out the exhaust stack and out of my ears. This is the way that a person has to do business in this country.

My oldest son owns that business today. He told me a narrative—not telling me the message I would get out of it—that he was joining up with an engineering firm to start a new business venture in addition to our construction work. They had a 90-minute meeting.

At the end of that meeting, David King said to the engineer: Mike, did you realize that we have just talked business for 90 minutes?

Yes, I surely do.

Do you know what our topic was for 90 minutes on this business venture?

Taxes.

Ninety minutes of human resources were burned up on how to set up a tax structure to start a new business rather than figuring how to produce a good or a service that has a marketable value here or abroad. That is what is wrong. It is the waste of human resources that are consumed in compliance with the IRS, and it is the waste of human resources that could be far better used in producing that good or service that has a marketable value here or abroad.

I have come not full circle on the issue. I stand exactly where I did in

that time back in 1980 when I was audited one too many years in a row. But we are in the second generation of King Construction today, and I have to go back and look.

Just yesterday, I had a 1-hour meeting with a Commissioner of the IRS, Commissioner Koskinen, who is facing a privileged motion as well as a filed motion to face impeachment for malfeasance within the IRS; and the violations, I believe, happened directly under the watch of Lois Lerner.

So, I never imagined, Mr. Speaker, that day that I climbed in the seat of that old bulldozer and the smoke came out of the exhaust stack and my ears, and I began to think, I want to be rid of the IRS. I went through the process of, if you abolish the IRS, then what to do you do to replace the revenue? I spent weeks thinking that through. There was nobody to talk to in those days.

I would go to, I called it my OshKosh B'Gosh caucus, the guys in the overalls at 6 a.m. in the morning, and I would sit down and I would tell them we need to have a national sales tax; we need to replace the IRS; we need to abolish the IRS. Give people their freedom. Let them make their choices on their taxes when they purchase, not have somebody looking over your shoulder second-guessing all the decisions you have to make while you are in business.

For weeks, we went through that, and they got a little tired of hearing me talk about going to—I didn't call it a FairTax; I didn't have a name for it except national sales tax. Finally, they said, well, if that were such a good idea, we would already have done it by now. Anybody that served much time in Congress knows that is a laugh. We have lots of good ideas that we don't do by now because there are competing interests here.

I have taken this policy to Alan Greenspan, the former chairman, shortly after he retired. I went to his Spartan office in downtown D.C., and I asked him if he would be the national spokesman for the FairTax. It was my mission to be a good salesman—and I am a good salesman; I have a good-looking wife, and that is proof positive—for the FairTax.

We went through the FairTax, and he said: Congressman, this is not an economic question. You are asking me, as an economist, to be your spokesman. It is not an economic question. You will not find serious economists that disagree the FairTax does these things that you say.

He said: It's a political question. So economists should not be selling a political question. Politicians should sell a political question. That is you. You go sell it.

I said: Well, let me try this on you. I want to go through this list of things that I say the FairTax does that is good, and I want you to interrupt me

and challenge me at any point along the way of any component that I have said that can't be sustained in an economic argument, an economic forum.

So, I went through the list. I will just hit some of them, not all of them. The FairTax abolishes the tax on productivity. We are punishing productivity in America. People on that side of the aisle believe that consumption drives the economy. Well, if you don't produce, it doesn't. It is the production that drives the economy, especially when you are importing or exporting it, and we need to get that back.

It eliminates the tax on production. It eliminates corporate income tax, personal income tax, estate tax, capital gains tax. It allows for the repatriation of the U.S. capital that is stranded overseas by the trillions of dollars that would be reinvested in the U.S.

I went through this vast list of things the FairTax does that are good, and I stopped and I said: You are not interrupting me, Mr. Chairman. He said: I don't need to do that, but you left something out. You didn't mention that the FairTax provides an incentive for savings and investment, and this economy desperately needs an incentive for savings and investment.

It wasn't that I left it out on purpose. I just forgot to say it.

So he said: Add that to what you are saying, and keep saying everything else.

And so I turned it into this. Now I just tell people the FairTax does everything good that anybody's tax policy does that is good. It does them all, and it does them all better. And that is pretty close to the final word on the topic.

Now, America needs to come to her senses, and if we want to have a stimulated economy, if we want to reverse this imbalance we have in trade and bring it back to where we have an export surplus instead of an import surplus, if we want to stabilize our currency, if we want to stimulate manufacturing and production in America, if you want to have a stable currency, a stable economy, an America that is a robust economy in the world again, we go to the FairTax.

That little island of Ireland that has attracted over 700 former U.S. companies that were domiciled in the U.S., now domiciled in Ireland with their little flat tax over there—it was zero for 10 years, became 10, then 13 percent or so. The dynamics that they have seen on that little island of Ireland, with the FairTax in America, would be multiplied by a factor that I hesitate to guess at here on the floor of the United States Congress. But it would be an awesome, dynamic change to our economy, and we wouldn't need to be importing millions of people from foreign countries to do these jobs Americans would do, because the wages would go up, the benefits would go up, our com-

petitiveness would go up, and America would be back in the preeminent place in the world again.

That is how good this FairTax is. That is why I am here on the floor to support Mr. WOODALL, and I thank the gentleman for his leadership on this issue and the opportunity to say a few words.

Mr. WOODALL. For folks who aren't following those numbers as closely as you are, yes, when this Tax Code was written in 1986, the average corporate income tax rate around the globe was almost 50 percent. Today, it is less than 25 percent. The rest of the world has been moving towards that tax competitiveness, while America has been standing still.

You asked about the good things that happen around here. Generally, the good things that happen are because folks come with individual experience, as you have come with; they come with passion, as you have come with.

What folks may not realize is here you are. The family runs King Construction, and you are not asking for a tax cut. You are not asking for a tax carveout. You are not asking for a special favor or an exemption or a deduction. You are saying do away with all the special interests in the Tax Code, and let's just give everybody a fair shot at a flat and level code. It is that kind of selflessness that is going to drive the changes that have to happen here. Yes, there are special interests that are committed to selfish preservation of provisions in the Tax Code. I think selflessness is going to win out in that debate.

We are joined on the floor by a new Member from the great State of Georgia. His name is BUDDY CARTER. He represents the single fastest growing container port on the entire planet.

What I am saying to you is, when it comes to creating jobs in America, we have got to export to a billion new consumers in India and a billion new consumers in China, and we are not competitive with our Tax Code today.

The gentleman from Georgia sees this day in and day out, going out of the great Port of Savannah. In fact, I am told—the gentleman can correct me if I am wrong—out of your automobile exporting plant, we now export more Mercedes to the rest of the globe than any other vehicle out of that American port, because we are building Mercedes-Benz better and cheaper than the rest of the globe, and the rest of the world wants to buy them.

I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. I thank the gentleman for holding this important debate on tax reform and the FairTax Act.

Tax reform is one of the most pressing issues facing our Nation today. In fact, it is so important that my very first act in Congress was to cosponsor

this bill. I had promised that to my constituents. When I got here, that is exactly what I did. Without question, one of the most pressing issues that our citizenry has right now is tax reform. That is at the top of the list. So I am very proud to be able to participate in this.

You mentioned the ports. I am very blessed and very humble to be able to represent the First Congressional District in Georgia, which includes two major seaports: the Port of Savannah, which is the number two container port on the Eastern seaboard and number four in the Nation; and the Port of Brunswick, which is the number three roll-on, roll-off port in the country, meaning that we have cars down there that are leaving that port every day and going to all corners of the world.

It is something that we are very, very proud of, and something that adds to our economy. And it is not just the economy of the First Congressional District, but of the entire Southeast United States. That is how important it is. Again, that is why the FairTax is so very important to our country and why I support it so much.

We need a tax system that treats everyone equally, that encourages American businesses and the economy to grow and prosper. First of all, people don't like paying taxes. We understand that. We all understand the need to pay taxes. But if they are going to pay a tax, they want to pay a consumption tax. They don't want to pay a property tax. They would rather pay a consumption tax.

I have learned that after years of being a mayor and after years serving in the State legislature, that has been something that has been just very clear to me. And people want a tax system that is easy to understand. They don't like our current tax system that is so complex.

When you look at the IRS manual and you see how thick it is, it just boggles the mind to think that we can't come up with something much easier than that. That is why I compliment you on the FairTax, because it is simple and it is straightforward and it is fair, and that is what people want.

But even worse, we have got an out-of-control bureaucracy at the IRS that has completely lost the trust of the American people. When I go home, when I meet with my constituents time and time again, that is what they tell me, that they don't trust the IRS, that it is too complex. They want it to where they can file their taxes on a postcard. And there is no reason why we shouldn't have that and no reason why we shouldn't continue to work toward that common goal.

The FairTax Act would fully repeal our current tax system and replace it with a national sales tax on the use and our consumption of property or services in the U.S. By eliminating the

Federal income tax, everyone can keep their entire paycheck and pay taxes only on what they consume. Again, a consumption tax.

No more struggling to understand the volumes and volumes of tax codes and exemptions. It would do away with all that. Simplify, simplify, simplify. Everyone would contribute their fair share based on what they purchase.

We all have to purchase. That is what makes our economy run, and that is why this is such an ideal tax and such an ideal system for me and for us as Americans.

You know, as a former small-business owner, I am fully aware of how difficult it is to be successful and grow when the tax system is so complicated and burdensome. I fought those battles. The uncertainty alone makes it very hard to take on the challenges and risk of building capital and hiring employees. The economy cannot grow if business-owners are held back from making the changes and additions that they need to expand. We have to have that.

I believe that a simple and straightforward system like the FairTax will provide the certainty that businesses need to grow with confidence. Our Nation is still in an economic recovery mode, and businessowners and families need all the confidence that they can get.

Again, I want to thank my colleague from Georgia for introducing this legislation and compliment him on the excellent job that he is doing. I encourage all my colleagues to support the FairTax so that we can finally have the fair and simple tax system that Americans deserve.

Mr. WOODALL. I thank the gentleman for making the FairTax number one out of the gate. I know he leads a passionate constituency.

I listened to you talk about what the FairTax would do, and I am thinking that is almost unbelievable that there is that much out there on the table we could seize for the American economy and American families that we haven't done.

□ 1730

I am reminded that America is the only country in the OECD, the only economically developed First World country that does not have a consumption tax today. Folks around America are accustomed to all of the downsides of our current system that you went through. There is a better way and the rest of the world has found it and we are lagging behind.

I appreciate the gentleman's leadership to help get us there.

Mr. CARTER of Georgia. I thank the gentleman for his efforts.

Mr. WOODALL. We also have on the floor the chairman of the House Budget Committee. Now, I will tell you that if there is someone who is working harder for the American economy than Dr.

TOM PRICE, chairman of the Budget Committee, I don't know who it is. And he is absolutely trying to cut every penny of waste, fraud, and abuse there is in the budget, but I don't know that we can cut our way into prosperity. I think we are going to have to grow our way into prosperity, and this burdensome Tax Code seems to be standing between us and that kind of success.

I yield to the gentleman from Georgia.

Mr. TOM PRICE of Georgia. I thank the gentleman, and let me add my voice to the echo and chorus of those who are commending him for his work on the FairTax. This is incredibly important.

And the gentleman is right. I have the privilege of chairing the Budget Committee, which is sometimes a blessing, sometimes a curse. But you put your finger on the thing that I want to talk about today because the FairTax, as you well know, our current tax system is punishing all the things that we say that we want.

So we want hard work, we want success, we want entrepreneurship, we want savings, we want investment, we want all those things that people talk about that.

They say: Why are we not getting those things that allow for that growth that has to happen?

And one of the reasons, I believe—and I know you do, too—is because our current tax system punishes each and every one of them. Every one of those things that we say we want, our tax system punishes.

So people make their equation and they say: Well, should I do this? Well, no. I am taxed more if I do that. I am taxed more if I work hard. I am taxed more if I succeed. I am taxed more if I hire more people, on and on and on.

So when you look at where we are, from a growth standpoint, which is incredibly important because we can't tax our way out of the challenge that we have got. We can't even cut spending to the degree that we need to to get out of the challenge that we have from a fiscal standpoint.

We need to grow the economy. And the growth rate that we have had over the last 40 to 50 years in this Nation, average growth rate has been about 3.2 percent. Your constituents and my constituents and people all across this great country know that over the past 6 months we have seen a growth rate of 1 percent, and over the past 8 years we have seen a growth rate in the neighborhood of 2 percent. So we have had a 33 to 65 percent reduction in the level of growth in this country.

What does that mean to folks back home?

It means the jobs aren't being created. It means that there is part-time work instead of full-time work. It means that you have a son or a daughter that graduates from college and

they can't find a job in the endeavor that they have chosen. All these things that make it so that the economy is tamped down, harmed by our current system.

So the FairTax does all sorts of wonderful things, but one of the things that it does that would just reinvigorate and enlighten this economy is to incentivize the things that we say that we want: incentivizing savings, incentivize investment, incentivize hard work, incentivize entrepreneurship, incentivize risk-taking. Incentivize individuals who are out there trying to build a better mouse trap and we are going to reward them for trying to build that better mouse trap.

So I am enthusiastic about H.R. 25, enthusiastic about the support that you have continued to generate for this. I want to commend John Linder, who is a dear friend of yours and mine, and the work that he did to begin this project. I know that we will ultimately get to this point of a FairTax, of a consumption tax, because it is the right thing to do and it is the only thing that we can do that actually solves many of the challenges that we have got. So let me commend you for what you are doing. God bless you. It is a wonderful, wonderful work. And if you keep at it and we keep at it, I know that the American people will ensure that they invigorate men and women in this Chamber so that they support this commonsense, logical, exciting solution to the challenges that we face from a fiscal standpoint.

Mr. WOODALL. If I could say to my friend, a lot of folks believe that this town is just about talk, talk, talk, talk, talk. Yet you, in your budget that you have prepared, moved out of the Budget Committee, put down in writing, black and white, put your name behind it for all the world to see, every cycle, that there is a better way and we can do better.

Folks are afraid to take a stand on issues. You have been unafraid to take a stand. We cannot get from here to there without that kind of leadership, and I am grateful to you for that.

Mr. TOM PRICE of Georgia. Well, thank you, because this only happens when people get out there and say this is the solution. These are the kind of positive solutions that we can put forward, and if we were to adopt them, then it's "Katy, bar the door."

Thanks so much for your great work.

Mr. WOODALL. I thank my friend. And I would encourage folks, if you have any—if you want the black and white on this issue, go back to the Joint Tax Committee Tax Symposium. The Joint Tax Committee invited in everyone from the far-right economists to the far-left economists and said, Take a look at America's Tax Code and take a look at a consumption tax like the FairTax and tell me what it would do for the American economy, for families, for jobs.

Every single economist—not some, not most, every single economist—said a consumption tax, a move away from our current tax system will grow the American economy. Some said a little, some said a lot.

But we can do better. There is not a single Member of this Chamber who defends the current Tax Code as being the best we can do. It is not. The FairTax just may be the best we can do.

If you are not quite ready for the FairTax—and I hope you are; it is H.R. 25—let me refer to the Better Way agenda. The chairman mentioned it earlier. It is on the Speaker's Web site, betterway.speaker.gov. It is on better.gop as well.

The chairman of the Ways and Means Committee laid out a fundamental change in the way we do taxes. It is the most consumption tax-based plan a Ways and Means chairman has ever produced for this institution. It is not the FairTax, but dadgummit, it is moving us in the right direction.

If you want some encouragement about what is doable, about what we are able to bring ourselves together around, about what can really, Mr. Speaker, make a difference for jobs and the economy, look at what Chairman KEVIN BRADY from Texas has done. Again, it is a part of the House's Better Way agenda, but it is laid out there in black and white.

What my challenge is, not just for Members of this Chamber, Mr. Speaker, but for all voters across the country is the chairman has laid out a plan that gets rid of the exemptions, the deductions, the carve-outs, all of the lobbyist special favors. All of that is gone, but it is up to us to keep it gone. Take a look at it, believe in it, and then let's work together to make it a reality.

The only people who are disadvantaged by a change to a competitive Tax Code are our foreign competitors overseas. This isn't about Republicans. This isn't about Democrats. This is about America. This is about growth, and there absolutely is a better way.

Mr. Speaker, I thank all of my colleagues for their leadership and for joining me here.

I yield back the balance of my time.

PORK SHIPS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, tonight we are going to talk about pork ships. Now, you may be scratching your head. What is a pork ship?

Well, a pork ship was a name coined by POLITICO. Some may think, well, maybe that is a creative barbecue dish. Or military historians might say: Well, maybe it has something to do with the

Bay of Pigs. Others might think it is an Oscar Mayer-sponsored cruise liner. But all those guesses would be wrong.

The term actually applies to a chronically unreliable ship, the littoral combat ship.

Well, how unreliable is this ship?

In just the last 9 months, four of the six ships that we have built as Littoral combat ships have been in trouble. They have broken down.

As a member of the Armed Services Committee, I have been working to rein in this program for years. Unfortunately, the ship's manufacturers and some Members of Congress seem intent on throwing good money after bad.

The LCS has cost us almost \$20 billion so far; \$20 billion for six ships. But we have many more that we are going to build that are going to be flawed and that will break down. So the total cost of the ships over the course of the program is a mind-blowing \$120 billion. That is right, \$120 billion.

Now, we are scraping right now to find enough money for the defense budget. We are scraping right now to come up with \$2 billion to protect Americans from the Zika virus. Meanwhile, we are spending truckloads of money on ships that don't float.

Now, maybe I am being a little hyperbolic here, but I am going to follow through by talking about the history of the ship. The ship is so poorly conceived that even the name, littoral combat ship, doesn't fit.

The term "littoral" means that the ship should be able to operate along the shoreline. Yet, Navy officials have admitted that they haven't studied carefully enough whether the LCS is the right ship for warfare in shallow waters.

Combat. Combat isn't accurate either since the Defense Department's Testing Office has said the LCS is not survivable in combat settings.

Littoral combat ship. It doesn't meet the term "littoral." It doesn't meet the term "combat." And considering that one of these ships spent 58 percent of a 10-month deployment idle in a port, we might suggest that maybe it is not even a ship.

The Navy now wants to call it something else. Since this grand scheme that was concocted back in the 1990s doesn't quite fit today, let's just rename it a frigate.

So what is a frigate?

A frigate is a heavy, slow, and survivable ship. The littoral combat ship meets the heavy because it is much heavier than it was supposed to be. It is much slower than it is supposed to be, but it is not survivable.

So the question then becomes: What are we doing? We are never going to get back the nearly \$20 million we have already appropriated on that vessel, but are we going to spend extraordinary sums of money on something that didn't meet the initial expectations

and has proven over and over again that it is not working?

Let's talk about the evolution of the LCS and how we got to this point. One of the primary reasons for building the LCS was to increase the size of the Navy by building smaller and presumably cheaper vessels. However, there was never a consistent agreement on the LCS' mission.

Military correspondent David Axe has called the LCS "Frankenstein's warship" and questioned whether the LCS should be a heavily armored combat vessel, a mine clearer, a submarine hunter, a low-cost patroller.

How about a small, fast amphibious ship?

It was apparently meant to be all those things, yet we seem to have ended up with a ship that can do none of these things.

Since the Navy didn't conduct rigorous analysis on the ship until billions of dollars were already spent, they were building it without a strategic plan. As a result, the LCS program has changed its fundamental acquisition plan—now, get this—four times since 2005.

□ 1745

We now have a ship that is less survivable and less lethal than originally planned. The real threshold question is: Do we really want to put our sailors' lives at risk on a vulnerable ship? That should be the threshold question. If this ship is so plagued with flaws and is not survivable in combat, are we not putting our sailors at risk?

On top of the fact that the LCS is struggling to perform its intended missions, it is turning out to be the proverbial lemon. As detailed by a Politico article in July, the ship's maiden voyages have been marked by cracked hulls, engine failures, unexpected rusting, software glitches, and weapons malfunctions.

So let's start with February 2011. Here we are. What happened there? In February 2011, the USS *Freedom* sprung a 6-inch crack in its hull that required several months' worth of repairs. All right, that is the USS *Freedom*.

Now we are in June 2011, just a few months later, and we find that the USS *Independence* has suffered severe corrosion and has been sidelined.

In December 2012, the Defense Department's director of operational test and evaluation released a report saying: "The LCS is not expected to be survivable . . . in a hostile combat environment." Now, this is the office within the Department of Defense within the Department that is charged with making sure our weapons are safe, effective, and accurate; and the testing office is saying: Do you know what? It is not survivable.

In July 2013, the USS *Freedom* was, once again, immobilized during a trial run. So it has got two strikes now. Also

in July of 2013, the GAO urged Congress to restrict the purchase of new LCS until the Navy completed technical and design studies and figured out how much it will cost to fix the vessel's problems. These were very good suggestions. Now, we pay these departments to make these recommendations. But guess what. We just ignored it.

We move from July 2013 to December 2014, Secretary of Defense Hagel directed the Navy to study ways to improve the program. However, the Navy doubled down on its failed strategy and prioritized costs and schedule considerations over mission requirements.

In December 2015, the USS *Milwaukee*—yet another LCS—broke down and had to be towed 40 miles after a software malfunction. In the same month, Secretary of Defense Carter directed the Navy to cut the program which would save billions of dollars. Once again, Congress resisted these efforts.

Another LCS, the USS *Fort Worth*, in January 2016 was sidelined because its operators failed to follow proper maintenance procedures.

In June of this year, GAO recommended Congress not fund any LCS for 2017. So what did Congress do? In a strained budget, did we heed the GAO? No. No, we didn't. The NDAA authorized not one, not two, but three new ships—three new ships—adding \$1.5 billion to the budget. Now, this is after the GAO said: Do not authorize any more LCS this year. What did we do? We actually upped the department's request of two to three.

But there is more. In July of this year, the USS *Freedom*—oh, my God, the third time—yet again encountered more mechanical issues. How bad is it? This time its engine will need to be rebuilt or replaced. This is a \$400 million ship that has been in dock, paralyzed, and towed in three times already, and now we are being told we have to replace or rebuild the engine.

Then most recently, yet another—there are only six of them, mind you, and five of them have had problems. In August of this year, the USS *Coronado* broke down because of an engineering problem.

Despite all of these problems and all of these warnings, what do we do in Congress? We continue to throw money at this ship. Lemons may float in water, but this lemon of a ship evidently does not, and it is taking taxpayer money to the bottom of the ocean with it.

Even the Republican chairman of the Senate Armed Services Committee, JOHN MCCAIN, has questioned the LCS program, demonstrating that this is not a partisan issue.

Members, we have a responsibility to take care of the taxpayers' dollars. It makes you wonder why certain House Members are so committed to not just sustaining, but boosting the LCS pro-

duction. Aren't we supposed to be prudent with taxpayer money?

The answer may be looking at what the shipbuilders were doing in Washington from January to March of this year. During that time, these shipbuilders were spending hundreds of thousands of dollars to lobby Congress. Do you know what? I bet we are all paying for that in the bottom line of that particular contract.

I experienced firsthand what that money can buy when I attempted to introduce an amendment to the FY 2017 Defense Appropriations bill that would have reduced the total ships purchased from three to two for this fiscal year.

Now, the Rules Committee apparently decided that my amendment was not germane to the bill. I mean, truly, that is right. An amendment on defense spending was deemed not relevant to a defense spending bill. This wasn't an absurd proposal either; it was in line with the President's budget request. It certainly wasn't a poison pill. That one ship represented only about 0.06 percent of the total defense budget.

In hindsight, I should have followed GAO's recommendation to not fund any LCS next year. I thought only going with two ships was a fair compromise. We won't know because we weren't even allowed to vote on it. That is what we do here. We avoid voting on controversial issues. But that is our job, and this is more than just controversial. This is spending taxpayer money and spending it poorly.

Even LCS shipbuilder Lockheed Martin must have been surprised that my amendment never reached the House floor. They had already sent out a letter urging a "no" vote on it. Now, as I mentioned, it never even got considered because it was held to be non-germane in a defense spending bill. But their arguments for voting against the amendment are about effective as a littoral combat ship is at a littoral combat, which is to say not very.

Lockheed said that if we reduced the LCS program, the Navy would be "unable to sustain fleet capability and meet global requirements." However, the Secretary of Defense said that cutting the LCS would actually improve our naval forces by allowing us to invest in more pressing needs.

Lockheed's letter also said that we shouldn't reduce the LCS program because "ship count is crucial for the Navy to meet its tactical missions." Ship count may be an important measurement of capability, but we should not be spending billions of dollars just to reach an arbitrary ship number, especially if those ships aren't survivable in combat or stall out on the open seas and have to be towed back to port. But that is what we are funding. We are funding flawed ship design, and we are funding flawed ships that are costing us a truckload of money.

Lockheed also maintains if we cut the program it would force the shipyards to shut down. But that is not even true. The GAO says both companies who work on the LCS variants already have enough work on the books to keep their shipyards running to the year 2021.

Fortunately, there is still an opportunity to salvage some savings from this shipbuilding program. The NDAA conference committee has been meeting to discuss provisions for the final bill. The Senate version supports Secretary Carter's directive to reduce the number of LCS. As a member of the conference committee, I have argued for the adoption of this provision. Cutting the total number of ships will save billions of dollars of taxpayer money over the long run.

As wasteful and as unnecessary as this program has been, it is just the tip of the iceberg of Congress forcing the Defense Department to spend taxpayer money on weapons it does not want and only seem to benefit certain industries.

For example, the House NDAA bill redirects \$18 billion in critical funding for wartime operations towards programs the Defense Department did not request. As a result, the bill would only fund the Defense Department through next April, effectively sidestepping the Bipartisan Budget Act compromise signed onto by both Republicans and Democrats that we reached just last year and putting funding for combat operations at risk.

In any budget environment, this is not the way we should be doing business, but House Republicans think nothing of engaging in these wasteful and irresponsible budget shenanigans—and some Democrats, too.

Now, I am all for Congress revisiting budget caps and looking for waste and areas where spending and support should be increased. But I do not support cutting funding to crucial, existing programs to fund programs the military doesn't even want.

Furthermore, should we be funding programs and should we be funding weapons that have not been fully tested, as the LCS is, that has already shown that it is flawed, that has already shown that five out of the six ships that are afloat have had problems, and they are big problems?

Whom do we work for? Do we work for big business; or do we work for the American people? Throwing taxpayer money at failed programs solely for the benefit of industry is not how we should be operating.

I am going to stop here. I am joined by my colleague from Minnesota. He is one of the most outspoken people in this Congress on issues around fairness in budgeting, and I am grateful that he is here.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I thank Representative SPEIER for yielding. I

appreciate the gentlewoman being the leader on this issue, looking after the public dollar and looking after our national security making sure that we don't waste any money but that we put our energy into making sure that we protect the American people at the most proper cost because a dollar that we waste is a dollar we cannot use to do anything else. So the gentlewoman's advocacy here, I think, is absolutely important.

I would like to thank the gentlewoman for organizing this hour to highlight an area of incredible waste of funds, the littoral combat ship. The Operational Test and Evaluation office in the Pentagon said in January that the ship is not reliable.

□ 1800

The Pentagon wants to pay for only two of these ships in 2017, enough to preserve competition and to make sure that taxpayers get the best deal for their money. Yet some in Congress want to force the Pentagon to buy three ships. Key Members of the Congress have expressed their concerns about the ship.

Senators JOHN MCCAIN and JACK REED do not believe that the littoral combat ship could defeat an enemy fleet "unless the enemy fleet consists of a small number of lightly armed boats at extremely short range."

The GAO thinks the problems with the littoral combat ship are severe enough to merit a complete production pause. The GAO recommends that Congress not fund these ships in 2017. The last of the Navy's survivability tests will not be completed until 2018, giving us the answers we need to guide future development.

The events of this week only reinforce the GAO's recommendation. The Navy ordered all littoral combat ship crews to stand down and halt operations in order to review procedures and engineering standards. Every single sailor with an engineering role on the crew will need to be retrained. This is due to ongoing challenges. That ought to be enough for us to take notice.

Yet Congress is not listening to the facts. The House appropriated an extra \$348 million for this ship in 2017. \$348 million goes a long way to buying other things that can promote national security, but also things that can help domestic security—things like housing, things like food, jobs, all these kinds of things that we have urgent needs to address. We haven't taken up the Zika. We haven't dealt with Flint. Many urgent needs.

This is not a worthwhile meritorious expenditure. Somebody is getting paid, and it is not right. The American people's interest should be upheld first. That is \$348 million above what the President requested for a ship that is not even working.

There are better uses for the taxpayer's money. Like I said, Zika. Let's make sure that our veterans are stably housed and support mental health programs. How about universal child care for working families? There are so many urgent needs that the American people have. Or, if we stick to military needs, let's support our troops overseas for an entire year, not just a few months.

I want to thank the gentlewoman from California (Ms. SPEIER) for bringing to light this critical issue. She always is at the forefront when justice needs a champion. I want to urge Ms. SPEIER to keep up the fight. We are very proud of her and the work that she does. We will always be standing by her side.

Ms. SPEIER. Madam Speaker, I thank the gentleman from Minnesota (Mr. ELLISON) for his comments. He hit the nail on the head. There are so many important resources, there are so many important services that we need to fund, and yet we don't find the money for that. Meanwhile, we have six ships, five of which have had problems, flaws, and yet we will not only continue to fund those ships, continue to rehabilitate those ships, but they are going to add three more.

When will we finally get the message that there is something wrong with this ship? Let's go back to the drawing board. Let's do this the right way. Let's not build more ships until we find out what is really wrong. This ship has not been fully tested yet.

Imagine if we put cars on the road that haven't been fully tested and then were breaking down and they were being towed. Would we put up with that? Absolutely not. But we are putting up with it when it comes to the funding of these ships, and I think it is a travesty.

I would say the LCS program has to go. Not just the name, because we have already proven that it is not subject to littoral shorelines. It is not eligible for combat survivability, and there is a big question as to whether or not it is a ship at all since it has the potential, or the propensity, to sink or to break down.

Let's trim the fat from this pork ship and finally sink it.

Madam Speaker, I yield back the balance of my time.

ZIKA VIRUS

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Florida (Mr. JOLLY) for 30 minutes.

Mr. JOLLY. Madam Speaker, I appreciate the opportunity tonight to come to the floor of the House together with a bipartisan group of legislators from the State of Florida to talk about the importance of urgent action on the Zika virus.

Perhaps no story has captivated the anxiety of the American people more than Zika has recently. Neither has a topic more angered the American people, angered people throughout Florida, because of the inability of a Congress and a President and a divided government to put policy ahead of politics and actually address what is a growing public health crisis.

Many issues that we face today—and the Founders intended this—are regional issues, from flooding, to health scares, to infrastructure issues. We have regional representation here in the House. Florida, in the continental United States, is ground zero for the impact of the Zika virus.

What has emerged within the Florida delegation, I am proud to say, is consensus that continues to grow among Republicans and Democrats around urgency. Now, we all have different opinions about the packages that have been proposed. Over the past 6 months, we have seen three primary options:

The President proposed a plan of \$1.9 billion over 2 years. That was his initial proposal.

The House proposal had money flowing at about that same rate by reallocating \$600 million from unspent Ebola money that was to be delivered over about 6 months, so \$100 million a month, depending on how you calculate the color of money.

The Senate reached a compromised plan at about \$1.1 billion. Now, I am sure we all have differences of opinions about which plan is best. We have seen that. We have seen demands for votes on the President's plan. In fact, in the Appropriations Committee, we have had to take those votes many times. We have seen the Senate act on their plan. We have seen the House act on theirs.

I had great reservations about some of the elements of the President's plan, and I was honest about this. The President's plan assumed a 2-year crisis instead of just 1. I had questions about that. The President's plan allowed for construction of capital properties on leased lands with no recapture provisions. I had concerns about that in terms of stewardship of taxpayer dollars. The President's plan also expands Medicaid services of taxpayer supported health care in Puerto Rico by an additional 10 percent for any healthcare needs, not just Zika, arguably diluting money going to Zika. Those were my concerns. The system is set up for us to have that debate. It is okay that we have that debate.

Others have great concerns about the House bill and some of the provisions and riders in the House bill. They have objected to those. That is understandable as well.

In the Senate, they reached a compromise around a \$1.1 billion clean bill.

We should have these debates early on. Nothing should be rubber-stamped.

We wouldn't be doing our job if we didn't actually read the legislation, see what is in it, and talk about a contest of ideas. But we can never let those differences lead us to inaction. That is what is at risk in the current Zika debate. We cannot let our differences lead us to doing nothing.

I believe we have a pathway forward around a consensus, clean \$1.1 billion package we have seen in the Senate today with my colleague, CURT CLAWSON, from the State of Florida and others. We have introduced the clean version with no riders of the Senate plan here in the House of Representatives to hopefully give us a platform where we can build consensus around it. I believe that is the way to do it. Drop the riders, fund Zika. Let's do it. Let's do it now.

But at the end of the day, whatever package comes through here, we are called to support it. This is a public health crisis that we must address, which is why, despite my objections initially to the President's plan, I have begun to vote for the President's plan in the Appropriations Committee because the urgency is now, and it is time that we pass a Zika package.

The American people are angry, but they are scared. It is not our job to take the nuances of legislation, the nuances of different colors of money in the Federal budget process, and try to preach at the American people why one side is right or the other. Our job is to listen to the anxiety of the American people and address a pending health concern in a divided government.

The anger is that this issue perfectly reflects the dysfunction we often see in Congress, and it is doing so in the context of a public health crisis. We have to seize upon the better angels in this Chamber and in this town. You see, it doesn't help when either side plays politics with the Zika issue when the first thing that happens after a vote is the two campaign committees rush emails out the door in Members' home districts trying to raise money or blame politics, blame each other.

As a Florida delegation, let us lead tonight in trying to form consensus around a solution on Zika.

In that light, I am happy to be joined this evening, first, by a colleague of mine from south Florida and the Keys, one of the most beautiful districts next to Pinellas County, I would say.

Madam Speaker, I yield to the gentleman from Florida (Mr. CURBELO), a champion and early endorser of Zika funding.

Mr. CURBELO of Florida. Madam Speaker, I thank the gentleman from Florida (Mr. JOLLY), my distinguished colleague, for leading this very important discussion here this evening on a topic that has a lot of people worried back home.

I remind people that, in the State of Florida, this is, obviously, a public

health crisis. There are a lot of women who are pregnant and are very concerned. A few weeks ago, we got a call from my wife's OB/GYN telling us that his office was full of patients asking questions—a lot of anxiety, a lot of nervous people in our State.

In Florida, this is also an economic issue. I met recently with business-owners in the Wynwood-Allapattah area near downtown Miami. They tell me that business in that area is down 60 percent. That means jobs. That means people who aren't going to be able to take income home to their families, income that they need.

For us, of course, it is a public health crisis, and that is our number one concern because we want to make sure that people can live comfortably and feel safe in our State. We actually know a few people who have left the State because they are pregnant and they don't want to risk exposing their unborn babies to the effects, the devastating effects, that we have seen Zika cause throughout the world, primarily microcephaly, babies born with brain disorders.

By the way, we are still learning a lot about the Zika virus. We don't know what the long-term effects are because, until recently, this isn't a virus that had really come under the microscope.

The bottom line is that we need these funds because we need long-term certainty in the fight against Zika. We need long-term certainty so that all the Federal agencies—the CDC, Health and Human Services, State agencies, local agencies—can all respond, develop a vaccine, and, of course, help partner nations overseas.

In Florida, we get tourists from all over the world, but especially from Latin America, from South America. We need to help nations like Brazil get this virus under control; otherwise, we will continue to be exposed.

Madam Speaker, I am so thankful to my colleague, Mr. JOLLY, for his leadership on this issue, for bringing us together here tonight—Republicans and Democrats—asking for common sense, asking to make the American people proud of this Congress, to show that we can be competent, that we can solve people's problems, that we can help people feel safe and secure in their communities, especially throughout the State of Florida.

Mr. JOLLY. Madam Speaker, my appreciation to Congressman CURBELO.

Carlos raises an interesting insight, which is part of getting to the bottom of this early on, that, as stewards of taxpayer dollars, what is the money to be used for? Those questions initially are very important. As I mentioned, I had some early objections with the President's plan that I have resigned over that I will support if it is what it takes to get a package done. But what is the money used for? That is an im-

portant question for the American people.

One of the questions was: Is mosquito control really a Federal activity? That is a legitimate question. Should we rely on States and localities for mosquito control?

Here is the important thing you will learn when you get into why we need a Federal bill to support Zika. It is about the vaccine development. It is about the research into how do we have a cure and eradicate the Zika virus, how do we partner with States and localities who are deploying resources right now for mosquito control, mosquito abatement and education; but how does the Federal Government also step in in the midst of what is a public health crisis with national implications both to people's health, to their lives, and also to our Nation's economy and Florida's economy? What is the proper role of the Federal Government?

In this case, I believe it is to provide the funding, hopefully at the \$1.1 billion level, but I would be happy to support the \$1.9 billion as well, whatever it takes to get it done.

□ 1815

Representing the urgency and consensus to get this done, we are joined by a Democratic colleague of ours from Palm Beach and the Broward County area, the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank the gentleman.

Madam Speaker, I thank my Republican colleagues for joining here on this vitally important issue.

I rise to call for a vote on a Zika funding bill that is free of partisan hot button issues and that is free of political gamesmanship.

I am proud to join in this call for action with my Florida colleagues, Democrats and Republicans alike. We have come together—above partisan divisions—to support the administration's request for emergency Zika funding. Our ability to come together and the refusal of the rest of this Congress to do the same is telling. South Florida is actively fighting outbreaks in South Beach and Wynwood. There are cases in Broward County, and there are cases in Palm Beach County, and we have seen locally acquired cases in my home district.

My constituents and the constituents of my colleagues throughout Florida are feeling the anxiety and the fear that come when there is so much that is out of their control. It is time for Congress to do all that we can to help stop the spread of this virus. This Congress' inaction is hurting Florida's families. As Representative CURBELO pointed out, it is hurting our economy.

I have three children. My twin daughters are just settling back in to start a new year of college. Today, by the way—I share with my Florida colleagues—they are celebrating their 21st

birthday. My son is finishing up high school; but it feels like just yesterday when my wife and I were anxiously expecting each of their arrivals into our lives. Like most Americans who are starting a family or who are growing a family, we experienced the full range of complex emotions as we waited for their births: the sense of not knowing exactly what is going to come, the excitement, the anxiety, the anticipation, the joy. Unfortunately, the Zika virus is threatening the joy of growing a family for thousands of Floridians, and we are just not doing all that we can to stop it.

In December of last year, after outbreaks in Brazil were connected to devastating birth defects, The New York Times reported a warning for the United States Centers for Disease Control and Prevention. The CDC warned at the time that imported cases “will likely increase and may result in local spread of the virus in some areas of the United States.”

Now, at that time in December, 2,700 babies had been born with microcephaly in Brazil—an increase from 150 the year before. These babies were born with abnormally small heads, and now we know, from subsequent research, that the Zika virus attacks growing cells that cause incomplete brain development and smaller heads in these children. These birth defects are devastating. They are also incurable. These children will have lifelong problems with their vision and with their cognitive abilities and will have other complications.

Now we know that the CDC’s warning in December has become a reality in Puerto Rico and in south Florida.

Verified cases have exploded in Puerto Rico. In the span of only a few weeks—from the end of July until today—the total cases of Zika on the island have jumped from 5,500 total and 672 in pregnant women to nearly 14,000 total and 1,000 cases in pregnant women. If these trends continue, experts expect that a quarter of the population of Puerto Rico will be infected—or 887,000 infections. That, unfortunately, would represent tens of thousands of babies being born with microcephaly.

The costs of care and the toll on families is staggering. This is an issue that affects families. It is also an issue that winds up affecting their communities. The lifetime costs of medical care for each of these children will be in the millions of dollars.

While the virus is spreading rapidly in Puerto Rico, experts like virologist Tim Tellinghuisen of Scripps Research Institute said that the situation in Puerto Rico could very much happen in Florida. Over the past 7 weeks, as Congress was in recess, Florida cases went from 311—and no local infections—to over 600 cases, including 56 local infections. The number of cases in pregnant

women has doubled. Our constituents are at risk.

For us, this is not a political fight. Honestly, in my heart, I do not understand how this has become a political fight for those leaders who have blocked the Zika funding in a clean bill. I understand and my colleagues here understand that we serve in the most polarized Congress in history. There are all kinds of issues that we could debate and ways that we might get at that and ways that we could change it as we need to. We have seen the divide over and over again between Republicans in Congress and President Obama; but the funds requested in this Zika battle—the funds requested to fight Zika—are not grounded in ideology.

The President didn’t wake up one day and say: Hmm, I think we should have \$1.9 billion to fund Zika.

After the warnings that followed the outbreaks in Brazil, President Obama went to the scientists and to the experts at the NIH and the CDC and other agencies, and he asked: What will it take to respond?

His request to this Congress represents their answer.

As we heard last week, the funding situation is now dire. Dr. Tom Frieden, the Director of the CDC, said, basically, we are out of money.

So I join my colleagues here because it is past time to act. We have to put these political battles behind us. We have to do—and we have the opportunity to do here—something that, I think, is not only the right thing for us and, more importantly, for our constituents—for the American people—but we could do something that would actually, perhaps, set an example. We should elevate the common good. We have to protect American families, and we have to pass a clean funding bill to stop the spread of Zika.

To Mr. JOLLY, I will relay just one conversation I had on my way out of the office. I was talking to a staffer of mine about the coming months, and the conversation turned to November, when there is an election. Sometimes people from D.C. like to volunteer on campaigns on the weekend before the election. I have a young woman in my office who said she just doesn’t think that she is going to be willing to go down this year out of fear of Zika.

How do we not show that we can act in a way that responds to a public health emergency, and only to that public health emergency, without bringing in all of these other issues?

We have to do this. I am really grateful to be here on the House floor, and I am really thrilled to be here with my Republican colleagues, who are as committed to doing this as I am. I am so grateful for the opportunity to share this time with you.

Mr. JOLLY. I thank my colleague, Mr. DEUTCH.

That is the urgency. My colleague, Mr. DEUTCH, mentioned his family, and birthday wishes are in order.

Congratulations.

My wife and I just got married last year, and we are hoping to have a family ourselves. We live within 5 or 10 miles of one of the non-travel-related cases. Folks do understand the anxiety that creates for people in Florida who are hoping to have a family.

Yesterday and the day before—and it created a bit of a buzz—I brought about 100 mosquitoes of the *Aedes aegypti* variety, which are capable of carrying Zika. Through working with the University of South Florida, we were able to get these mosquitoes here to Washington, D.C., because I wanted colleagues to understand the urgency of what happens to families in Florida when they are in the proximity of these mosquitoes.

When I gave a speech with these mosquitoes, do you know what the American people said—hundreds and thousands of people?

“Release them.” “Smash the jar.”

Do you want to see Congress work fast?

Expose Zika mosquitoes in this Chamber. We would shut it down. We would scrub the Chamber. People would get tested. That is the anxiety. That is the urgency.

It doesn’t know partisanship. It is okay that we have had this debate initially over what the right response is—the President’s proposal, the House’s, or the Senate’s. That is okay. That is doing our job, but it is not doing our job when we let the fighting and debating lead us to do nothing.

We are joined tonight by another leader in our delegation from the panhandle—the Tallahassee area of Florida—a good friend, a Democratic friend, Ms. GWEN GRAHAM.

Ms. GRAHAM. I thank Congressman JOLLY, and I thank Congressman DEUTCH very much for arranging this tonight. It means a lot. I feel the same anxiety just being as close to the larvae as others feel, and I might just ask that the gentleman keeps them in the jar.

Madam Speaker, let me talk about my home State of Florida. I was born and raised in south Florida. I think, right around now, the Sun is probably setting in south Florida. The weather is nice. It is 80 degrees. The sky is that beautiful pink that we get. Vacationing tourists are strolling along the beach or are enjoying dinner on a patio. Somewhere—I know this—there is a dad outside who is grilling steaks, and moms are watching soccer practice. That is our life. That is our life in the beautiful State of Florida. It is like a lot of other places around this country except, right now in Florida, families are scared.

I have thought about the gentleman and Laura, and I understand that fear.

Families are scared because, as the Sun sets, the mosquitoes are coming out. For all of our lives we have lived with mosquitoes. It is part of our life in Florida, but now they are more than a nuisance. Now they are a deadly threat. We are scared because there is a deadly virus spreading. Parents are scared that, if their children are bitten, they could get terribly sick. Seniors are scared that, if they catch the disease, they may not survive. Pregnant women are scared that they will wake up one morning with a mosquito bite and that it may cause the children inside them to be born with terrible birth defects.

My daughter would be appalled for me to say this, but she is 25. She doesn't live in Florida right now. I hope she will move back, but the risk of pregnancy right now would not be one that I would want her to take.

So this is the new normal in Florida. More than 600 people in Florida have been infected with the Zika virus. Almost 100 pregnant women in Florida have been infected.

We have been sounding the alarm for months, haven't we, Congressman JOLLY?

I have come on this floor to ask for funding to fight the disease. I led a letter with more than 120 Democrats that asked Speaker RYAN to have a vote on full funding to fight the disease. I did a workday with the local mosquito control team in Bay County, and I have asked my constituents in north Florida to do their part to fight off the spreading disease.

I ask again—particularly now, following Hermine, as we have had a lot of water in our area—to please go out and make sure that you dump any standing water.

I am really proud of all that we are doing as Floridians to try and stop the spread of Zika in Florida.

Florida State University is researching the virus and making important breakthroughs.

□ 1830

Local municipalities are spraying. Ordinary people, as I said, are dumping standing water out of their yard. We are doing our part in Florida. Now, it is time for Congress to act and do their part as well.

Madam Speaker, yesterday I joined a bipartisan letter with Florida Republicans and Democrats who are asking for one simple thing: Give us a vote on a clean bill that would fully fund the fight against Zika. Give us a vote on a clean bill that would fully fund the fight against Zika.

This is a public health emergency.

Just as important, let's give scientists the certainty they need to research and develop a vaccine for Zika, and this could take several years. Prematurely cutting off resources before the vaccine is ready could be just as

dangerous as not providing enough money today.

I spoke with the scientists. As they develop vaccines, they go through different trial stages. Ethically, you can't start a vaccine study, ask people to participate, and then say: "Never mind. Our funding has dried up. You are not going to be able to continue." That is not something that we could do.

Our delegation has shown that Republicans and Democrats have come together on this issue, and I believe that the entire Congress can as well.

There are Republicans and Democrats in States along the Gulf Coast—Texas, Mississippi, Louisiana—who will come together and support full funding because their constituents are at risk, too.

I am still holding out hope that Speaker RYAN will be able to support full funding to fight this deadly virus.

Time is running out. It is time to put partisanship aside and vote on full funding to fight this horrific disease, Zika. We must all come together to make sure that the resources are there for mosquito control and for vaccine production.

Mr. JOLLY. Madam Speaker, I thank my colleague, Ms. GRAHAM. We are down to 4 or 5 minutes. We have two more speakers remaining.

I yield to the gentleman from Pinellas County, Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Madam Speaker, I agree with Representative GRAHAM that we must fund this and we must fund a clean bill. Whatever it takes, Madam Speaker, we have to get this done as soon as possible.

I have been focused on the growing problem of Zika since March, when the Energy and Commerce Committee held a hearing on Zika preparedness, and we have been working together in a bipartisan fashion to get this done.

Zika is a unique problem that will only increase. As of the end of August, there were 2,686 cases of travel-associated Zika within the United States. These cases came from international travel where the individual acquired Zika abroad and discovered it when they returned to the United States.

There have also been 35 cases of locally acquired mosquito-borne Zika. As a matter of fact, we have a nontravel-related case in our county, Pinellas County.

There are 35 individuals who got Zika because a mosquito bit them within the United States. Because of this local transmission for the first time ever, we now have a CDC travel advisory about an area within the United States in the Miami area.

If you expand the incidences of Zika to include the territories, there would be 14,059 cases of locally acquired infections of Zika. Mr. Speaker, this is a large amount. We must act now. The

Commonwealth of Puerto Rico has nearly 14,000 cases of locally acquired Zika. That number will only grow, unfortunately.

624 women within the United States had Zika while pregnant, and 971 women from the territories. We don't know the full impact that Zika will have on their infants. Already, CDC reports that 16 infants have been born with birth defects within the United States. I don't know how many more when we include the territories.

Zika can cause microcephaly, a birth defect where a baby's head is smaller than expected when compared to other babies. Babies with microcephaly often have smaller brains that might not have developed properly.

People are really scared, Madam Speaker. We have to get this done in a bipartisan fashion.

Not all babies who have been exposed to Zika while in utero, have been born with visible birth defects.

However, we cannot say that they were born without any effect of Zika.

It is possible that they may have delayed development.

That's why I plan on introducing tomorrow, the Pregnant Women and Infants Zika Registry.

This bill will establish a CDC registry program for pregnant women and will track infants up to age five, so that researchers can get a better understanding of the impact of Zika.

This registry will collect information on pregnancy and infant outcomes following laboratory evidence of Zika virus infection during pregnancy.

The data collected will be used to update recommendations for clinical care, to plan for services for pregnant women and families affected by the Zika virus, and to improve prevention of Zika virus infection during pregnancy.

I invite all my fellow Floridians and fellow members to cosponsor this bill.

It's a responsible tool to increase our knowledge of Zika and help increase the quality and standard of care for patients.

Mr. JOLLY. Madam Speaker, we are about out of time. We have one last speaker.

Mr. BILIRAKIS. Madam Speaker, hopefully I get an opportunity to speak and continue tomorrow.

GENERAL LEAVE

Mr. JOLLY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JOLLY. Madam Speaker, I yield to the gentleman from Jupiter, Florida (Mr. MURPHY).

Mr. MURPHY of Florida. Madam Speaker, I thank my colleague and my friend (Mr. JOLLY) for organizing this

Special Order, for his leadership on this issue, and convening this important conversation on the need for immediate action to combat Zika.

It is clear to us in Florida that Zika is not a partisan issue. It is about protecting our families and our children. Yet, 7 months after the World Health Organization declared an international public health emergency over Zika and the administration submitted its request for \$1.9 billion in emergency funds to combat the virus, no bipartisan agreement has been reached to pass a bill providing the resources needed for this fight.

As the number of Zika cases continues to grow across the Nation, including more than 50 local transmissions in Florida alone, this prolonged congressional inaction is unacceptable. That is why over a dozen members of Florida's congressional delegation are calling on congressional leaders to take immediate action on a clean Zika funding bill.

I was proud to lead this bipartisan letter with Congressman JOLLY, and I want to thank those Representatives who have joined us.

Our hope is that the rest of Congress will work together like our delegation and treat this matter with the seriousness that it deserves, taking action needed to protect the American people and public health. That starts with ending the political posturing and dropping divisive, unrelated policy riders and immediately passing a clean funding bill to provide the resources necessary to fight Zika.

This is an emergency, not an opportunity to be exploited to score points against Planned Parenthood or to weaken the Affordable Care Act. Congress' delay has only made the problem worse and more expensive as babies tragically born with microcephaly will require a lifetime of care.

The need for emergency funding could not be more urgent given the CDC Director's recent statements that current Zika funding is nearly exhausted, so we must find the bipartisan cooperation. We must pass a clean bill and get this done immediately. The people of Florida deserve it.

This is even after the extraordinary move of reallocating over \$80 million from research on Ebola, HIV, cancer, diabetes, and other chronic conditions to prioritize Zika efforts.

Beyond the funding, we also need to make sure the scientists and researchers working on developing a Zika vaccine have the necessary tools to do just that.

For example, during a recent visit to Scripps Florida, a leading research facility in my Congressional district, I heard from their Zika research team about the need for location-specific blood samples for their ongoing work.

Additionally, we must make sure that states and local partners have the resources needed to implement and maintain world-leading mosquito control programs to prevent the spread of mosquito-borne diseases.

I am proud to have put forward the SMASH Act with my colleague, the gentleman from Florida, Mr. CLAWSON, who knows firsthand how important mosquito control districts are.

The SMASH Act will support our local mosquito control districts to help fight the spread of Zika.

Additionally, the bill provides grants to support the work of state and local health departments, our partners on the ground, for treating infectious diseases like Zika.

To further bolster prevention, detection, and treatment efforts, Governor Scott should expand Medicaid in Florida.

Up to one million Floridians could be newly covered if the governor would simply accept available federal dollars.

These dollars would go directly to strengthening our public health and responding to Zika.

This crisis requires collective action, with all levels of government working together on both immediate and long-term solutions to combat this virus.

There are also a few simple steps Floridians can take to protect themselves.

To prevent bites and the spread of mosquitoes, this includes wearing bug spray and draining standing water.

Furthermore, it is important to remember that Zika can be sexually transmitted and the same safe sex practices that help prevent the spread of HIV will also prevent the spread of Zika.

Zika and mosquitoes don't care if you're a Democrat or Republican.

This is a serious health crisis that impacts all Americans.

It is great to see growing bipartisan support in Congress to do the right thing, putting political posturing aside to move forward a clean funding bill to combat this virus and keep families safe.

Again, I thank the gentleman from Florida, Mr. JOLLY, and the rest of our delegation for showing the leadership needed to get this done and enlist Congress in the fight against Zika.

Mr. JOLLY. Madam Speaker, I yield back the balance of my time.

COMMEMORATING THE LIFE OF PHYLLIS SCHLAFLY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Madam Speaker, it is my honor to be recognized to address the floor of the United States House of Representatives. I intend to take up the topic of the commemoration of the life of Phyllis Schlafly.

GENERAL LEAVE

Mr. KING of Iowa. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days on which to revise and extend their remarks and insert extraneous materials on the topic of this Special Order here this evening.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KING of Iowa. Madam Speaker, this sad news came to me this past weekend that the relatively long and extraordinarily productive and impactful life of Phyllis Schlafly had come to an end at the age of 92.

I got to know Phyllis throughout the political activism of the country among conservative politics. It goes back for me quite a ways now, too, I might add. But I didn't pay a lot of attention to what was going on in the early '70s when Phyllis Schlafly's eyes went on some of the transformative shifts that were taking place in America.

Phyllis was a pro-life activist before *Roe v. Wade*. She saw it coming. She knew what it meant. She became one of the strongest pro-life voices in all of America and, I would say, the most persistent, the most consistent, and the most relentless voice for the longest period of time.

Phyllis was active on the public scene from at least as far back as 1952, all the way up until the last days of her life, which ended this past weekend. I would like to go through some of those milestones of Phyllis Schlafly's life, and then perhaps have some comments about those milestones along her life.

As I review some of that material, Madam Speaker, I look back on her impact, particularly in Republican politics. She was a campaign manager for a successful Republican candidate for Congress in St. Louis in 1946. It was for Claude Bakewell.

She served as an elected delegate to eight Republican National Conventions. I don't know that there has been a more consistent or persistent voice at our Republican National Conventions over more than a half a century than we have heard from Phyllis Schlafly.

She was an elected delegate to the Republican National Conventions in 1956, 1964, 1968, 1984, 1992, 1996, 2004, and 2012. You might wonder what she was doing in those missing convention years of 1960, 1980, 2000, and 2008. Well, she was an elected alternate in those conventions. And I would suspect that her choice was similar to that of what I had made a time or two in the past as well—that I wanted to make sure that there were young people that had an opportunity to be a delegate and that young people had an opportunity to come up and be active in politics. Phyllis Schlafly had facilitated thousands of young people to come into active politics.

Phyllis attended the Republican National Convention in Cleveland this last July where it was the last time that I saw her as she came into the Republican reception, the Members reception upstairs. I had an opportunity to speak a few words with her and see that radiant smile on her face. She was dressed in just a very, very colorful and

gracious dress and seated in a wheelchair. The brightness in her eyes told me there was a lot of spirit left in Phyllis Schlafly.

Phyllis has played an active role in every Republican National Convention since 1952. The earliest real impact—when people began to notice who Phyllis Schlafly was—was when she published on May 1, 1964, the book, “A Choice Not an Echo.” It was a small little book that gave us an understanding about how presidential candidates are selected. It was a description of some of the backroom deals that were made about the dynamics of the presidential process. She called it for 1964. She identified who the backroom supporters would be, how they would try to stop Barry Goldwater from being nominated.

The book, “A Choice Not an Echo,” holds up to this day. She wrote a supplement to it as well to bring it up to speed, and published that book sometime in the last year or two.

“A Choice Not an Echo” was an impactful book, and it was one that is one of the foundational documents that identifies the basis of modern-day conservatism. Phyllis Schlafly was one of a very few original conservatives here in America. She has been one of about three voices that were still active in the public scene that go back to the era in the early ‘60s. For Phyllis, it goes back as far back as 1946, when she managed a congressional campaign.

Phyllis’ life has been deeply engaged in this kind of activity. She was elected first vice president for the National Federation of Republican Women, 1960 to 1964. She was a candidate for Congress in 1952 and 1970, in two different districts.

Phyllis received numerous awards. She founded the Republican National Coalition for Life in 1990 with the specific mission of protecting the pro-life plank in the Republican platform, and no one has been more active and had more voice on the pro-life movement and more effective than Phyllis Schlafly throughout these years. Her voice on this public scene will sorely be missed.

She was a volunteer and a founder of Eagle Forum. The people that worked with and for Eagle Forum out across through the States came as volunteers. She also established offices in all of Illinois and here in Washington, D.C., and kept a voice and a presence here.

Phyllis Schlafly became a conscience for conservatives. As we are trying to clarify the meaning of the Constitution, understand our place in history, and stand up for those principles that matter, often the voice of Phyllis Schlafly was echoing in our ears here on the floor of the House of Representatives.

□ 1845

She would gather the young Eagles to come here at least once a year, usu-

ally twice a year to hear from them and give a number of us an opportunity to speak to the young people and take questions, but the bright lights that she identified, that she brought into activism have made, I think, a dramatic difference across America as that conscience of conservatism has multiplied across hundreds and then thousands of young Eagles that I had an opportunity to meet with and exchange ideas with and listen to.

One of my stories about Phyllis Schlafly, I will start it first with this. When I arrived here in this Congress 14 years ago, one of the first days that I was here to walk out on this floor to vote, I walked back through the back of these Chambers, and one of the Members from Missouri, Todd Akin, came over to me and introduced himself. He said: I want to talk to you about Court stripping. And I said to him: You mean Article III, section 2 of the Constitution? And he said: Yes. How do you know that?

Well, the reason I had paid attention to that was because it was Phyllis Schlafly who had written about it. In my years that I had been working in my construction office, all I ever really wanted to do was raise my family and run my construction business. I didn’t really think about being involved and trying to be in the middle of public policy. I thought there were good, reliable people who would be here making those decisions.

But I would send off for what, at that time, were little articles that I would call—you had to sign up for them, and you had to send off a check, and they would send you the mailing of her Forum document. Phyllis was all over the newspapers. I can’t count all the publications, but I know she has published at least 27 books.

I would read these articles that would show up in these publications. Maybe the headline caught me, but I would skip the author. I would read the story, I would read the article, and, boy, that is clarity of thought, utter clarity of thought. And then I would look up: Who wrote that? Phyllis Schlafly. Time after time after time. Before I really knew who Phyllis was, I was reading her material. She was impacting my thinking, and I am wondering: Who wrote this document? Phyllis Schlafly. Hundreds and thousands of documents, hundreds and thousands of analyses that she had done.

And not only that, she was not disciplined to stick to a particular topic. I was looking through some of these topics that Phyllis had written books on. Of the 27 books, she picked a few topics: family and feminism, her book on family and feminism, “The Power of the Positive Woman” and “Feminist Fantasies,” those things that won’t come true.

Phyllis Schlafly, her comment on the judiciary, the book called, “The Su-

premacists: The Tyranny of Judges and How to Stop It.” I have it here. I have a story about that I might tell if we have time a little later.

On religion, her book, “No Higher Power: Obama’s War on Religious Freedom”; her book on nuclear strategy, “Strike From Space” and “Kissinger on the Couch.” Then her book on education, “Child Abuse in the Classroom”; her book on child care, “Who Will Rock the Cradle?” and on phonics, “First Reader” and “Turbo Reader.” That is an example of the kind of work that Phyllis did.

She wasn’t narrow at all in her scope. She understood her faith, her Christianity, her religion, her role as a mother of six, a grandmother, a great-grandmother. She understood her role as a wife; she understood her role as a student, as a law student with a law degree; and she understood her role here in America.

When the ERA came forward—and it was a mistake then, it would be a mistake now—Phyllis Schlafly, when they thought it was all done and the Equal Rights Amendment was going to be ratified—there were a few States left—Phyllis Schlafly started the battle to shut down the ERA; and it was almost singlehanded for a long time, but she mobilized a nation and put an end to the Equal Rights Amendment, which would have ended up with drafting women into the military.

There is much going on today that she didn’t agree with, but we have slowed down this train of liberalism. She has been a significant player in it.

I see that we have some Members who have arrived at the floor that I believe would like to add some words to this. I yield to the gentleman from Ohio (Mr. DAVIDSON), if he is prepared to offer some words.

Mr. DAVIDSON. Thank you, Mr. KING. It is an honor to be able to talk about Phyllis Schlafly. Though I never personally met her, like many of the heroes of our country, all Americans benefit from the service that she rendered to our country, and in particular to the Republican Party. She is the person, perhaps more than anyone, who made sure that the Republican Party is the party of life, that really is out there to this day on the side of science showing when life begins and showing what is happening at every stage of life.

I am more optimistic than ever about what is happening to show this fact, but a voice there that just knew the truth and was unashamed in speaking for it, unashamed in helping our party coalesce around a core set of beliefs, and those core beliefs are the same ones that our Founders had. So when people look back and think that, you know, hey, the Founders were this era of giants, it is neat to have lived in an era when we have some of our own. Phyllis Schlafly was one of them.

She certainly set the stage for Ronald Reagan's speech, "A Time for Choosing," because of her activities in the 1964 campaign and because of "A Time for Choosing" and Reagan's success in that, success as Governor, and really shaping our modern party for the era that has been a conservative movement for a long time. That set the stage for Justice Scalia.

So an eventful year, a sad year to see her pass and Justice Scalia pass in the same year, but also, you know, an era when we can look forward to future success and an era when we can see what the true meaning of womanhood is all about. She was a champion for women in a way she may never get credit for.

So I am honored for her service to our country, for her defense of her faith and my faith, and for her contributions to make this the kind of country that really inspires so many around the world to see it as the land of opportunity. So thank you.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman from Ohio for his presentation here. I not only appreciate the kind words about the life of Phyllis Schlafly, but the voice of commitment to conservative cause that emerges as we listen to the gentleman's words from Ohio.

I would like to now, if I could, yield to the gentleman from Texas (Mr. WEBER), who has arrived. I would note also that our great friend Michele Bachmann from Minnesota is here on the floor of the House of Representatives tonight, and that adds a tremendous amount of joy to me to what otherwise is a sad occasion, but we have to be also celebrating the glorious life of Phyllis Schlafly. It helps commemorate it here to know that one of the people who was closest to Phyllis has made the trip here to be on the floor as we discuss her life and celebrate her life.

Mr. WEBER of Texas. Madam Speaker, I thank my colleague, Mr. KING, and I, too, want to echo that, for Congresswoman Michele Bachmann being here, what a treat. What an absolute treat. We miss her, by the way. We do miss her. I want to thank Michele for being here and all that she has done.

Madam Speaker, we did not recently lose a true conservative. We didn't recently lose the "first lady of the conservative movement." We didn't just lose someone who was a threat to the liberal agenda and a threat to Communists. No, no, no. Phyllis Schlafly was much more than that. You know, eagles are known, Madam Speaker, for their strength and their ability to soar high above the clouds. Eagles are known to be above the fray. Phyllis was our eagle. However, she was that eagle who, while in the fray, maintained that 30,000-foot view. And she was much more than that. She was a warrior. She was a leader. She embodied American patriotism and liberty.

bodyed American patriotism and liberty.

In 1975, Mrs. Schlafly founded the Eagle Forum, which has been a pillar in the pro-family conservative movement for four decades and counting. There is no doubt, Madam Speaker, that the Eagle Forum will live on, and we will see her eagle soar higher and higher with time.

Mrs. Schlafly was the heart and soul of the conservative movement in the early days. Many people thought she wouldn't make a difference, but as we look back, Madam Speaker, history is telling us otherwise. You hear it over and over again that one person cannot make a difference. Well, I will tell you that Phyllis Schlafly was living proof that one person can make a difference. Phyllis soared the highest, cared the most, and fought the hardest—more than anyone else—for our conservative values.

Madam Speaker, since the day I was sworn in not quite 4 years ago, I have been saying it is time to put America first. Through all of Mrs. Schlafly's work, at the very core of her efforts, she wanted to ensure that our country was first and that Americans were our top priority and that the Federal Government and even State governments knew their place. I find great comfort, Madam Speaker, in knowing that in some small way, Lord willing, I might be allowed to take part in ensuring that the work of Phyllis Schlafly continues.

She was a passionate woman who loved this country, loved her family, and was fiercely, fiercely driven to ensure that our liberties were protected and that the unborn—the unborn—would have a fighting chance to the guarantee of life, liberty, and the pursuit of happiness.

Madam Speaker, those who know Phyllis know she always put family first, politics second. I can't help but believe that she knew that at the core of politics, it really was, really is, God first, family and country second, and political activism stemmed from that. Phyllis knew that.

By the way, she cared so much for this country, she came out early on in support of Donald Trump, knowing it would raise eyebrows. But that was Phyllis. You never doubted where she stood. You never doubted her convictions. Madam Speaker, she did all that for her family because she cared about future generations of Americans.

Above all, I appreciate her commitment to our Lord and Savior, Jesus Christ. We can take great heart in knowing that Phyllis joins her husband of 44 years, Fred, in the kingdom of Heaven with our Lord and Savior Jesus. Our hearts and prayers go out to her family. Mr. KING, you said 6 kids, 16 grandchildren—16 grandchildren.

Phyllis was an amazing person who lived an amazing life and did so much

good for our country. For that, I will be forever grateful to her and the work she did for the conservative movement.

I want to thank you, my colleague, Mr. KING, for allowing me this opportunity to memorialize one of the greatest Americans. Madam Speaker, you know I am right.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman from Texas for coming down to help memorialize the life of Phyllis Schlafly.

Madam Speaker, the things that come to mind as I listened to Mr. WEBER talk about Phyllis Schlafly and I look across at Michele Bachmann, I think about a time that Phyllis took us back into a room in St. Louis to sit and talk to both of us about the future and the destiny of the country. It was three of us sitting there having a little snack and chatting away on the Constitution and the value of life and marriage and the current and the destiny of America. Phyllis always saw it, as I think somebody mentioned, from 30,000 feet.

The time I spend here in this Congress, the time I have the privilege of dealing with people at some of the highest levels in the country, the longer I am at this, the fewer people I am able to identify who can see with clarity the big picture and understand the currents of the course of history and the cultural movements that operate within this course of history that are actually driving it. Phyllis always saw it. She always saw it with a clarity, and that is what drove her to put 27 books out, and one of them was in support of Donald Trump.

She had time in the last years of her life, "The Conservative Case for Trump" that is published. I think of the work that she got done. If somebody said to me: "Well, Donald Trump is going to be the nominee"—and we maybe know this about the time of the Indiana primary—"why don't you just go out and write a book and publish that?"—to pull that off and get that done, to do that when you are 92.

I recall the time when Phyllis broke her hip and she was in a hospital in St. Louis.

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So, I thought, I need to talk to Phyllis. I just want to wish her well. I call her up and, yes, she is in a hospital bed all right, but already, first thing when she comes out from the anesthetic, she asked for her laptop. She is at the hospital bed with a laptop, no doubt writing, producing documents, printing things, moving public policy in America from the hospital bed.

On another occasion, I had the privilege to be named to present an award to Phyllis here in Washington, D.C. It was at an event at a hotel here in town. So, I am thinking: How do I make this work? Actually, my schedule wouldn't work for that. I thought: I can't let Phyllis down.

Then, I learned that Phyllis had hurt her back and she had gone in for back surgery. I said: I think I know how to do this. I will tape a video for the people that are there to commemorate Phyllis, and then I will go visit her in St. Louis on my way back to Iowa.

I flew to St. Louis and went to the nursing home where she was recovering from this back surgery. Her lap was covered with books and works and things we know. She sat there and told me how, yes, they had to put some cement in her back. I said: Just like it comes out of the truck? Well, pretty much, she said: They just go in there and fill in the gaps that I have, and now I have to take a little therapy and I will be fine.

Well, she was fine, mentally. This woman had an aura about her. There was a radiance about her. I can only name three people that I have laid eyes on in my lifetime that when they were in the room you knew it; and you knew there was something emanating from the character, the spirit, the soul, and the intellect of Phyllis Schlafly. It is extraordinary. It is an extraordinary life.

I know that one of her close friends was LOUIE GOHMERT, who is here tonight on the floor. I yield to the gentleman from Texas (Mr. GOHMERT) to say a few words about Phyllis.

Mr. GOHMERT. What a woman. What a person.

Phyllis Schlafly led efforts to return America to being the shining light on a hill that it had been, but the light was dimming. She would see that. She could see the harm that was happening to our most vulnerable, and she led an effort more years than anybody that I have ever known personally to return America to being a citadel for freedom and for morality from which freedom can only grow. She saw us losing our way, yet she remained relentless.

Those who despised her know better than most anyone else this is someone who would never, ever give up. She was a leader, a warrior, a mentor, and a friend. Like very dear friends, like family, you have disagreements sometimes, but you know her heart. You knew she wanted what was best for you, for this country, for the world.

Mr. KING of Iowa. I would interject; when I disagreed with Phyllis, I started with the assumption that I was probably wrong.

Mr. GOHMERT. That is a great assumption when it comes to Phyllis.

Well, she has fought the good fight, she has finished her course, and she has kept the faith. I will be there Saturday morning with her family, but the best memorial we can give to Phyllis Schlafly is to make sure the light of freedom and morality does not die in America.

Mr. KING of Iowa. I thank the gentleman from Texas for a very moving presentation here. I know that it

means something very deeply in his heart, as it does in ours here on this floor and across this country by the thousands.

A couple of things that I want to just quickly inject into this discussion.

She would want me to say on article 3, section 2, Court stripping, we don't need to genuflect to the supremacists. The Court has gotten out of control. The Constitution is set up to where they are to be the weakest of the three branches of government, not a superior supremacist branch of government.

Phyllis handed me the manuscript to this book, as I had a lot of long plane flights to do. The manuscript was just printed off a copy machine and kind of clipped together. I worked through all of that. I wrote my edits on it, my notes in the margins, red ink. I worked through it for hours—in fact, it was days. It got lost on the plane on the way back from Africa.

I went to her and said: Phyllis, I need a little more time to work on the edits of your book because the manuscript has been lost in the luggage. She looked at me and she said: Well, Congressman, I didn't intend for you to edit my book. I just intended for you to have an early copy. I knew exactly what I wanted to say.

The book stands out. She knew exactly what she wanted to say. That is a lot about her intellect and her personality.

With utter clarity, the clearest political thinker of our time, based in Biblical values, values of Christians, constitutional values, a clear understanding of people and humanity and faith and family, she wrote on so many topics with utter clarity on topic, after topic, after topic.

She lived a life of 92 years and was a player in the public arena since immediately post-World War II, and she is a player in our lives to this day. She is in our hearts, she is in our souls, she is in our conscience, and she affects our thinking and our actions—and she will for a long, long time to come.

This is a woman who has redirected the destiny of America. I can't think of any woman who had more impact on the course of the history in the United States of America nor weighs more heavily on our sense of duty of what we need going forward to continue to honor the glorious life of Phyllis Schlafly.

Rest in peace, Phyllis. God love you. We do.

Mr. Speaker, I yield back the balance of my time.

Mr. BABIN. Madam Speaker, I rise today to honor the life and legacy of conservative icon and founder of the Eagle Forum Phyllis Schlafly.

Phyllis Schlafly was a courageous and determined leader who spent her entire adult life fighting for America and our traditional family values. She stood up and spoke up when others did not.

She was a fearless and outspoken defender of the unborn—and a leading voice in protecting America's sovereignty and supporting the U.S. military.

Until her final day on Earth, Phyllis Schlafly fought tirelessly for these commonsense principles and the conservative foundations that have made America strong. She never stopped exposing the absurdity of the liberal left and the appalling failures of the policies they advocate.

Often referred to as the "First Lady of the Conservative Movement," Phyllis Schlafly's leadership, candor and tenacity was a breath of fresh air—and it will be greatly missed.

While we have lost a powerful voice and advocate for the American people, we can be certain that Phyllis Schlafly's tremendous pride in America and passion for the conservative movement will undoubtedly live on and continue to inspire future conservative leaders for generations to come.

My thoughts and prayers are with the entire Schlafly family during this very difficult time. On behalf of the many Americans she inspired, we say thank you.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Mr. LYNCH (at the request of Ms. PELOSI) for today after 3 p.m. and the balance of the week on account of official business.

Mr. SWALWELL of California (at the request of Ms. PELOSI) for today after 3:30 p.m. and the balance of the week on account of brother's wedding.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 6 minutes p.m.), the House adjourned until tomorrow, Friday, September 9, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6692. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling [Docket No.: APHIS-2008-0008] (RIN: 0579-AD19) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6693. A letter from the Acting Director, PDRA Rural Utilities Service, Department of Agriculture, transmitting the Department's interim rule — Rural Broadband Access Loans and Loan Guarantees (RIN: 0572-AC34) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6694. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting an Update to the Report on Efficient Utilization of Department of Defense Real Property, pursuant to Public Law 113-66, Sec. 2814(a); (127 Stat. 1014); to the Committee on Armed Services.

6695. A letter from the Alternate OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Interpretive Rule Under the Military Lending Act Limitations on Terms of Consumer Credit Extended to Service Members and Dependents [Docket ID: DOD-2013-OS-0133] (RIN: 0790-ZA11) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6696. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's FY 2015 report entitled "Preservation and Promotion of Minority Depository Institutions", pursuant to 12 U.S.C. 1463 note; Public Law 101-73, Sec. 308 [as amended by Public Law 111-203, Sec. 367(4)]; (124 Stat. 1556); to the Committee on Financial Services.

6697. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Athens-Clarke County, GA, et al.) [Docket ID: FEMA-2016-0002; Internal Agency Docket No.: FEMA-8447] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6698. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Access to Data Obtained by Security-Based Swap Data Repositories [Release No.: 34-78716; File No.: S7-15-15] (RIN: 3235-AL74) received August 31, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6699. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act) [Docket No.: 2015-ED-OCTAE-0003] (RIN: 1830-AA22) received August 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6700. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage [ED-2015-OSERS-0001] (RIN: 1820-AB70) received August 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6701. A letter from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting the Department's final regulations — Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act) [Docket No.: 2015-ED-OCTAE-0003] (RIN: 1830-AA22) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6702. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the De-

partment's final rule — Savings Arrangements Established by States for Non-Governmental Employees (RIN: 1210-AB71) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6703. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Butanedioic acid, 2-methylene-, polymer with 1,3-butadiene, ethylbenzene and 2-hydroxyethyl-2-propenoate; Tolerance Exemption [EPA-HQ-OPP-2016-0201; FRL-9950-63] received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6704. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Citrus tristeza virus expressing spinach defensin proteins 2, 7, and 8; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0034; FRL-9947-19] received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6705. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — 2014 Quadrennial Regulatory Review — Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 [MB Docket No.: 14-50]; 2010 Quadrennial Regulatory Review — Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 [MB Docket No.: 09-182]; Promoting Diversification of Ownership in the Broadcasting Services [MB Docket No.: 07-294]; Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets [MB Docket No.: 04-256] received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6706. A letter from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 [CG Docket No.: 02-278] received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6707. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Compact Fluorescent Lamps [Docket No.: EERE-2015-BT-TP-0014] (RIN: 1904-AC74) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6708. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report covering the period from April 11, 2016 to June 9, 2016 on the Authorization for Use of Military Force Against Iraq Resolution, pursuant to 50 U.S.C. 1541 note; Public Law 107-243, Sec. 4(a); (116 Stat. 1501) and 50 U.S.C. 1541 note; Public Law 102-1, Sec. 3 [as amended by Public Law 106-113, Sec. 1000(a)(7)]; (113 Stat. 1501A-422); to the Committee on Foreign Affairs.

6709. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign an Agreement Between the Government of the United States of America and the Government of the Republic of Chile, Transmittal No. 21-16, pursuant to Sec. 27(f) of the Arms Export Control Act, and Executive Order 13637; to the Committee on Foreign Affairs.

6710. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Temporary General License: Extension of Validity [Docket No.: 160106014-6728-04] (RIN: 0694-AG82) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6711. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's Major final rule — Federal Acquisition Regulation; Fair Pay and Safe Workplaces [FAC 2005-90; FAR Case 2014-025; Docket No.: 2014-0025, Sequence No.: 1] (RIN: 9000-AM81) received August 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6712. A letter from the Architect of the Capitol, transmitting the semiannual report of disbursements for the operations of the Architect of the Capitol for the period of January 1, 2016 through June 30, 2016, pursuant to 2 U.S.C. 1868a(a); Public Law 113-76, div. I, title I, Sec. 1301(a); (128 Stat. 428) (H. Doc. No. 114-162); to the Committee on House Administration and ordered to be printed.

6713. A letter from the Principal Deputy Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting an order cancelling debts against individual Indians or tribes of Indians, pursuant to 25 U.S.C. 386a; July 1, 1932, ch. 369 [as amended by Public Law 97-375, Sec. 208(a)(1)]; (96 Stat. 1824); to the Committee on Natural Resources.

6714. A letter from the Division Chief, Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting the Department's final rule — BLM Internet-Based Auctions [16X.LLWO310000.L13100000.PP0000] (RIN: 1004-AE48) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6715. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE707) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6716. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Removal of Environmental Considerations Regulations [Docket ID: FEMA-2016-0018] (RIN: 1660-AA87) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6717. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2016-8838; Directorate Identifier 2016-CE-020-AD; Amendment 39-18601; AD 2016-16-03] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6718. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2015-8472; Directorate Identifier 2014-NM-106-AD; Amendment 39-18603; AD 2016-16-05] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6719. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2016-5594; Directorate Identifier 2014-NM-169-AD; Amendment 39-18596; AD 2016-15-05] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6720. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31088; Amdt. No. 3706] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6721. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31086; Amdt. No. 3704] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6722. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-5459; Directorate Identifier 2015-NM-148-AD; Amendment 39-18597; AD 2016-15-06] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6723. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31085; Amdt. No. 3703] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6724. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-0466; Directorate Identifier 2014-NM-188-AD; Amendment 39-18604; AD 2016-16-06] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-5460; Directorate Identifier 2015-NM-188-AD; Amendment 39-18599; AD 2016-16-01] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6726. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-8429; Directorate Identifier 2015-NM-122-AD; Amendment 39-18608; AD 2016-16-10] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6727. A letter from the Assistant Chief Counsel, PHMSA Office of Chief Counsel, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: FAST Act Requirements for Flammable Liquids and Rail Tank Cars [Docket No.: PHMSA-2016-0011 (HM-251C)] (RIN: 2137-AF17) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6728. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-3989; Directorate Identifier 2014-NM-250-AD; Amendment 39-18600; AD 2016-16-02] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6729. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2016-5465; Directorate Identifier 2015-NM-041-AD; Amendment 39-18609; AD 2016-16-11] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6730. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Continental Motors, Inc. Reciprocating Engines [Docket No.: FAA-2012-0002; Directorate Identifier 2011-NE-42-AD; Amendment 39-18610; AD 2016-16-12] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6731. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Expansion of the Sta. Rita Hills Viticultural Area [Docket No.: TTB-2014-0007; T.D. TTB-

141; Ref: Notice No. 145] (RIN: 1513-AC10) received August 31, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6732. A letter from the Attorney, Office of the Chief Counsel for Trade Enforcement and Compliance, International Trade Administration, Enforcement and Compliance, Department of Commerce, transmitting the Department's final rule — Correction to Applicability Date for Modification of Regulations Regarding Price Adjustments in Anti-dumping Duty Proceedings [Docket No.: 140929814-6136-02] (RIN: 0625-AB02) received August 30, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 5587. A bill to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006; with an amendment (Rept. 114-728). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5226. A bill to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes (Rept. 114-729). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GRIFFITH (for himself, Mr. WELCH, Mr. SESSIONS, Mr. CARTER of Georgia, Mr. JONES, Mr. BARLETTA, Mr. CRAWFORD, Mr. BLUM, and Mrs. MCMORRIS RODGERS):

H.R. 5951. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LINDA T. SANCHEZ of California (for herself, Mr. HONDA, Mr. SMITH of Washington, Mr. CONYERS, Mr. NADLER, Ms. NORTON, Mr. ELLISON, Ms. CLARKE of New York, Ms. JUDY CHU of California, Mr. LYNCH, Mrs. NAPOLITANO, Mr. LANGEVIN, Mr. COHEN, Mr. POCAN, Mr. TED LIEU of California, Mr. McDERMOTT, Mr. JEFFRIES, Mr. HASTINGS, Mrs. LAWRENCE, Ms. LEE, Ms. SCHAKOWSKY, Ms. KAPTUR, Mrs. WATSON COLEMAN, Ms. SLAUGHTER, Ms. JACKSON LEE, Mr. KEATING, Mr. GRIJALVA, Mr. BRADY of Pennsylvania, Ms. DELAURO, Mr. VEASEY, Mr. TAKANO, Mr. MCGOVERN, Ms. LOFGREN, Mr.

GRAYSON, Mr. MCNERNEY, Ms. MAXINE WATERS of California, Ms. PIN-GREE, Mr. LARSON of Connecticut, Mr. GALLEG0, Mr. QUIGLEY, Mr. CICILLINE, Mr. JOHNSON of Georgia, Ms. BASS, Ms. WASSERMAN SCHULTZ, Mr. CARTWRIGHT, Mr. SERRANO, Mr. YARMUTH, and Mr. PAYNE):

H.R. 5952. A bill to improve the retirement security of American families by strengthening Social Security; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MAXINE WATERS of California:

H.R. 5953. A bill to forgive the indebtedness of the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself and Mrs. LOWEY):

H.R. 5954. A bill to prohibit use of body-gripping traps by personnel of the Department of the Interior and the Department of Agriculture and on lands of such departments; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida:

H.R. 5955. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow the charitable distribution of traditional large and premium cigars to members of the Armed Forces, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CLARK of Massachusetts (for herself and Mr. BUCSHON):

H.R. 5956. A bill to amend the Public Health Service Act to better address substance use and substance use disorders among young people; to the Committee on Energy and Commerce.

By Mr. LARSEN of Washington (for himself and Mr. LOBIONDO):

H.R. 5957. A bill to include disabled veteran leave in the personnel management system of the Federal Aviation Administration; to the Committee on Transportation and Infrastructure.

By Mr. CLAWSON of Florida (for himself, Mr. JOLLY, Mrs. KIRKPATRICK, and Ms. WILSON of Florida):

H.R. 5958. A bill making supplemental appropriations for fiscal year 2016 for Zika response and preparedness; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself and Ms. NORTON):

H.R. 5959. A bill to require reporting of bullying to appropriate authorities and assist with equal protection claims against entities who fail to respond appropriately to bullying, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. ELLMERS of North Carolina:

H.R. 5960. A bill to amend title XXVII of the Public Health Service Act to make pub-

licly available, through 2021, the amount of premium rate increases of health insurance plans in advance of such increases taking effect, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Ms. ESHOO, Mr. FRANKS of Arizona, and Mr. FORTENBERRY):

H.R. 5961. A bill to provide for relief of victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself and Mr. COSTELLO of Pennsylvania):

H.R. 5962. A bill to amend the Higher Education Act of 1965 to provide for the automatic recertification of income for income-driven repayment plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURBELO of Florida (for himself, Mr. CARTER of Georgia, Mr. KLINE, Mr. SCOTT of Virginia, Mrs. DAVIS of California, and Ms. WILSON of Florida):

H.R. 5963. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BOUSTANY (for himself, Mr. ABRAHAM, and Mr. RICHMOND):

H.R. 5964. A bill to provide a Federal share for disaster assistance provided to the State of Louisiana in connection with flooding events occurring during 2016, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Ms. VELÁZQUEZ, Ms. NORTON, Ms. JACKSON LEE, and Mr. DESAULNIER):

H.R. 5965. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose their concealed carry or open carry policies with respect to firearms, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GUTHRIE:

H.R. 5966. A bill to convey certain locks and dams; to the Committee on Transportation and Infrastructure.

By Mr. KINZINGER of Illinois:

H.R. 5967. A bill to amend chapter 301 of title 49, United States Code, to improve access to motor vehicle information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KNIGHT (for himself, Ms. MENG, and Mr. CURBELO of Florida):

H.R. 5968. A bill to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; to the Committee on Small Business.

By Ms. MENG (for herself, Mr. CURBELO of Florida, and Mr. KNIGHT):

H.R. 5969. A bill to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of

the appropriate Federal banking agency, and for other purposes; to the Committee on Small Business.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 5970. A bill to amend title 18, United States Code, to permit sentencing judges in child sex trafficking cases to order the Attorney General to publicize the name and photograph of the convicted defendants, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 5971. A bill to amend the Internal Revenue Code of 1986 to increase the amount excludable from gross income for dependent care assistance and dependent care flexible spending arrangements and to provide for a carryover of unused dependent care benefits in dependent care flexible spending arrangements; to the Committee on Ways and Means.

By Ms. SPEIER (for herself, Mr. DOLD, Ms. HAHN, Mr. JOHNSON of Georgia, Mr. GOSAR, Ms. NORTON, Mr. FOSTER, Mrs. BUSTOS, Mr. GALLEG0, Mrs. NAPOLITANO, Mr. HASTINGS, Mr. COSTA, Ms. ESHOO, and Mr. CARSON of Indiana):

H.R. 5972. A bill to amend the Higher Education Act of 1965 to provide protection for students that report sexual assault, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself and Mr. KIND):

H.R. 5973. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain life insurance contract transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. TROTT:

H.R. 5974. A bill to require the Secretary of State to submit an annual report to Congress regarding efforts to restore or repair Christian property in the Arab Republic of Egypt that was burned, damaged, or otherwise destroyed during the sectarian violence in August 2013, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALKER (for himself, Mr. WEBER of Texas, and Mrs. ELLMERS of North Carolina):

H.R. 5975. A bill to amend title 18, United States Code, to provide mandatory minimum terms of imprisonment for certain trafficking offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Iowa:

H.R. 5976. A bill to provide for the issuance of a semipostal to support Department of Agriculture conservation programs, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. GIBSON, Mrs. MILLER of Michigan, Ms. JACKSON LEE, Ms. NORTON, Ms. BORDALLO, Mrs. COMSTOCK, Mr. DONOVAN, Mr. KILMER, Mr. JONES, Mr. THOMPSON of Pennsylvania, Mrs. WAGNER, Mr. LOEBACK, Ms. BONAMICI, Mr. BYRNE, Mr. PASCRELL, Mr. COSTA, Ms. MCCOLLUM, Mr. LARSEN of Washington, Mr. SWALWELL of

California, Mr. ISRAEL, Mr. QUIGLEY, Mr. HURT of Virginia, Mr. NADLER, Mr. ROKITA, Ms. SINEMA, Mr. CÁRDENAS, Mr. JOYCE, Mr. GRIJALVA, Mr. COHEN, Ms. TITUS, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. JEFFRIES, Mr. FITZPATRICK, Miss RICE of New York, Mr. McDERMOTT, Mr. CARSON of Indiana, and Ms. EDDIE BERNICE JOHNSON of Texas);

H. Con. Res. 149. Concurrent resolution expressing a commitment by Congress to never forget the service of aviation's first responders; to the Committee on Transportation and Infrastructure.

By Mr. PASCRELL (for himself, Mr. TIBERI, Ms. DeLAURO, Mr. THOMPSON of California, Mr. HECK of Nevada, Mr. RYAN of Ohio, Mr. MARINO, Ms. BONAMICI, Mr. PALLONE, Mr. DeFAZIO, Mr. LOBIONDO, Mr. BARLETTA, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Mr. CAPUANO, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. LARSON of Connecticut);

H. Res. 849. A resolution expressing condolences to the people of Italy and support for the Government of Italy in the aftermath of the devastating earthquake that struck the Lazio and Marche regions of Italy; to the Committee on Foreign Affairs.

By Mr. MURPHY of Pennsylvania (for himself, Mr. BLUMENAUER, Mr. THOMPSON of Pennsylvania, Mrs. BLACK, Mr. WALDEN, Mr. YOUNG of Iowa, Mr. CURBELO of Florida, Mr. COSTELLO of Pennsylvania, Mr. BARLETTA, Mr. KINZINGER of Illinois, Mr. GIBSON, Ms. CLARKE of New York, Mr. DEUTCH, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MATSUI, Ms. BONAMICI, Mr. LEVIN, Mr. RYAN of Ohio, Ms. NORTON, Mr. GRIJALVA, Mr. DESANTIS, Mr. McDERMOTT, Mr. KELLY of Pennsylvania, Mr. KNIGHT, Ms. ROS-LEHTINEN, Mr. SHUSTER, Mr. JOHNSON of Ohio, Mr. FITZPATRICK, Mr. DESAULNIER, Mrs. NOEM, Mr. ROTHFUS, Mr. EMMER of Minnesota, and Mr. KATKO);

H. Res. 850. A resolution recognizing suicide as a public health problem and expressing support for designation of September as "National Suicide Prevention Month"; to the Committee on Energy and Commerce.

By Ms. WASSERMAN SCHULTZ (for herself, Ms. ROS-LEHTINEN, Mr. DUNCAN of South Carolina, Mr. SIRES, Mr. ROYCE, Mr. DEUTCH, Mr. HASTINGS, Mr. CURBELO of Florida, Mr. MCCAUL, Mr. DESANTIS, Mr. ENGEL, Ms. FRANKEL of Florida, Mr. CICILLINE, Mr. BUCHANAN, Mr. LOWENTHAL, Mr. GRAYSON, Mr. MURPHY of Florida, Mr. BILIRAKIS, Ms. WILSON of Florida, Mr. YOHIO, Mr. CASTRO of Texas, and Mr. DIAZ-BALART);

H. Res. 851. A resolution expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes; to the Committee on Foreign Affairs.

By Mr. HANNA (for himself, Mr. ISSA, Mr. ABRAHAM, Mr. PALLONE, Mr. CICILLINE, Mr. McGOVERN, Mr. HIGGINS, Mr. McDERMOTT, Mr. BOUSTANY, Mr. BEYER, Ms. GRAHAM, Ms. SCHAKOWSKY, Mr. WEBER of Texas, Ms. KAPTUR, and Mr. FORTENBERRY);

H. Res. 852. A resolution expressing the sense of the House of Representatives on the

challenges posed to long-term stability in Lebanon by the conflict in Syria; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania:

H. Res. 853. A resolution authorizing the Speaker of the House of Representatives to initiate or intervene in a civil action regarding the compliance of the executive branch with the provision of law prohibiting relinquishment of the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions; to the Committee on Rules, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GRIFFITH:

H.R. 5951.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 5952.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Ms. MAXINE WATERS of California:

H.R. 5953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 and Clause 18 of the United States Constitution

By Mr. BLUMENAUER:

H.R. 5954.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. CASTOR of Florida:

H.R. 5955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. CLARK of Massachusetts:

H.R. 5956.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution

By Mr. LARSEN of Washington:

H.R. 5957.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress."

By Mr. CLAWSON of Florida:

H.R. 5958.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CARTWRIGHT:

H.R. 5959.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (relating to the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.)

By Mrs. ELLMERS of North Carolina:

H.R. 5960.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause—Article 1, Section 8, Clause 3: "To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes;"

By Mr. SMITH of New Jersey:

H.R. 5961.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution

By Ms. BONAMICI:

H.R. 5962.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. CURBELO of Florida:

H.R. 5963.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BOUSTANY:

H.R. 5964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. ELLISON:

H.R. 5965.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18

By Mr. GUTHRIE:

H.R. 5966.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and

nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KINZINGER of Illinois:

H.R. 5967.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution

By Mr. KNIGHT:

H.R. 5968.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3

"To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes."

By Ms. MENG:

H.R. 5969.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8

By Mr. POE of Texas:

H.R. 5970.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 5971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SPEIER:

H.R. 5972.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TIBERI:

H.R. 5973.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. TROTT:

H.R. 5974.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. WALKER:

H.R. 5975.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. YOUNG of Iowa:

H.R. 5976.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

H.R. 25: Mr. BENISHEK and Mrs. MILLER of Michigan.

H.R. 213: Mr. UPTON and Ms. JACKSON LEE.

H.R. 407: Mr. KENNEDY.

H.R. 546: Ms. FUDGE.

H.R. 605: Mr. King of New York.

H.R. 662: Mr. DUNCAN of Tennessee.

H.R. 756: Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, and Ms. JACKSON LEE.

H.R. 793: Mr. GRAVES of Georgia.

H.R. 846: Mrs. TORRES, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Mr. DANNY K. DAVIS of Illinois, Mr. BRADY of Pennsylvania, Mr. CLAY, Mrs. LAWRENCE, Mr. COSTA, Ms. MENG, and Mr. VARGAS.

H.R. 923: Mr. NEWHOUSE.

H.R. 971: Mr. LANCE.

H.R. 1100: Mr. ISSA.

H.R. 1292: Mr. RUIZ.

H.R. 1427: Mr. STEWART and Ms. FUDGE.

H.R. 1457: Mr. RUIZ.

H.R. 1459: Ms. DUCKWORTH and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1519: Mr. BECERRA.

H.R. 1600: Ms. ROS-LEHTINEN.

H.R. 1618: Mr. RUIZ.

H.R. 1686: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. PINGREE, Mr. RIBBLE, Ms. ROYBAL-ALLARD, and Ms. LOFGREN.

H.R. 1779: Mr. DESAULNIER.

H.R. 2096: Mrs. HARTZLER.

H.R. 2124: Ms. LORETTA SANCHEZ of California, Mr. YOUNG of Iowa, and Mr. COFFMAN.

H.R. 2132: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2156: Mr. COFFMAN.

H.R. 2218: Mr. ISRAEL.

H.R. 2290: Mr. CALVERT.

H.R. 2296: Mr. TED LIEU of California and Ms. JACKSON LEE.

H.R. 2315: Mr. YARMUTH.

H.R. 2348: Mr. GUTHRIE, Mr. ROSS, and Mr. COLLINS of New York.

H.R. 2368: Ms. MENG, Mr. NOLAN, Mrs. WATSON COLEMAN, Mr. CARTWRIGHT, Mr. KIND, Mr. ELLISON, Mr. KENNEDY, Ms. CLARK of Massachusetts, Mr. CASTRO of Texas, Mrs. DINGELL, Mr. FARR, Mrs. KIRKPATRICK, Mr. SWALWELL of California, Ms. WASSERMAN SCHULTZ, Mr. BEN RAY LUJAN of New Mexico, Mr. LEWIS, Mr. SIREN, Mr. AGUILAR, Mr. MCNERNEY, Mr. RUIZ, Mr. SHERMAN, Ms. GRAHAM, Mrs. FUDGE, Mr. DOGGETT, and Mr. COURTNEY.

H.R. 2515: Mr. JOLLY.

H.R. 2566: Mrs. NOEM and Mr. LATTI.

H.R. 2656: Mr. DOLD and Mr. SHERMAN.

H.R. 2680: Mr. PALLONE.

H.R. 2694: Mr. SMITH of Washington and Mr. LOEBACK.

H.R. 2715: Mr. LOWENTHAL,

H.R. 2737: Mr. EMMER of Minnesota, Mr. YOUNG of Alaska, Mr. SARBANES, Mr. GALLEGOS, Ms. SLAUGHTER, Mr. NEAL, Mr. JODY B. HICE of Georgia, Mr. BILIRAKIS, Ms. MOORE, Mr. JEFFRIES, Mr. MURPHY of Florida, Mr. DANNY K. DAVIS of Illinois, Mr. GARRETT, Mr. GUTIERREZ, Mr. DAVID SCOTT of Georgia, Mr. YARMUTH, Mr. BLUMENAUER, Mrs. TORRES, Mr. VALADAO, Mr. CRAMER, Mr. CILLINE, Mr. LOBIONDO, Mr. COOPER, Mr. VISCLOSKEY, Mrs. HARTZLER, Mr. HUFFMAN, Mr. STEWART, Ms. STEFANIK, Mr. YOUNG of Iowa, Mr. AUSTIN SCOTT of Georgia, Mr. GUTHRIE, and Mr. BISHOP of Michigan.

H.R. 2739: Mr. KELLY of Mississippi and Mrs. BEATTY.

H.R. 2793: Mr. CULBERSON, Mr. MULVANEY, Mr. LAMALFA, Mr. HUELSKAMP, Mr. CHABOT, Mr. KING of Iowa, Mr. WILSON of South Carolina, Mr. SMITH of Texas, Mr. ROE of Tennessee, Mr. WEBSTER of Florida, Mr. YOHO, and Mr. YOUNG of Iowa.

H.R. 2799: Ms. FRANKEL of Florida, Ms. PINGREE, Mr. COHEN, Mr. GRAVES of Georgia, Ms. KAPTUR, Mr. ENGEL, Mr. PALAZZO, Mr. O'ROURKE, Ms. DELBENE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DUFFY, Mr. SESSIONS, Mr. CÁRDENAS, and Mr. ALLEN.

H.R. 2849: Mr. POCAN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. ADAMS.

H.R. 2875: Mr. PAYNE.

H.R. 2889: Mr. RYAN of Ohio, Ms. MOORE, Mr. COURTNEY, Mr. JEFFRIES, Mr. SEAN PATRICK MALONEY of New York, and Mr. NADLER.

H.R. 2902: Mr. CASTRO of Texas, Ms. FUDGE, and Ms. GRAHAM.

H.R. 2948: Mr. DOLD.

H.R. 2992: Mr. JONES and Mr. GARRETT.

H.R. 3099: Mr. BARLETTA, Mr. HIMES, Ms. MCCOLLUM, Mr. DEFazio, and Mr. FOSTER.

H.R. 3117: Mr. TED LIEU of California.

H.R. 3216: Mr. MCCLINTOCK.

H.R. 3261: Ms. WASSERMAN SCHULTZ.

H.R. 3316: Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, Mrs. NAPOLITANO, and Mr. GUTIERREZ.

H.R. 3355: Mr. BOUSTANY.

H.R. 3381: Mr. GOODLATTE, Mr. GUTHRIE, and Mr. DUNCAN of South Carolina.

H.R. 3438: Mr. DESANTIS, Mr. GOHMERT, Mr. LABRADOR, Mr. BISHOP of Michigan, and Mr. FRANKS of Arizona.

H.R. 3463: Mr. SIMPSON, Mr. KILMER, Mr. SESSIONS, and Mr. BLUMENAUER.

H.R. 3520: Mr. KEATING and Ms. SLAUGHTER.

H.R. 3522: Mr. RUSH.

H.R. 3523: Ms. FUDGE.

H.R. 3538: Mr. LONG.

H.R. 3546: Ms. BONAMICI and Mr. GUTIERREZ.

H.R. 3666: Mr. COFFMAN.

H.R. 3690: Mr. LARSEN of Washington.

H.R. 3720: Mr. QUIGLEY.

H.R. 3742: Mr. CARSON of Indiana, Mr. LOBIONDO, Ms. DELBENE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. LOFGREN, Mr. ROONEY of Florida, Mr. JOHNSON of Georgia, Mr. TED LIEU of California, Mr. MCCLINTOCK, Ms. MOORE, Mrs. BLACK, and Mr. POMPEO.

H.R. 3815: Mr. MACARTHUR.

H.R. 3841: Mr. DOGGETT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RYAN of Ohio, and Ms. ADAMS.

H.R. 3957: Mr. CUELLAR.

H.R. 3991: Mr. SCOTT of Virginia, Ms. SINEMA, Ms. ESHOO, Mr. DESAULNIER, Ms. JACKSON LEE, Mr. THOMPSON of California, Mr. GENE GREEN of Texas, Mr. MURPHY of Florida, and Mrs. TORRES.

H.R. 4013: Mr. CÁRDENAS.

H.R. 4055: Ms. BROWNLEY of California.

H.R. 4080: Mr. MCGOVERN.

H.R. 4184: Ms. ADAMS.

H.R. 4216: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ROTHFUS, and Mr. SESSIONS.

H.R. 4272: Mr. RUSH.

H.R. 4275: Mr. MEEHAN.

H.R. 4365: Mr. STEWART.

H.R. 4520: Mr. ROTHFUS and Mr. WESTERMAN.

H.R. 4547: Mr. JONES.

H.R. 4559: Mr. MARCHANT and Mr. PERRY.

H.R. 4625: Mr. LAMALFA and Mr. VALADAO.

H.R. 4626: Mr. DESAULNIER.

H.R. 4657: Mr. ZINKE.

H.R. 4707: Mr. QUIGLEY.

H.R. 4715: Mr. WENSTRUP.

H.R. 4760: Mr. TROTT.

H.R. 4764: Mrs. NOEM, Mr. BLUMENAUER, and Ms. PINGREE.

H.R. 4773: Mr. NEWHOUSE.

H.R. 4818: Mr. AMODEI.

H.R. 4867: Mrs. COMSTOCK.

H.R. 4880: Mr. FLORES.

H.R. 5008: Mr. HIMES.

H.R. 5015: Mr. NEWHOUSE and Mr. CALVERT.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 5127: Mr. VEASEY and Mr. DOLD.
H.R. 5143: Mr. CRAWFORD.
H.R. 5183: Ms. CASTOR of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Mr. PALAZZO, and Ms. STEFANIK.
H.R. 5221: Ms. NORTON and Mrs. DAVIS of California.
H.R. 5351: Mr. SMITH of Missouri, Mrs. NOEM, Mr. JORDAN, Mr. MESSER, Ms. ROSELEHTINEN, Mr. TOM PRICE of Georgia, and Mr. CALVERT.
H.R. 5369: Mr. PASCRELL, Ms. FUDGE, Ms. KAPTUR, Mr. COFFMAN, Ms. WASSERMAN SCHULTZ, Ms. LEE, Mr. LEWIS, Mrs. CAPPS, Ms. PINGREE, Mr. LANGEVIN, Mr. MEEHAN, Ms. CASTOR of Florida, and Ms. NORTON.
H.R. 5373: Mrs. NAPOLITANO, Mr. DEFazio, Ms. LORETTA SANCHEZ of California, Mr. O'ROURKE, Mr. ENGEL, and Mr. DOGGETT.
H.R. 5410: Mr. GUTHRIE and Mr. COLLINS of New York.
H.R. 5488: Mr. LANGEVIN, Mr. CICILLINE, and Mr. JOHNSON of Georgia.
H.R. 5499: Mr. MCHENRY.
H.R. 5542: Ms. CLARKE of New York.
H.R. 5583: Mr. GROTHMAN and Mr. COOPER.
H.R. 5587: Mrs. ROBY and Mr. COSTELLO of Pennsylvania.
H.R. 5593: Mr. JONES.
H.R. 5600: Mrs. WALORSKI and Mr. PETERS.
H.R. 5610: Mr. LAMALFA and Mr. HONDA.
H.R. 5620: Mrs. WALORSKI, Mr. GOODLATTE, Mr. BENISHEK, Mr. JONES, Mr. LoBIONDO, Mr. GOSAR, and Mr. HILL.
H.R. 5650: Ms. STEFANIK and Mr. DEFazio.
H.R. 5679: Mrs. BEATTY, Mr. HONDA, Mr. PASCRELL, Mr. TAKANO, and Mr. WELCH.
H.R. 5683: Mr. MACARTHUR.
H.R. 5720: Mr. COOK.
H.R. 5735: Ms. CLARK of Massachusetts.
H.R. 5756: Mr. DESAULNIER and Mr. MCGOVERN.
H.R. 5785: Mr. CONNOLLY, Mrs. WALORSKI, Mr. LYNCH, and Mr. COLE.
H.R. 5798: Mr. DANNY K. DAVIS of Illinois, Mr. ROSKAM, Mr. LIPINSKI, Mr. LAHOOD, and Mr. KINZINGER of Illinois.
H.R. 5877: Mr. MCCAUL.
H.R. 5883: Mr. KELLY of Mississippi.
H.R. 5894: Mr. HUFFMAN.
H.R. 5931: Mr. POSEY, Mr. KELLY of Mississippi, and Mr. MESSER.
H.R. 5935: Mr. SCHWEIKERT.
H.R. 5940: Mr. SANFORD.
H.R. 5941: Mr. GRAVES of Missouri.
H.R. 5942: Mr. CUELLAR, Mr. COSTELLO of Pennsylvania, Ms. NORTON, Mr. MEEHAN, Mr. MESSER, Ms. MCSALLY, Mr. BISHOP of Georgia, Mrs. WALORSKI, Mr. CUMMINGS, Mr. TED LIEU of California, Mr. ROYCE, Mr. SWALWELL of California, Mr. KIND, Mrs. BEATTY, Mr. RODNEY DAVIS of Illinois, Ms. HERRERA BEUTLER, Mr. DONOVAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. ROGERS of Alabama, Mr. PETERSON, Mrs. BLACKBURN, Mr. NUNES, and Mr. DAVID SCOTT of Georgia.
H.R. 5947: Ms. BASS.
H.R. 5949: Mr. GARRETT and Mr. BURGESS.
H.J. Res. 22: Mr. BERA.
H. Con. Res. 51: Mr. KINZINGER of Illinois.
H. Con. Res. 140: Mr. KING of Iowa, Mr. WILSON of South Carolina, Mr. WENSTRUP, Mr. STUTZMAN, and Mr. O'ROURKE.
H. Con. Res. 141: Mr. CRAMER.
H. Res. 360: Mr. PETERS.
H. Res. 586: Mr. DUNCAN of South Carolina.
H. Res. 617: Mr. POSEY.
H. Res. 625: Mr. JOHNSON of Ohio.
H. Res. 717: Mr. YARMUTH.
H. Res. 729: Mr. JORDAN.
H. Res. 776: Mr. RICHMOND, Mr. PERLMUTTER, Mr. JONES, Mr. COURTNEY, Mr. WALZ, Ms. DELBENE, Mr. DENT, Mr. LANGEVIN, Mr. ROGERS of Alabama, Mr. GARRETT, Mr. BRIDENSTINE, Mr. GARAMENDI, Mr. CARTER of Texas, Mr. SIRES, and Ms. DELAURO.
H. Res. 845: Ms. DELBENE, Mr. KEATING, Mr. HONDA, Ms. BONAMICI, Mr. LANGEVIN, Mr. NADLER, Mr. SMITH of Washington, Mr. GARAMENDI, Mr. HECK of Washington, Mr. McDERMOTT, Mr. PIERLUISI, Mr. DESAULNIER, Mr. HARRIS, Mr. PALLONE, and Ms. LEE.
H. Res. 848: Mr. TIBERI and Mr. WEBER of Texas.

SENATE—Thursday, September 8, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, by whose providence our forebears brought forth this Nation, use our lawmakers to make a better world. Empower them to remove those things that obstruct the coming of Your Kingdom on Earth. As they strive for human betterment, may they experience the constancy of Your presence.

Lord, give them the wisdom to give primacy to prayer, seeking Your guidance in all they think, say, and do. Teach them the lessons they ought to learn, enabling them to grow in grace and in a knowledge of You.

And, Lord, with the approach of September 11, we pause to thank You for Your sustaining and prevailing providence. Remind us to not put our trust in human might, but in Your grace, mercy, and power.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MOMENT OF SILENCE

The PRESIDENT pro tempore. Under the previous order, the Senate will now observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001.

(Moment of silence.)

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 3296 AND S. 3297

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 3296) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

A bill (S. 3297) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

REMEMBERING SEPTEMBER 11

Mr. MCCONNELL. Mr. President, 15 years ago this Sunday, Al Qaeda terrorists launched brutal and vicious attacks against our country. Yet this weekend America will remember not only the horror of those attacks but also the heroism of our response.

We saw firefighters, police officers, and first responders rush in to confront danger. We saw the men and women of our Armed Forces stand ready and sacrifice greatly in defense of our country. We saw Americans across the land work together in a spirit of unity. So 15 years later, it is clear that the terrorists did not succeed. We remain united against terror.

So this Sunday is a day to remember and honor the victims of September 11 and pray for their families. It is also a day to express gratitude to the many Americans who have fought to keep us safe ever since—the men and women who fight for the very thing that makes this the greatest Nation on Earth—freedom.

CONGRATULATING BRIAN DUFFY

Mr. MCCONNELL. Mr. President, I want to take a few moments to congratulate a fellow Kentuckian and a good friend of mine who has recently taken up the leadership reins of America's oldest and largest war veterans organization.

This summer, Brian Duffy, of Louisville, was elected commander in chief of the Veterans of Foreign Wars. Brian is the first Operation Desert Storm veteran to lead the VFW. His election is good news, not only for his fellow Desert Storm veterans but for veterans of every generation. That is because Brian lives to serve his fellow veterans, and he has been doing so for decades as a proud member of the VFW for 33 years.

Let me give one example of what Brian has done for the veterans of Kentucky. He is the founder of the Bluegrass chapter of an organization called Honor Flight, a group that flies World War II and Korean war veterans to Washington to visit the memorials that were built in dedication of their military service.

The program provides transportation and food for the veterans of this bygone era, those whose numbers, unfortunately, continue to shrink year after year. Without Honor Flight, many of these veterans would never be able to see the World War II Memorial or the Korean War Veterans Memorial. It is important that they know, more than six decades later, that America still deeply respects and honors their service and sacrifice.

My father served in World War II. I have had the pleasure of meeting many of his contemporaries when they came to Washington to make this important trip. Hundreds of Kentucky veterans have completed this journey, thanks to Brian and subsequent leaders of Bluegrass Honor Flight.

That is just one way Brian has worked to see that America stands up for its veterans, just as they have so bravely stood up for their country. It is one reason why I know he will make an excellent commander in chief for the VFW.

Brian served in the U.S. Air Force as a jet engine mechanic on F-4 Phantom fighter aircraft before becoming a flight engineer aboard a C-141 Starlifter transport aircraft. He has deployed to Grenada and Panama as well as on Operations Desert Shield and Desert Storm.

Brian and his wife Jean, who has also served in leadership posts for the VFW, live in Louisville and have two children, Tara and Andrew. I am sure his family is proud of Brian, along with many Kentucky veterans, particularly his fellow VFW members at Post 1170.

Let me also congratulate my good friend Carl Kaelin, whom I have also worked with for decades on behalf of Bluegrass State veterans, for his appointment to serve as chief of staff to the commander in chief. Carl and Brian will make quite a team. Kentucky and the Nation are grateful for their leadership and for their service.

Brian has previously served the VFW as its junior vice commander in chief. He also served as the senior vice commander in chief. I know Brian is a huge hockey fan. So he will know what I mean when I say that his election as commander in chief makes quite a hat trick—to the benefit of Kentucky veterans and veterans across America.

In Brian's own words, the VFW is "an organization of doers" and "an organization comprised of patriots." Both of these descriptions aptly fit the VFW's new chief. Under Brian's leadership, I am sure the VFW will continue to pay it forward to every veteran who has raised his or her right hand and taken an oath to defend a nation dedicated to the preservation of life and liberty.

OBAMACARE

Mr. McCONNELL. Mr. President, President Obama said something interesting just days before signing his namesake health takeover into law. In explaining the need for ObamaCare, here is what he said:

[W]hat's happening to your premiums? What's happening to your co-payments? What's happening to your deductible? They're all going up. That's money straight out of your pocket.

So, the bottom line is this: The status quo on health care is simply unsustainable.

"Simply unsustainable" was the President's view on the state of our health care system before ObamaCare. Here is his view on the health care system 6 years later: "Too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills; struggle to navigate a complex, sometimes bewildering system; and remain uninsured."

That is the President on the state of America's health care law 6 years after ObamaCare. The President wrote this just last month. It sounds an awful lot like what we heard from him years ago, in the pre-ObamaCare world. It throws the reality of this partisan law into stark relief. It is not only that ObamaCare is failing to live up to the many promises invoked to sell it, but it is often making things worse.

Just pick up any paper or turn on the news, and you will see that more troubling projections are rolling in when it comes to ObamaCare. In fact, each day seems to bring more forecasts of skyrocketing premiums and dwindling choices. It is a trend hitting Americans across the country.

For instance, here is the headline people in my home State recently awoke to: "Get ready to pay more for health insurance in Kentucky." The story goes on to warn of ObamaCare premium rates that could skyrocket by as high as 47 percent. Nearly 160,000 people are expected to be impacted.

Here is a letter from a man from Louisville who recently contacted my office. "How," he asks, "are working class Americans, like myself, able to budget for such drastic changes?" "The so-called Affordable Care Act," he said, "is unaffordable."

He and other Kentuckians are hardly alone in feeling this way. Take Illinois, where premiums could soar by as much as 55 percent; or Tennessee and Mon-

tana, where some rates could skyrocket by more than 60 percent; or Minnesota, where premiums could rise by an average of more than 50 percent. Minnesota's Democratic Governor said he was "alarmed" by these "drastic increases" and called them "reason for very serious concerns."

Even my friend, the Democratic leader, referred to ObamaCare's premium increases yesterday as "huge." He is right. He was right to mention ObamaCare's "tax increases" too. This partisan law raised taxes that hit the middle class after Democrats promised that it wouldn't.

So these huge premium increases aren't the only reason ObamaCare is raising costs for the middle class. Premiums aren't the only reason that Americans recently cited health costs as their No. 1 financial concern. It isn't hard to see why Americans might be hurting. Taxes are up, copays are up, and deductibles are outpacing wages. Now, with more and more insurance companies pulling out of the ObamaCare State exchanges, Americans are being left with another big problem—fewer coverage options.

The Obama administration used to promise us that the ObamaCare marketplace would "provide more choice and control over health insurance options" and result in "a significant increase in competition and an array of options for consumers everywhere." That was the promise of ObamaCare.

But that is not the reality for many Americans today. ObamaCare has forced out so many insurers that about one in five ObamaCare customers will be forced to find a new insurance company this fall. More than half of the country could have two or fewer insurers to choose from in the exchanges next year, and about one-third of all counties in the United States, along with seven entire States, are set to have just a single insurer offering plans in their areas. That includes one county in Arizona that, until just last night, would have had no options in the exchange at all. I know this is something that Senator McCain has been deeply concerned about, and he has introduced good legislation to address it.

ObamaCare co-ops continue to collapse at every turn, too, with less than one-third expected to offer plans next year. When these co-ops collapse, they can cost taxpayers millions and disrupt coverage for thousands of enrollees. They can force patients to start over on their deductibles midyear and even to find new doctors. These are the latest reverberating echoes of the President's most famous broken promise: "If you like your health care plan, you can keep it." That was the President's promise.

Here is a Kentuckian from Campbellsburg, who wrote to me after losing his insurance:

I lost my health insurance that I had for many years because of ObamaCare. Instead

of something affordable, I face the possibility of struggling to purchase an Obama health plan that costs two to three times what I had been paying.

To top it off, he said, the "process of trying to find coverage has been a nightmare."

Here is something to keep in mind when Democrats try to spin the American people on ObamaCare. For all of this chaos and pain for middle-class families, ObamaCare still has not achieved its stated purpose of universal coverage—not even close. Tens of millions still remain uninsured—tens of millions. And those who do have insurance are now discovering that simply having health insurance isn't the same thing as having health coverage. They have insurance, but it isn't the same thing as having health coverage.

Take one New Jersey man who has suffered for years from chronic migraines and needs medication to help alleviate the pain. The moment ObamaCare placed him on Medicaid, he lost his access to each of his doctors, which meant waiting 4 months to see a new doctor and get a prescription for the medication he needs. He said:

You have a card saying you have health insurance, but if no doctors take it, it's almost like having one of those fake IDs. Your medication is all paid for, but if you can't get the pills, it's worthless.

According to a Gallup poll released just this morning, many more Americans report that ObamaCare has hurt rather than helped their families—and many more Americans say that ObamaCare will make their family's health situation worse rather than better over the long run.

Is it any wonder? Americans were told that ObamaCare would allow them to keep the health plans they liked. They couldn't. Americans were told that ObamaCare would drive down health care premiums by \$2,500 per family. It hasn't. Americans were told that ObamaCare would not raise taxes on the middle class. It did. Americans were told that ObamaCare would increase choice and competition. The very opposite is proving true.

And remember the promise that "if you like your doctor, you can keep your doctor"? It has been broken too. In fact, the Obama administration recently erased references to "keeping your doctor" from its Web site. These entirely predictable consequences are not just flukes or quirks of ObamaCare. They are not just small wrinkles in the system that will work themselves out with time. They represent fundamental flaws built into the law's original design.

Republicans warned about ObamaCare's consequences repeatedly from the very start. Democrats mocked us for doing so and rammed through their partisan law anyway. Every single Democrat in the Senate was needed to pass it, and they got every one of them.

I invite Democrats to now consider following the lead of one of the President's own former health care advisers who recently penned an op-ed titled "How I was wrong about ObamaCare." The problems Democrats caused for the middle class aren't going away until ObamaCare does. So if Democrats are serious about helping the middle class, they will work with us to build a bridge beyond ObamaCare to better care. Anything else is just more hollow rhetoric.

Today, 6 years on, ObamaCare is failing the middle class, but the President still hasn't offered a serious solution to fix it. He is now trying to convince Americans that the solution to his bloated, unwieldy, and expensive law is to make it more bloated, more unwieldy, and more expensive. In other words, it is more of the same—more of the same, just worse. His preferred Presidential candidate says the same thing. So do congressional Democrats.

How can anyone conclude, after reading all these stories about how ObamaCare is hurting the middle class, that what we need now is more ObamaCare in the form of a government-run plan? That is their solution now—more ObamaCare in the form of a government-run plan.

Look, Democrats can continue to spin us on how great this law is. They can continue to tell Americans to "get over" this law and its pain for the middle class. They can continue to laugh at Americans who lose their plans. They can continue to crow about exploiting "the stupidity of the American voter" to push this partisan law on the middle class. Or they can work with us to move beyond the failed experiment of ObamaCare. They can prove that they are finally willing to put people before ideology.

This much is clear: ObamaCare is a direct attack on the middle class. It hurts the very people it was designed to help. It raises costs, crushes choice, and is now crashing down around us. It simply isn't working.

To quote what President Obama said 6 years ago, "The bottom line is this: The status quo of health care is simply unsustainable."

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING SEPTEMBER 11

Mr. REID. Mr. President, it seems it was just a few minutes ago, but it wasn't; it was 15 years ago that, just a few feet from where I stand now, I went to a meeting. It was approaching 9 o'clock, and no one was in the room, S-211. Senator Breaux from Louisiana walked in, and he said: Flip on the TV. And we did. We could see the tower had

been hit in New York. We thought a plane had hit it by mistake. So we shut off the TV and Senator Daschle came in and started the meeting. In just a few minutes, some people came in and ushered Senator Daschle out of the meeting. He came back in quickly and said: The building has to be evacuated; there is a plane headed toward the Capitol. As we walked out of the room and looked out the window, we could all see the smoke billowing from the place we learned was the Pentagon. I will always remember that. Of course I will. And, of course, we have learned since of the many heroes of that day—people running not away from danger but toward danger.

On that day, I was first taken home. I had to rush back to the Capitol, through police barricades. Four Members of the leadership were helicoptered out of the Capitol to a secure location outside of DC. As the sun was going down, we came back to the Capitol steps. BARBARA MIKULSKI, the Senator from Maryland, who is known for giving dynamic speeches, didn't give a speech that day. In front of this bipartisan group of Senators, she very simply said: I think what we should sing is "God Bless America." We all did that. It was a beautiful rendition of all the varied voices of Senators, Republicans and Democrats, singing that song. We didn't know what that meant—what tomorrow would bring—but that gave us some inspiration to think about how great our country is.

The perpetrators sought to attack our democracy, our way of life, but they failed. The tragedy of that day reminded every American of our collective strength and resilience, led by George Bush who did such a remarkable job of rallying the Nation.

We exhibited the best of ourselves in front of the world, and we resolved to degrade and destroy the terrorists responsible. After many failed attempts and in spite of some people saying "Let's wait," President Obama said "Let's do this." And they killed Bin Laden. That was the right thing to do. It was a courageous move on behalf of President Obama but the right thing to do. He was ultimately brought to justice.

Today, 15 years later—I will always remember that experience a few feet from here, but we will all remember, in our own way, September 11, and in our own way honor the victims and the heroes of that day and never forget. We are always stronger together when we are united.

OBAMACARE

Mr. REID. Mr. President, I have trouble comprehending my friend the Republican leader—how he can, with a straight face, talk about how terrible America is today. Things are upside down; it is terrible.

Remember, Obama was elected President almost 8 years ago. That month, under the prior administration, for lots of reasons we have all talked about, our country lost 800,000 jobs in one month. That wasn't the only month. Our unemployment rate shot up in places like the Presiding Officer's and my State to more than 14 percent. Unemployment in America was raging. Major companies failed. I saw the Secretary of Treasury on his knees in the White House begging the Speaker of the House, NANCY PELOSI, for help.

We joined together with President Bush. There was nothing partisan about what we did. Even though there were some small steps, we did our best to help the country. Since then, under the last 8 years of President Obama's leadership, the country has been significantly turned in the right direction.

For my friend the Republican leader to parrot what Donald Trump is saying: "Make America great again"—America is great right now. Unemployment is less than 5 percent. Millions of jobs have been created in this administration—millions and millions of jobs—about 16 million.

We have no ground troops, except in Afghanistan. They have been brought home, and rightfully so. To hear my friend the Republican leader talk about the awfulness of ObamaCare—you don't have to have a long memory to know what it was like before ObamaCare. Insurance companies were canceling policies, denying insurance, not writing insurance because you are a woman, because you had a prior disability. I don't know if my friend is briefed by his office, reads the newspapers, or watches the news. Three days ago the word came out that the uninsured are at all-time lows in our country. Ninety-two percent of Americans have health insurance. Is that bad? Is the insurance perfect? Of course it is not. We have 19 States led by Republican Governors who refuse to accept Medicaid. The Republican Governor from Nevada made the right choice, and it has been good for the State of Nevada.

It is interesting that after more than 6 years, we still have never seen a plan by the Republicans and what they want to do other than vote against ObamaCare. ObamaCare has expanded coverage to millions of Americans. It has improved the quality of health insurance. A lot of people who don't like the plan don't like it because they don't think it is strong enough and they want to do more. The marketplace will continue to connect Americans to quality, affordable health insurance.

I thought Republicans believed in the free enterprise system, and that is what we have with ObamaCare. The health insurance marketplace is so much better than pre-Affordable Care Act. They should stop trying to repeal

ObamaCare and work with us to improve what we have. It is not going to go away.

The Affordable Care Act has shown that it has had a positive impact on the stated goal of lowering the number of people without coverage. Millions of people have health insurance who didn't before. He and other Republicans continue to come down to the floor and complain, although not as often as they used to because they have been embarrassed too many times. The Republican leader seems to think that things were better before Americans had coverage, including the 500,000 people in Kentucky who now have insurance because of ObamaCare. I guess he seems to be saying that he liked it better when insurance companies could deny coverage for any reason that they thought was appropriate; it didn't have to be a good reason.

SUICIDE PREVENTION

Mr. REID. Mr. President, September 10 is World Suicide Prevention Day. I had occasion to visit with our former colleague, Gordon Smith, a tremendously good Senator from the State of Oregon, while I was in Las Vegas a couple of weeks ago. Even now we often speak—as we did in Las Vegas that evening—about our experience with those who have committed suicide. Gordon lost a son, I lost a father, and there are a small number of people here in this room today—if we could do an oral poll, we would find that many people in this room have been affected by suicide.

Think about it. Each year, about 33,000 people commit suicide. That is a lot of people. It took me a while to accept not feeling sorry for myself and to try to do something about it, and we have done some things here as a body about suicide.

We really don't understand it very well. For example, most suicides occur in the western part of the United States. I would have thought just the opposite. The West has bright, sunshiny skies, and the weather is a lot better than places like New York, but for some reason, west of the Mississippi, we have a problem with suicide that doesn't occur in other places.

It is a national problem, and we have to do something about it. We have 33,000 people die every year, and those are the ones we know about. There are hunting accidents, car accidents, and hiking accidents that are really suicides but they are not acknowledged as such.

From 1999 through 2014, the suicide rate in the United States increased by 24 percent, both men and women of all ages. Women are now becoming more equal to men in killing themselves.

If we are going to actively address the increasing rate of suicides, we can't ignore the role firearms play. Guns are

the most common device men turn to when they commit suicide. That is according to the CDC and not some left-wing group the Republicans like to harangue about. Almost 23,000 suicides were carried out with firearms in 2013—that is the last information that we have—which is 10 percent higher than 3 years earlier.

We don't really know what is happening in the military. Twenty-two people in the military will kill themselves today. It is mostly done after they have been honorably discharged from the military.

We need to invest in evidence-based prevention. Young people are killing themselves. One of my wonderful staff members, my chief of staff—she is such a dear friend—comes from a large family of 10 children. One of her brothers is a medical doctor with twins. One of them hanged himself—an 11-year-old boy, dead.

We have to have more science-based information, and we don't have it. Mr. President, 33,000 people are dying each year as a result of self-inflicted injuries.

I note with a degree of seriousness that September 10 is World Suicide Prevention Day. I hope we can all acknowledge this is something on which we need to work together. It is not a partisan issue; just ask Gordon Smith. It is not a partisan issue; just ask me. As I have indicated, many people who work in these wonderful buildings in the Capitol have been affected by suicide.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

Inhofe amendment No. 4980 (to Amendment No. 4979), to make a technical correction.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to speak on the bill we are debating, the Water Resources Development Act. I will begin by commending the chair-

man of the EPW Committee, Senator INHOFE, and the ranking member, Senator BOXER, for their leadership on this legislation.

Sometimes it is important to just look at what these bills are doing. The Water Resources Development Act—WRDA, we call it here—the title says:

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

One of the things I have come to the floor of the Senate to speak on a number of times is one of the most important things I think we should be doing in the Senate, and that is focusing on our economy. With all due respect to the minority leader with regard to the economy in the United States, things are not going well. Just over the past two quarters, we again had numbers that were dismal by any historical measure in the United States. Last quarter, I think we had 1.5 percent GDP growth, and the quarter before that, we had 0.8 percent GDP growth. As a matter of fact, President Obama will be the first President in U.S. history who never hit 8 percent GDP growth in 1 year—never. No President has had such a dismal regard in terms of growing the economy.

What should we be doing? First of all, we need to focus on the economy. One of the critical things we should be doing in the Congress—one of the things we need to unleash to the private sector is better infrastructure for this country. Again, I commend the chairman of the EPW Committee and the ranking member because they have been leaders on this issue. Last year, we passed the first long-term highway bill in many years with the FAST Act. That is infrastructure for the country. Right now, hopefully, the Senate will pass the WRDA bill.

These aren't perfect pieces of legislation. No piece of legislation ever is. For example, I think both of them could have had provisions that streamlined the permitting process to build bridges, roads, and ports. Right now in this country, it often takes years to cut through the redtape to get permission from the Federal Government to build infrastructure. We need to do a better job on that. But the FAST Act and now the WRDA bill are important bills. They are important bills to help us grow our economy, and that is why I am supporting the WRDA bill we are debating here on the floor.

There are many provisions in this bill that are going to benefit different parts of the country. It will certainly benefit the State of Alaska. We are a young State. We are infrastructure poor, for sure, in terms of roads, ports, and harbors.

One provision I wish to highlight is section 7106, the Small and Disadvantaged Communities Grant Program.

This is a new program that I had the opportunity to work on with my team, Senator INHOFE's team, Senator BOXER's team, and Senator WICKER. We are all focused on this issue. It stemmed from an important topic we were discussing.

I know my colleague and friend, Senator PETERS from Michigan, is going to talk about Flint, MI, and what happened there and the topic of our aging infrastructure. I certainly respect his advocacy for his constituents on this topic.

We have been talking about our aging infrastructure, but one topic we didn't talk a lot about in the Senate—and I certainly tried to raise it a lot—is not just aging infrastructure, but how about the topic of no infrastructure for communities in the United States? I know a lot of Americans don't know this, but there are a lot of communities in our great Nation that have no clean water, no sewer, and no toilets that flush—entire communities in America. Think about that. They have no running water and no toilets that flush. They have what we call in Alaska honey buckets. Sounds sweet, of course, but it is not sweet; it is literally American citizens having to haul their own waste from their house to a lagoon and dump it there. Can you believe that in America we have entire communities—in my State over 30—that have that problem? What this causes is often very high rates of disease, such as skin disease, ear infections, and sometimes at third-world disease rates. Again, this is happening in America. I think it is unacceptable, and I think most of my colleagues believe it is unacceptable. It is not right.

That is where the new provision, the Small and Disadvantaged Communities Grant Program, comes in as part of this bill. It prioritizes assistance to small communities throughout our country that don't have basic drinking water or wastewater services. This is a 5-year program that is in the bill. It authorizes \$1.4 billion to address what I think the vast majority of Americans would agree is an unacceptable condition in certain communities throughout our great Nation. No American community should have to rely on honey buckets. No American community should have Third World disease rates because they don't have water and sewer.

So this WRDA bill is a serious start to address this issue. It is a significant challenge. It is not going to be addressed overnight, but I think everybody in this Senate can agree we shouldn't have communities of hundreds of people in our great Nation who don't have basic services that the vast majority of Americans take for granted and assume that every community in our great country has, but we don't.

This is a good start to do what one Governor of Alaska put out as a vision

and a goal, which is to put the honey bucket in a museum, and that is what we are going to try to do beginning with this program.

I encourage my colleagues to support the WRDA bill that is being debated on the floor. I again wish to thank Chairman INHOFE and Senator BOXER for their leadership on this important piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise to speak about the Water Resources Development Act, known as WRDA as well, which we are now considering and we expect to vote on next week.

This bill will significantly reduce the threat of lead exposure and other drinking water contamination for our communities across the United States, and it will invest in our aging water infrastructure. I am particularly pleased that language addressing the Flint water crisis—language I worked on with my colleagues Senator STABENOW, Senator INHOFE, Senator BOXER, and many others—is included in the WRDA bill before us. Their strong leadership has been invaluable, and I thank them for their efforts.

WRDA provides resources that will improve drinking water infrastructure in Flint, MI, and other places where pipes, pumps, and treatment plants are crumbling and are woefully out of date. This bill also funds health care programs for communities that have been affected by lead contamination. Also, all of the direct spending is fully paid for.

Crafting this bill has been a constructive process with input from many Senators. There are a number of new, smart policy changes that will vastly improve water quality and tackle accessibility challenges. For example, this bill delivers funding for programs that will reduce lead in drinking water, test for lead in schools and childcare facilities, and invest in new water technologies.

WRDA also authorizes over \$12 billion for 29 Corps of Engineers projects in 18 States. These projects invest in ports and inland waterways, flood control and hurricane protection, and the restoration of critical ecosystems.

This worthy bill has earned the endorsements from a long list of critical stakeholders, and I appreciate the bipartisan support that has made crafting and considering this bill such a collaborative process.

While floor time for this measure is certainly long overdue, what really matters now is that we have an agreement to move forward. This is a fantastic opportunity to help millions of people all across our great country.

We now have a pathway to success if we can move the final vote of this legislation next week. I urge my fellow Senators to show the American people

we can continue to work together to address urgent needs across our country, invest in critical infrastructure, and deliver much needed—and fully paid for—support for Flint families.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MERRICK GARLAND

Mr. COONS. Mr. President, I rise because of three numbers—three simple but important numbers—100, 176, and 9. What do all of those have to do with the matter that I think should be before us today? Well, it has been 176 days since President Obama did his job under the Constitution and nominated Chief Judge Merrick Garland of the DC Circuit Court, a consensus candidate, to our Nation's highest Court following the untimely passing of Justice Scalia. We have, of course, 100 Senators whose challenge it is to find ways to work together across the aisle and do our job and make progress for our country. It has also been 100 years that the U.S. Senate has had a Judiciary Committee—a committee on which I have the honor of serving. In the 100 years we have had a Judiciary Committee in the U.S. Senate, we have never had this situation, where the President does his job under the Constitution and nominates an eminently qualified jurist and the Senate Judiciary Committee refuses—just refuses—to conduct a hearing, to give a vote, to bring it to the floor, and to offer a final vote.

Obviously, we have disagreements. We have disagreements in this body over principles and ideology. That is part of our job to come here representing our States and their different priorities and values. But to steadfastly refuse for 176 days to even convene a hearing, to even begin the process to allow the American people to have some insight into the quality and caliber of the man nominated by our President strikes me as an unprecedented refusal. It is the first time in a century that we have so blatantly had one group in this body refusing to proceed.

Our window for acting is closing because in just a few weeks, on October 3, the Supreme Court's new term begins. So the refusal to act and to fill the ninth vacant seat has now had a serious ongoing impact on one term of the Supreme Court and now soon on a second term of the Supreme Court. We have never had a Supreme Court vacancy go this long in modern history.

In terms of the qualifications of the candidate, let's just take a quick look at the public record so far.

A bipartisan group of former Solicitors General—the lawyers of the United States, the persons who represent the United States in court and often before the Supreme Court—including Paul Clement, Ted Olson, and Ken Starr, have endorsed Judge Garland as “superbly qualified,” having “demonstrated the temperament, intellect, and experience to serve” on the Supreme Court. This is not a sharply divisive nominee who is pursuing a particular ideological agenda. This is a well-regarded, well-respected, seasoned senior member of the Federal judiciary.

Top lawyers at 44 U.S. companies have written to the Senate calling Judge Garland “exceptionally well-qualified” and noting that a prolonged vacancy continues to leave important, even vital, business issues unresolved before the Court, giving them a lack of predictability and leading them to have to make decisions in the absence of clear guidance from the Court.

Just yesterday my colleagues and I joined some of Judge Garland’s former law clerks in front of the Supreme Court. Sometimes when I have had the opportunity to review nominees for Federal judgeships, I like to hear from those who previously worked for them. In a letter to the Senate, a group of Judge Garland’s former clerks noted that “Chief Judge Garland deeply believes that our system of justice works best when those who see things differently are able to work together, in a collegial manner, to arrive at a just result.”

Yesterday we heard again firsthand accounts from Judge Garland’s clerks of his wisdom, mentorship, decency, and commitment to justice. I wish we could follow the same approach in the Senate that Judge Garland’s clerks and other former coworkers said he followed in the Department of Justice, as a career prosecutor, and as a judge on the DC Circuit—an approach that focuses on collegiality and success.

I had the honor of meeting with Judge Garland on April 7. In addition to his truly impressive intellect and compelling and long judicial experience, our conversation revealed to me a person of real character, good judgment, deep sensitivity, and thoughtfulness. I wish I had the opportunity in front of a public hearing of the Judiciary Committee to ask him similar questions that would allow my constituents, the President’s constituents, and other Members of this body to ask and answer important questions before the American people, before a committee of this body, and before our colleagues so that we could do our job and move forward. Yet we haven’t had this hearing—the hearing that the American people so need and deserve.

In May, my Democratic colleagues held a public meeting to try to further explore and air Judge Garland’s back-

ground, where we heard from four esteemed, significant, and experienced individuals deeply familiar with Judge Garland’s experience and character—a former court of appeals judge, a former U.S. attorney, a former Cabinet Secretary, and a U.S. law professor who clerked for Judge Garland. All four of them urged us to move forward and consider his nomination.

Of those four, Judge Lewis’ testimony has particularly stuck with me. He was nominated by President George H.W. Bush in September of 1992, which, to the best of my recollection, was an election year. He was then confirmed by a Democratic-led Senate in October of 1992, less than a month before a hotly contested Presidential election. Judge Lewis previously came to testify in support of then-Judge Samuel Alito of the Third Circuit before his elevation to the Supreme Court. Judge Lewis warned us earlier this year in this meeting that what we are doing is not only deadlocking the Supreme Court, but it is diminishing it.

Our system of justice, our Federal courts, and our constitutional order are one of America’s most precious assets. As a Member of the Foreign Relations Committee, I have the honor of traveling to other countries to represent our country, most often on bipartisan delegations, where we urge them to follow our model. Sadly, in too many countries I have visited, they cannot depend upon their judiciary to be truly independent, to enforce the rule of law, to issue judgments that are in keeping with their laws, traditions, or, most importantly, their constitution. That is why I am disappointed that we are engaging in this unprecedented refusal to follow the rules, to follow the process of the Constitution and the Senate and to give this important nominee a hearing. That is why I am disappointed by Leader MCCONNELL and Chairman GRASSLEY in their refusal to consider Judge Garland’s qualifications. It is my hope they will reconsider.

In Chief Judge Garland’s nomination, President Obama fulfilled one of his most important constitutional responsibilities. Now all 100 Senators, on this 176th day that we are waiting to fill this 9th vacancy on the Supreme Court, must do our job and provide appropriate advice and possibly consent to the President’s nominee. The Senate has a valuable opportunity to show our constituents, the American people, and the world that even in the midst of a divisive Presidential campaign, our democratic and constitutional system still works. We cannot allow yearlong Supreme Court vacancies to become routine, and I am deeply concerned about the manner in which the Senate is conducting itself and the possibility that this unprecedented inaction will set a precedent for future vacancies and send a signal to the world that our

constitutional order cannot still function.

I remain hopeful that my colleagues will give serious thought to the systemic consequences of what we are doing through our refusal to even hold a hearing on Judge Garland. It is long past time to put the good of our Nation and the Constitution above the politics of the day and to get to work on this confirmation.

The PRESIDING OFFICER. The assistant Democratic leader.

NOMINATION OF MERRICK GARLAND

Mr. DURBIN. Mr. President, I would like to thank my colleague from Delaware for joining me yesterday on the steps of the Supreme Court. We had law clerks who had served Judge Garland over the years who spoke in glowing terms about the man’s ability to serve. In fact, I have not heard any detractors or critics who have come forward to suggest that the President’s nominee is not a serious candidate for this job and one who would fill it with great competence.

Here is the reality of what we face. This is the Executive Calendar, which is passed out every single day in the Senate. You will see it on the desks of many of my colleagues. In this publication are nominations pending before the Senate. There are 27 Federal judicial nominees whose nominations are pending before the Senate.

One nomination that might be of interest to those who are following this debate is a nomination that goes back to October of 2015 of Edward L. Stanton III, of Tennessee. Now, we know the way the process works is that Mr. Stanton’s name would not be on the calendar to be considered by the Senate were it not for the support of both Senators from Tennessee—in this case, both Republican Senators of Tennessee. So we have a nomination to fill a vacancy on a Federal district court of Tennessee that has been approved by both Republican Senators and reported out of the Senate Judiciary Committee in October of last year—almost 1 year ago.

Obviously, a question must be raised. What is wrong with Mr. Stanton? What did he do? How did he get approved by both Senators and out of committee only to be sitting on the calendar for a year? What he did was he ran into a concerted, deliberate plan by Senate Republicans to stop filling judicial vacancies under President Barack Obama. There are 26 like him who have been reported from the committee and sent to the calendar.

Listen, here is the interesting part. Senator GRASSLEY, the chairman of the Senate Judiciary Committee, has called a special meeting of the committee today to take place right after the first vote, right off the floor here. To do what? To add five more names to the calendar—five more nominees to the calendar. Why? Is there going to be

one magic day when all 32 are going to fly out of the Senate by a handful of votes?

Well, nobody said that is going to happen. Unfortunately, it means that for each of these nominees—starting with Mr. Stanton, 1 year ago—their lives are going to be on hold. They made a good-faith effort to step forward to serve the United States of America in the Federal judiciary. They submitted themselves to elaborate background checks by the FBI and other agencies, and then, when reported by the White House, they went through further background checks by the staff of the Senate Judiciary Committee.

Each of these individuals went through a hearing where, under oath, they were asked questions. Each of them, in many instances, was asked to present additional support materials for their nomination. They did it all. They did everything that was asked of them, and they sit on the calendar. What is this all about?

Well, I would say Senator McCONNELL and Senate Republicans are not very veiled in concealing their strategy. They don't want a Democratic President to fill a vacancy on the Federal bench, despite the fact that the people of the United States chose President Barack Obama by an overwhelming margin, despite the fact that he continues to have the powers of office. They want to thwart and stop that authority of the President to fill Federal judicial vacancies. Their hope is that their favorite candidate, their beloved nominee Donald Trump, will pick the next set of Federal judges. Can you imagine?

What really is behind this is not just to give Mr. Trump his moment to pick the nominees and make nominations to pick the future members of the judiciary but really to serve a specific political agenda. The Senate Republicans are afraid of what would happen to a Federal court system if independent jurists served. They want their friends instead. They want those who will lean in their direction when it comes to the important issues of corporate interests, Wall Street banks, and the Koch brothers. The courts mean an awful lot to companies and wealthy people, and they want to make sure the right people are sitting there making decisions when it comes to the future.

So 27 nominees sit on the Senate calendar, and the Senate Republicans refuse to call them for a vote. Senator GRASSLEY on the Senate Judiciary Committee wants to add five more to the list today. Why? Why are we doing this to these poor people, putting them through this charade of nomination when there is no intention to fill the vacancy? Incidentally, among the vacancies currently pending on the Federal judiciary—we are now up to 90 vacancies across the United States—a

third of them are in emergency situations, which means that the courts cannot properly function because of the vacancies on the Federal bench. Despite this, the Senate Republicans refuse, being in control of the Senate, to call these names for consideration. They know they will pass. They are not controversial. They went through the committee, and they languish on the calendar because of this political decision.

I wish that were the worst example, but it is not. The worst example relates to the 176 days pending since the nomination of Judge Merrick Garland, chief judge of the U.S. Court of Appeals for the District of Columbia Circuit. He has had his name before the Senate in nomination and has not been called for a hearing or a vote.

Each of us, when we become a Senator, walks down this aisle and over to the side where the Vice President of the United States administers an oath of office. We don't take oaths lightly. For most of us, there are only a handful of moments in our lifetime where we raise our hand and swear that we are going to do certain things. In this case, we stand there in the well of the Senate and swear to uphold the Constitution of the United States of America. You might think it is a formal declaration—and it is—but it is also a meaningful declaration. This country was riven and also destroyed because of a dispute over our Constitution which led to a civil war. So we make certain, if you walk down this aisle and put up your hand over there, one hand on the Bible, one hand reaching to the heavens, taking an oath to uphold the Constitution, we are serious about it.

Yet, when it comes to filling this Supreme Court vacancy, the Constitution is explicit about our responsibility in the Senate. Article II, section 2, speaks to the President's constitutional responsibility—responsibility—to fill vacancies on the U.S. Supreme Court. Why did the Founding Fathers make it a responsibility and a mandate? Because they knew what would happen if vacancies on the Court could be used for political purposes, if leaving slots vacant on the Court advantaged one political party or the other.

So they came forward and said: It is all about a full set of Justices and the President's responsibility to nominate those who would fill the vacancies. The death of Antonin Scalia created a vacancy. The Court across the street now has eight Justices. They have already been hamstrung by the fact that one Justice is missing and they were unable to reach a decision in critical cases.

So the President met his responsibility 176 days ago and sent the nomination of Merrick Garland to be considered by the Senate. I don't use this term loosely. I have looked it up. I have researched it. I want to say ex-

plicitly, the Senate of the United States of America has never, never in its history since the Judiciary Committee has been in business, never once refused a Presidential nominee a hearing. It has never happened.

Oh, I know, some of my critics on the other side will say: Well, if the shoe were on the other foot, if it were a Democratic Congress and a Republican lame-duck President, you would do the same. Wrong. In recent memory, in recent history, when President Ronald Reagan was in the last year of his term and there was a vacancy on the Supreme Court, he sent the nomination of Anthony Kennedy to a Democratic-controlled Senate, and instead of refusing to do our job, the Democratic Senate approved Justice Anthony Kennedy, the Reagan nominee, in the last year of the Reagan Presidency.

But Senator MITCH McCONNELL and the Senate Republicans have said no. No, we are just not going to do it. We don't care if the Constitution requires it. We don't care if we have taken an oath to live up to the Constitution. We don't care if it has never been done before in the history of the Senate. We are going to stop this President from filling this Supreme Court vacancy because our friends, our special interest groups, corporate interests, Wall Street banks, and the Koch brothers, don't want to see an Obama nominee filling this vacancy.

It is a shame. Merrick Garland is an extraordinarily gifted jurist. He is a son of Illinois—maybe I come to it with some prejudice—born in Chicago, raised in Lincolnwood, valedictorian of his high school, Niles West. He recently gave a graduation speech to that school.

His father ran a small business. His mother worked as the director of volunteer services at Chicago's Council for Jewish Elderly. Judge Merrick Garland is an intelligent man. He earned his undergraduate and law degrees from Harvard, clerked for distinguished jurists Henry Friendly and William Brennan. He spent years in public service as a prosecutor at the Department of Justice. He led the investigation of the 1995 Oklahoma City bombing. He served as a judge on the DC Circuit since 1997. Incidentally, he was confirmed by the Senate with a broad bipartisan vote for that position.

Throughout his career, he has won praise from across the political spectrum for his fairness, his brilliance, his work ethic, and his judgment. The American Bar Association took a look at this nominee and said: He is unanimously "well qualified" to serve on the Supreme Court—unanimously. This is a man who has given decades of his life to public service, and the Senate Republicans will not even give him a hearing. They will not give him a moment under oath to answer questions.

The way the Senate Republican majority has handled this Supreme Court

vacancy is shameful. Since Justice Antonin Scalia's untimely passing last February, the Supreme Court has had to operate with eight Justices. As President Ronald Reagan said back in 1987, "Every day that passes with the Supreme Court below full strength impairs the people's business in that crucially important body."

During the last Supreme Court term, the Court was unable to reach a final decision on the merits seven times because the Justices were deadlocked 4 to 4. Major legal questions have been left unresolved. On September 26, the Court will hold its first conference of its new term, still with only eight Justices, though the Senate has had plenty of time to fill a vacancy, but the Senate Republicans have refused to do their job.

Unlike any other Senate in the history of the United States, in the history of this country, the Senate Republicans have refused a Presidential nominee to the Supreme Court a fair hearing—any hearing—and a vote. It is shameful. The Senate is now failing under the Constitution to do its job. The Senate Republicans, by design, are responsible.

Judge Garland, the Supreme Court, and the American people deserve better. The Senate should give Merrick Garland a hearing and a vote.

ZIKA VIRUS FUNDING

Mr. President, when they write the history of this Republican-controlled Senate, they will surely note that we are a little over 2 weeks away from a deadline, when we were supposed to have a budget and appropriations bills, and we don't have them.

That has happened before. It is not the first time in recent memory. We have been tied up in knots before, but that is a reality. Despite promises to the contrary, we have not passed an appropriations bill. I might say in fairness, in defense, of the Senate Appropriations Committee and the Republican chairman, THAD COCHRAN, as well as the ranking Democrat, BARBARA MIKULSKI, we did our job.

We held hearings on the important bills. They are ready for consideration on the floor. What has stopped their consideration is the Republican House of Representatives and Senator McCONNELL. The Republicans in the House just cannot reach an agreement. That is why John Boehner left. That is why PAUL RYAN's hair is turning gray, trying to deal with a handful of tea party Republicans who would rather see the whole Congress grind to a halt and the government shut down.

So when it comes to passing appropriations and spending bills, there is not much to brag about on the Republican side of the aisle. When it comes to the Zika virus in February, President Obama said: Be careful. We have a public health crisis looming. This mosquito we have discovered can cause ex-

traordinary damage to pregnant women and to the babies they carry.

So he asked us, in February of this year, 7 months ago, he asked us for \$1.8 billion so they could stop the spread of this mosquito virus and start the research for a vaccine to protect everyone. He said it was an emergency. Obviously, the Senate Republicans did not care. In May, we finally reached an agreement to a reduced amount, \$1.1 billion, passed it out of the Senate. I believe the vote was 89 to 8, a strong bipartisan rollcall.

Many of us breathed a sigh of relief. It was before the mosquito season really got in full force in most of the country. It looked like we were going to respond to the President's call for emergency funding. Then what happened? It went over to the House of Representatives, and instead of taking the clean, bipartisan bill that passed the Senate, no, they decided they would embellish it with political poison pill riders. Listen to one of them. They said women who were concerned about family planning and their pregnancies because of this issue could not seek family counseling and women's health care at Planned Parenthood clinics. Two million American women used those clinics last year. The Republicans are now saying: Sorry. As important and popular as they may be, we are going to prohibit any money being spent for women to turn to these clinics for family planning advice because of the Zika virus.

They went further. They took \$500 million out of the Veterans' Administration that was going to be used to process claims to get rid of the backlog. No, they will take \$500 million away from that and put it into the Zika virus. Then, to add insult to injury, the Republicans in the House insisted on a provision that would allow them to display the Confederate flag at U.S. military cemeteries.

What we had was a simple, straightforward, clean bill to deal with the public health crisis turned into a political grab bag. They sent it over here knowing it would fall and it did, repeatedly.

Now the question is, whether Senator McCONNELL and Senate Republicans will follow the lead of House Republican Members who are telling them: Enough. Members from Florida—Congressman YOHIO, for example—a Republican Member says: Let's clean up this bill and do something about Zika. Why is he saying that? Because the Centers for Disease Control has done something extraordinary, something I don't think has ever been done before. They have warned Americans not to travel to parts of the United States, certain sections of Florida, where the Zika mosquito is showing up.

Congressmen from Florida, including Republicans, have said: Enough of the political games. Pass the clean bill

funding Zika. Senate Republicans refuse. They will not move forward on it. We are stuck, stuck with the situation that we can cure and should cure on a bipartisan basis.

My colleagues from Louisiana come to tell us about the terrible devastation that has taken place in their State because of the flooding, national disaster, loss of life, damage to property. It is not the first time we have had a situation this serious—Katrina and others come to mind—but it is a reminder, when it comes to natural disasters or public health disasters, for goodness' sake, isn't that where politics should end and people should, on a bipartisan basis, set out to solve a problem instead of create a problem?

So now it is up to Speaker RYAN and it is up to Senator McCONNELL to show real leadership in the Senate. I know they are not going to back off on these judges. They have dug in real hard on those, but I would hope, when it comes to passing spending bills in a sensible fashion and funding our efforts to stop the spread of this Zika virus, that we will do something meaningful.

They estimate, by the end of this year, one out of four people in Puerto Rico will have been infected by this virus. By the end of next year, it will be closer to 90 percent. It is a serious public health crisis. It is one we need to do something about. Ultimately, we need a vaccine. The Centers for Disease Control announced this week that they brought to a halt their efforts. They have run out of money. Now it is up to Congress. It is up to the Senate. It is up to the Republican leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

FILLING THE SUPREME COURT VACANCY

Ms. KLOBUCHAR. Mr. President, I come to the floor once again on the topic of the vacant seat on our Supreme Court. I would also echo Senators DURBIN's comments about the need to move immediately on the funding on Zika. We of course passed something here that had clear bipartisan support. Now we wait to get this done again and to not politicize this incredible public health threat.

Today I am focusing my remarks on the damage to our system of governance that is being done by leaving a seat open on our Nation's highest Court. For years, we have seen some fraying of our democracy, the polarization, but the citizens of America have always believed in an independent Supreme Court. We have seen some political creep, as we know, into our judicial selection process. Nonetheless, the citizens of America have respected the rule of law. They continue to do that.

When our Founding Fathers sat down to sketch out the framework of our Nation, they did not issue decrees. No, they set up a system of governance with three equal branches. The Federalist Papers outline this balance of

paper in detail. Alexander Hamilton once wrote about this balance. He wrote:

The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior. . . . They are means, and powerful means, by which the excellences of republican government may be retained and its imperfections lessened or avoided.

Well, that is not going to happen if we have a Court that cannot fully function. We have, in the most recent term, less cases brought up before the Court because we don't have a full composite of Justices. We have had split decisions. Think back in time. What if we only had eight Justices and a 4-to-4 decision on *Bush v. Gore* or in the *Miranda* case or *Brown v. Board of Education*?

Actually, an interesting fact is, the *Brown* decision may not have happened if it were not for the swift filling of a Supreme Court vacancy. Chief Justice Vincent died just before the reargument of the case. By most accounts, the eight-person Court was split on the issue. Had this Senate refused to give Earl Warren a hearing and a vote, we would not have had the decision, but the Senate allowed for a vote and Chief Justice Warren was confirmed, the *Brown* decision was handed down, and our Nation has seen great progress toward equality as a result of that decision.

In fact, the process in the Senate for the last 100 years is that the Judiciary Committee holds hearings. In the few instances where they have not, that is because those nominees were confirmed in 11 days or less. Since 1916, every nominee has been handled in that fashion. Justice Kagan has said the current Justices on the Court are doing everything they can to build a consensus and avoid a 4-to-4 split. While I appreciate that effort, that is just not how it is supposed to work. We want laws to rise or fall because the Supreme Court has decided them, not because of a 4-to-4 split.

Look at the nominee we have. He is someone who has had broad support on both sides of the aisle. Senator HATCH once came before this body and said he challenged everyone to come to the floor to say something negative about Judge Garland. Judge Garland oversaw both the Oklahoma City bombing case and the Unabomber case at nearly the same time. He earned a 76-to-23 vote in this Chamber for his last job, and he is someone who has routinely received positive comments from judges and commentators from the other side of the aisle who basically have acknowledged he is someone who looks for that common ground.

I have no doubt he would excel in his hearing, but right now we are not going to know that.

I just ask my colleagues: What are they afraid of? Are they afraid the citi-

zens of America will be able to see this fine judge and how smart he is or how he answers questions? As my friend Senator ANGUS KING has said, are they afraid they would like him too much?

I do not understand why we simply cannot have a hearing. I had to put myself—I think, well, what would happen if we had a Republican President and a Democratic Senate, what would I do? I have clearly thought this through, as a lawyer and as someone who is a member of the Judiciary Committee, and know I would say we have to have a hearing because the Constitution says our duty is to advise and consent. It doesn't say advise and consent after a Presidential election or whenever it is convenient. It says advise and consent.

I am hopeful my colleagues are listening to us, that they will find it within themselves to allow this great judge, this great jurist a hearing. I was there in the Rose Garden when President Obama nominated him. I saw him tear up, and I thought to myself, not only is this a monumental moment in his own life, to be nominated for the highest Court of the land, but perhaps he was tearing up because he knew the burden he was carrying, one man, on his shoulders, the burden of carrying forward the American tradition of an independent judiciary, this simple concept that politics isn't supposed to dictate our processes, that our Founding Fathers set out three co-equal branches of government. Our job in the Senate is to make sure the judiciary is funded so it can function, our job is to pass laws they then look at and apply when there are questions about those laws, and our job is to advise and consent on nominees to the Federal judiciary.

So let's get our act together and do our job.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO PATTY WETTERLING

Ms. KLOBUCHAR. Mr. President, I wish to take just a few minutes to give a brief tribute to someone I know well, Patty Wetterling, and to her family. They are longtime Minnesota residents. Patty and I know each other well. We actually ran against each other for the Senate in 2005, and out of that experience we came to be very good friends.

Patty Wetterling is a woman of unbelievable courage. Her son Jacob was kidnapped at gunpoint 27 years ago. All that time she has kept the hope alive

that he would be found. She knew it was a small hope, but, as we know, there have been cases in America where missing children are found 10 years, 20 years later, and that is what she was hoping for.

This past week, those dreams were dashed, as a very evil man came forward to law enforcement—he was already in captivity—and admitted to this crime and brought law enforcement to Jacob's remains.

The story, which I will not put on the record, is a horrific one, but I think the most poignant moment in this horrible story were Jacob's last words, which were: What did I do wrong?

This little boy did nothing wrong. He was an 11-year-old riding his bicycle in his town, in a very rural part of Stearns County, MN, where things are supposed to be safe. Well, they weren't safe that day. The amazing part of this story is not only the memory of this little boy, but it is how for years Patty Wetterling and her family have turned their grief into action.

Understandably, many people try to hang tight to their family. She has done that. She has been a great mom, but she went beyond that. She served on the board of directors of the National Center for Missing and Exploited Children. She has been a nationally recognized educator on child abduction and the sexual exploitation of children. She and her husband cofounded the Jacob Wetterling Resource Center to educate communities about child safety issues and to prevent child exploitation and abduction. She served for more than 7 years as director of the Sexual Violence Prevention Program for the Minnesota Department of Health. She was named one of the "100 Most Influential Minnesotans of the Century" by one of our newspapers.

She has kept this hope alive, but what is amazing about it is, she has saved other lives. A number of bills, legislation—including the sexual predator registration—have come out of the work, better collaboration between local and Federal law enforcement. She has saved so many lives in Jacob's memory.

Senator FRANKEN and I are going to be putting a resolution on the record today on this topic, but I just wanted to take a moment personally to recognize Patty for her strength, her courage, and her grace.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE
CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 1:45 p.m. today the Senate proceed to executive session for the consideration of Calendar No. 685; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING PHYLLIS SCHLAFLY

Mr. CRUZ. Mr. President, I rise to honor the first lady of the conservative movement. On Sunday, surrounded by her loving family, Phyllis Schlafly passed away. Few will ever match Phyllis's conviction and tenacity. She literally stood on the frontlines, fighting against forces that threatened to upend families and sought to undermine the Judeo-Christian values upon which our great Nation was founded.

Without question, Phyllis Schlafly loved America. Her contributions to our country went far beyond her work exposing the illogic of liberalism. Phyllis led the charge to make the Republican Party pro-life and defended the sanctity of marriage. She was a passionate defender of U.S. sovereignty and championed Reagan's policy of "peace through strength" during a crucial time in American history. The women and men of Eagle Forum, which she founded, are incredible patriots and grassroots activists who today, along with all of us, are mourning Phyllis's passing.

Our Nation continues to face many dangers, both foreign and domestic, and we need more individuals, more leaders such as Mrs. Schlafly, who are not afraid to stand and fight for the freedoms so richly bestowed upon us by our Creator. May she rest in peace.

THE INTERNET

Mr. President, today our country faces a threat to the Internet as we know it. In 22 short days, if Congress fails to act, the Obama administration intends to give away control of the Internet to an international body akin to the United Nations.

I rise to discuss the significant, irreparable damage this proposed Internet giveaway could wreak not only on our

Nation but on free speech across the world. So today I urge my colleagues on both sides of the aisle to join me, along with Senators LANKFORD and LEE, along with the Presiding Officer and his leadership, along with Congressman SEAN DUFFY to stop the Obama administration from relinquishing U.S. control of the Internet.

Many have stood with us in both Chambers, and we are very grateful for Senators THUNE, GRASSLEY, BURR, COTTON, SASSE, MORAN, SESSIONS, and RUBIO, along with a number of our colleagues in the House, including Congresswoman BLACKBURN and Congressmen DUFFY, BARTON, BRADY, BURGESS, CULBERSON, and FLORES. And I urge even more of my colleagues to come together and stand united to stop the Obama administration's Internet giveaway.

The Internet has been one of those transformational inventions that has changed how we communicate, how we do commerce, how we live our lives. For many, especially young people, it is hard to even imagine life before the Internet. Look at what the Internet has done. It has created an oasis of freedom for billions around the world.

One of the great problems with someone trying to start a business is what is known as the barrier to entry. What the Internet has done is dramatically reduce the barriers to entry for anyone who wants to be an entrepreneur. If you are a man or a woman or even a boy or a girl somewhere across the country or around the world and you have an idea, a service you want to sell or a good you want to make, you can put up a Web site, and instantly you have international marketing capacity. You have a portal to communicate with people. Anyone can go online and order whatever your good or service is. And between that and FedEx or UPS, you can ship it anywhere in the world. That is an extraordinary and transformational ability.

That freedom of the Internet—that you don't have to go and get anybody's approval; you don't have to go to a board for business authorization if you want to create a new business—is democratizing in that effect. The Internet empowers those with nothing but hope and a dream to be able to achieve those ambitions.

Right now the proposal of the Obama administration to give away control of the Internet poses a significant threat to our freedom, and it is one many Americans don't know about. It is scheduled to go into effect on September 30, 2016—22 days away, just over 3 weeks.

What does it mean to give away control of the Internet? From the very first days of the Internet, when it was developed here in America, the U.S. Government has maintained its core functions to ensure equal access to everyone, with no censorship. The gov-

ernment role isn't to monitor what we say or censor what we say; it is simply to ensure that it works—that when you type in a Web site, it actually goes to that Web site and not somewhere else. Yet that can change.

The Obama administration is, instead, pushing through a radical proposal to take control of Internet domain names and give it to an international organization—ICANN—which includes 162 foreign countries. If that proposal goes through, it will empower countries like Russia, like China, like Iran to be able to censor speech on the Internet—your speech. Countries like Russia and China and Iran are not our friends, and their interests are not our interests.

Imagine searching the Internet and instead of seeing your standard search results, you see a disclaimer that the information you were searching for is censored—that it is not consistent with the standards of this new international body and does not meet their approval. If you are in China, that situation could well come with the threat of arrest for daring to merely search for such a thing that didn't meet the approval of the censors. Thankfully, that doesn't happen in America. But giving control of the Internet to an international body with Russia and China and Iran having power over it could lead to precisely that threat. And it is going to take Congress, acting affirmatively, to stop this.

If we look at the influence of foreign governments within ICANN, it should give us greater and greater concern. For example, ICANN's former CEO, Fadi Chehade, left ICANN to lead a high-level working group for China's World Internet Conference. Mr. Chehade's decision to use his insider knowledge of how ICANN operates to help the Chinese Government and their conference is more than a little concerning. This is the person who was leading ICANN—the body we are being told to trust with our freedoms. Yet this man has gone to work for the China Internet conference, which has rightly been criticized for banning members of the press, such as the New York Times and the Washington Post.

Even reporters we may fundamentally disagree with have a right to report and to say what they believe. Yet the World Internet Conference banned them. They said "We do not want these reporters here," presumably because they don't like what they are saying. That led Reporters Without Borders to demand an international boycott of the conference, calling China the "enemy of the Internet."

If China is the enemy of the Internet, do we want the enemy of the Internet having power over what we are allowed to say, what we are allowed to search for, what we are allowed to read online? Do we want China and Russia and Iran having the power to determine

that if a Web site is unacceptable, it is taken down?

I would note that once this transition happens, there are serious indications that ICANN intends to seek to flee U.S. jurisdiction and to flee U.S. laws. Indeed, earlier this summer ICANN held a global conference in Finland in which jurisdiction shopping was part of their agenda—trying to figure out which jurisdiction they should base control of the Internet out of around the globe. A representative of Iran is already on record stating: “[W]e should not take it [for] granted that jurisdiction is already agreed to be totally based on U.S. law.”

Our enemies are not hiding what they intend to do. Not only is there a concern of censorship and foreign jurisdiction stripping U.S. law from authority over the Internet, there are also real national security concerns. Congress has received no assurances from the Obama administration that the U.S. Government will continue to have exclusive ownership and control of the dot-gov and dot-mil top-level domains in perpetuity, which are vital to our national security. The Department of Defense, the Army, the Navy, the Air Force and the Marines all use the dot-mil top-level domain. The White House, the CIA, the FBI, the Department of Homeland Security all use dot-gov.

The only assurance ICANN has provided the Federal Government regarding dot-gov and dot-mil is that ICANN will notify the government in the future if it decides to give dot-gov or dot-mil to another entity. So if someone is going to the IRS—or what you think is the IRS—and your comfort is that it is on a dot-gov Web site so you know it must be safe, you may instead find yourself victim of a foreign scam, a phishing scam or some other means of fraud, with no basic protections.

Congress should not sit by and let this happen. Congress must not sit by and let censorship happen. Some defenders of the Obama proposal say: This is not about censorship; it is about handing control to a multistakeholder unit. They would never dream of censoring content on the Internet.

Well, recently, leading technology companies in the United States—Facebook, YouTube, Twitter, and Microsoft reached an agreement with the European Union to remove “hate speech” from their online platforms within 24 hours. Giant U.S. corporations are signing on with the government to say: We are going to help you censor speech that is deemed unacceptable.

By the way, we have seen that the definition of “hate speech” can be very malleable, depending upon what norms are trying to be enforced. For example, the Human Rights Campaign, which is active within ICANN, has featured the Family Research Institute, the Na-

tional Corporation for Marriage, the American Center for Law and Justice, and other conservative and religious groups in a report entitled “The Export of Hate.”

We are facing the real possibility of an international body having the ability to censor political speech if it is contrary to the norms they intend to enforce. In their view it is hate to express a view different from whatever prevailing orthodoxy is being enforced.

It is one thing dealing with government organizations that try to stifle speech. That is profoundly inconsistent with who we are as Americans. But to hand over control of the Internet and to potentially muzzle everybody on the Internet is to ensure that what you say is only consistent with whatever is approved by the powers that be, and that ought to frighten everyone.

There is something we can do about that. Along with Congressman SEAN DUFFY in the House, I have introduced the Protecting Internet Freedom Act, which, if enacted, will stop the Internet transition and it will also ensure the U.S. Government keeps exclusive ownership and control of the dot-gov and dot-mil top-level domains. Our legislation is supported by 17 key groups around the country—advocacy groups, consumer groups—and it also has the formal endorsement of the House Freedom Caucus.

This should be an issue that brings us all together—Republicans, Democrats—all of us coming together. There are partisan issues that divide us. There always will be. We can have Republicans and Democrats argue until the cows come home about the top marginal tax rate, and that is a good and healthy debate to have. But when it comes to the Internet, when it comes to basic principles of freedom—letting people speak online without being censored—that ought to bring every one of us together.

As Members of the legislative branch, Congress should stand united to rein in this President, to protect the constitutional authority expressly given to Congress to control disposition of property of the United States. To put the matter very simply: The Obama administration does not have the authorization of Congress, and yet they are endeavoring to give away this valuable, critical property—to give it away with no authorization of law.

I would note that the government employees doing so are doing so in violation of Federal law, and they risk personal liability in going forward contrary to law. That ought to trouble all of us. Who in their right mind looks at the Internet and says: You know what we need? We need Russia to have more control over this. What is the thought process behind this, and what does it gain? What does it gain? When you look at the Internet, the Internet is working. The Internet works just fine.

It lets us speak, it lets us operate, and it lets us engage in commerce. Why would this administration risk giving it up?

Mr. President, when you and I were children, Jimmy Carter gave away the Panama Canal. He gave it away, even though Americans had built it. Americans had died building the Panama Canal, but he nonetheless gave it away. For some reason President Obama seems to want to embody the spirit of Jimmy Carter, and instead of giving away the Panama Canal, he wants to give away the Internet. We shouldn't let him.

The U.S. Constitution prohibits transferring government property to anyone without the authorization of Congress. Article IV, Section 3 of the Constitution explicitly requires congressional authorization.

For several years now, Congress has also prohibited the administration from using any funds to “relinquish” control of the Internet. Yet, in typical lawless fashion, the Department of Commerce has been racing to prepare to relinquish control by September 30—directly violating Federal law and using taxpayer funding to do so. The administration's continued contempt for the law and the Constitution, while, sadly, not surprising anymore, is particularly dangerous here, as it is contempt in service of undermining Internet freedom for billions of people across the world.

With the Federal Government maintaining supervision over ICANN and domain names, it means the First Amendment is protected. Other countries don't have First Amendment protections. Other countries don't protect free speech the way America does. And America does that for the world, protecting free speech on the Internet by preventing the government from engaging in censorship. We shouldn't muck it up.

If the Obama administration jams this through, hands control of the Internet over to this international organization, this United Nations-like unaccountable group, and they take it overseas, it is not like the next President can magically snap his or her fingers and bring it back. Unscrambling those eggs may well not be possible. I suspect that is why the Obama administration is trying to jam it through on September 30—to get it done in a way that the next President can't undo it, that the Internet is lost for generations to come.

To stop the giveaway of our Internet freedom, Congress should act by continuing and by strengthening the appropriations rider in the continuing resolution we will be considering this month and by preventing the Obama administration from giving away control of the Internet.

Next week I will be chairing a hearing on the harms to our freedom that

come from the Obama administration's proposal to give away the Internet. President Ronald Reagan stated:

Freedom is never more than one generation away from extinction. We didn't pass it on to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States when men were free.

I don't want us to have to tell our children and our children's children what it was once like when the Internet wasn't censored, wasn't in the control of foreign governments. I urge my colleagues on both sides of the aisle to come together, to stand together and ensure that we protect freedom of the Internet for generations to come. It is not too late to act. And I am encouraged by the leadership of Members of both Houses of Congress who stand up and protect the freedom of the Internet going forward.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ITT TECH AND THE GI BILL

Mr. CARPER. Mr. President, here in this Chamber and in this country of ours, we often talk about the dream of a college education. A college education opens doors, leads to a higher quality of life. A college education can boost our wages and our incomes. A college education is a first-class ticket to the middle class.

We often talk about the young people in our communities who have made that dream a reality, and they may not have come from much. Their parents saved what they could. In many cases, they are the first in their family to go to college. They took out loans, they worked nights in many cases and on weekends, they hit the books. In many cases, they graduated with honors. They got good-paying jobs. They raised a family, and they planned to send their kids to college too. That is the dream we talk about, but for too many students across our country today, the dream of a college education has turned into a nightmare.

I learned this week that 45,000 college students who were enrolled at a school called ITT Tech awoke and learned that their college was closed—not for a snow day, not for a holiday; ITT Tech closed its doors for good after years of questionable business practices and financial woes. Many of these 45,000 students are living a nightmare this week. They are scrambling to transfer to another school. They are hoping their

credits will count elsewhere so they don't have to start over again. They are scrambling to find out if they are eligible for debt forgiveness on their student loans.

I rise today, though, to talk about a particular group of students who have been harmed by the sudden closure of ITT Tech—our Nation's veterans and their families. Until this week, there were nearly 7,000 veterans enrolled at ITT Tech, using the post-9/11 GI bill to help finance their education. As a veteran myself of the Vietnam war, I know what it is to be eligible for the GI bill, which I and my generation were. While it was not as generous as this one today, nonetheless, it was a great lifesaver for me and a lot of other folks with whom I served. But the post-9/11 GI bill, while generous, is a finite benefit. It provides up to 36 months of tuition and housing benefits for veterans as well as members of their family. If the veteran doesn't use their benefit, their spouse can. If their spouse doesn't use the benefit, their dependent children may. It is an incredible benefit. But veteran students at ITT Tech have no recourse to get those GI tuition benefits back to put toward their studies at another college.

The housing allowance that our veterans' families have spent will come to an abrupt halt because they are no longer enrolled in classes. They have been robbed of their time and their hard-earned benefits, and, frankly, taxpayers have been robbed of their tax dollars.

When I think about the men and women who volunteer to serve our country during a time of war, it is unfathomable that this is the position in which we could leave them—at a defunct college, without a plan to help them get their benefits back, and without a way to pay their rent or their mortgage next month. I think it is shameful. I also think enough is enough. Congress must act to protect our veterans in this instance, as we do in so many others.

I don't believe that all for-profit schools are bad actors. They aren't. Some do a good job. But the poor educational employment outcomes for students across this sector are undeniable. The damage ITT Tech has inflicted upon students and taxpayers is undeniable. Let's take a moment and look at the facts.

ITT Tech is facing lawsuits by the Consumer Financial Protection Bureau, the Securities and Exchange Commission, and multiple State attorneys general for illegal loan schemes, deceiving shareholders, and for deceptive recruiting.

ITT Tech's accreditor recently found that the school "is not in compliance, and is unlikely to become in compliance" with accrediting standards. ITT Tech's closure leaves taxpayers on the hook for a half billion dollars in closed

school loan discharges—half a billion dollars.

ITT Tech is one of the top recipients of post-9/11 GI bill dollars since 2009. ITT Tech did not use this massive taxpayer investment to provide a high-quality education to too many veterans. They used it for recruitment, they used those dollars for advertising and ultimately for profit.

ITT Tech failed veterans and taxpayers for years. When they closed their doors this week, they left taxpayers and veterans and their families in the lurch. It is shameful. Again, enough is enough.

The Department of Veterans Affairs must now work closely with the Department of Education to ensure that ITT Tech's student veterans have the resources and guidance they need to transfer and continue their studies at a high-quality institution of higher learning. We in Congress have work to do too. I believe we have a particular responsibility to hold bad actors accountable and increase protection for veterans who plan on enrolling at for-profit schools that are under investigation and heading for bankruptcy.

For-profit schools, such as ITT Tech and Corinthian Colleges, which also suddenly collapsed last year, target veterans for their generous benefits that we as taxpayers provide for them, and those schools exploit something called the 90-10 loophole that allows for-profit schools to be 100 percent reliant on Federal taxpayer dollars—100 percent.

Congress can take meaningful steps to protect veterans and their families, and chief among them would be closing this loophole. The 90-10 loophole has directly led to this ongoing nightmare for the student veterans at Corinthian, at ITT Tech, and at countless other schools failing to deliver on the promise of a higher quality education.

In conclusion, Congress must act. We must act to restore the dream of a high-quality college education for our Nation's veterans. It is well past time to address this situation. Enough is enough.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today—

Mr. LEAHY. Mr. President, if the Senator will just yield for a moment.

Mr. HELLER. I will yield.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Could the Senator give me some idea how long he will be?

Mr. HELLER. About 5 minutes.

Mr. LEAHY. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise in support of the Heller-Heinrich amendment No. 4981.

Mr. President, with your experience in the West, you know water is the lifeblood of our economy and culture. Without water, our communities cannot grow. Improving the rural water supply, their security, and economic development all goes hand in hand, which is why I have teamed up with my friend from New Mexico Senator HEINRICH to offer this western water amendment that will help ensure every drop of western water goes as far as it can.

Our amendment simply ensures that the U.S. Army Corps of Engineers implements its western water infrastructure program as Congress intended. It will help advance projects like storm and sewer systems, water treatment plants, and delivery projects in Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming.

It was first established in 1999. This program has been helpful to rural counties surrounded by Federal lands. Increasing the West's water security is essential to the long-term economic competitiveness.

I urge my colleagues to support this important bipartisan western initiative.

Mr. President, I want to change topics and talk about something that is important to all of us; that is, Lake Tahoe. Mark Twain once said: "The Lake had a bewilderingly richness about it that enchanted the eye and held it with the stronger fascination."

Over the past year and a half, I have worked with my good friend from Oklahoma, Environment and Public Works Chairman JIM INHOFE. I thank him for helping advance a longstanding priority of mine—the Lake Tahoe Restoration Act. This is a bill I championed in the House before I came to the Senate, and I am proud to be the lead sponsor of it in the Senate during the 114th Congress.

This bipartisan legislation, which has garnered the unanimous support of Nevada's congressional delegation and my California colleagues Senators FEINSTEIN and BOXER, is focused on reducing wildlife threats, improving water quality and clarity, improving public land management, and combating invasive species. Specifically, this bill invests \$415 million into the Lake Tahoe Basin over the next 10 years. These important resources will address major issues that threaten the jewel of the Sierra's economic and ecological health. That includes: helping prevent and manage the introduction of the quagga mussel and other harmful invasive species; prioritizing the important fuel reduction projects that prevent catastrophic wildfire; and it advances storm water management and initiatives for transportation solutions that reduce congestion, minimize impact to the lake, and improve outdoor recreational activities.

Collaborative efforts between Nevada and California, like the Lake Tahoe

Restoration Act, are prime examples of what can be accomplished when we set our minds toward a common goal. Here in the 114th Congress, the first where I have been the lead sponsor, we are closer to enactment than ever before. The bill has advanced through committee in both the House and Senate for the first time in the same Congress. When it passed the Environment and Public Works Committee, it garnered unanimous support among committee members for the first time. My hope is, when we finish consideration of this bill, the Lake Tahoe Restoration Act will have passed the full Senate for the first time in its legislative history.

Before I conclude, I thank the chairman for his leadership on infrastructure and for teaming up with our delegations to preserve this lake. I am appreciative that the Environment and Public Works Committee moved our bill through the process, both as a standalone bill and part of the water resources bill in the past year.

Like you, I know one of the core constitutional functions the Federal Government is creating is the infrastructure necessary to conduct commerce, trade, and allow for general transportation. Infrastructure development is one of my top priorities in Congress and has been a top priority of this Chamber's majority. It is important to note that we have successfully enacted important policies in this Congress to improve travel and infrastructure across our country but particularly here at Lake Tahoe.

In July, the FAA Extension, Safety, and Security Act was enacted into law. This important legislation implemented important reforms that make U.S. air travel safer, more efficient, critical to Nevada's tourism like Lake Tahoe.

Last year we enacted the first long-term highway bill in nearly a decade—the Fixing America's Surface Transportation Act. It is better known as the FAST Act. This bill is already advancing a variety of important transportation projects across our country. In fact, I secured a variety of provisions in that bill that will facilitate the development of new and innovative transit, highway, and bridge projects specifically in the Tahoe Basin, as well as a provision aimed at improving pedestrian and cyclist safety. These transportation solutions improve mobility and outdoor recreation at the lake, while reducing the impacts transportation has on water quality and clarity.

Again, this week I stand with Chairman INHOFE to advance yet another important infrastructure bill—the Water Resources Development Act. This bill will strengthen our Nation's infrastructure and mitigates flood risks, improves the route for movement of goods, and invests in aging infrastructure for drinking water and wastewater.

Initiatives such as these are important to maintaining public health, improving water security, and keeping our Nation competitive in the global market. I urge my colleagues to help preserve Lake Tahoe and other cherished places across our Nation so future generations can enjoy these natural sceneries for generations to come. Let's add another major infrastructure win for the 114th Congress—support for the Heller-Heinrich amendment, the Lake Tahoe Restoration Act, and the Water Resources Development Act of 2016.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF MERRICK GARLAND

Mr. LEAHY. Mr. President, next month, on the first Monday in October, the Supreme Court will begin its new term. The question we have before us as Senators is whether there should be an empty seat on the dais when the Supreme Court convenes.

On the first Monday in October, we have always been accustomed to seeing all nine Justices there. For 7 months, the Court has been missing a Justice, and because of that vacancy, it has been repeatedly unable to serve as the final arbiter of the law. There have been eight Justices. There has been a vacancy most of this year.

The President fulfilled his constitutional duty in nominating somebody. We have failed to do our constitutional duty of advice and consent. The uncertainty in the law has been harmful to businesses, law enforcement, and to families and children across the country. It is a constitutional crisis. Worst of all, this constitutional crisis is wholly of the Senate Republicans' making, and they have the power to stop this constitutional crisis.

In February, the Republican leader claimed, because it was an election year, the Senate would somehow be justified in not doing its job in denying any consideration of the next Supreme Court nominee. Based on my conversations with Vermonters across the political spectrum and in every poll taken on this issue, the American people reject this partisan justification.

There is no election-year exception to Senators doing their jobs, there is no election-year exception to the President doing his job, and there is no election-year exception to the independent judiciary doing its job. Each branch of our government has its duty under the Constitution. The Republican leadership has said the Senate is going to reject its duty. It will damage the function of our Supreme Court. That needs to stop.

Since public confirmation hearings began in the Judiciary Committee for Supreme Court nominees a century ago, the Senate has never denied a nominee a hearing and a vote. The late Justice Scalia received a hearing 42

days after his nomination. Justice Kennedy, who was the last Justice confirmed in a Presidential election year, received a hearing in the Judiciary Committee, which was under the control of Democrats, just 14 days after President Reagan nominated him in a Presidential election year. The Democrats held a hearing in 14 days for this Republican nominee.

Contrast that to Chief Judge Garland's nomination that has been pending for 176 days. It is a totally unprecedented situation, and certainly that unprecedented delay has provided enough time for Senators and their staff to become familiar with his record in preparation for a hearing on debate.

The press may be focused on what might happen in a lameduck session, but this Vermonter is focused on his job now. The time for the Senate to act on the Supreme Court nomination is now. We should have a hearing next week. The Judiciary Committee can debate and consider the nomination the following week, and then the full Senate can debate and vote on his confirmation by the end of September. We have taken far less time in the past to confirm Supreme Court Justices, as the Senate has realized the urgency of having a Court at full strength.

Chief Judge Garland is ideally suited to serve on the Supreme Court on day one. He is currently the chief judge on the DC Circuit, which is also known as the second highest court. He has been a Federal judge for nearly two decades. He has more Federal judicial experience than any Supreme Court nominee in our Nation's history. As a former Federal prosecutor, he has been praised for his work leading the Justice Department's efforts on the ground in Oklahoma City in the days after the worst act of homegrown terrorism in our country's history. Republicans and Democrats alike have recognized Chief Judge Garland as a brilliant, impartial judge with unwavering fidelity to the rule of law. Republicans serving in this body, as well as Democrats in this body, said so when they voted for his confirmation to the DC Circuit.

Republicans should let this Chamber finally get to work on Chief Judge Garland's nomination. Bring the Supreme Court back to full strength in time for the first oral argument of October. Of all the challenges facing our country, ensuring that our Supreme Court can serve as high as its constitutional function should not be one of them. This is a promise that Senate Republicans are making, but it is one they could easily solve this month.

Let's do our job. We took an oath to uphold the Constitution. Let's show that when we raised our hand to swear to uphold the Constitution, we really meant it. The President fulfilled his oath; it is time for us to do our job and fulfill ours.

I see my friend on the floor seeking recognition.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Oklahoma.

Mr. INHOFE. Madam President, we have a couple of votes coming up that are very significant, and the occupier of the chair is fully aware of it, having served on the committee that has worked on this legislation.

I have to say one thing about the stuff we crank out of our Environment and Public Works Committee, and that is that it has been pretty significant. We had the FAST Act, the first highway reauthorization bill in 17 years, which was a major one. Then we did the chemical bill, which was great, and now we are going to do the WRDA bill. One of the things that is interesting about it is the number of ports we are talking about. I often prided Tulsa as being the most inland port; however, it could conceivably be that Omaha may be giving us competition. Nonetheless, it gives you an idea of the significance of this legislation.

Yesterday I talked about what would happen if this legislation doesn't become a law this year. If that happens, 29 navigation, flood control, and environmental restoration projects will not happen. There will be no new Corps reforms to let sponsors improve infrastructure at their own expense. There will be no FEMA assistance to States to rehabilitate unsafe dams. There will be no reforms to help communities address clean and safe drinking water infrastructures, which is a serious problem in my State of Oklahoma. There will be no deal on the coal ash, which has plagued the coal utilities for years with lawsuits. Finally, we have a very difficult issue that we have dealt with to most people's satisfaction, and so we want to get this done in fast order, and today is a very important day in accomplishing that.

Here are some other reasons why the bill is so important. The bill gets us back to every 2 years. At one time when the first WRDA came out—and I was there when it happened—we were supposed to have a Water, Resources, and Development Act every 2 years, but then we started slipping. During the last 8 years, prior to our coming back as a majority, we really didn't address this issue. This puts us back into our schedule of doing it every 2 years. These reforms can't wait any longer.

Secondly, we have recently been reminded several times of the need for Corps projects. We saw the algae wash up on the beaches in Florida this summer. The project that will fix Lake Okeechobee and prevent this problem in the future is in WRDA 2016.

I generally don't like everglades projects. In fact, I can remember—it wasn't that many years ago—when I was the only one voting against the Everglades Restoration Act. However,

let's keep in mind that at that time there was not a chief report on it, and now that there is, we have something very significant that does affect that.

This chart shows the algae blooms in St. Lucie, FL. This is a picture of the algae blooms, which were caused by deteriorating water conditions. Not only are these blooms environmentally hazardous, but they are also economically debilitating to the communities living along south Florida's working coastline. Communities along the coast depend on clean, fresh waterflows to draw in tourism. As these blooms spread along the coast, economic development is negatively impacted. If we don't authorize the Central Everglades Planning Project, those communities will cease to exist.

We also saw historic flooding in Baton Rouge, LA. There are two ongoing Corps projects that could have prevented much of the damage that we saw last month. WRDA 2016 directs the Corps to expedite the completion of these projects.

This chart shows the Baton Rouge, LA, flooding. We can no longer use the "fix as it fails approach" as America's flood protection. It is not about economic losses that communities face after a devastating flood; it is about loss of human lives. We are talking about human lives, and not acting is just not an option.

Last year there were several collisions in the Houston Ship Channel because of the design deficiency. The channel is too narrow, and the Coast Guard has declared it to be a precautionary zone. This chart shows the Houston Ship Channel collision that happened in 2015. Without this bill, the navigation safety project to correct this issue will not move forward.

The Corps of Engineers projects that these projects help generate \$109 billion in annual economic development and generate \$32 billion in revenue for the U.S. Treasury. Few understand the economic benefits associated with WRDA. As I noted yesterday, expansion of the Panama Canal is complete, now allowing the larger—I think they call them the post-Panamax boats—to pass through the canal. Look at the comparison of the two vessels. This is what they can use today, and that is what is happening now.

This chart shows the pre- and post-Panamax ships. By not passing this bill, many of the important deepening projects for our nations will go unfunded, making it difficult for them to accommodate new Panamax shipping vessels.

One port that I pointed out yesterday was Charleston, SC. They have a 45-foot channel. With this bill, they will now be able to get to the 50- to 51-foot channel range that is necessary for this ship to be able to come in. The alternative to that is going somewhere in the Caribbean so they can break down

these loads and put them on smaller ships. That increases the costs dramatically, and we are not going to allow that to happen.

The investments in drinking water and other investments are important, but let's not forget the fact that there are ports we can't use right now because they can't accommodate the big ships. The investments in drinking water and wastewater infrastructure will benefit both public health and our economy. Earlier I mentioned that this is really significant for my State of Oklahoma. We have States that are not wealthy States and are primarily rural areas, and the unfunded mandates that come in are just unbearable. I say this from experience. I used to be mayor of a major city, Tulsa, OK, for a number of years. At that time our biggest problem was unfunded mandates, and that is what we are separating from today. We can pretty much correct that with the changes we are making in our WRDA bill.

A recent study by the Water Environment Federation shows, just as this chart shows, that for every million dollars of Federal spending on drinking water and clean water infrastructure, we get \$2.95 million in economic output for the U.S. economy. Due to the ripple effect through the economy, these investments will result in new Federal tax revenues nearly equal to infrastructure investments. That is why we need to pass the WRDA bill now, and we have it in front of us today. It is a bill that will help protect America's working people and has major economic benefits.

The main reason I wanted to come to the floor—this is the second time that we have made this. It is not a mandate. It is just that the managers of this bill—that is Senator BOXER from California, the leadership, and I—all agree that in order to finally get people to bring their amendments to the floor, we need to have a deadline, which will be noon tomorrow. We ask that you get your amendments down here this afternoon. We are talking about amendments to the managers' package. We will not be able to consider those not in our package. That doesn't mean we are shutting them off because next week we will have the opportunity to present some, but if you want to have them seriously considered, they need to be in our package. This should come as no surprise, as our committee had asked for any and all amendments in July, prior to the August recess, in preparation for consideration in September. Last week, the Inhofe-Boxer substitute to S. 2848 was circulated, and our office stands ready to assist in any technical capacity in answering questions.

I have to say that Senator BOXER and I have worked very closely together. There are a lot of amendments that have come up and have been discussed.

Some have been accepted, and others are being considered. Some are popular with Democrats but not Republicans, and the reverse is also true. This is our opportunity to do it.

If Members are unable to make the noon deadline tomorrow for our managers' package, we will still work to ensure that all amendments receive equal consideration as we work to clear as many amendments as possible and work to move amendments in regular order prior to the amendment-filing deadline for the underlying bill next week.

We have the opportunity to do this. We are now operating on deadlines. It has been my experience in the Senate that until you have a deadline where you have to do it, people, generally speaking, find other things to do. We are going to hold their feet to the fire this time. Let's try to get this through.

Let me just comment on Senator BOXER. We have worked on so many bills that are very meaningful to the American people. I can remember when they said on our side that we were not going to have a 5-year massive highway reauthorization bill. Yet I tried to explain to my conservative friends that that is the conservative approach because the only alternative to that is extensions. If you have extensions, that doesn't work at all.

We have worked very well together on that legislation, and of course we also were able to work on our chemical bill and do that, and now we are going to get this done next week.

I wish to yield to Senator BOXER and then retake the floor for the motions that will be necessary.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I say to my colleague that I will speak for 30 seconds because I said a lot yesterday, and I agree with the Senator's analysis of how important this bill is. I certainly agree that we have shown this body that we can overcome our differences and bring important bills to the floor. This one is critical. My friend has gone into it in great detail. We are talking about clean drinking water, navigation, the economy, and how we need to move products in ports and so on. It just covers the gamut of issues that are so important. I think we have done it in a way that is fiscally responsible.

I am here to again associate myself with your remarks and also to call on my side if anybody has amendments. I don't think our side has any more than the few that we have already started to work on. Look, we are trying to get this done quickly and trying to accommodate everybody. I think most people agree that if Senator INHOFE and I can agree on something, then it is pretty much not controversial. I am here to lend my aye to the voice votes we are about to take, so I turn it back over to the chairman.

Mr. INHOFE. I think Senator BOXER's side has done a better job of getting their amendments in than our side. In talking to her and the leader over there, the Democratic side is down to about seven amendments that are being considered.

I encourage our Republicans to do the same thing and get this thing done so we can make it happen.

I take this opportunity to thank the Senator from California for the hard work we have done together.

AMENDMENT NOS. 4981 AND 4991 EN BLOC TO
AMENDMENT NO. 4979

Madam President, I ask unanimous consent that the following amendments be called up en bloc: Heller No. 4981 and Merkley No. 4991.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for others, proposes amendments numbered 4981 and 4991 to amendment No. 4979.

The amendments are as follows:

AMENDMENT NO. 4981

(Purpose: To ensure the proper implementation of the rural Western water program)

At the appropriate place, insert the following:

SEC. _____. RURAL WESTERN WATER.

Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 383; 128 Stat. 1316) is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following:

“(h) ELIGIBILITY.—

“(1) IN GENERAL.—Assistance under this section shall be made available to all eligible States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities, with priority given to projects in any applicable State that—

“(A) execute new or amended project cooperation agreements; and

“(B) commence promptly after the date of enactment of the Water Resources Development Act of 2016.

“(2) RURAL PROJECTS.—The Secretary shall consider a rural project authorized under this section and environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835) for new starts on the same basis as any other program funded from the construction account.”; and

(3) in subsection (i) (as redesignated by paragraph (1)), by striking “which shall—,” and all that follows through “remain” and inserting “to remain”.

AMENDMENT NO. 4991

(Purpose: To provide loan forgiveness under Clean Water State Revolving Funds to local irrigation districts)

At the end of subtitle B of title VII, add the following:

SEC. 7206. LOAN FORGIVENESS FOR LOCAL IRRIGATION DISTRICTS.

Subsection (j)(1) of section 603 of the Federal Water Pollution Control Act (33 U.S.C.

1383) (as redesignated by section 7202(b)(1)(A)(ii)) is amended—

(1) in the matter preceding subparagraph (A), by striking “to a municipality or an intermunicipal, interstate, or State agency” and inserting “to an eligible recipient”; and

(2) in subparagraph (A), in the matter preceding clause (i), by inserting “in assistance to a municipality or intermunicipal, interstate, or State agency” before “to benefit”.

Mr. INHOFE. Madam President, I ask unanimous consent that the Senate now vote on these amendment en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I know of no further debate on these amendments.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4981 and 4991) were agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

OBAMACARE

Mr. MCCAIN. Madam President, over the last few weeks, my home State of Arizona has been thrust into the national spotlight. I wish I could say it is because of the success of our sports teams or the strength of our universities. Instead, it is because Arizona has become ground zero for the collapse of ObamaCare, leaving most of our citizens with limited choices and higher costs when it comes to the President's signature health care law, which is a law that I fought against for weeks on end and which the then-majority on the other side of the aisle, with 60 votes and without a single Republican vote and without a single Republican amendment, passed into law.

In 2009 the President said: “[I]f you've got health insurance, you like your doctor, you like your plan—you can keep your doctor, you can keep your plan. Nobody is talking about taking that away from you.”

Let me repeat the words of the President of the United States after, on a strict party-line basis, he passed ObamaCare: “[I]f you've got health insurance, you like your doctor, you like your plan—you can keep your doctor, you can keep your plan. Nobody is talking about taking that away from you.”

That is a quote from the President of the United States when ObamaCare was passed. He also said that if you like your health insurance policy, you can keep your policy, period, in his own inimitable style.

Ever since the passage of ObamaCare, Americans have been hit by broken promise after broken promise and met with higher costs, fewer choices, and poor quality of care.

Let me read just a few of the most recent headlines addressing the collapse of ObamaCare in Arizona.

Madam President, I ask unanimous consent that relevant articles be printed in today's RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From politico.com, Aug. 22, 2016]

THE COUNTY OBAMACARE FORGOT

(By Rachana Pradhan)

An Arizona county is poised to become an Obamacare ghost town because no insurer wants to sell exchange plans there.

Aetna's recent announcement that it would exit most of the states where it offers Obamacare plans leaves residents of Pinal County, Arizona, without any options to get subsidized health coverage next year, unless regulators scramble to find a carrier to fill the void between now and early October.

About 9,700 people in Pinal signed up for Obamacare plans this year, according to administration data.

The predicament of Pinal County is an extreme example of the contraction of insurers in the Obamacare markets expected in 2017. The federal health care law was supposed to offer a range of affordable health care plans through competition among private insurers. But that competition has dramatically declined in some states, as a result of pull-backs by national insurers and failed co-op plans. Decline in competition means fewer choices and, often, higher prices for consumers.

Nearly 1 in 5 potential Obamacare customers may have just one insurer selling plans in their communities—up from just 2 percent of customers who had one option this year, according to the McKinsey Center for U.S. Health System Reform.

But in Pinal County, a rural community within the Phoenix metropolitan area, many may lose health care coverage altogether.

“If you have a several-hundred-dollar-a-month subsidy available and you lose that, that's going to be huge,” said Thomas Schryer, director of the Pinal County Public Health Services District.

He predicted that many Pinal residents would be unable to afford more costly insurance plans outside the Obamacare marketplace and were likely to roll the dice and go without coverage—something that will be far more risky for those with chronic health problems or who are in the middle of treatments.

Arizona's Obamacare marketplace had previously offered plans sold by national insurers like United-Health Group and Humana, as well as by a nonprofit co-op plan seeded with Obamacare loans. But the co-op collapsed, and United and Humana, like Aetna, are leaving the exchange. Other companies, like Blue Cross Blue Shield of Arizona, are scaling back their presence.

“It's a dramatic case of a more general thing: There are weaker markets that are going to be less attractive for carriers,” said Katherine Hempstead of the Robert Wood Johnson Foundation.

It isn't entirely clear why insurers are fleeing this particular county, which had about an 18 percent poverty rate in 2014—higher than the roughly 15 percent for the country as a whole but not extreme. Median household income was around \$50,250, according to the Census.

Yet there are higher rates of adult obesity, physical inactivity and teen births in Pinal County compared with statewide figures, according to data from the Robert Wood Johnson Foundation. A shortage of health providers is also acute, with only one primary care doctor for every 6,700 people.

“The reason why it's empty is because nobody wants to be there,” one insurance in-

dustry source said of Pinal County. “The only thing a [regulator] can do is beg.”

Although Pinal experienced a population boom in the 2000s, it doesn't have much of an economic base, so most people work and likely receive their health care in nearby Phoenix, according to Arizona State University professor Tom Rex.

“The health care infrastructure often takes many years to catch up with the population,” said Schryer.

Begging on behalf of Obamacare can be politically problematic in a red state like Arizona, where Obamacare has been a prominent feature of at least one reelection campaign in the current cycle. Sen. John McCain has made it a centerpiece of his bid for another term.

Such was the case in Mississippi in 2013, when state Insurance Commissioner Mike Chaney had to convince an insurer to offer plans in 36 counties that had no options ahead of the first open enrollment period. Chaney said federal regulators helped the state because it was “very unpopular” for a Republican to help recruit someone to cover the entire state. Humana eventually agreed to sell on the exchange in those counties, and it's still there.

“What we're having to do now to keep companies in our state to cover all of the counties is to grant some pretty heavy rate increases,” Chaney said in a recent interview.

Health policy experts say that Blue Cross Blue Shield of Arizona would be the most likely to sell plans in Pinal if regulators can coax it back. The company had offered plans in the county this year but decided to drop its offerings there, as well as in neighboring Maricopa County, where Phoenix is located, according to its 2017 rate filings.

The company has said that in light of Aetna's exit, it is re-evaluating where it will offer plans next year. But an agreement to return would likely come at a price. BCBS of Arizona had initially requested a rate increase of 65 percent on average for individual plans, when Maricopa and Pinal counties were part of its filing. When it dropped those counties, the company revised its proposed increase to 51 percent.

Aetna initially submitted an 18 percent rate increase for its individual plans on the exchange. It later jacked up its requested rate increase to 86 percent, before pulling out entirely.

Trish Riley, executive director of the National Academy for State Health Policy, said regulators have discretion in setting coverage rules but few things can be done quickly. Agreeing to look at rates again would offer an incentive to insurers to participate, she said.

“What are your options?” she said of state regulators. “Disenfranchised consumers are going to sue you. People aren't going to get coverage. Those aren't good options.”

In the long term, Riley said the recent spate of insurance company exits should spur a broader conversation about strategies to stabilize the exchanges.

“I think this is a wake-up call,” she said.

But state Insurance Department spokesman Stephen Briggs offered a different perspective, saying regulators “are not scrambling” to find another company. He also dismissed the notion that regulators might grant higher rate increases to an insurer if it agreed to serve Pinal. He said the department is still reviewing plan rates for 2017 and final rates would be released in September.

“The decision to really offer a product is a business decision that the company still has the right to make,” he said.

[From The Republic, Aug. 26, 2016]

ARIZONA CONSUMERS FRET AS 'OBAMACARE'
INSURANCE OPTIONS DWINDLE
(By Ken Altucker)

For many who buy their own health insurance, next year is shaping up to be a challenging and financially painful year.

Six major health insurers that sell plans directly to consumers are bowing out or scaling back on the Affordable Care Act marketplace in Arizona.

Only two marketplace insurers will remain in Arizona's largest county, Maricopa County, and the exodus has left Pinal County without a single insurer willing to offer a marketplace option next year to the nearly 10,000 people now enrolled.

Federal and state officials caution that things could change between now and Nov. 1, the scheduled start of the three-month enrollment period. They cite regulatory efforts to woo at least one Pinal County insurance provider.

Arizona Department of Insurance officials do not expect to finalize the list of insurers until mid- to late September, said department spokesman Stephen Briggs. The state agency, which regulates the insurance market in Arizona, can't say for certain at this point which plans will be available during enrollment.

But six insurance companies already have announced plans or disclosed in state filings their intention to drop out or scale back marketplace coverage in 2017. Aetna, Health Choice Insurance Co., Humana and UnitedHealth Group will discontinue marketplace plans in Arizona. Health Net will offer plans only in Pima County next year, according to state Department of Insurance filings.

Blue Cross Blue Shield of Arizona, Arizona's health insurance mainstay, announced in June that steep financial losses had prompted it to stop selling marketplace plans in Maricopa and Pinal counties starting next year. The company had offered plans in every county since the Affordable Care Act marketplace launched in 2014.

However, Blue Cross Blue Shield has since said it is reconsidering in the wake of Aetna's exit.

The trickle of insurers exiting—and rate-hike requests of as much as 122 percent for remaining insurers—is making consumers nervous. Some are taking step to prepare for what they fear could be delayed care and long trips to doctors' offices and hospitals.

'YOU'LL NEVER SEE A DOCTOR'

Claburn Niven Jones, who owns a home in Scottsdale and a condo in the San Francisco Bay area, said the insurance shakeout has prompted him to take steps to relocate to California. The reason? The 63-year-old cancer patient doesn't think that there will be enough insurance and health-provider options for Maricopa County residents next year.

Diagnosed with prostate and thyroid cancers, Jones envisions long waits for specialists with crowded appointment calendars.

He doesn't want to take that chance.

Enrollment figures show that more than 126,000 Maricopa County residents selected marketplace health plans offered by eight insurance companies as of Feb. 1. Those marketplace customers who seek to continue coverage will have only two options left by Jan. 1, 2017—Phoenix Health Plans Inc. and Cigna.

"If you add them all up and throw them into a network, you'll never see a doctor," said Jones, a retired certified public ac-

countant. "It's going to be a health care disaster for the people of Phoenix."

Neither Phoenix Health Plans nor Cigna are willing to discuss proposed provider networks until state and federal insurance regulators sign off on their plans for next year.

Briggs said the state insurance department uses formulas to make sure there are enough doctors, labs and hospitals to handle the projected number of customers.

He acknowledged that the remaining insurers could face heavier customer loads after so many other insurers have dropped out or scaled back.

"They do have to demonstrate their ability to—or lack thereof—to handle the (customers) in their network," Briggs said.

Jones has an insurance plan through a unit of UnitedHealth Group that will expire Dec. 31. UnitedHealth won't offer an individual plan next year in Maricopa County.

Jones said he began investigating other marketplace options even though he does not qualify for subsidized ACA coverage.

He believes both Cigna and Phoenix Health Plans will be inundated with marketplace customers, and he said he can't wait until Nov. 1 to find detailed information on the insurers' networks of doctors and hospitals.

He will undergo proton radiation treatment this fall for his prostate cancer. He also needs regular appointments with an endocrinologist to monitor his thyroid cancer, which requires periodic scans following an earlier surgery.

Jones said he is preparing to establish full-time residency in California, where he owns a condominium in San Mateo.

We moved to Arizona for a quality of life and (lower) expense," said Niven. "I can't get insurance, so I will have to leave."

Other Arizonans, too, are worried that Maricopa County's narrowing options could pose challenges.

North Scottsdale resident Jane Vesely, 62, has a Blue Cross Blue Shield plan that will expire at the end of this year. She wants a marketplace plan, but she worries that neither Cigna nor Phoenix Health Plans will provide an in-network hospital near her house.

Cigna's current marketplace plans this year use its Connect network, which includes Banner Health hospitals and some specialty hospitals. The network does not include HonorHealth's Scottsdale hospitals closest to Vesely's home.

The other marketplace plan, Phoenix Health Plans, is owned by the for-profit hospital chain Tenet Healthcare. It also does not contract with Scottsdale-based HonorHealth.

It's unclear if the Department of Insurance will ask the two plans to expand their existing networks.

Vesely long had access to hospitals, doctors and specialists near her home through her husband's employer-provided health plan. Her husband retired in 2014 and is on Medicare. She has to wait more than two years before she's eligible for the federal health program for those 65 and older.

"The exchange was healthy (in 2014) and we made the decision that I don't really have to go back to work," said Vesely. Now she may need to get a job that offers health insurance due to the fraying marketplace.

"I have a feeling there are a lot of people like me who may be in a similar position," she said.

FEDS SAY MARKETPLACE PLANS REMAIN
AFFORDABLE FOR MOST

The U.S. Department of Health and Human Services released a report Wednesday high-

lighting the affordability of marketplace plans for most people. Even if insurers raised rates by an average of 50 percent, 72 percent of Arizonans could buy health coverage next year for \$100 or less each month, after tax credit subsidies are calculated, the report said.

Tax credits are an Affordable Care Act tool used to offset the cost of monthly premiums for individuals who earn between 138 percent to 400 percent of the federal poverty level. More than 124,000 Arizonans who were enrolled in a plan as of March 31 had received a tax credit. But another 55,000-plus residents paid the full amount for marketplace plans, and they could face significant rate hikes next year.

Phoenix Health Plans will seek to raise rates on marketplace plans by an average of 122 percent, while Cigna has requested a 19 percent increase. Blue Cross Blue Shield, expected to be the only marketplace option in most rural Arizona counties, is seeking an average rate increase of 51 percent.

The Department of Insurance is reviewing the proposed rate increases. However, it does not have the authority under state law to reject a rate increase. The state's review can only determine whether an insurer's rate change is reasonable or unreasonable.

In the past, insurers have agreed to modify rate requests that state regulators determined were unreasonable. There's no guarantee that insurers will do that this year, particularly with a majority of Arizona counties expected to have only one marketplace insurer.

"Even if we go back to a provider to say, 'You haven't demonstrated or justified the increase,' they can say, 'Well, we appreciate that. This is what we think we have to charge in order to not go bankrupt,'" Briggs said.

While the HHS report emphasized the affordability of plans for those who qualify for health subsidies, it did not address the narrowing of health-care options in Arizona and other states.

Ben Wakana, HHS' deputy assistant secretary for public affairs, said it's important to look at how the federal health law has transformed the insurance market.

"Four years ago, companies in the individual market relied on a business model of largely denying coverage to people with pre-existing conditions," Wakana said.

He noted that the federal health-care law now forbids marketplace insurers from denying coverage to the sick, and most people can buy coverage at subsidized rates, he said. "It has helped to get this country to the lowest uninsured rate on record," he said.

[From Cronkite News, Aug. 10, 2016]

OBAMACARE CONSUMERS FACE HIGHER COSTS
IN FALL

(By Keshia Butts)

WASHINGTON.—When it comes to Obamacare in Arizona, not much is certain, but this much is: Coverage will still be available, but it will cost more.

Five insurance companies that had offered coverage in the Affordable Care Act marketplace have told state regulators that they will opt out or scale back coverage when the next open season for Affordable Care Act coverage begins Nov. 1.

There will still be coverage, but with fewer providers experts say costs will likely go up "much higher in 2017 than they had in the past couple of years."

A national estimate by the Kaiser Family Foundation predicts that premiums for one of the lower-costs plans could rise as much

as 9 percent next year, compared to 2 percent this year. In Arizona, those higher premiums could hit more than 100,000 people.

"The general trend is, as premiums are going up they are going up faster than certainly consumers would like and even supporters of the law expected or hoped," said Michael Cannon, the director of health policy studies at the Cato Institute.

Insurance companies had until Tuesday to let state regulators, and their customers, know whether they will still be offering coverage at all or scaling back plans when the next open enrollment period under the Affordable Care Act begins on Nov. 1.

As of last week, five companies in Arizona had announced plans to pull out or pull back: Health Choice, United Healthcare, Humana, Blue Cross Blue Shield of Arizona and Health Net.

For the insurers, it's a business decision: They are losing money on the policies they have offered in previous rounds of the Affordable Care Act, better known as Obamacare.

Jeff Stelnik, senior vice president of Blue Cross Blue Shield of Arizona, said the company lost \$185 million on ACA plans in two years and expects to continue to see losses.

"Our focus will be on our customers and finding the best way for them," Stelnik said.

Health Choice opted out of the Arizona marketplace for similar reasons, said Laura Waugh, the director of marketing and communications there.

"The business and regulatory uncertainties that exist at this time with respect to the federal health insurance marketplace significantly impacted our decision to discontinue our marketplace product offerings," Waugh said in an emailed statement.

The shifting marketplace was not unexpected, as it is still a relatively new market, said Allen Gjersvig, director of navigator and enrollment services at the Arizona Alliance for Community Health Centers. But he said he also expects "as we go forward for some companies to expand coverage."

In the meantime, people looking for coverage in the next round of Obamacare, which runs from Nov. 1 to Jan. 31, should still have plenty of plans to choose from, analysts said.

"In the key population areas of Arizona there is still going to be significant competition so that people can choose among a variety of plans, and that's going to be very helpful to them," said Ron Pollack, executive director of Families USA.

But they should brace for higher costs.

"What we are seeing so far is that premiums are going up much higher in 2017 than they had in the past couple of years," said Cynthia Cox, associate director of health reform and private insurance at Kaiser Family Foundation.

Cato's Cannon said there are several reasons why premium prices are rising.

"It requires people to buy more coverage than they did otherwise and it prevents insurance companies from saying no to people who have pre-existing conditions," Cannon said of Obamacare. "And then it encourages those with expensive illnesses to sign up for the most comprehensive plans."

But Pollack said that while premium prices will increase, so will the federal subsidies many consumers get to help them pay for their coverage.

"Even if somebody's premiums are somewhat higher than they were before, their subsidies will be somewhat higher than they were before and the ultimate thing that a consumer cares about is how much do I have to pay out of pocket," Pollack said.

Mr. MCCAIN. Phoenix Business Journal, September 2, 2016: "Phoenix

Health Plan dumps Obamacare Exchange, leaves Cigna as sole carrier in Maricopa County."

The Arizona Republic, August 17, 2016: "Pinal County left with no ACA options as Aetna exits Arizona."

Politico, August 22, 2016: "The county Obama forgot."

USA TODAY, August 30, 2016: "Health Care Choices Choked Further."

Havas News, August 10, 2016: "Obamacare consumers face higher costs in fall."

TIME, August 25, 2016: "Aetna Has Revealed Obamacare's Many Broken Promises."

The Arizona Republic, August 26, 2016: "Arizona consumers fret as 'Obamacare' insurance options dwindle."

The Arizona Republic, June 14, 2016: "Insurers seek rate hikes for ACA plans."

Come November 1, this will be the reality for hundreds of thousands of hard-working Arizonans currently enrolled in ObamaCare. Already, UnitedHealth, Humana, Health Choice Insurance Co., Aetna, and now Phoenix Health Plan have all announced they are exiting Arizona's marketplace.

Up until late last night, Arizona had the dubious distinction of being home to the only county in America without a single health insurance provider offering plans in 2017. While I am pleased that Blue Cross Blue Shield of Arizona decided to step in to save Pinal County from having no choices in the Federal marketplace, there is no reason to believe this is an economically viable or sustainable end result. The fact remains that this is a far cry from what President Obama promised before and after signing his signature health care reform bill into law.

The mass exodus of health insurers from the ObamaCare marketplace should come as no surprise to anyone. Over the last few years, these providers have reported massive financial losses as a result of their participation in the Federal exchanges. UnitedHealth, for example, recently projected to lose well over \$1 billion as a result of the poorly constructed ObamaCare marketplace. For the insurers who continue to participate in the exchanges, their only option is to raise premium rates astronomically high in order to cover their losses. In fact, one of the insurers in Arizona, in Maricopa County, said they are going to ask for a 65-percent rate increase. Copays are going up into the thousands of dollars.

What is clear is that ObamaCare is crumbling and Arizonans are being left to pick up the pieces.

Let me direct the attention of my colleagues to this map. As we can see, as it stands today, 14 of Arizona's 15 counties will have a single—that is one—a single health insurer to shop for coverage when open enrollment begins

on November 1. That includes Maricopa County, Arizona's most populous county, impacting more than 120,000 of my fellow citizens. This is down from the eight health insurance options Maricopa County residents had in 2016. Let me repeat that. In 2016, they had eight health insurers to choose from. Guess what they are going to have in 2017. One, along with every other county in Arizona, with one exception that will have two. As we can see, none have three. Up until yesterday, Pinal County was in the red. Worse still, of those 14 counties, 13 Arizona counties will see their premiums increase on average by 51 percent. Thirteen of these counties will see their premiums increase on average by 51 percent. For some families, this could mean thousands of dollars per month out of their paychecks. I doubt that their standard of living and their pay has increased sufficiently to cover a 51-percent increase in their premiums.

That is why Cynthia Cox, associate director of health reform and private insurance at the Kaiser Family Foundation, recently stated:

In most other parts of the country, large cities like Phoenix have multiple insurers participating in them. Arizona is by far the most affected state when it comes to these exits.

For a law that President Obama said would bring "[more] choice, more competition [and] real health care security," ObamaCare has delivered nothing more than empty promises.

Today, thousands of my fellow citizens are asking "What happens if the only plan being offered in my county doesn't cover my current doctor or the coverage is insufficient for my family's needs?" or "Should I purchase health insurance at all, given all the upheaval in the market?"

Well, when crafting this law, President Obama and congressional Democrats thought it would be a good idea to penalize those people who don't enroll by forcing them to pay a fine—to pay a fine if they didn't enroll. Put simply, if you don't enroll, you pay a fine. If there is a monopoly in a given county with no competition, you are penalized.

Being forced to choose between a much more expensive plan and paying a fine is unconscionable. In other words, they have two choices: not accepting the one plan or paying a fine. That is unconscionable. That is why yesterday I joined Senators COTTON, SASSE, FLAKE, JOHNSON, and BARRASSO in introducing legislation that would protect individuals living in a county with no competition in the Federal marketplace from having to pay a penalty. These Americans should not be forced to bear the burdens of a health care system that was fatally flawed from conception.

The collapse of ObamaCare in Arizona and across the country confirms

what Republicans have warned about all along: Government-mandated health care is unsustainable. Now that the law is unraveling, it is no surprise that Democrats are clamoring for a so-called “public option” that is nothing more than government-run health care. If anything is clear about this failed law, it is that more government intervention is the wrong solution to fixing our health care system.

This failed law will only continue to place undue burdens on Arizona families unless we repeal and replace ObamaCare with real reform that encourages competition and empowers patients to make their own health care decisions.

I will continue to push for this bill with Senator PERDUE that would do just that—replace ObamaCare with commonsense solutions that empower patients and doctors, not the government, to take back control of their health care. Until then, hard-working Americans will continue to bear the consequences of a failed ObamaCare.

Madam President, I ask unanimous consent to engage in a colloquy with the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I see my friend Dr. BARRASSO. I would ask Dr. BARRASSO, what happens to average citizens when, as is the case in my State, all but one county only have one option, one health care provider? What happens then?

Mr. BARRASSO. Well, it is so interesting that the Senator would bring this up because the entire State of Wyoming has found itself in exactly the same situation where there is only one choice. Remember, the President promised a marketplace. What the American people have gotten is a monopoly. In one-third of all the counties in the country, they are down to a single—and it is not really a choice; it is a take-it-or-leave-it situation. I call all of these places falling into what is called the “ObamaCare wasteland.” It is unfortunate to see it happening in county after county.

I know you have been talking about the headlines: 31 percent, one in three counties, one choice. That is not what the President promised. One broken promise after another.

I don't know if you saw the most recent polling today out from Gallup. It said a couple of things: The number of people who disapprove of the health care has gone up and the number who approve has dropped. The headlines are telling the true story about how bad this is. People are finally seeing the truth, in spite of all the things the Obama administration and the Democrats who passed these things have been saying for a number of years.

Mr. MCCAIN. If I could ask another question, and that is, we see—and it is well publicized—the increases in premiums. For example, in Maricopa

County, the health care provider remaining is asking for 65 percent increases in premiums, but what about the copays? In other words, isn't it hard for Americans to understand why they would literally pay thousands of dollars before they would be eligible to receive the care?

Mr. BARRASSO. Well, that is it. The deductibles and the copays are one of the reasons that people are saying they are disapproving of the health care law. The premiums have continued to go up, but on top of that, even if you get a subsidy that President Obama says is helpful, it doesn't touch it that first time or the second or the 5,000th because people, before they actually get to use the so-called insurance, have to come up with, for families, sometimes up to \$10,000 out of their own pocket before that. So the insurance is not really useful.

It is interesting when we listen to the President say they have coverage—but not if they can't get care. It is useless coverage. It is empty coverage. It is not what people want, which is affordable care.

Mr. MCCAIN. So if you are an average citizen and you see your deductible at a couple thousand dollars, it seems to me that your only other option really is to go to the emergency room, the most expensive form of health care.

Mr. BARRASSO. That is very often the case, and we are seeing more and more of that across the country. Emergency room doctors are saying they are swamped.

The President says that when they get ObamaCare, they will find family doctors. That is not what is happening. What is happening is the emergency rooms are being more and more included and involved, and that is where patients are turning today, which is why the Gallup poll today says 29 percent of Americans say they have personally been hurt by the health care law, and this may also be true in Arizona, or worse. So to help people who didn't have insurance, the President and the Democrats and those who voted for this bill should never have had to hurt so many Americans, and today about one in three Americans says they have been personally hurt by this law. Those are the numbers that are out today.

Mr. MCCAIN. So at the next townhall meeting you or I have, somebody is going to stand up and say: OK, ObamaCare has failed, Senator BARRASSO, or Senator MCCAIN. What is the answer?

Mr. BARRASSO. Senator GRAHAM from South Carolina and I introduced a bill called the Health Care Choice Act to let the States have much more of a say in this. The State Health Care Choice Act provides freedom, flexibility, choice. So much of the reason prices have gone up so high is, the President has decided what kind of in-

surance people need to buy instead of letting the people themselves decide what they need, what is best for them and their families. I have gotten letters, and I know you have as well, where families had insurance that worked for them, but it wasn't good enough for President Obama because he feels he knows better than the people know about themselves and their families.

We want to provide the freedom and the flexibility of choice to let States decide whether they want to comply with the mandates of ObamaCare. States have much more involvement than Washington's one-size-fits-all that I know sure doesn't work for Wyoming and I suspect doesn't work in Arizona either.

Mr. MCCAIN. In a townhall meeting, someone will stand up in Cody or Tucson and say: Senator MCCAIN, the cost of my prescription drugs has gone up 100 percent, 200 percent or whatever. How do we answer people who literally can no longer afford, in some cases, lifesaving prescription drugs?

Mr. BARRASSO. ObamaCare has actually made that worse because if you take a look at the numbers in the deductibles and copays, people who get insurance through ObamaCare have found out in the last several years that they have paid twice as much out of pocket for prescription drugs as people who got insurance through work because at work the copays are lower, the deductibles are lower, and there is coverage for medications which are expensive because of medical breakthroughs.

The life expectancy of human beings continues to go up because of the advances in medicine and technology. All of these advances have been very helpful for us as citizens of this country and as people living on this planet, but the costs are there, and with ObamaCare we are finding that those people who have to get prescriptions filled through ObamaCare are paying over twice as much as what people are paying who get insurance through work, which is why we need to get away from ObamaCare and repeal it and replace it with patient-centered care, which we are not getting under the ObamaCare law.

Mr. MCCAIN. It seems to me that as we debated for weeks on the floor of the Senate, the fundamental premise of ObamaCare was to take money from healthy young Americans in order to pay for the health care needs of older, not so well Americans. We are seeing a lot of young Americans who are saying: I would rather pay the fine. I would rather pay the fine. So the estimates of those who would be enrolled is roughly half of what the Congressional Budget Office predicted would be enrolled. Obviously, this has a huge effect on the whole ability of health care, ObamaCare, to care for these people.

Mr. BARRASSO. That was the front page story in the Washington Post on

Sunday, August 28, "Health Exchange Sign-Ups Fall Short."

The Congressional Budget Office expected 24 million people to sign up, and less than 11 million have signed up. So less than half of the people they predicted would sign up have done so, and the reason is, so many people looked at it and didn't sign up. Why don't people sign up? Because they believe it is a bad deal for them personally. They looked at the high copays, the high deductibles, as the Senator from Arizona made reference to, and the high premiums. They decided it was cheaper to pay a fine than to buy the insurance. They find they cannot use it anyway because the deductibles and copays are so high.

Mr. MCCAIN. If you are a young person and you have paid the fine and then you get in an automobile accident on the way to the hospital, wouldn't you want to sign up for ObamaCare?

Mr. BARRASSO. Interestingly enough, President Obama has made it pretty easy to do that. What we found in watching some of these testimonies from around the country, in one State, you had over 250 people who signed up, got treatment, over \$100,000 worth of treatment, and then dropped the insurance. They are gaming the system left and right because that is the way President Obama has it set up.

Look, it was written behind closed doors in the office of the then-majority leader, HARRY REID, but because it has become such a disaster, the Democrats have lost the majority and are now in the minority because so many people are bothered by the way the President and the believers in his process have said: It is all right. We have the votes. We are going to do it. We are not going to listen to Republicans. We are not going to listen to doctors who have practiced medicine their whole lives. We know what is better for the American people. That is exactly what we have happening. That is why so many people are saying: It is not a good deal for me. I don't want any part of it. Now we see this Gallup poll where 49 percent of Americans believe this health care law has hurt them personally. Today we are seeing that a greater number of Americans believe this law is going to hurt health care for them and their families into the future. So that is not a good projection about what we need as Americans in a time when we have more people who are living longer and older and want to lead healthier lives.

Mr. MCCAIN. I would like to say to Dr. BARRASSO that I have appreciated your leadership on this issue, and your knowledge and background, frankly, ever since ObamaCare was passed. The Senator has been very helpful to people such as I as we have gone through this odyssey, where the President had said there would be more choice, more competition, and real health care security.

He also said, by the way—I think you might recall it, in his own inimitable style, saying: If you like your health care plan, you can keep your health care plan, period. Remember the "period" he added to the comment?

So I thank the Senator, and I want to assure the citizens of Arizona that I will do everything in my power to repeal and replace ObamaCare, which is causing so much harm to the people of my State. It is unconscionable, unnecessary, and I would have it as one of my highest priorities.

I thank Dr. BARRASSO and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. RUBIO pertaining to the introduction of S. 3301 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio.

SENIOR TAX HIKE PREVENTION ACT

Mr. PORTMAN. Madam President, I rise to talk about a tax increase in the President's Affordable Care Act. I want to start, though, by commending my colleague from Florida for his remarks regarding the Zika virus and the impact it is having, not just on his State but on so many others in our country. I thank him for his diligence in trying to get to a solution.

We are so close. We did pass something in the Senate. The House passed something a little different. It is time for us to figure out how to resolve these relatively small differences and provide the help that is needed. This is an emergency. It is a medical emergency. I was on the floor yesterday speaking about another emergency, which is the opioid issue and the heroin and prescription drug addiction and now fentanyl addiction issue that is facing Ohio and so many other States in this country. So these are both issues that I hope Congress will act on as part of the process of being sure the government is funded at the year's end. Again, I commend my colleague from Florida, Senator RUBIO, for his good work on this.

Again, Madam President, what I want to talk about is a tax increase that is actually in the Affordable Care Act. This is a tax increase that many people don't know about, but sadly it goes into effect at year's end, and it is going to affect a lot of middle-income seniors in Ohio and around the country. There are millions of seniors who are potentially vulnerable to this tax increase. Some of them don't even know about it.

By the way, it comes at a time when middle-class families all around this

country are feeling squeezed. It is those very middle-class families who are going to be hit hardest by this tax increase. Let's face it. Wages are flat, even declining, on average, when you take inflation into account; whereas, the cost of living has gone up, hasn't it. There are a number of factors to that. Electricity costs have gone up in my home State of Ohio by about 25 percent in the last several years, for instance.

But with regard to health care costs, there is no question that everybody is experiencing an increase—families, small businesses, seniors. The President's health care law, the Affordable Care Act, of course, was advertised as helping on that. The notion was, as was explained at the time, that there would be about a \$2,500-per-family decrease in the cost of health care premiums. That has not happened.

In fact, costs have skyrocketed to the point that for many people it is their biggest cost increase and they simply cannot afford health care coverage. It was supposed to bend the cost curve and bring health care costs down, but it simply hasn't. The Ohio Department of Insurance just did an analysis. They say the average cost of health care insurance premiums for the individual market in Ohio has increased over the past 7 years by 90 percent—90 percent—almost a doubling.

When you look at the Affordable Care Act exchanges themselves, it was just reported that we are expecting a 12-percent, on average, increase—12-percent, on average, increase—for people in the exchanges. Who can afford that? This is a double-digit increase. The result, again, is people are feeling the squeeze. Wages are flat, expenses up. There is a survey that was done by the Federal Reserve recently that said about half of all Americans say they have to borrow money or sell something to cover a \$400 emergency expense—\$400.

If you have ever had a health emergency, you know that can catch you by surprise. It can happen to anyone. Trust me, it usually costs more than \$400. Seniors are especially vulnerable to these expenses, particularly seniors who are on fixed incomes. One economist testified to the Senate Finance Committee at a hearing we had that, in part, because of those unexpected health care cost increases, more than 85 percent of Americans are at risk of having insufficient income in retirement—more than 85 percent.

We think this middle-class squeeze is going to get worse, not better, in Ohio because so many companies are pulling out of the health care exchanges. So, in Ohio, 6 of the 17 companies that offer health care on the Ohio exchanges have now decided to pull out because they are losing money. Aetna is the most recent one. This means, of course, less choice. When you have less choice, what happens? Less competition. Less

competition, what happens? You tend to have higher costs and lower quality.

So this is going to make things even worse. The Congressional Budget Office, the nonpartisan group in Congress, and the Joint Committee on Taxation projects that health insurance premiums over the next decade will continue to grow at about 5 percent per year, on average. So that steady increase is just impossible for people to be able to afford.

For seniors, the Medicare trustees project Medicare's monthly Part B premium and deductible will increase even faster than that, by about 5.5 percent per year. Again, for a lot of people in that situation, they are on a fixed income. Their income is not going up 5.5 percent per year. One way seniors have found relief from the squeeze, of course, is take advantage of what is called the medical expense tax deduction. It is very simple. It says that if your medical expenses exceed 7.5 percent of your income, then you can deduct all of those medical expenses.

A lot of seniors take advantage of that. Again, what a lot of seniors may not know is that as of the end of this year, under the Affordable Care Act, it increases—that threshold increases from 7.5 percent up to 10 percent. What does that mean? It means a lot of middle-income seniors are not going to be able to deduct their medical expenses because they exceed 7.5 percent, but they don't exceed 10 percent of their income.

By the way, there are about 10 million Americans who use this deduction every year. Most of them are seniors. A lot of them make less than the national average household income. In fact, most make less than that. Of course, a lot are on a fixed income. I have met with some of these people back home who are directly affected by this. One would be Susan Culbertson. She is from Zanesville, OH. I was with her in Columbus last week.

Susan said she started working when she was 14 years old. She contributed to Social Security. She thought she had a decent plan for health care with Medicare and being able to take this deduction. Now, as a senior citizen, she has a chronic illness. She is losing sleep over how she is going to pay for all of her medical bills if this threshold goes up to 10 percent.

Her husband Michael McVicker worked as a substance abuse counselor in a school. He is now living off of Social Security and, boy, that is hard to do, as seniors will tell you. When he had a heart attack a few years ago, the medical expense deduction helped him and his wife Susan be able to stay afloat financially. The difference between the 7.5 percent and the 10 percent may not seem like much to some people, but it matters a lot to Susan, to her husband Michael, and to many other seniors in Ohio.

I met with Lanny Hawkins. He is from Ontario, OH. He volunteers to help seniors do their taxes. God bless him. That is a hard job because the Tax Code has gotten so doggone complicated that people need help from these advisers. He tries to help them walk through the Tax Code. He told me that in his experience, the medical expense deduction is especially helpful to seniors who have just lost their spouse. He says then only one income is there, and often they still have to pay their spouse's medical bills after they are deceased.

So in his practice, he has found people who fall between that 7.5 and that 10 percent number who are in that situation.

By the way, I was supposed to meet with somebody named Regina George—Regina is from Hamilton, OH—to talk about this very tax increase. I was looking forward to it, but she couldn't make it. Do you know why she couldn't make it? Because of the very health care problems we are talking about here. Regina just had triple bypass surgery and she has a broken hip. She has some out-of-pocket expenses. She has to depend on her son who lives with her. Her out-of-pocket health costs each month are increasing. She is very worried it is going to exceed 7.5 percent but not exceed 10 percent, and she is going to find herself in a situation where she cannot deduct these health care expenses.

The Ohio AARP has done a good job of providing specific information on this to me and to other members of the Ohio delegation. That is really helpful because this is just not about numbers; this is about people. When you talk to these people and see what they are going through, I think it is something Republicans and Democrats alike should be able to come together on to solve before we leave during this session of Congress.

By the way, the data from the Internal Revenue Service shows that seniors who use this deduction end to be the oldest, the least healthy, and, by the way, disproportionately women. Think about it. To have medical expenses above the threshold means you either have to have low income, high out-of-pocket medical expenses, or both. These are not folks we should be raising taxes on, especially not now when they are feeling squeezed.

Even with Medicare, as I said earlier, seniors still spend a large percentage of their income on health care. The average Medicare beneficiary spent more than \$6,000 a year in out-of-pocket health care expenses in the last year we have information for.

The result is that some 8.3 million seniors rely on Medicaid in addition to Medicare. While this billion-dollar tax increase we are talking about today is intended to pay for part of the President's health care law, it could actu-

ally, in the long run, cause more strain on an already struggling Medicaid system. I think that is sort of the definition of pennywise and pound foolish, another reason for us to pass this legislation.

Again, it is not about numbers. It is about people, some of the most vulnerable in our communities. That is why Senator BROWN and I have introduced this legislation—it is called the Senior Tax Hike Prevention Act—to block this tax increase from going into effect at the end of the year and to extend the current 7.5-percent threshold so many seniors are counting on.

The bill is bipartisan. It is common sense. It is a chance for this body to show it does work for the most vulnerable in our society, that we stand with middle-class families who are feeling squeezed right now, and that we stand with our seniors.

I thank Senator BROWN for being an indispensable partner with me in this effort. I also thank the many supporters of our legislation, like the AARP, the American Senior Housing Alliance, and the Ohio Alliance of Area Agencies on Aging.

I urge my colleagues to join Senator BROWN, join others, join all these organizations that represent millions of seniors, and join me in blocking this billion-dollar tax increase by supporting this commonsense legislation for the sake of those seniors who are caught in the squeeze, those seniors whom we represent.

I yield back the remainder of my time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 2952

Mr. WYDEN. Mr. President, shortly I will ask unanimous consent that the Senate pass S. 2952, the Stopping Mass Hacking Act.

Colleagues, the bill is just one sentence long. What it does is simple, but in my view it is extraordinarily important. If the Senate does nothing, if the Senate fails to act, what is ahead for Americans is a massive expansion of government hacking and surveillance powers, and it will take place automatically on December 1 of this year. The legislation that I seek to pass, which has been bipartisan in the Senate, would stop this automatic expansion of government hacking and surveillance powers.

I have said it before and I want to say it again this afternoon: There is no question that it is a dangerous world

out there, and I take a backseat to none when it comes to making sure our law enforcement and intelligence officers have the tools they need to keep America safe. In fact, I was actually able to add the specific provision expanding emergency powers for our government to act when there is a threat so that the government could move to protect the American people and come back and get the warrant later. But that is not what we are talking about here. What we are talking about here is a staggering expansion of government hacking and surveillance authority. These are major changes to Federal policy that are going to come about through amendments to rule 41 of the Federal Rules of Criminal Procedure.

This is the kind of major issue that traditionally comes before the Judiciary Committee. I see that two of my colleagues with whom I enjoy working very much are here. Chairman GRASSLEY is here and also Senator CORNYN, a member of the Judiciary Committee and a distinguished member of the Finance Committee. We have big policy issues that come before the Finance Committee and that come before the Judiciary Committee. We work on them. We work on them in a bipartisan fashion. Chairman HATCH and I meet every Wednesday afternoon to work on these kinds of matters. That is not what is going to happen with this massive expansion of government hacking and surveillance authority.

Colleagues, these rules are going into effect on December 1 if Congress does nothing. If Congress just says, "Oh, gee, we have other things to do," these rules will go into effect. I guarantee you there are going to be many Americans who are going to be very unhappy, and they are going to ask their Members of Congress what they did to stop this ill-advised approach.

By the way, in the other body, some of the most senior Republicans—Congressman SENSENBRENNER, the distinguished Congressman from Wisconsin, is very concerned about this issue.

The American people want security and liberty, but these amendments don't give them much of either. This major policy change is going to make it easier for the government to hack into the personal devices of Americans and collect more information about them. They are going to do it by using computer programs called malware. The "mal," in my view, is like "malevolent." It is going to make us less safe, not more.

Allowing the government to use secret, untested malware could end up damaging not only our personal devices but the power grid or hospitals and nearly any other system connected to the Internet. Get your arms around that—hospitals in Iowa, Texas, and Oregon being damaged not because the Congress made a policy decision but because something was done automati-

cally as a result of a change in the rules of criminal procedure. I just want to say to my colleagues that I think there will be a lot of unhappy Americans if that is the case.

The rule change says that the government can potentially search millions of computers with one single warrant issued by one single judge. There is no difference, in terms of law enforcement access, between the victims of a hack and the perpetrator himself. These changes will make people the victims twice over—once by a hacker and once again by their government. You wouldn't punish the victims of a tax scam or a Ponzi scheme with a painful audit. It just doesn't add up.

I understand that passing legislation by unanimous consent is a difficult task. These days, you can hardly get unanimous consent to drink a soda at lunchtime. But this isn't an issue where the Senate can do some kind of ostrich act and ignore the problem. By sitting here and doing nothing, the Senate will be giving consent to a substantial expansion of government hacking and surveillance authority. By not acting, the Senate would give a stamp of approval on a major policy change that has received no hearing, no oversight, and no discussion in spite of the fact that some of the most important companies in America are speaking in opposition to this.

In my view, the limits of search and seizure are unquestionably an issue for this Congress to debate. The Justice Department should not have the power to change the practical meaning of the Fourth Amendment without the people's elected leaders weighing in. Instead, the Senate ought to be doubly concerned by the fact that the administration wants to conduct proactive cyber security policy through some kind of obscure bureaucratic process like rule 41.

There aren't folks in Oregon, Texas, Iowa, or anywhere else who are following the details of something called rule 41, but I am telling everybody that they are going to be very concerned about the expansion of the government's hacking authority. So I hope my colleagues will join me in supporting this bipartisan, bicameral legislation. If this bill does not pass today by unanimous consent, I look forward to having a hearing on this issue. I know there has been bipartisan interest in the Judiciary Committee. Leaders of the Judiciary Committee have talked about it, and I hope that hearing will take place shortly so that Americans can have a chance to understand exactly how devastating this proposal would be for them.

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2952; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed and

the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority whip.

Mr. CORNYN. Mr. President, reserving the right to object, let me start by saying to my friend from Oregon that I admire his passion and I admire his creativity at branding legislation. But for reasons I will explain, this is a commonsense procedure that doesn't relate to the Fourth Amendment—the constitutional right to be protected from unreasonable searches and seizures. This is a venue provision. This has to do with what court to go to in order to get a court order and to get permission of a court, after establishing probable cause, to conduct that search.

Senator WYDEN is seeking consent to block proposed changes in the Federal Rules of Criminal Procedure that have already been the product of thoughtful and lengthy consideration, including public hearing and deliberation. These rules, as all rules that are plied in the courts are, have been approved by the rules advisory committee. This is a group of judges, law professors, and practicing attorneys. Then they were approved by the Judicial Conference of the United States. Then, most significantly perhaps, they were endorsed by the U.S. Supreme Court. So if there were constitutional or other legal issues and concerns about this, one would think the highest Court in the land would have flagged those and declined to endorse them, but they didn't.

These changes have been approved because they are commonsense measures, as I said a moment ago, that relate solely to the appropriate venue for a search warrant. They simply make clear which Federal district court the government should go to in order to apply to a judge for a search warrant in cases involving sophisticated cyber criminals and people like child pornographers and even terrorists. Ultimately, that makes our government more efficient—by making it clear which courts can consider these requests for search warrants—and better equipped to stop these heinous crimes.

As I said earlier, these aren't substantive changes. This doesn't change the balance between privacy and security in the Fourth Amendment to the Constitution. Rather, the government must still go before a judge and make the requisite showing in order to get a search warrant.

I can't understand who but the most radical of privacy advocates would say that—even after meeting the requirements of the Fourth Amendment before a judge establishing probable cause to get a search warrant, would say: No, we don't want that to happen. I can't imagine circumstances where we would say the Fourth Amendment

is trumped by concerns about privacy, especially when the targets that must be proven up in court are cyber criminals, child pornographers, and even terrorists. We can't let that happen, and that is why these rule changes are so important.

Our colleague claims the rule changes will allow for mass hacking and forum shopping. That is the creative branding I told him I admired in the beginning. But these are the same claims that have been considered and rejected through a thoughtful, thorough process that I have already described. These changes are modernizing our laws and updating the tools government has to investigate so they can better protect us from the very real and increasing threat of cyber criminals and terrorists. The truth is, there are more things we need to do in addition to this to update and modernize our laws.

I would close by saying that I know public concerns have been raised. Indeed, I believe there have been some briefings—even today—by Federal law enforcement agencies and the intelligence community with regard to Russian activities in cyber space, even focused on our very system of electing our officials in the November 8 election. This is not a time to retreat and to allow cyber space to be run amuck by cyber criminals or people who would steal intellectual property or child pornographers or terrorists. This is a very sensible tool of venue. It just says where the search warrant can be sought, not the substantive requirements for what needs to be proven. That is preserved under the Fourth Amendment to the Constitution that protects all of us, as it should, against unreasonable searches and seizures.

So for all those reasons, Mr. President, I object to the unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I am going to yield in just a moment to Senator DAINES, but just so we are clear in terms of my response to the distinguished Senator from Texas, he has—as some have tried to do—sought to characterize this as kind of a routine kind of matter; that this was a rule of criminal procedure of no great import and without any far-reaching consideration. I can tell you that cyber security experts around the country have spoken out virtually unanimously about the consequences of the government accidentally breaking their computers without telling them.

I don't know of anything that is routine about this at all. Under this change, the government can search potentially millions of computers with one single warrant issued by one single judge. And, tragically, there is no difference, in terms of law enforcement

access, between the victims of a hack and the perpetrators themselves. So we are talking about clobbering victims twice. First they get clobbered by a hacker and then they could get hurt by the government.

The distinguished Senator from Texas seeks to portray this as some kind of far-out kind of matter. Virtually all of the major technology companies in this country have written in opposition to this. Scores of cyber security experts have written in opposition. One of the key points they make is that you don't punish victims twice in America. You wouldn't punish the victims of a tax scam or a Ponzi scheme with a painful audit. That is what can happen here.

The idea that a change of this magnitude would be made without any debate, consideration—there has been no hearing on this matter. I know of no meetings. I would like to hear any Member of the Senate tell me about some meeting they went to. I know of no sessions where the public voice could be heard.

I am very hopeful, and I intend to come back to this floor again in an effort to make sure the public is at least brought into this. I can tell you that Senator DAINES and I represent a lot of rural hospitals, for example. Well, certainly if you heard some of what we have been told could happen in terms of what it could mean to computer systems at hospitals and other kinds of facilities, they are going to ask their Senators: What did you do about that? Why did you just let that rule go through that would damage those systems that are a lifeline for Americans?

So we are going to be back. As I mentioned before, my colleague in the other body was starting to make a fair amount of progress. JIM SENSENBRENNER, who is a very influential Member of the other body, has taken a great interest in this, as have a number of colleagues on both sides. So we will be back.

I am going to yield now. I know my colleague from Montana has been a wonderful partner in this effort, and he has some comments to make that will highlight once again the bipartisan concern about the magnitude of this change that would take place without any involvement, none, here in the Senate—no hearings, no debates, no discussions. This is a big change, and I hope we will discuss it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, my distinguished colleague from Oregon commented about how technology companies are concerned about what is going on. I spent over a decade in the private sector—in fact, 12 years with a cloud computing company. We had 17 offices around the world and a product in 33 different languages. I saw firsthand

what it means to be engaged in the high-tech business and the challenges related to hacking. I also know firsthand the challenge our country does face when it comes to cyber criminals. We were attacked routinely in our company and had to defend those attacks off and build rock-solid, hardened firewalls to protect our customers.

Technology has made it easier for bad actors to steal our identities, to distribute malware, and to commit a whole host of other crimes, all from behind a computer screen anywhere in the world. Our law enforcement faces tremendous challenges in tracking and stopping these criminals. The fact is, our law enforcement policies need to be updated to reflect the 21st-century realities, but these policy changes need to be made through a process that is transparent and that is effective and, importantly, protects our civil liberties.

The changes to rule 41 of the Federal Rules of Criminal Procedure would allow the government to hack an unlimited number of Americans' computers, including innocent victims, with a single warrant. This rule change was approved behind the closed doors of a little-known judicial conference.

Fundamental changes to the way we allow law enforcement to execute searches need to be made, there is no doubt about that. We are in agreement that changes need to be made; however, it must be through a process that is fully transparent to the American people. We cannot give the Federal Government a blank check to infringe upon our civil liberties.

If Congress does not act, this rule change will automatically go into effect on December 1. S. 2952, the Stopping Mass Hacking Act, stops the rule change and will allow Congress to consider new law enforcement tools through—and this is very important—the full, open, transparent process they deserve.

I urge my colleagues to support this not only bipartisan but also bicameral piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, I come to the floor to speak about the work of the Judiciary Committee and to make a short speech on the issue of the Affordable Care Act.

Earlier this week, the minority leader came to the floor to speak about the Supreme Court vacancy. He made personal insults and threats, as he tends to do. But political stunts and childish tantrums aside, the minority leader knows the American people deserve to have their voices heard on the future of the Supreme Court. We have made the decision that the next President will select the next Justice of the Supreme

Court. We have done that because the next Justice will have a profound impact on issues that matter to all of us for decades to come, and we think the people should have a voice in that matter.

I spent the past several weeks meeting with Iowans across my State and discussing issues that concern them and what is on their minds looking forward to the election this fall. The vacancy on the Supreme Court created by the death of Justice Scalia came up time and again. At meeting after meeting during this summer, Iowans told me they appreciate the Senate's decision that the next President should nominate Justice Scalia's replacement. They understood that this nomination will affect the Court for years to come. For that reason, they want to have a voice in the matter, and we will give them that voice. That is the position the Judiciary Committee took after Justice Scalia's death. We wrote to Leader MCCONNELL on February 23 to advise him that the next President should select the next Justice. We explained it this way:

The Presidential election is well underway. . . . The American people are presented with an exceedingly rare opportunity to decide, in a very real and concrete way, the direction the Court will take over the next generation. We believe The People should have this opportunity.

Our explanation is all the more true as we find ourselves just 2 months away from the Presidential election this fall. I remain convinced that we owe the people a chance to speak their minds on the Supreme Court during this election.

I have not been surprised to hear from my fellow Iowans that they want their voices heard on the issue, and the Senate's decision to give the people this opportunity is no surprise either. We are acting in the Senate's long tradition as a check on the President's power to nominate.

I would like to take as one example, because I have given several examples in other speeches—but go back to 1968. On June 26 of that Presidential election year, President Johnson announced his nomination of Justice Abe Fortas to be Chief Justice of the Supreme Court when Chief Justice Warren declared his intentions to retire. Abe Fortas, of course, was already an Associate Justice of the Supreme Court and had been unanimously confirmed by the Senate just a few years earlier. But that confirmation didn't take place in an election year like 1968.

Within 24 hours of Justice Fortas's nomination to be Chief Justice, 19 Republican Senators issued the following statement: "[T]he next Chief Justice should be selected . . . after the people have expressed themselves in the November elections."

At the time, Democrats held the Senate, so these 19 Republican Members

did not control the Judiciary Committee's proceedings on the floor. But those 19 Senators promised that if the issue was forced to a vote, they would "vote against confirming any Supreme Court nominees by the incumbent President."

These 19 Senators made this commitment immediately following the President's announcement of his intended nomination for the same reasons the Judiciary Committee has elected not to move forward the President's nomination of a successor to Justice Scalia.

Here is what Senator Howard Baker said, as one among those 19 Senators:

I have no questions concerning the legal capability of Justice Fortas . . . [but] there are, in my opinion, more important considerations at this time.

Then, to continue to quote Senator Baker:

The appointment of the Chief Justice really ought to be the prerogative of the new administration. . . . In my opinion, the judicial branch is not an isolated branch of Government. . . . It is and must be responsive to the sentiment of the people of the Nation.

Those are my thoughts exactly, and they are not just shared by Republicans. Recall of course that then-Chairman BIDEN said in 1992 that processing a Supreme Court nomination in an election year harms the nominee, the country, and the Senate. And he only spoke of coming together on a nominee in the next Congress with a new President.

I would finally like to address one more argument I have heard recently from those who support the President's nomination this election year. As we have drawn closer and closer to this Presidential election, they have tried to use the length of this vacancy as reason to move forward with this President's nomination. I have even heard some say that this is the longest Supreme Court vacancy ever. That is just plain false. I will list just a few examples.

Two vacancies to fill the seats of Justices Baldwin and Daniel lasted longer than 2 years in the 1800s. Six Supreme Court vacancies have lasted longer than a year, and two more have lasted nearly that long.

As this election draws closer by the day, the Judiciary Committee's position remains consistent. The next President will choose Justice Scalia's replacement.

Senators have made this choice before—like the 19 who declared during the 1968 election year that the next President should choose Justice Warren's replacement. They did so, just as then-Chairman BIDEN said, because that course was best for the country during a politically charged election year. The same thing is true this election year. The next President will select the next Supreme Court Justice.

OBAMACARE

Mr. President, I would like to say just a few words on the Affordable Care

Act. I would like to give a direct quote from President Obama about ObamaCare: "Too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles or pay their monthly insurance bill."

I am glad that the President has finally heard that message. When I was having meetings in some of the 99 counties in Iowa this year, I heard plenty from families who felt duped by the promises of ObamaCare. Two families told me that their ObamaCare insurance premium was more than their house payment. Many said they did not know how they would continue to pay the premiums.

But President Obama says, in effect, "Pay no attention to rising premiums," and then promises to give people subsidies. But 97 percent of Americans do not receive ObamaCare subsidies.

ObamaCare seems to be collapsing. Insurers are leaving the exchanges. There has been a lot of news on that lately. Premiums are increasing by double digits. In Iowa, some of those premiums increased as much as 28 percent, and I have heard a lot of States are much higher. Americans have fewer health care choices every day, despite the many promises that ObamaCare would improve just about every aspect of our health care system. Twenty percent of ObamaCare customers will be forced to find a new insurance company this fall. So much for the promise that was made in 2008 that "if you like your [insurance], you can keep it."

And it is official: You can no longer keep your doctor. So much for the promise of 2008 that "if you like your doctor, you can keep your doctor." The Obama administration has now even erased all references on its Web site to the words "keeping your doctor." The link to the web page that used to say "how to keep your doctor" now says "how to pick a health plan."

So ObamaCare seems to be collapsing. This comes as no surprise. ObamaCare has worked as well as piling 2 tons of fertilizer on a 1-ton truck, and of course any farmer can tell you, that just doesn't work very well for a long haul.

We could enact alternative reforms aimed at solving America's biggest health care problems. Good places to start would be cracking down on frivolous lawsuits, letting people purchase insurance across State lines, improving transparency in the health care pricing, giving States more freedom to improve Medicaid, using consumer choice to drive competition, which in turn drives down costs, and changing the Tax Code so that small businesses can provide affordable health insurance to their employees. That financial help is something that ObamaCare took away, and this is exactly what my legislation, S. 1697, the Small Business

Healthcare Relief Act, will do to give those employers an opportunity to provide that help to their employees.

I have given only a partial list of policy changes so the American people can know that the failing ObamaCare program is not the only answer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. KING. Mr. President, last March this body passed CARA, the Comprehensive Addiction and Recovery Act. Unfortunately, at the same time, we didn't fund it. We didn't provide any additional funds to support the treatment and recovery of people throughout the country. Since we passed that bill and failed to fund it, 15,000 people—78 a day, 3 an hour—have died because we haven't acted on funding.

A group of us got together on March 2 and brought forth an amendment to provide \$600 million of emergency funding to give some substance to this bill, which had so much promise, and to provide support for recovery and treatment. That amendment was defeated.

Passing that bill without funding is like sending the fire department to a five-alarm fire with no water. We don't have the means to do what has to be done to defeat this scourge, which has taken the life of a constituent or more in every State in the Union. Every one of us has lost lives in our State because of this.

Treatment works. Recovery is possible. It is hard, but the greatest tragedy—the greatest tragedy—is when someone struggles with this awful disease, is ready to seek help, seeks help, and is told: Sorry, there is a 3-month waiting list. That is unconscionable.

This is something that is taking lives right now. This isn't an abstract, "maybe this will happen in the future." This is right now, today, in Maine, in Florida, in California, in Arizona, in Washington, in Nebraska, in Texas—all across this country. It is the greatest public health crisis of my lifetime. Seventy-eight people a day are dying, and it is preventable.

There are three legs to the stool of dealing with this: One is law enforcement, one is prevention, and one is treatment. And without all three of those legs, the stool collapses and people die. These are real people.

I have had roundtables in Maine. I sat next to a deputy sheriff who lost his daughter and one woman who said she hoped her son would be arrested so maybe then he could get into treatment. These are regular, ordinary Americans that are being affected by this, not only young people. These are older people, middle class, middle-aged

people. This is a major crisis. There are lots of aspects to it, and I can talk about the fact that opioid prescription drugs lead to heroin and other drugs, but the real subject today is funding.

I was told back in the spring: Don't worry, we are going to take up CARA in appropriations. We are going to have appropriations bills, and it will all be dealt with. Well, now we are talking about a continuing resolution that would not have any additional funding unless we find a way to do it, and that is my plea today.

I have written to the President; I have written to the chair of the Appropriations Committee saying: Let's find a way to at least fund the \$181 million that is authorized in CARA. At least do that, even if we are doing a continuing resolution.

By the way, I don't understand why we are doing continuing resolutions when the agreement has been reached on the amount of the budget, the amount of the appropriations. The Appropriations Committee has done their work. Why aren't we doing appropriations? That is another subject.

But however we do the funding this fall, let's deal with this terrible problem that is taking lives, tearing families apart, and deeply wounding the heart of America.

I ask the consideration of this whole body for this urgent problem and that we take real steps to deliver help to those people who are asking for it.

Mr. President, I yield the floor.

EXECUTIVE SESSION

NOMINATION OF PETER MICHAEL MCKINLEY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Peter Michael McKinley, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the McKinley nomination?

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wisconsin (Mr. JOHNSON),

the Senator from Illinois (Mr. KIRK), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), the Senator from Virginia (Mr. KAINE), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote "yea."

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 137 Ex.]

YEAS—92

Ayotte	Flake	Paul
Baldwin	Franken	Perdue
Barrasso	Gardner	Portman
Bennet	Gillibrand	Reed
Blumenthal	Graham	Reid
Blunt	Grassley	Risch
Booker	Hatch	Roberts
Boozman	Heinrich	Rounds
Brown	Heitkamp	Rubio
Burr	Heller	Sanders
Cantwell	Hirono	Sasse
Capito	Hoeben	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	King	Sessions
Cassidy	Klobuchar	Shaheen
Coats	Lankford	Shelby
Cochran	Leahy	Stabenow
Collins	Lee	Sullivan
Coons	Manchin	Tester
Corker	Markey	Thune
Cornyn	McCain	Tillis
Cotton	McCaskill	Toomey
Crapo	McConnell	Udall
Cruz	Menendez	Vitter
Daines	Merkley	Warner
Donnelly	Mikulski	Warren
Enzi	Murkowski	Whitehouse
Ernst	Murphy	Wicker
Feinstein	Murray	Wyden
Fischer	Nelson	

NOT VOTING—8

Alexander	Johnson	Moran
Boxer	Kaine	Peters
Durbin	Kirk	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

WATER RESOURCES DEVELOPMENT ACT OF 2016—Continued

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Inhofe-Boxer amendment No. 4979.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 4979.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 2848.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the filing deadline for first-degree amendments for the cloture motions filed today be at 3:30 p.m. on Monday, September 12.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Kansas.

OBAMACARE

Mr. ROBERTS. Mr. President, I rise today to share some flashbacks for

throwback Thursdays, if we want to call it that, with regard to ObamaCare.

There have been a lot of speeches made about ObamaCare recently. Specifically, I want to look at the facts about ObamaCare, as we all know them now, more than 6 years after it was signed into law—6 long years—and remind the country what the President and my colleagues across the aisle promised all of us when they pushed this bill through the Congress. I say “push” because it passed without one single Republican vote and certainly not mine.

First, the reality. All summer long, we have read the headlines about drastic premium increases being requested, insurers pulling out from different States, and patients being caught in the middle.

My State of Kansas has not been immune. Last year, UnitedHealthcare announced it would leave our State. Aetna was going to start offering coverage next year and then announced a massive exit from exchange markets across the country, including Kansas. We were at risk of having just one insurer in many parts of the State, with no competition with regard to pricing.

In June, the State insurance department announced a proposed rate increase for next year. The good news: A new insurer, Medica, was proposing to offer coverage in Kansas. However, there is bad news. The bad news is that premiums could be increased by nearly 50 percent next year for some individuals in our State and I know in many other States. Last year, the highest approved increase was 24.5 percent. Next year's rates are still being finalized, but they could be double that.

Now let's throw it back. In 2013, President Obama said about the law that “the result is more choice, more competition, real health care security.” Today, however, we see less choice, less competition. And with insurers coming and going and rising premiums, I think Kansas families would agree they are not secure in their health care coverage. I don't know any State that is.

These are not just headlines in the paper or on the Internet; real folks back home are hurting. A nurse in Miltonvale, KS, wrote to me about what she calls the devastating effect ObamaCare is having on her patients and her loved ones. She says: “I am very concerned that continuing along these lines will further limit care and accelerate a decline in health care in our state, as well as our nation.”

But, again, let's throw back to what we were initially promised. Way back on the campaign trail in 2008, then-Candidate Obama promised that he would enact health care reform which would lower a typical family's premium by \$2,500 a year. I don't foresee any way those savings could be realized if a Kansan's premium is going to be up

to over 40 percent, on top of about 25 percent last year.

Looking back to 2013, Congresswoman NANCY PELOSI said the implementation of this law was “fabulous.” Fabulous, indeed. This was, of course, before open enrollment started and the failed launch of the healthcare.gov Web site, which crashed.

More issues of concern to me have come from recent regulations that have been used to implement this law. This law has massive regulations. The law has 2,000 pages. We are now at over 10,000 pages of regulations.

The administration has proposed changing how they verify individuals as being eligible to receive taxpayer assistance for their premiums under the law. Discrepancies between what a person claims their income is and what is received from trusted data sources must now be off by 25 percent. Previously, it was 10 percent in order for the administration to investigate a possible fraud. So I guess you can be fraudulent up to 24.9 percent now. The administration should not be lowering the standard by which it verifies eligibility for folks to receive our scarce taxpayer dollars. It is unacceptable for implementation of this law to further burden taxpayers by failing to protect against fraud and abuse.

Another recent regulation gets at one of my biggest fears from the law's passage: the ability of the government to ration care. There were four provisions of this law that I believed would decrease individual choice and open the door to rationing, one of which was the Centers for Medicare and Medicaid Innovation, CMMI. In March, this outfit passed a proposal to test, as the agency calls it, how we pay for prescription drugs for our seniors under Medicare Part B. Patient groups, doctors, and many of us in Congress are gravely concerned about how this test could affect the patient's quality of and access to care. As the Kansas Medical Society explained to me, this so-called demonstration “will force Kansas Medicare beneficiaries with serious, sometimes life-threatening conditions to participate, disrupt their treatment processes, and impede their access to needed medications with no evidence of improved health outcomes or financial gains for the Medicare system.” Such a so-called test is now allowable because of the rationing provisions of ObamaCare.

The law is simply not working for the large majority of Americans. Insurers are pulling out, citing large losses in covering the population of people who are seeking coverage on the exchanges. So Americans are left with fewer options in selecting their health care coverage, and, most concerning, they are paying more for it—a lot more.

Looking back to December of 2015 when this body sent legislation to the

President's desk to repeal ObamaCare, the President's Statement of Administration Policy stated simply, "The Affordable Care Act is Working." Yet, last month the President wrote in the *Journal of the American Medical Association* that "too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills." That is a true statement. I thank the President for waking up to this nightmare.

Despite his new revelation that the Affordable Care Act is, in fact, the unaffordable care act for most, the President and his party's candidate to succeed him say the answer is greater government control—a public option. Folks, that is government health care. That is what we are talking about. The failings of ObamaCare cannot be corrected with more government intervention, more restrictions, and more regulations.

We must triage the pain this law is inflicting on hard-working Americans. We must repeal and we must replace this law. I know that many colleagues will join me in continuing to work to provide freedom from its mandates and increased taxes to all and enact reforms to our health care system that will actually lower the cost of coverage and increase access to care for individuals.

Simply put, this law is failing. It is our job to correct it, and we will continue fighting to do so.

I was talking about this matter in the cloakroom just moments ago. Several of our Members have been very active in this whole endeavor to try to not only repeal but to replace this law, and they pause a little bit and say: You know, maybe this law was designed to fail. Maybe this law is so bad in terms of falling apart that people could not help but know that and then come in and say that the only thing we can now move to is national health care, government-run health insurance. If that is true, that is a 6-year effort with a lot of pain and suffering and in terms of political deceit, probably ranks right at the top.

We have to repeal this law. We have to replace it. We have to get to work. And we have to prevent further steps toward national health insurance.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

WRDA

Ms. STABENOW. Mr. President, I rise to speak about legislation that is currently on the floor, the Water Resources Development Act.

I start by thanking a great legislative team of opposites who come together—and when they do they get things done—that is, Senator INHOFE, the chair of the committee, and the

ranking member, Senator BOXER. I thank both of them for tireless effort, including their staffs for bringing forward something that is very important to my home State but important to communities all across the country. I also want to thank our two leaders for coming together and finding a way to have a path forward that allows us to come to the bill without a vote on a motion to proceed, and that involves all of our colleagues wanting to work together and that is evident on this bill and I very much appreciate everybody's efforts.

This comes after the Environment and Public Works Committee approved the Water Resources Development Act by 19 to 1 in the committee. Clearly, there is very strong bipartisan support, and it comes because the water infrastructure needs of the country are so great for every community, every State. I know the distinguished Presiding Officer would be able to tell the same story in North Dakota.

I particularly want to focus on one part—and then I will speak more broadly about the bill—but the part that deals with lead exposure and lead in water, which is very important to me, as colleagues know, and very important to a community called Flint, MI, where 100,000 people, through no fault of their own, were exposed to excessive levels of lead. There are efforts going on now to try to fix that, and we will focus on the long-term health and nutrition needs of the children and families, but the water is still not fixed.

People have said to me: Gosh, that was really bad what happened before in Flint. I say: No, no, it is not what happened in Flint, it is still happening. There are still bottles of water being delivered to homes, and people have been waiting. So we are grateful to be at this point, and there certainly is a sense of urgency coming from families in Flint and all around Michigan as well.

More than one-half million preschool students in the United States are exposed to elevated lead levels. So this is an issue not only in Flint but in schools and other parts of Michigan, where the drinking fountains in the school—you know, when you are walking down the hall and see the drinking fountain in the school is shut down because of high lead exposure, that has happened in schools across the country.

We have a particular concern because there are 9,000 children under the age of 6, not counting all the children in school, who have elevated lead levels. It is quite frightening because some of the homes in Flint actually have registered levels higher than a toxic waste dump. It is pretty scary and incredibly important that we support their efforts to get the pipes replaced as quickly as possible.

The cost of lead exposure goes far beyond the \$50 billion a year Americans have to pay in health care and in bottled water and all of the other health issues. Having unsafe water costs us our well-being, the health of the communities, economic development. It costs us a sense of dignity. As Americans, we think one of the basic rights that we don't think about—we just take it for granted that you are going to turn on the faucet and clean water is going to come out and you can drink it. That sense of basic confidence in infrastructure has been shaken in Flint but also in other communities across the country. That is something we are addressing in this bill that is so very important.

I am very pleased we have a bill in front of us that will comprehensively not only address a community that we have been fighting for and care deeply about but other communities around Michigan and around the country. We need the funding in this bill—the authorization in this bill because of a number of reasons. Let me again—speaking about lead, there are 5,300 American cities that have been found to be in violation of Federal lead rules. So there are 5,300 cities right now that we know don't meet the standards for safety. In *USA TODAY* they reported that excessive lead has been detected in nearly 2,000 public water systems across all 50 States. This is an important bill, and it addresses something that not only I have been focused on and my colleague Senator PETERS has been focused on but I know other colleagues are focusing on in communities in their States.

Frankly, there is no safe level of lead exposure and even a small amount can harm people over their lifetime. One study from Rhode Island found a correlation between even the lowest levels of lead exposure and declines in reading scores. There are certainly many other studies.

When we look at what is happening in this bill, the first thing I am very pleased to say is that we have a provision that helps our communities that have literally been shut down, not only families with bottled water, but can you imagine being a downtown restaurant and we have economic development going on downtown and all of a sudden people don't want to come because they are worried the restaurant is using contaminated water. In fact, it is totally safe to come to downtown Flint, and they are making great efforts on economic development and revitalization. I was pleased to host the SBA Administrator a number of months ago, talking with small business entrepreneurs who are excited about being in Flint.

When we look at the broad ripple effect when a water system isn't safe, it is most importantly about families and

children, but it also affects small businesses and it affects the entire economy. So in this bill, we are very pleased we have a provision fully paid for by phasing out another program that will help address this.

We also address lead contamination in communities across the country. There is a very important loan program that was put in place by the chairman and ranking member in the last WRDA bill but not activated, not funded, that we fund that will activate loans—\$800 million, possibly more, in loans available for communities all across the country. The structure was set up in the last WRDA bill and now in this one we are actually funding it. So communities can activate very important loans to upgrade their water infrastructure.

We also know that when we are looking at issues around lead contamination, we see across the country drinking water issues in 22 percent of the homes in Jackson, MS, were found to exceed the Federal action lead levels. I remember the Mayor of Jackson saying to pregnant moms and children: Don't drink the water.

It is not just water. There are 37 million housing units in the United States that contain lead-based paint. Even though we have come a long way, we have addressed lead-based paint, but we still have problems there in older homes that are still affecting children.

Soil is another issue, and certainly those of us who work with our farmers understand that as a critical resource in growing our food in East Chicago, IN, some show lead levels up to 227 times above the Federal lead limits and 135 times above the arsenic limit. It is pretty tough to be growing things when you have that kind of contamination in the soil.

The top 6 inches of soil had up to 30 times more lead than the level considered safe for children. Atlantic City, Philadelphia, Allentown, Pennsylvania, where over 500,000 children have enough lead in their blood to merit a visit to the doctor.

In this bill, we provide resources as well to address issues related to public health and lead in children. We know that for the 286 million Americans who get their tapwater from community water systems, this bill is an incredibly important investment in many different ways. It is necessary for public health and safety, it is necessary for economic development, and communities across America will benefit from this.

I also thank the committee for once again focusing on something else we in Michigan care about—the Great Lakes. We are surrounded. We have the peninsula surrounded by water and great beauty. Another wonderful summer we just had, where boating, fishing, and tourism is a very important part of our economy as well as a way of life. In

this bill, for the first time, we established the Great Lakes Restoration Initiative, formally in law, and it will authorize \$300 million for the Great Lakes Restoration Initiative over the next 5 years. This is important for all of us in the Great Lakes State. It is also important because 27 percent of the world's freshwater comes from the Great Lakes. So it is a very important economic resource for all of us.

This bill also authorizes new programs to help with drought by promoting innovative water technology and research, for desalinization and water reuse and recycling.

It authorizes very important Army Corps projects. There are 25 critical Army Corps projects in 17 different States that are authorized in this legislation. These are authorizations for infrastructure projects that protect and address concerns in communities in South Carolina, Florida, New Jersey, and Louisiana, where we know about the hurricane and storm damage, and flood control projects in Texas, Missouri, Kansas, and California. There are environmental restoration projects in Oregon and in Washington State.

There are additional dam improvement programs, new programs that allow FEMA to help rehabilitate high-hazard potential dams. America's 84,000 dams are rapidly aging, and 14,000 of them are considered high risk, high hazard. We have about 88 of those dams in Michigan that are considered high hazard.

So this is a bill that touches every single State. I know Members across the aisle have worked on this together. Clearly, it is something that is very important to Michigan, very important to families in Michigan. The piece that allows us to support the 100,000 people in Michigan is incredibly important for us, but we also understand that in the process of legislating, we have been able to support efforts and needs around the country and come together to do something that is important for communities in all of our States.

I think that is what legislating is all about, as the Presiding Officer knows. You and I have worked together on many different projects that try to address concerns across the country.

Again, I thank the chairman and ranking member for doing an outstanding job, for supporting our efforts but also supporting efforts of other Members. Hopefully, as we work our way through this process, we can come together on commonsense amendments that relate to this bill so we can have a very big vote on final passage and send it to the House, and hopefully our colleagues in the House will recognize how important this is to their districts and their States as well, and we will be able to get this to the President as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

HONORING CORPORAL MONTRELL JACKSON, DEPUTY BRAD GARAFOLA, AND OFFICER MATTHEW GERALD

Mr. CASSIDY. Mr. President, I rise today to honor three brave men: Corporal Montrell Jackson, Deputy Brad Garafola, and Officer Matthew Gerald.

It has been a tough summer in Louisiana. Not only did we have the floods of which I spoke yesterday, but we had the Alton Sterling shooting, the civil unrest afterwards, and then these three officers killed and several others shot. I will speak today to these officers.

On July 17, the three men I just mentioned gave their lives while protecting our community when ambushed while reporting to a 9-1-1 call. Deputy Nick Tullier, Deputy Bruce Simmons, and Officer Chad Montgomery were injured during this attack. Thankfully, Deputy Simmons and Officer Montgomery have returned home to their families, but Deputy Tullier remains in the hospital. Please keep him in your thoughts and prayers.

Speaking of those who died, Corporal Jackson was a 10-year veteran of the Baton Rouge Police Department, a loving husband to his wife Trenisha, and a father to his 4-month-old child, Mason. Following the shooting of Mr. Alton Sterling, Montrell wrote on his Facebook page:

I personally want to send prayers out to everyone affected by this tragedy. These are trying times. Please don't let hate infect your heart. This city must and will get better.

Deputy Garafola served the East Baton Rouge Sheriff's Office for over 24 years. He was a beloved son, husband to his wife Tonja, and father to their four children: Garrett, Braley, Brad, and Samantha. He was remembered for always selflessly trying to help others. At the time of his death, he again acted selflessly, giving his life when he saw another officer down, running to that officer who was injured during the attack and by doing so exposing himself to fatal gunfire.

Officer Matthew Gerald joined the Baton Rouge Police Department just last year. Before this, he had bravely served our country in both the Army and Marine Corps. Between 2002 and 2009, Matt completed three tours of duty in Iraq as a crew chief on a helicopter crew and received numerous awards and medals. Prior to his service in the Army, he had enlisted in the Marine Corps in New Orleans and served 4 years from 1994 to 1998. Matt was a loving son, husband to his wife Dechia, and father to Dawelyn and Fynleigh. His wife recently announced she is pregnant with their third child.

Each of those men shared common core values that guided them: service, stewardship, and sacrifice. They put the needs and well-being of others before their own. Scripture says, "Greater love hath no man than this, that a

man lay down his life for his friends." In protecting their community, these men paid the ultimate sacrifice. I honor their lives and thank their families for their selfless service to the city of Baton Rouge, to the State of Louisiana, and to the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

WRDA

Mr. CORNYN. Mr. President, as the Presiding Officer knows, we are working on a bill we call WRDA, W-R-D-A, which is the Water Resources Development Act. This is important to the entire country because what it focuses on is obviously clean drinking water but also the kinds of infrastructure that protect public safety and make commerce and transportation possible.

I commend the leadership of Chairman INHOFE, the Senator from Oklahoma, and Ranking Member BOXER, the Senator from California, for the work they have done getting us this far.

In particular, I wanted to mention the application of this legislation to my home State of Texas. Texas understands that water is a precious resource and one that needs to be managed effectively. There is an old saying in Texas that whiskey is for drinking and water is for fighting. It kind of makes you chuckle, but it demonstrates the point that water is essential to life. It is essential to our agricultural community to be able to grow our crops and water our livestock. It is indispensable, but it is easy to overlook all the work it takes to craft good legislation that looks out for the whole country's water supply and also protects our ports, our waterways, and helps guard against flooding. These are just a few of the projects included in this bill.

In April, this legislation overwhelmingly passed out of committee. I am pleased this bill serves as just another example of what we can accomplish when we put politics aside and work together in the best interests of the American people.

I wish to mention that I am also grateful this legislation includes part of a bill that I introduced last spring called the COAST Act. Texas has hundreds of miles of coastline, and the State's location in the Gulf of Mexico makes it particularly vulnerable to hurricanes, storms, and other weather impacts such as flooding, storm surges,

and high winds. I don't need to tell the Presiding Officer about that, as Louisiana recently suffered terrible flooding.

In 2008, Texans saw firsthand when Hurricane Ike made landfall. It became the second most costly U.S. hurricane on record.

Of course, because the area is so densely populated and includes one of our Nation's busiest ports and energy hubs, major damage along the Texas coast would likely be felt well beyond our State in much of the rest of the country as well, particularly the economic impacts. Safeguarding the gulf coast from the next major hurricane should be a priority not just to Texas but a national priority, as I say, both to those who live there and those who would suffer the potential economic consequences. That is why this particular provision, the coastal Texas protection provision in the Water Resources Development Act legislation, is so important.

This is very straightforward. All it would do is require the Army Corps of Engineers to take advantage of pre-existing studies and not have to duplicate those studies as a prerequisite to addressing this issue. The Corps wouldn't have to duplicate efforts but could instead build on the good work of leaders in the State that had already been done, so the Texas coast can get the protection it needs sooner rather than later.

Fortunately, the Water Resources Development Act also includes projects that will benefit communities across my State, such as infrastructure improvements to help reduce flooding, provisions that make our ship channels more efficient and strengthen our ports by making them safer and better equipped to handle growing amounts of trade. I know there is a lot of discussion about trade, particularly in the Presidential election season, but I will tell you that trade is viewed as an unmitigated good in my State. We are the No. 1 exporting State in the Nation, and that is just one reason why our economy is growing faster than the national economy.

We have learned a very simple lesson; that is, when you grow things—when you make things—and you have more people and more markets to sell to around the world, it is good for jobs, and it is good for the economy. I hope that some of our leaders and those who aspire to become the next President of the United States learn from some of the lessons that we have learned from in Texas—that trade is good.

That is not to say that with globalization there aren't some people disadvantaged, and we can address some of those concerns with funds dedicated to retraining efforts. But the fact of the matter is that more technology and more globalization are changing our economy and our labor markets in

ways that we will never be able to reverse. So we shouldn't throw the baby out with the bath water and just turn our backs on the benefits of trade, which means we need to have efficient ports that are equipped to handle growing amounts of trade globally.

In conclusion, on the Water Resources Development Act, let me say again that I express my gratitude to Chairman INHOFE and Ranking Member BOXER for this solid, bipartisan legislation. I hope it passes the Senate soon. I trust it will be out of the Senate by the middle of next week.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, this weekend is the 15th anniversary of the terrible attacks on our country on September 11, 2001. It is impossible to forget the horrible events of that day and the pain, grief, and mourning that our country felt. I think it is one of those seminal events in my life—and I am sure I am not alone—that I will always remember what I was doing and where I was when those planes hit the World Trade Center. It reminds me of when President John F. Kennedy was assassinated when I was much younger. I remember where I was and what I was doing.

I know communities across the country will spend time on this anniversary of 9/11 honoring the lives of the victims, their families, and the friends that they left behind, as well as the first responders and volunteers who put others before themselves in the wake of so much destruction.

One way that Congress can honor the victims of that day and lend support to their families is by sending the Justice Against Sponsors of Terrorism Act to President Obama's desk for his signature. This bill would enable Americans and their family members to pursue justice against those who sponsor acts of terrorism on the U.S. homeland, such as that which occurred on September 11, 2001.

A few months ago this legislation passed unanimously in the Senate. Again, there is not much legislation that passes this body unanimously, but this did.

I believe unanimous passage of this bill sends an unmistakable message that we will combat terrorism with every tool we have. Just as importantly, we will make sure that simple justice is available to the victims of terrorist attacks on our soil by not erecting any unnecessary roadblocks to the pursuit of justice in the courts of law.

I understand that the House of Representatives will vote on this legislation, perhaps as soon as today or tomorrow, and I hope they send a similar message to the victims and their families on this 15th anniversary of 9/11.

Finally, I hope the President will rethink his previous statements expressing an intent to perhaps veto this legislation. It makes absolutely no sense to prevent the families who suffered losses as a result of terrorist attacks on our soils from having their day in court against whoever is responsible. This legislation does not purport to decide who is responsible but merely removes the impediments under the sovereign immunity act that prevent them from even presenting their case in court.

It is time we help victims of terrorism in our country to seek justice, and it is time that the Justice Against Sponsors of Terrorism Act becomes the law of the land.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, today I return to the floor for talk No. 49—49 weeks of coming to the floor to talk about what we have described as “waste of the week.” We originally started this about 50 weeks ago in this cycle, with some skipping of weeks when we were not in session, trying to look at ways to make government more efficient and effective and to save taxpayer dollars. We set a goal of reaching \$100 billion.

Whether it was the Congressional Budget Office, whether it was the inspectors general overseeing expenditures in the various agencies, we kept receiving these reports about taxpayer money that is wasted through waste, fraud, and abuse. We have talked about everything from the ridiculous to the really serious in terms of mismanagement, fraud, and waste that has occurred in this Federal Government.

At a time when we cannot begin to balance our budget, when expenditures keep significantly exceeding revenues that are coming in no matter how much tax we collect, we find ourselves in a situation where we are continuing to borrow and borrow and borrow and borrow into the trillions and trillions and trillions of dollars—a truly unsustainable rate which will cause great harm to the American people at some point, if it hasn’t already. Clearly, it is holding down our ability to grow. Clearly, it is putting us in a situation where expenditures on just paying interest on the money we have to borrow continues to increase, depriving us of the opportunity to address some

essential needs, such as infrastructure and basic science. NIH research, the CDC, and others are being squeezed because we simply don’t have the funds available without continuing to go into debt.

So this is No. 49. It is one of the more minor ones. Keep tuning in because next week we have a big one coming. We could come down here almost every day and talk about something, with the backlog of waste, fraud, and abuse documented by agencies that are non-partisan. They are not Republican. They are not Democratic. These are agencies that just deal with numbers, they just deal with facts, and they report to us, as Members of the Senate and the Congress, to make this available to the public and to demonstrate that we could run a much better shop here and save the taxpayers a lot of money.

Today I want to highlight abuse of a fund that exists within the Department of Health and Human Services. It is called the Nonrecurring Expenses Fund, otherwise known as NEF. “Non-recurring expense fund” is another fancy description the Federal Government has put out so that nobody can understand what it is, but we looked into this and found that the Non-recurring Expenses Fund is a fund that was created to place money which wasn’t used. There was money appropriated by Congress for specific purposes, but they didn’t use all of it. Instead of turning it back to the Treasury or the taxpayer, they said: Let’s create this fund that we can put this excess money in that hasn’t been used for the purpose it was designated. We will put it in a fund, and it will be there for use for some other purposes.

Well, you know how government works: Never return a penny of the money that has been allocated to you by the Congress because the next time it comes up on an annual basis for your allocation, Congress may say: Well, they didn’t need all that money, so let’s give them less money next year.

Oh, no, we don’t want to be in that position, so let’s make sure we find a way to spend it.

Anyway, the money is sitting here in this slush fund called the Nonrecurring Expenses Fund, and it is supposed to be used for one-time expenses that come up on construction or IT projects and they can go to the fund and take some money out and use it for specified purposes. Well, all that was fine, I guess. I think it should have gone back to the Treasury. They did put a 5-year limit on it, and if it is still there after 5 years, it is supposed to go back to the Treasury but instead goes to this fund.

Well, along came ObamaCare and all of its promises: Don’t worry, it is not going to cost you a penny more than what is already being paid. If you like your doctor, you can keep your doctor. Your premiums won’t go up.

All that was promised to us by the President. After every declarative thing he said, he added: Period. Not one penny increase, period. Keep your doctor, period. Done deal, folks. Trust us.

Well, of course none of that happened. ObamaCare seems to be collapsing under the weight of its own regulations and rules and operations. We read every day, almost every week of an exchange closing, of premiums skyrocketing. We are in for a very big surprise this fall. Some of this has been documented about the numbers coming in and the increases in premiums in the various States that are staggering. People are dropping out, people can’t afford to get in, and on and on it goes.

In any event, under ObamaCare, as we all remember, when they set it up, the Web site didn’t work and people couldn’t make the phone calls, so the expenditures have been significantly higher than what we were told and what was projected, and we are talking about big money here. So the administration thought, well, let’s sort of look around, dig around, and maybe we will find a fund somewhere where there is some excess money we can use to prop up ObamaCare rather than having to go back to the Congress.

Now, this is money appropriated for a specific purpose and not to be used or tapped into to pay for some other failing program over here, but, of course, that didn’t stop the White House from doing that. It seems nothing does stop them, including laws passed by the Congress.

In any event, they determined that, wow, here is a slush fund. Over the course of 4 years, it had about \$1.3 billion in it. So why don’t we just take it? It breaches the rules, maybe even the constitutionality of the fact that Congress appropriates money for specific purposes and puts it in specific places, and the administration doesn’t have the right to simply go over there and say: Oh, there is a pot of money over there. It has been sitting there. Even though the law says it should expire after 5 years and it has to go back to the Treasury, we will ignore that and take that money, and we will apply it to pay for some of the bills on ObamaCare.

And that is exactly what they did. So \$1.3 billion was taken from a fund without a congressional vote—an abuse of power undermining Congress’s constitutional authority over appropriations. So here we are adding to our total the \$1.3 billion that could have been saved, that was appropriated but not used. It could have been used for many things. We are talking about trying to find ways to pay for Zika funding. This is a serious matter. Zika is having an impact. We have known that. The opposition here—the Democrats—have voted three times to prohibit us from going forward on that.

But one of the issues here is the pay-for that we are under. If we are going to start a new program or appropriate more money to a program, we want to find something else to pay for it. Well, here is the perfect way to do it, and the amount of money is more than actually requested. Mr. President, \$1.3 billion could be easily used as a pay-for for the Zika problem. That would get the CDC and get the States out there to deal with this very significant and difficult problem. But no, nope; it had to go to ObamaCare. It had to sort of once again fill the gap from expenditures that have gone all over the place.

So what we have done is shown that this is money that we could have saved the taxpayer or that could have used for a better purpose, and under the waste of the week total here, we are now adding this \$1.3 billion, which brings our total to \$240 billion—\$240,785,726,817. It just keeps going up. Here we are sitting on a total of nearly \$241 billion of waste, fraud and abuse.

As I said, fasten your seatbelts, folks; the next one coming in next week is a staggering number of documented waste, fraud and abuse.

Mr. President, with that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS FUNDING

Mr. MARKEY. Mr. President, we are in a race against time. The number of confirmed locally acquired Zika infections in Florida now total 56. In Puerto Rico, it is estimated that 50 pregnant women are infected with Zika each day. There are now 67 countries and territories around the world reporting Zika cases. The Director of the Centers for Disease Control and Prevention has announced that the agency has exhausted its current funds to combat the Zika virus, but thus far the Republicans have refused to work with the Democrats to actually provide the new funding in the race to find a vaccine. This is simply unacceptable.

Last month, I visited Cabo Verde off the coast of Africa. I saw firsthand the devastating impacts of the Zika virus. Through a Catholic Relief Services program, I met with mothers and their infants suffering from microcephaly, the birth defect which causes smaller brains and other developmental defects in newborns. I was able to meet with two loving mothers: Dunia, the mother of Dara; and Suely, who is the mother of Senilson. Both babies were born on June 5, 2016. The first case of

microcephaly associated with the Zika virus on Cabo Verde was detected in March, just 6 months after the disease was declared an epidemic in the country. Now there are more than 7,500 reported cases of Zika on Cabo Verde, and the number continues to grow.

Zika is a terrifying virus. It is the only known mosquito-borne virus that can cause birth defects and also be sexually transmitted. In addition to microcephaly, Zika also has been connected to neurological effects in individuals of any age, including a link to the onset of Guillain-Barre syndrome, which can cause paralysis for months. One bite from an infected mosquito could damage the course of a life forever.

We need only look back a few chapters in our own history books to understand how important it is for humanity to find a vaccine for a virus like Zika.

In 1953, there were 35,000 annual cases of polio in the United States. Mothers and fathers all across America were frightened that their children would be next to contract the debilitating disease. Two U.S. researchers, Dr. Albert Sabin and Dr. Jonas Salk, were locked in a historic race to develop a safe and effective polio vaccine. Fortunately, they were both successful. Today, those vaccines have virtually eliminated polio around the world.

Now, in 2016, millions of parents and dozens of countries around the world are once again praying that the medical community can be catalyzed to develop a solution for today's global disease threat—the Zika virus.

We are fortunate that in today's new race for a cure, there are at least three leading Zika vaccine candidates. Last month, I toured the laboratories at Beth Israel Deaconess Medical Center in Boston, which is collaborating with Walter Reed Army Institute of Research. Their vaccine candidate has been found to offer universal protection against the Zika virus in laboratory tests. The results were so promising that the vaccine will be tested in a small group of individuals—human beings—this fall.

There are two other vaccine candidates also showing positive results. One is made by the National Institutes of Health and the other by Inovio Pharmaceuticals. Both are far enough along that they are already utilizing human subjects, but if the current trials involving just the small groups are successful, we will need to provide much more funding to cover the costs of expanding this research to thousands of participants. That next step in the Zika clinical trials, if both of these candidates that I just mentioned are successful, could cost upward of \$100 million to \$200 million, beginning as soon as this January, if these clinical trials are successful with small numbers of human beings. That is a small amount of money when one considers

that the cost of caring for one infant born with Zika-caused microcephaly will cost potentially up to \$10 million through the life of that baby.

Six months ago, knowing the impending and impending threat of Zika once we entered the warm, mosquito-loving, hot summer months, fueled further by climate change, President Obama requested \$1.9 billion in emergency funds from Congress to combat Zika, but instead of approving emergency funding at the start of the summer, Republicans, unfortunately, did not finish the business that we should have finished before they recessed Congress for 7 weeks. Families cancelled their summer vacations out of fear, while Republicans made Congress go on a vacation. Meanwhile, cases of Zika on our own soil, in Puerto Rico, and around the world ticked higher and higher.

Whether it is Zika, Ebola, SARS, or the next global pandemic, we simply cannot treat every global health threat like a game of Whac-A-Mole. We need a sustainable and comprehensive emergency medical system that is put in place so we can respond to all emerging infectious disease threats.

First, we need a Federal fund that is readily available for use when a global disease represents itself. Second, we need a single person at the White House responsible for organizing domestic efforts as well as liaising with our international partners in the face of an infectious disease pandemic. We did this on Ebola. We should do it for every global health threat.

The truth is, though, that if on Ebola we had already had a pandemic response team in place, we probably could have cut the amount of death and harm that was done by that disease by a dramatic amount, but the most important thing we need right now is we need the congressional Republicans to stop playing politics and work with Democrats to pass a real and serious response to the Zika crisis, including emergency funding. The fastest way to do this is for the House to bring a bipartisan, Senate-passed \$1.1 billion compromise bill to address the Zika epidemic and bring it up for a vote. We have already passed that through the Senate. House Republicans should just take it up, vote on it, and we will get it done. It is only a matter of time before the fear of local transmission in Florida becomes the reality for nearly every State in this Nation. That is why immediate funding is a critical component of the U.S. and global fight against the Zika virus. We have the intellectual capacity to develop faster diagnostic tests, efficient vaccines, and advanced therapeutics with Zika, but what we need now is the financial certainty to support this kind of work in an accelerated way. The next pandemic that awaits the global community is just one frequent flier account away. This crisis demands that Congress pass

a Zika funding package as soon as possible. The continuation of vaccine development depends on it, our ability to stop the spread of the virus depends on it, and the lives of millions of people around the world depend on it.

We won the race against polio in the 1950s. With accelerated funding, we have the opportunity today with these three vaccine candidates and others on the way to find a safe and effective solution to combat Zika by 2018. It is time to recognize the threat to humankind and the impact such a harmful disease will have on an entire generation of children by ensuring our 21st century scientists—our Sabins and Salks—have the funding they need to banish this virus to the history books.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who have given their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a powerful story.

CAPTAIN ROBERT J. YLLESCAS

Today I will reflect upon the life of Army CPT Robert Yllescas of Osceola, NE.

Rob's life began in Guatemala, where he was born and raised. His mother Barbara would often bring young Rob to Nebraska during visits to her family in Osceola. When in Nebraska, Rob made plenty of friends, and he fell in love with the good life.

He also met a young girl named Dena, who would one day become his wife. After graduating high school in Guatemala in 1996, Rob moved to Nebraska permanently, and he enrolled at the University of Nebraska-Lincoln. He also enlisted in the Nebraska Army National Guard. Rob had always wanted to serve in the military. He hoped to become a general one day. With this in mind, Rob enrolled in Army ROTC at UNL.

Fate had something else in store for Rob during his college years too. He reconnected with Dena. They fell in love, were engaged a year later, and were married on July 29, 2000. Rob continued his studies and training, later graduating from UNL in May, 2001, receiving his commission as a second lieutenant in the U.S. Army.

That August, Rob and Dena welcomed the birth of their first daughter, Julia. A short time later, Lieutenant Rob Yllescas began his first Active-Duty assignment on September 10, 2001. The very next day, everything changed for Rob, his family, and our Nation. America's military priorities transformed dramatically, focusing on a new mission to combat terrorism.

From the beginning of his military service, Rob's commanding officers took note of his character and his leadership. One commander said, "Yllescas was an extraordinary person to be around. He brought that 'lead from the front' mentality into his work."

Another soldier who served with him said Rob "was strong as an ox with a smile as big as Nebraska."

Over the next several years, life became fast-paced for the Yllescas family. Rob deployed to Iraq in 2003 for a year, and then he returned for a second deployment in 2005, when the fighting grew more intense. Returning home to Nebraska in 2006, Rob continued to excel in the military, later graduating from Army Ranger School. Rob achieved the rank of captain and was assigned to the 6th Squadron of the 4th Cavalry Regiment. He took command of Bravo Troop, known as the Blackfoots.

After nearly 2 years of training and earning the respect of his troops, Rob learned he would deploy to Afghanistan. Shortly before his deployment, Rob and Dena welcomed their second daughter, Eva, on February 1, 2008. Upon arriving in Afghanistan, Captain Yllescas and Bravo Troop were stationed at Camp Keating. This outpost, located in the eastern province of Nuristan, was known to many as the most dangerous territory in Afghanistan. Camp Keating had been under constant attack since becoming operational in 2006. Two prior camp commanders had been killed before the Blackfoots arrived.

Once again, Captain Yllescas made an immediate impact. His lead-from-the-front approach earned the respect of his men and improved the relations with the local Afghan leaders. Rob carried himself with a grace that would calm the nerves of these community leaders, and he often met with them unarmed and without that full battle rattle, but his charismatic style and the improved relations quickly became a threat to the enemy forces in the region.

Camp Keating, located in the Kamdesh District, was known to American troops as the "Tip of the Spear." Al Qaeda and militants moved freely through this area from safe havens in Pakistan. They filtered weapons and ammunition through this region to engage with coalition forces throughout Afghanistan.

One soldier described his tour at Camp Keating, saying: "I was either extremely bored or extremely terrified." For months, Captain Yllescas and his Blackfoots continued their focus on improving relations with the local Afghan community, and things seemed to be moving in the right direction.

As Captain Yllescas made progress, he also drew the attention of the enemy militants. By the fall of 2008,

they were coordinating plans to remove this threat to their supply chain. On October 28, 2008, a remotely controlled IED was detonated and seriously wounded Captain Yllescas as part of a planned assassination attempt. Rob was quickly evacuated out of Afghanistan. He was stabilized and moved to the Bethesda Naval Medical Center outside of Washington, DC.

Throughout this time at the medical center, Dena remained at his side. During Rob's second week at Bethesda Medical Naval Center, President George W. Bush visited him on November 10 and personally awarded him the Purple Heart. Rob's best day occurred when his daughter Julia entered his hospital room. Just seeing Julia seemed to ease his mind.

Ultimately, Rob's severe leg and head wounds were too much to overcome. CPT Robert Yllescas died on December 1, 2008. A week later, the auditorium in Osceola, NE, was filled to capacity with people honoring their hometown hero. In the time since, Dena and Rob's mother Barbara have become very active in the Gold Star family activities throughout Nebraska. His daughters Julia, who is now 15, and Eva, now 8, are also active in this cause. The two of them are well known for their beautiful voices and singing of patriotic songs at veterans events.

For his service to our Nation, CPT Rob Yllescas earned many military decorations. Among the many important badges and decorations he earned, Captain Yllescas was awarded the Bronze Star, Purple Heart, Iraq Campaign Medal, Afghanistan Campaign Medal, and the Ranger Tab. CPT Robert Yllescas embodied the pride of his State, served his country, and loved his family. I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

ZIKA VIRUS FUNDING

Mr. MENENDEZ. Mr. President, I rise to voice my concern as an American and my outrage as a grandfather-to-be about the lack of action to fund our response to the Zika epidemic. Zika has come to Miami, FL, and Congress needs to step up and provide the necessary funds to fight this terrible virus.

Zika is like any other national emergency, and we are a nation that always—always—responds to emergencies. While I am encouraged with the news that Republicans are seeing fit to do their job and drop some of the conditions in their Zika bill, which this body has voted down three times already, there is no excuse for any further delay—no excuse for doing nothing while Americans face a risk that we have the power to mitigate.

The alarms have been ringing for months. We knew Zika wasn't coming,

but instead of being proactive and prepared for what was about to hit our shores, Republicans in Congress chose to poison our response with rightwing ideological policy riders that prevented us from appropriately addressing this issue. To make matters worse, rather than removing these unacceptable provisions from the bill, they simply chose to ignore it entirely and send Congress on vacation without acting.

Since that time, we have had at least 43 instances of locally acquired Zika in the Miami area and nearly 16,000 locally acquired cases in Puerto Rico. In the 50 United States, we now have 3,000 total cases, including those that were acquired outside of the country. Most frightening for families throughout our Nation is that we know of at least 1,751 cases of pregnant women infected with Zika—a truly devastating diagnosis for everyone involved.

Today we have heard from the head of the National Institutes of Health's Infectious Disease Institute that without immediate funding, the current ongoing clinical trials into a Zika vaccine will be forced to shut down—putting a halt to any real chance we have of developing a preventive vaccine in the near term.

We, as Democrats, have fought the opposition to pass the President's request for \$1.9 billion to battle Zika. In May, the Senate, in a bipartisan compromise, agreed by a vote of 89 to 8 to fund \$1.1 billion in response funding, but that bipartisan agreement was derailed in the House of Representatives, where Republicans insisted on adding a poison pill provision that had nothing to do with Zika and everything to do with seizing the opportunity to pursue an anti-family political social agenda that would prohibit family planning clinics from getting Zika funds—directly impacting the health of women in the most high-risk areas at a time that we know Zika can be contracted not only by a bite of a mosquito but by sexual intercourse.

Every major health organization, from the Centers for Disease Control to the World Health Organization, to the American Congress of Obstetricians and Gynecologists, has recommended that the best course of action is to increase access to contraception and family planning services to decrease transmission of the virus.

Today I call, once again, on the majority leader and the Speaker of the House to address this crisis now. Let's do our jobs and help keep the American people safe, healthy, and secure by addressing this crisis with everything we have and all we can provide to women and families who face an emergency situation no less important and no less threatening than tornadoes, hurricanes, wildfires, or superstorms such as Sandy.

We need to quickly and decisively respond. We are already behind. We have

lost critical time and sacrificed the progress we should have already made to political obstructionism that has prevented us from providing what we need to ensure maximum protection. We need to act now, not tomorrow, not the next day, not next week—now. But here we are 7 months after the President's original call for an emergency response to Zika and 5 months—long before Miami had become ground zero for the virus in the continental United States—5 months before the first confirmed cases of locally acquired transmission occurred and began to spread.

My Republican colleagues talk a lot about national security, about defending this Nation and its people and I agree with them, but there are many ways to defend America from the many threats we face, and Zika is one of them. If we believe what we say about keeping America and Americans safe, then quickly passing the necessary funding to defeat Zika is in the personal security interest of the United States.

We are dealing with a virus that has tremendous costs. We do not yet know all the potential birth defects that Zika can cause, and we do not know all the potential effects of microcephaly to a newborn or the life expectancy of a Zika baby, but the health care costs for the 31-year-old mother in Hackensack, NJ, who gave birth to the first Zika baby born in the United States, will, no doubt, be staggering—in the millions of dollars.

At the end of the day, protecting our people from an insidious virus that ultimately can affect the next generation that is being born is in fact protecting the public. In my mind, it is not acceptable to play politics with a national emergency. We can have all the debates in the world about family planning and access to women's health care, but we are delaying the possibilities of a vaccine being prepared, of mosquito abatement to limit the population of infected insects. We are denying care to those women who could be or are infected. We need to act now and pass the necessary funding just as we do in any national emergency, against any threat or any enemy, and Zika is a real and direct threat.

I can talk from personal experience. It has affected my family and me. My daughter lives in Miami. She is now 6 months pregnant with her first child, and I am deeply concerned about her health, her well-being and the well-being of my first grandchild. While this moment is a moment of great joy, every young mother already has concerns about the normal course of events: Will my child be healthy? Will my child be safe and free from illness? These are normal concerns, but Zika adds a new dimension to those normal worries, and we could have done something to stop it if it were not for Republican obstructionism in the House.

Shame on us that we have not done all we could to mitigate the fear that young mothers are feeling, and that fear is palpable. It cannot be ignored, not by me, not by any father, not by any grandfather, and it should not be ignored by Republicans in Congress. This isn't for me or my daughter. It is too late for her to take advantage of a vaccine or cure, but it is not too late for other mothers and their children across this country. How can we, in good conscience, not do all we can to attack this problem as best as we can?

My daughter has taken precautions and is doing everything possible to protect herself, but this issue goes beyond the personal aspect of what is happening in my family, and while having a child is a moment of great joy, any woman who is pregnant in Miami—actually, in reality, this knows no limitations geographically. It will continue to spread across the country. It is an added risk that is very real and should be of deep concern to all of us.

We want to protect our children. We talked about that in many different dimensions in different debates, whether it is about education or health care, and now we are doing something that every person who is a father or may be a grandfather understands very clearly. Every woman who serves in the Senate and has had a child understands very well the whole emotional process that goes on, like worrying about that child, taking care of themselves, having the right nutrition, and doing all the prenatal care they have to do so they can have a child who is born healthy.

Women throughout the country are doing their best to protect themselves to the extent that they can, but not all of them have the ability to do something about it like those of us in this Chamber. It is our responsibility, obligation, and duty to act in the interest of every family who cannot do what we can by simply passing this legislation and doing it now.

The alarms have been ringing for months. We knew Zika was coming, but instead of being proactive and prepared for what was about to hit our shores, Republican leaders in Congress chose to ignore the warning signs and adjourn Congress without acting. Now we are back and our Nation faces an emergency. We are here. There are no excuses. There is no political justification for inaction. At the end of the day, lives are at stake and we swore to protect every American. I call on my colleagues in both Chambers to put this nonsense aside, stop the pointless political posturing, and do your job.

We are living in a political season that has devolved into a race to the bottom. Let's not participate in that race by letting the rigid, fundamentalist social agenda with the most extreme elements in our politics overrule common sense and shared values in the face of a crisis and danger to America.

We know what is right. We know what we have to do, and now is the time to do it. It is with that hope that we break the shackles of this absurd political obstructionist chain that is holding us back from doing what is right and necessary.

I look forward to next week—since it seems we will be out of session now—ultimately addressing the concerns that women and families have across this country. We hear a lot about the protection of the unborn. Well, this is the very essence of being able to protect the unborn from an insidious disease that can affect their lives forever.

I hope the conscience of the Senate will ultimately move itself to its better judgment.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WRDA

Mr. CARDIN. Mr. President, I take this time on the floor to first express my appreciation to the leadership for bringing forward the Water Resources Development Act. I know we are going to have a chance to vote on cloture on Monday, and I just want to thank the leadership for making the bill available for floor time.

I also congratulate Senator INHOFE, the chairman of our committee, and Senator BOXER, the ranking Democrat, because I am a proud member of the Environment and Public Works Committee that has recommended the Water Resources Development Act to the full Senate.

The process that was used by Chairman INHOFE and Ranking Member BOXER is the way the legislative process should work in the U.S. Senate. We had a very open process, where many Members—all of the members of our committee and many other Members of the Senate—participated in one of the most important bills that we consider during the congressional session. It deals with the conservation and development of our water resources and authorizes the construction projects for the improvement of rivers and harbors. In other words, this bill very much affects every State in the Nation because it affects our economy, our environment, clean water, and public health. It is an extremely important piece of legislation.

When we look at the content of this bill, we see that the leaders of our committee were able to work out the right types of compromises so that we don't have a contentious bill before the U.S.

Senate. We have a bill that is focused on the purposes of WRDA, to conserve and develop our water resources and to authorize the construction projects for our rivers and harbors.

For Maryland this bill is particularly important. When we look at the WRDA bill, so many projects and so many opportunities in my State are involved. In Maryland we have the Port of Baltimore, which is the economic hub. I was there last week visiting the Port of Baltimore. I am there frequently. There are tens of thousands of jobs there. It is one of the most active ports in our country. It depends on the WRDA bill for the authorizations of the projects to keep the Port of Baltimore competitive and able to do the important economic work of our region. So for the economic impact that our ports have on America, and certainly the Port of Baltimore and Maryland, this bill is particularly important.

I make a point of being in Ocean City, MD, during the Association of County Conferences and had a chance to see firsthand the impact of these re-nourishing programs that are impacted by the WRDA bill. The protection of the Chesapeake Bay in my State, the largest estuary in our hemisphere, is very much impacted by this bill. The public health of the people of Maryland and indeed our Nation are very much impacted by the Water Resources Development Act.

So let me talk specifically about what is included in this bill that will help the people of Maryland and the people of our country. First, to the economic impact—as I said earlier, the passage of this bill will provide for job growth and economic growth in our country. It also will protect our public health. The dredging and maintenance of our rivers and harbors are paramount to this. As a result of the previous WRDA bills and continuing to this WRDA bill, we in our region are able to maintain our channels. We also have been able to find locations where we can put the dredge material.

For example, in Maryland we had a national model for what we did at Poplar Island. Poplar Island was a disappearing island in the Chesapeake Bay that was basically all submerged. It was an environmental negative. It was a liability. Through the use of deposits of dredge material, Poplar Island has been converted not just to a dredge site but an environmental restoration site and has helped very much in dealing with the diversity of species that we find in the Chesapeake Bay region. Through WRDA authorizations and appropriations, we have been able to convert a negative on our environment to a positive and at the same time find a way to use dredge materials to keep our harbors open. That is a win-win situation, and it is those types of projects that are included in the Water Resources Development Act.

But there are many other communities. In Maryland we have the Port of Baltimore—I talked about that—but we have a lot of smaller ports and harbors in Maryland. During the break I visited Salisbury, MD. They have a port. They want to expand their port so they can not only import products as they do, but use it as an export location. In Salisbury, they have Chesapeake Shipbuilding, which is one of the premier shipbuilding facilities we have, and they benefit from what is done in Salisbury Harbor. By way of example, I want to point out to the people I represent in Maryland the important economic projects that are very much impacted by the passage of the Water Resources Development Act.

The economic impact goes beyond just what we do in our harbors; it also involves our shoreline protection. While I was in Ocean City, I visited with Mayor Meehan, the mayor of Ocean City, who pointed out to me what happened during the last storm. We get storms along the East Coast; we always get storms. But he pointed out to me the impact that the beach re-nourishment programs have had in minimizing damage to property and to the shoreline. We invest in beach re-nourishment as basically an insurance policy against damage that could be much greater. We could have our money back and much more through the investments we make in beach re-nourishment in the Water Resources Development Act. I can state that people who have their homes and businesses in Ocean City, MD, very much appreciate the fact that this Congress is paying attention to this issue.

Then I can go to Smith Island. Smith Island is the last habitable island in Maryland on the Chesapeake Bay. It is eroding, and it has serious issues about its sustainability. For the people who live on Smith Island, it is not only their homes but part of the history of our State and Nation that they are preserving. We have provided in the WRDA bill a way that we can do living shorelines so a community like Smith Island continues to be safe from the devastation we are seeing with erosion. I am proud of all those provisions that are in this WRDA bill that will help us deal with those issues.

As I pointed out earlier, the WRDA bill is important for our Chesapeake Bay. The Chesapeake Bay is the largest estuary in our hemisphere. I talk about it frequently on the floor of the U.S. Senate. It has been declared by many presidents as a national treasure. It is a national treasure. We have a comprehensive program in partnership with the Federal Government and with the State governments of five States and the District of Columbia. We have a partnership with local governments, with the private sector, and we are making progress.

In this bill, to give one example, we increased the authorization for oyster

recovery programs. I was proud to offer this amendment from \$60 million to \$100 million, almost doubling the dollars that are going to be available for oyster recovery programs. Why is that important? I think most Members understand that oysters are cash crops. It is nice to be able to harvest oysters and be able to serve them and to use them as watermen do. So we are increasing dramatically the number of oysters that can be harvested, using new methods, including ways in which we can seed oysters off the bottom, as well as on the bottom of the river, and it is taking. We are seeing our oyster crops increase dramatically, which is helping the economy of the watermen of Maryland in our region.

Oysters are also a filtering agent for the Chesapeake Bay. They cleanse the water. They give us a better quality water in the Chesapeake Bay, which helps all species and the future of the Chesapeake Bay. We were down to a small percentage of the historic crop of oysters when we started the recovery program. Now that we have been in the recovery program, we are recovering a significant number of oysters. We are not there yet; we have got a lot more to do. But this extra Federal help in oyster recovery will certainly help in that regard.

Oysters also, by the way, build the infrastructure for the different species within the Bay. They actually become what the living organisms can live on and produce the type of food chain necessary for a healthy diversity within the Chesapeake Bay. So I was particularly pleased that the committee recommended my amendment to increase our programs for oyster recovery.

This bill also deals with clean water. In the 111th Congress, when I was chair of the Water Subcommittee of the Environment and Public Works Committee, I filed S. 1005, which deals with our State revolving funds. Let me explain for my colleagues—I think most know—that the State revolving funds are the major Federal partnership to help local governments deal with safe drinking water and clean water.

Wastewater treatment is done through State revolving funds. We have taken some actions in order to modernize this program. In this WRDA bill, we incorporate many of the elements of the legislation that I filed that will update and improve the revolving loan programs. It makes it much more predictable and flexible for our States, so they can plan their projects accordingly, which is critically important for safe drinking water and economic growth. We expand the eligibility to include preconstruction, to deal with replacement and rehab, and for the first time allow these funds to be used for source water protection plans so that we actually can make sure we are getting safe water into our water supply.

We also allow for the prioritization of sustainability, and we provide incen-

tives for water efficiency that is cost saving and uses better technology, so that the way we handle our water can be done with less leakage, less waste, less energy, and more efficiency, which saves money.

There is \$900 million authorized for the Water Resources Research Act, and I was pleased to offer that to the committee, and I was pleased it was included in the final bill that is before the committee.

Let me talk for a moment about public health. The WRDA bill also deals with public health, which is very important. I know every Member is aware of what happened in Flint, MI, on lead poisoning. We know how tragic that was. We know how many families and children were directly impacted by decisions that were made there. This bill does much to deal with the tragedies in Flint, but Flint is not unique in the risk factors to our children on the exposures to lead.

I can give Baltimore City as an example. The schools in Baltimore City have turned off their water fountains because it would not be safe for the children in schools to use the water fountains that are there. The pipes that lead into the schools are contaminated by lead. The city doesn't have the resources to replace those pipes that come in and therefore have closed the water fountains and use bottled water instead.

So we have problems in our water infrastructure in America as it relates to the vulnerability of exposure to excessive lead. I think the Presiding Officer is aware that there is no acceptable level of lead in a child's blood. We know that lead in the blood of children has an impact on their capacity to grow. I will give one example. Freddie Gray, who was tragically killed over a year ago in a police incident that caused a disturbance in Baltimore, had high levels of lead from his youth in his blood.

These are matters we could take steps to correct, and this WRDA bill does exactly that. First, it takes many of the provisions of the bill that I filed working with many of my colleagues. It called for true leadership. We put together many of our ideas on what we can do to combat lead poisoning. I put that bill together with my colleagues and filed that bill with Senator INHOFE and Senator BOXER's leadership. We were able to incorporate many of those provisions—most of those provisions into this WRDA bill that is now before the U.S. Senate so that we will be able to give public notice and transparency when public officials discover an unacceptably high level of lead in the water system. The public will know, and they can avoid the risks.

We are providing money for testing of schools, testing of childcare centers, and individual children. In Maryland every child between 1 and 2 years of

age will be tested to see whether they have excessive lead levels in their blood. There is truly an all-out effort.

There is one provision I want to underscore. There is \$300 million in this bill so we can secure the last line of pipe coming from the main sources into homes. There are a lot of individuals, families, and low-income families who live in homes where the water system itself is safe but the pipes that lead into their home produce lead and subject their families to lead poisoning. They don't have the resources to correct it, and this bill provides a program where low-income families can get help in correcting the pipes that feed into their house to make sure they are lead-free so their children aren't susceptible to lead poisoning.

These are all good-news issues. I appreciate the time and attention given to this, but I wanted to emphasize that this bill is a very important bill. It contains issues, as I said, from protecting our environment to our public health, to our economy. It is a bill that deserves the strong support of the Members of the Senate. I hope my colleagues in the House will also approve this bill.

It reflects the hard work and leadership of Senator INHOFE and Senator BOXER and the Environment and Public Works Committee and many Members of the Senate. I am very proud to support this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, I ask to speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

HONORING CORPORAL BILL COOPER

Mr. BOOZMAN. Mr. President, I rise to honor the service and sacrifice of Corporal Bill Cooper of the Sebastian County Sheriff's Office. Corporal Cooper gave his life in the line of duty on August 10, 2016. As a veteran of the U.S. Marine Corps who spent 15 years in the Sebastian County Sheriff's Office and 6 years with the Ft. Smith Police Department, Bill Cooper was a true public servant.

Corporal Cooper was remembered by his colleagues as a model law enforcement officer who did things the right way. He loved the men and women he worked with, and he exemplified what many in law enforcement aspire to, which was being an officer who never failed to show how much he cared about his community.

As such, he continued to serve long after he was eligible to retire. Cooper was also a devoted husband, father, and grandfather who loved his family very, very much. Last month, Corporal Cooper responded to a domestic call involving an armed suspect near Hackett, AR. The suspect opened fire on Cooper and Hackett police chief Darrell Spells.

Corporal Cooper was fatally wounded. Chief Spells and Greenwood K-9 officer Kina were injured. The suspect later surrendered and was taken into police custody. In a true testament to the impact that Corporal Cooper had on so many who served with him or knew him, he was laid to rest at a funeral service attended by several thousand people, including law enforcement officers from across the State and around the country. His colleagues and friends remembered him to have always treated citizens with respect and dignity, while also being a loyal partner and friend.

While our hearts break for those who knew him, we also respect and admire Corporal Cooper for his lifetime of service. He truly was someone who ran toward danger in order to protect others. Corporal Cooper was a hero, and today we honor his sacrifice. My thoughts and prayers are with his wife Ruth, his son Scott, along with many other family members, friends, and colleagues in the law enforcement community.

I humbly and sincerely offer my condolences and my gratitude to them as they grieve for Bill. Bill was a classmate of mine at the Northside High School in Fort Smith. We as a class are very, very proud of him for his sacrifice, for our safety, but also, and certainly as important, the way he lived his life. May we always remember Corporal Cooper's life and legacy of service.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. INTERNATIONAL TRADE COMMISSION

Mr. HATCH. Mr. President, today the U.S. International Trade Commission, or the USITC, is celebrating its 100th anniversary. That makes today an appropriate day for us to acknowledge the distinguished service that this independent and nonpartisan Federal agency has provided, and continues to provide, in the field of international trade.

Mr. WYDEN. Mr. President, I concur with Senator HATCH and also congratu-

late the USITC on its centennial and commend the agency for its service over the last century.

Established by the Congress as the U.S. Tariff Commission on September 8, 1916, the agency was reconfigured and redesignated as the USITC by the Trade Act of 1974. As mandated by Congress, the USITC performs three principal functions: No. 1, fairly and objectively administer U.S. trade remedy laws within its mandate; No. 2, provide the Congress, the President, and the United States Trade Representative with independent analysis, information, and support concerning matters related to international trade, tariffs, and U.S. competitiveness; and No. 3 maintain the Harmonized Tariff Schedule of the United States.

By successfully executing these functions, the USITC performs a valuable service to the U.S. Government and the American people. Those of us in Congress particularly appreciate the highly technical data and analyses that the USITC provides to help inform our formulation of U.S. trade policy.

Mr. HATCH. Mr. President, of course, the core of the USITC's success derives from the agency's people. For decades now, the impressive and skilled commissioners and staff at the USITC have driven the agency's success. We congratulate the USITC for reaching this centennial milestone and for accomplishing a well-deserved tenure of valuable and professional service.

RECOGNIZING THE JEFFERSONTOWN POLICE DEPARTMENT ANGEL PROGRAM

Mr. MCCONNELL. Mr. President, I have spoken many times on this floor about the threat that opioid abuse represents to our country. Rates of substance abuse have been on the rise in recent years, and Kentucky has been hit particularly hard by this epidemic. A recent State report from the Kentucky Office of Drug Control Policy said that, last year, over 1,200 deaths in the Commonwealth were caused by drug abuse.

Well, I am glad to share with my colleagues some good news in the fight against opioid abuse in Kentucky. This August, I visited with and saw up close a program that is changing how law enforcement deals with drug addiction, a program that is saving lives. It is the Jeffersontown Angel Program, an initiative spearheaded by the Jeffersontown, KY, Police Department.

At the Jeffersontown Police Department, a priority has been placed on getting treatment for folks who request help for their addiction to opiates by connecting them with local treatment facilities. In many cases, those with substance-abuse disorders can be taken immediately to a treatment facility to start their recovery. People who abuse drugs can also turn

over their drugs or drug equipment without being charged with a crime.

The new Jeffersontown Police Department Angel Program is the first of its kind in Kentucky. It is modeled after a successful program launched in Gloucester, MA, in 2015, which has so far referred more than 450 people to treatment and produced a 33 percent reduction in property crime rates.

That evidence was enough to convince Jeffersontown Police Chief Ken Hatmaker. "When you can have a 33 percent drop in property crime," he says, "I'm going to listen."

While the Jeffersontown Police Department remains strenuously committed to investigating, pursuing, and arresting drug traffickers to the fullest extent of the law, the Angel Program helps reduce those traffickers' clientele by working to remove the stigma of addiction and making it easier to access recovery programs.

Fighting drug abuse is a cause I have embraced here in the Senate as well, and it has been a focus of mine for many years. I have traveled throughout the Commonwealth speaking with people, learning about the scope of substance abuse in my State, and working with Kentuckians to combat it.

A few years ago, I convened a listening session in northern Kentucky, a region particularly hard hit by this epidemic, to hear from informed Kentuckians in the medical, public health, and law-enforcement fields. I testified before the Senate's Drug Caucus to share my findings with my colleagues.

I have also met with the Nation's Director of National Drug Control Policy—better known as the drug czar—and successfully persuaded him to visit Kentucky to see firsthand the damage done by drugs. His visit and greater Federal funding for law enforcement in Kentucky have both been a part of a multilayered strategy to stop drug trafficking.

I also made it a priority to pass the Comprehensive Addiction and Recovery Act, or CARA, a bill I was proud to see recently signed into law. CARA is a comprehensive approach to tackling the opioid drug epidemic that bolsters treatment, prevention and recovery efforts, and gives law enforcement tools to help those already suffering with addiction and help prevent more senseless loss of life.

CARA authorizes new grants for vital, lifesaving programs to help treat those suffering from drug addiction. It also includes several important policy reforms. It will expand treatment by giving prescribing authority to nurse practitioners and physician assistants to administer medication-assisted treatments for opioid addiction. It will increase the availability of naloxone, which can instantly reverse a drug overdose, to law enforcement agencies and other first responders. And it will strengthen and enhance prescription

drug monitoring programs to crack down on “doctor shopping.”

Substance abuse destroys lives. It increases crime, rips apart families, and leaves too many bodies in its wake. I want to commend the Jeffersontown Police Department for launching the Angel Program and leading the way in Kentucky in efforts to battle substance abuse. With the good work done by the Jeffersontown Police Department, along with the continued efforts we are doing here in Congress, I believe we can fight back against this scourge of addiction, and reduce its devastating effects.

The Louisville Courier-Journal recently published an article describing the Jeffersontown Police Department's Angel Program. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Louisville Courier Journal, Aug. 25, 2016]

J-TOWN'S NEW STRATEGY TO COMBAT ADDICTION

(By Amanda Beam)

Sgt. Brittney Garrett wants to save lives through changing attitudes.

Her influence can be seen in the waiting area inside the Jeffersontown Police Department, the law-enforcement agency for which she works. Pamphlets about overcoming substance abuse and local addiction support groups can be found on most every table there.

This lobby welcomes with acceptance, not doubt, supporting the revolutionary initiative Garrett has embraced.

It's called The Angel Program, and it's redefining the way law enforcement views drug addiction.

Through cooperation with community partners, the initiative gives resources to people searching for sobriety.

During their intake hours of 10 a.m. to 6 p.m. Monday through Friday, the J-Town PD serves as a conduit to connect those who seek therapy for their addiction with providers who can access and provide treatment for their needs. Folks, in most cases, will be immediately taken to a treatment facility to begin their recovery.

People who use can also turn over drugs for disposal to the police without fear of reprisal.

“The hard part isn't coming in,” Garrett said of those who enter the station to obtain assistance. “The hard part is getting through your treatment.”

Certain exclusions do apply. If you have an active warrant, a felony sex conviction, a violent history or are under 18 years old, you may not qualify. Garrett invites those with questions to phone the station at (502) 267-0503.

Since the program's August 1, 2016 start, seven people have entered the program and been placed directly into residential rehab facilities.

No wait lists. No jail. No criminalization of their illness. Just help is received.

“We have to find innovative ways to deal with the heroin problem,” said Garrett, the Angel Program Coordinator. “A lot of it comes down to just being empathetic, compassionate and educated of what we're dealing with.”

A NATIONAL SCOURGE

What J-Town and other communities across the nation are dealing with is an epidemic. Heroin use continues to rise, and overdoses soar. Jefferson County on average experiences one overdose death each day.

In addition to health concerns, crime has risen in the town of about 27,000. Increased thefts, general incidence reports and car accidents occur as ramifications of drug use. Garrett has even seen an uptick in more serious offenses as well.

“Especially on the level of law enforcement, when you deal with people with substance abuse disorder on the street, it's always bad. It's never good. It's someone committing a crime,” Garrett said.

“It's hard for us to see the human side of addiction, that you committed a crime because of your addiction.”

But humanizing those with substance-abuse issues is a hallmark of the program's creation.

THE BEGINNING

The Gloucester Police Department in Massachusetts established the now national initiative in 2015, with the aim of targeting the demand side of the drug problem. Get help for those who are addicted so they stop using, and both supply and crime should go down too. Furthermore, law-enforcement agencies would face less strain on their limited resources, and be able to concentrate on serious criminal cases.

Not only did they find these actions more compassionate, but also more successful.

So far, roughly 400 people have been referred to treatment facilities through the Gloucester program. As predicted, drug-related crimes in the surrounding area fell by more than 30 percent. Costs for treatment also fall far below the price of housing prisoners, providing another incentive.

“If you have a choice between a bed in incarceration, or a bed in treatment, I'm for the bed in treatment,” said Jeffersontown Police Chief Ken Hatmaker.

Enforcement still remains important, he added. When people break the law, consequences must be faced.

But providing treatment opportunities to those suffering from substance-use disorder can stop many of the more serious crimes from happening in the first place, a balancing act between service and enforcement that Hatmaker has learned to embrace.

“That's what it took for me to buy in was the education,” the chief said. “When you can have a 33 percent drop in property crime, I'm going to listen.”

THE IMPACT

Changing perceptions isn't always easy for law enforcement or those who find themselves addicted. At times, both face stereotypes. The program aims to correct these biases and facilitate greater communication between the police department and the larger community.

“People tend to believe that (substance-abuse disorder) is a moral failing, that people chose to have a life of destruction, which couldn't be further from the truth,” said Tara Moseley, a recovery advocate and Angel Program volunteer.

Moseley understands the impact of addiction. For more than five years, the 30-year-old Louisville resident has been in recovery. Now, through her work in organizations like Young People in Recovery and the Angel Program, she tells others with the illness that better days can be in their future.

“People need to know there is a way out and that there is hope,” she said. “A pro-

gram like the Angel Program, they actually do all that stuff for you. They're going to help you and take you where you need to go and make sure you are in somewhere and it's right now.”

The immediacy of the initiative plays a key role in its ingenuity. Those seeking assistance oftentimes face long wait lists to get into residential treatment. Not so with the Angel Program.

“Unfortunately, as it relates to the drugs of choice today, it's very possible they are risking their lives by waiting on a waiting list,” said Jennifer Hancock, president and CEO of Volunteers of America (VOA) Mid-States, a non-profit partner of Angel Program.

In addition to providing a staff member to help with the station's intake center three days a week, VOA also has placed several of the referrals from the program into its facilities.

“It's important that we strike while the iron is hot and make sure we're providing them with immediate access. Otherwise . . . then they're waiting without the security and safety net of a very structured and accountable program, and it's extremely common that they will continue using.”

Through several different initiatives that focus on specific populations, VOA maintains 185 residential treatment beds in Louisville and Lexington. More, though, are needed. Only additional funding can alleviate the overwhelming demand.

And that's the tricky part.

The J-Town Angel Program only facilitates people finding treatment. Funding of that treatment remains with the patient and the medical provider. Some facilities have pledged scholarships to the program, and many others can enroll patients in Medicaid or work with them to manage costs if they can't afford the treatment.

But funding doesn't come close to meeting the demand.

“If we have people lined up at our door, that's great,” Garrett said. “But if we can't take them somewhere because there are no beds available, no funding for these treatment centers, we're just turning people away at that point and doing the opposite of what we're wanting to do.”

Current legislation in Congress called the Comprehensive Addiction and Recovery Act could give more money to address these broader funding problems for treatment initiatives. But until that occurs, the Angel Program will do its best to continue combatting the effects of the addiction epidemic one life at a time.

“We've always been counselors and social workers as law enforcement, mediating conflict and these types of things, but this is a whole new level,” Garrett said. “We're entering into a new realm.”

REMEMBERING SEPTEMBER 11

Mr. LEAHY. Mr. President, it is hard to believe that 15 years ago this Sunday the Twin Towers fell, smoke from the Pentagon could be seen from miles away, and a plane went down in a Pennsylvania field. For those who lived through that horrible day, the memory still feels fresh.

Of course, this is especially true for those who lost loved ones. This weekend, Americans across the country will gather to remember the thousands of innocent lives that were taken so callously and indiscriminately in those

terrorist attacks. And we remember the first responders, law enforcement, intelligence, and military personnel who work every single day to keep our country safe.

This year, we must also take a moment to remember the spirit that united us in the days after the attacks. Americans of all races, religions, and backgrounds stood together in solidarity to support one another and stand against the cowardice of terrorism. Following the attacks, President George W. Bush visited a mosque. At a joint session of Congress, he reminded Americans that “no one should be singled out for unfair treatment or unkind words because of their ethnic background or religious faith.” In the years after September 11, our country did not always live up to those words, but we must remember the ideals, values, and humanity that sustained us through those first dark days.

In today’s political environment, it is easy to lose sight of that common spirit. Some are trying hard to divide us. A Federal judge has been accused of bias because of his ethnic heritage. Religious and ideological tests for visitors to the United States are discussed as though they are serious policy proposals. The sacrifices of war heroes and Gold Star families are belittled. And that is just the beginning.

On this 15th anniversary of September 11, we must reject this divisiveness. While Americans will continue to mourn the loss of so many on September 11 and in the wars that followed, we will never lose sight of the core principles that so many generations of Americans fought to protect.

Mr. CARDIN. Mr. President, this Sunday we will solemnly observe the 15th anniversary of the 9/11 terrorist attacks that killed 2,977 people from 93 different nations and injured more than 6,000 others at the World Trade Center, the Pentagon, and a field near Shanksville, PA. For those of us old enough to remember, the events of that horrific day are seared into our memories as if they just happened yesterday. Over 3,000 children lost at least one parent on 9/11. Many of these children were too young at the time to comprehend what was happening or to remember it today, even though they suffered such a devastating personal loss. According to the Census Bureau, nearly 59 million Americans have been born since 9/11. Most of these young people learn about 9/11 in school, much the same way an earlier generation of Americans learned about Pearl Harbor.

For those younger Americans who don’t remember 9/11, I think it is important for them to understand that the attacks did not just test our character; they revealed it. The worst attack in American history brought out the best in the American people. Americans responded with courage and self-sacrifice, with charity and compassion and volunteerism and with resolve.

There were incredible acts of individual heroism. “Numerous civilians in all stairwells, numerous burn [victims] are coming down. We’re trying to send them down first . . . We’re still heading up.” So said New York City Fire Department Captain Patrick “Paddy” Brown, Ladder 3, as he and 11 of his men climbed an emergency stairwell in the North Tower, making it to the 40th floor before the Tower collapsed. His remains were recovered 3 months later. Three hundred and forty-three members of the New York City Fire Department and 71 law enforcement officers gave their lives while helping evacuate 25,000 people to safety.

“Are you guys ready? Let’s roll.”—so said 32-year Todd Beamer as he and other passengers aboard United Airlines flight 93 rushed the cockpit in an attempt to regain control of the jet, which the four al-Qaeda hijackers apparently intended to crash into the White House or the U.S. Capitol. The heroism of the flight 93 passengers undoubtedly saved thousands of lives here in Washington. Todd’s wife, Lisa, was one of at least 17 pregnant women who became widows on 9/11; Morgan Kay Beamer was born on January 9, 2002.

There were incredible acts of charity and compassion and volunteerism. The National September 11 Memorial & Museum at the World Trade Center has documented some of them. Ada Rosario Dolch was the principal of a high school located just two blocks from the World Trade Center. On 9/11, she helped to evacuate 600 students safely; meanwhile, Ada’s sister Wendy Wakeford was killed. To honor Wendy’s memory, Ada helped to build a school in Afghanistan that opened in 2005.

In 2006, Tad Millinger started the “Walk to Raise” campaign with high school friends Brandon Reinhard, Chad Coulter, and Dustin Dean. They walked 650 miles from their hometown of Rossford, OH, to New York City to raise money for the National September 11 Memorial & Museum at the World Trade Center and the Flight 93 National Memorial in Pennsylvania. Tad is now a volunteer firefighter and emergency medical technician in his hometown.

Sonali Beaven was 5 years old when her father, Alan, was killed on Flight 93. “My loss is central to my identity,” Sonali has said. “In a sense, each choice I’ve made since that day has been crafted by my experience. But, because of my loss and the nature of my loss, I choose love and life every day. Because of my father and the other passengers, I can’t let fear limit me. I have to take today and every day and try to improve the world we live in and spread the ideology of love.”

There has been resolve. We resolved as a nation to bring to justice the people responsible for 9/11. Roughly 2.5 million Americans have served in the wars in Afghanistan and Iraq; despite

the horrors of war and multiple deployments, 89 percent of those veterans say they would join the military again. On May 2, 2011, Navy SEAL Team Six located and killed Osama bin Laden in Abbottabad, Pakistan, in Operation Neptune Spear. The global war on terror is far from over, but I am confident we will prevail. As President Franklin Delano Roosevelt said in his May 26, 1940 fireside chat, “We defend and we build a way of life, not for America alone, but for all mankind.”

What I hope our young people—those who don’t have a personal memory of 9/11—will understand is that, out of many, we are truly one. That was evident on 9/11, and it is still true. Our partisan, political, philosophical, and regional differences come to the fore during a Presidential campaign. But these differences ultimately are dwarfed by what binds us together as Americans: our hopes for our families, our communities, our Nation, and the world. The best way for all of us to honor those who died on 9/11 is to remember that and act accordingly—courageously, generously, compassionately, and with resolve to defend and promote justice, freedom, and peace at home and abroad.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent from this afternoon’s vote on confirmation of the nomination of Peter Michael McKinley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

On vote No. 137, had I been present, I would have voted yea on the McKinley nomination. I hope the Senate will continue to confirm President Obama’s highly qualified nominees in the weeks ahead.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I submit to the Senate the budget scorekeeping report for September 2016. The report compares current law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for Fiscal Year 2016, the conference report to accompany S. Con. Res. 11, and the Bipartisan Budget Act of 2015, P.L. 114-74, BBA 15. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is the sixth report I have made this calendar year. It is the third report since I filed the statutorily required Fiscal Year 2017 enforceable budget limits on April 18, 2016, pursuant to section 102 of BBA 15, and the tenth report I have made since adoption of the Fiscal Year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on June 8, 2016. The information contained in this report is current through September 6, 2016.

Tables 1–7 of this report are prepared by my staff on the Budget Committee. Only table 1, which tracks compliance with committee allocations pursuant to section 302 of the CBA, has changed from my previous report due to legislative activity. Of the 16 authorizing committees in the Senate, 14 are in compliance with their allocation over the enforceable 10-year period, Fiscal Year 2017–2026. The two committees not in compliance, the Senate Committee on Energy and Natural Resources and the Senate Committee on Environment and Public Works, were pushed out of compliance through passage of the Puerto Rico Oversight, Management and Economic Stability Act, PROMESA, P.L. 114–187, and the Frank R. Lautenberg Chemical Safety for the 21st Century Act, P.L. 114–182, respectively. During this same period, the Senate Committee on Commerce, Science, and Transportation reduced direct spending by \$8 million over the 10-year period with the passage of the FAA Extension, Safety and Security Act of 2016, P.L. 114–190. In total, table 1 shows that authorizing committees are \$502 million in budget authority and \$483 million in outlays above allowable direct spending levels over the 10-year window.

Tables 2–7 remain unchanged due to the legislative impasse over the Fiscal Year 2017 appropriations process.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget totals agreed to by the Congress.

Because legislation can still be enacted that would have an effect on Fiscal Year 2016, CBO provided a report both for Fiscal Year 2016 and Fiscal Year 2017. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for Fiscal Year 2016 exceed the amounts in last year's budget resolution by \$138.9 billion in budget authority and \$103.6 billion in outlays. Revenues are \$155.2 billion below the revenue floor for Fiscal Year 2016 set by the budget resolution. As well, Social Security outlays are at the levels assumed for Fiscal Year 2016, while Social Security revenues are \$23 million below levels in the budget.

For Fiscal Year 2017, CBO estimates that current law levels are below the Fiscal Year 2017 enforcement filing's allowable budget authority and outlay aggregates by \$974.1 billion and \$592.2 billion, respectively. The allowable spending room will be reduced as appropriations bills for Fiscal Year 2017 are enacted. Revenues are above the levels assumed in the enforcement filing by \$200 million in Fiscal Year 2017, \$410 million over 5 years, and \$544 million over 10 years. This is the product of revenue increases in both PROMESA, \$370 million over 10 years, and P.L. 114–182, \$192 million over 10 years, and an \$18 million reduction in revenues over 10 years from the Com-

prehensive Addiction and Recovery Act of 2016, CARRA, P.L. 114–198. Finally, Social Security outlays are at the levels assumed in the Fiscal Year 2017 enforcement filing, but the enactment of CARRA reduced Social Security revenues by \$6 million over 10 years.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. As part of the Fiscal Year 2017 enforcement filing, the Senate's pay-as-you-go scorecard was reset to zero. Since my last filing, legislative activity has resulted in an increase in the deficit of \$81 million over the Fiscal Year 2016–2021 period, but deficit reduction of \$61 million over the Fiscal Year 2016–2026 period. Over the initial 6-year period, Congress has enacted legislation that increased outlays by \$491 million and revenues by \$410 million. Over the 11-year period, outlays were increased by \$483 million and revenues by \$544 million. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the Fiscal Year 2008 budget resolution.

Finally, there is one new entry in the enforcement table included at the end of this submission, which tracks the Senate's budget enforcement activity on the floor. On June 29, 2016, a 425(a)(2) unfunded-mandate budget point of order was raised against PROMESA. This point of order was waived through a motion from Senator HATCH by a vote of 85–13.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

[In millions of dollars]

	2016	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Armed Services				
Budget Authority	–66	0	0	0
Outlays	–50	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Commerce, Science, and Transportation				
Budget Authority	130	–3	–33	–8
Outlays	0	–3	–33	–8
Energy and Natural Resources				
Budget Authority	0	200	365	370
Outlays	0	200	365	370
Environment and Public Works				
Budget Authority	2,880	2	72	212
Outlays	252	1	57	193
Finance				
Budget Authority	365	0	0	0
Outlays	365	0	0	0
Foreign Relations				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	–3,358	–9	102	–72
Outlays	1,713	–9	102	–72
Health, Education, Labor, and Pensions				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	–2	0	0	0
Outlays	388	0	0	0
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	1	0	0	0
Total				
Budget Authority	–51	190	506	502
Outlays	2,669	189	491	483

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹

[Budget authority, in millions of dollars]

	2016	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	548,091	518,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	21,750
Commerce, Justice, Science, and Related Agencies	5,101	50,621
Defense	514,000	136
Energy and Water Development	18,860	18,325
Financial Services and General Government	44	23,191
Homeland Security	1,705	38,250
Interior, Environment, and Related Agencies	0	32,159
Labor, Health and Human Services, Education and Related Agencies	0	162,127
Legislative Branch	0	4,363
Military Construction and Veterans Affairs, and Related Agencies	8,171	71,698
State Foreign Operations, and Related Programs	0	37,780
Transportation and Housing and Urban Development, and Related Agencies	210	57,091
Current Level Total	548,091	518,491
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹

[Budget authority, in millions of dollars]

	2017	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	45	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,690
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	60,634

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹—Continued
[Budget authority, in millions of dollars]

	2017	
	Security ²	Nonsecurity ²
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	45	89,742
Total Enacted Above (+) or Below (–) Statutory Limits	– 551,023	– 428,789

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS
[In millions of dollars]

	2016	
	BA	OT
OCO/GWOT Allocation ¹	73,693	32,079
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	58,638	27,354
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	160	128
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	14,895	4,597
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	73,693	32,079
Total OCO/GWOT Spending vs. Budget Resolution	0	0

BA = Budget Authority; OT = Outlays.

¹ This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)
[Budget authority, millions of dollars]

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	600
Commerce, Justice, Science, and Related Agencies	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment, and Related Agencies	28
Labor, Health and Human Services, Education and Related Agencies	6,799
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	17,786
Total CHIMPS Above (+) or Below (–) Budget Resolution	– 1,314

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND
[Budget authority, millions of dollars]

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	9,000
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	9,000
Total CVF CHIMP Above (+) or Below (–) Budget Resolution	– 1,800

TABLE 7.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)
[Budget authority, millions of dollars]

	2017
CHIMPS Limit for Fiscal Year 2017	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0

TABLE 7.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued
(Budget authority, millions of dollars)

	2017
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (–) Budget Resolution	– 19,100

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 8, 2016.
Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current

through September 6, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated June 8, 2016, the Congress has not cleared any legislation for the President's signature that has significant effects on budget authority, outlays, or revenues in fiscal year 2016.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF SEPTEMBER 6, 2016
(In billions of dollars)

	Budget Resolution	Current Level ^a	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,069.8	3,208.7	138.9
Outlays	3,091.2	3,194.9	103.6
Revenues	2,676.0	2,520.7	– 155.2
Off-Budget			
Social Security Outlays ^b	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

^a Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

^b Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF SEPTEMBER 6, 2016
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: ^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	– 784,820	– 784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	0
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	– 766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^b	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	– 2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	– 66	– 50	0
Fixing America's Surface Transportation Act (P.L. 114–94)	2,880	252	471
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114–113) ^b	2,008,016	1,563,177	– 156,107
Patient Access and Medicare Protection Act (P.L. 114–115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114–125)	20	20	– 7
Total, Enacted Legislation	2,015,853	1,569,914	– 155,996
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	9,170	6,674	0
Total Current Level ^c	3,208,699	3,194,879	2,520,737
Total Senate Resolution ^d	3,069,829	3,091,246	2,675,967
Current Level Over Senate Resolution	138,870	103,633	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	155,230

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016; the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4); and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

^b Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0
Consolidated Appropriations Act, 2016 (P.L. 114–113)	– 2	0	0

	Budget Authority	Outlays	Revenues
Total	— 2	917	0
^c For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.			
^d Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Initial Senate Resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending. The Revised Senate Resolution total below includes amounts for disaster-related spending:			
	Budget Authority	Outlays	Revenues
Initial Senate Resolution:	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4311 of S. Con. Res. 11	445	175	— 766
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	700	700	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	0	1	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4313 of S. Con. Res. 11	269	269	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3404 of S. Con. Res. 11	36,072	— 997	0
Revised Senate Resolution	3,069,829	3,091,246	2,675,967

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 8, 2016.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through September 6, 2016. This report is submitted under section 308(b) and in aid of

section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 18, 2016, pursuant to section 102 of the Bipartisan Budget Act of 2015 (Public Law 114-74).

Since our last letter dated June 8, 2016, the Congress has cleared and the President has signed the following acts that have signifi-

cant effects on budget authority, outlays, or revenues: Frank R. Lautenberg Chemical Safety for the 21st Century Act (Public Law 114-182); Puerto Rico Oversight, Management and Economic Stability Act (Public Law 114-187); Federal Aviation Administration Reauthorization Act of 2016 (Public Law 114-190); and Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198).

Sincerely,

KEITH HALL, *Director*.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 6, 2016

[In billions of dollars]

	Budget Resolution	Current Level	Current Level Over/Under (—) Resolution
On-Budget:			
Budget Authority	3,212.4	2,238.2	— 974.1
Outlays	3,219.2	2,627.0	— 592.2
Revenues	2,682.0	2,682.2	0.2
Off-Budget:			
Social Security Outlays ^a	805.4	805.4	0.0
Social Security Revenues	826.1	826.1	0.0

Source: Congressional Budget Office.

^a Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 6, 2016

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted:			
Revenues	n.a.	n.a.	2,681,976
Permanents and other spending legislation	2,054,886	1,960,659	n.a.
Appropriation legislation	0	504,803	n.a.
Offsetting receipts	— 834,250	— 834,301	n.a.
Total, Previously Enacted	1,220,636	1,631,161	2,681,976
Enacted Legislation:			
Frank R. Lautenberg Chemical Safety for the 21st Century Act (P.L. 114-182)	2	1	0
Puerto Rico Oversight, Management, and Economic Stability Act (P.L. 114-187)	200	200	200
Federal Aviation Administration Reauthorization Act of 2016 (P.L. 114-190)	— 3	— 3	0
Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198)	— 9	— 9	0
Total, Enacted Legislation	190	189	200
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	1,017,381	995,610	0
Total Current Level ^a	2,238,207	2,626,960	2,682,176
Total Senate Resolution	3,212,350	3,219,191	2,681,976
Current Level Over Senate Resolution	n.a.	n.a.	200
Current Level Under Senate Resolution	974,143	592,231	n.a.
Memorandum:			
Revenues, 2017–2026:			
Senate Current Level	n.a.	n.a.	32,351,296
Senate Resolution	n.a.	n.a.	32,350,752
Current Level Over Senate Resolution	n.a.	n.a.	544
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF SEPTEMBER 6, 2016

[In millions of dollars]

	2016–2021	2016–2026
Beginning Balance ^a	0	0
Enacted Legislation: ^{b,c,d}		
Breast Cancer Awareness Commemorative Coin Act (P.L. 114-148) ^e	0	0

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF SEPTEMBER 6, 2016—Continued

(In millions of dollars)

	2016–2021	2016–2026
Protect and Preserve International Cultural Property Act (P.L. 114–151)	*	*
Defend Trade Secrets Act of 2016 (P.L. 114–153)	*	*
Transnational Drug Trafficking Act of 2015 (P.L. 114–154)	*	*
A bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska (P.L. 114–161)	*	*
To take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes (P.L. 114–181)	*	*
Frank R. Lautenberg Chemical Safety for the 21st Century Act (P.L. 114–182)	–5	1
FOIA Improvement Act of 2016 (P.L. 114–185)	*	*
Fraud Reduction and Data Analytics Act of 2015 (P.L. 114–186)	0	0
Puerto Rico Oversight, Management, and Economic Stability Act (P.L. 114–187) ^f	–33	–8
FAA Extension, Safety, and Security Act of 2016 (P.L. 114–190)	*	*
Venezuela Defense of Human Rights and Civil Society Extension Act of 2016 (P.L. 114–194)	*	*
United States Semiquincentennial Commission Act of 2016 (P.L. 114–196)	*	*
Comprehensive Addiction and Recovery Act of 2016 (P.L. 114–198)	199	–54
Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016 (P.L. 114–210)	*	*
John F. Kennedy Centennial Commission Act (P.L. 114–215)	*	*
A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes (P.L. 114–216)	*	*
Current Balance	81	–61
Memorandum:		
Changes to Revenues	410	544
Changes to Outlays	491	483

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law; FOIA = Freedom of Information Act; FAA = Federal Aviation Administration; * = between –\$500,000 and \$500,000.

^a Pursuant to the statement printed in the Congressional Record on April 18, 2016, the Senate Pay-As-You-Go Scorecard was reset to zero.^b The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.^c Excludes off-budget amounts.^d Excludes amounts designated as emergency requirements.^e CBO estimates that P.L. 114–148 will cause a decrease in spending of \$7 million in 2018 and an increase in spending of \$7 million in 2020, resulting in a net effect on the deficit of zero over the six-year and eleven-year periods.^f EO estimates that P.L. 114–187 will cause an increase in spending over the six-year and eleven-year periods but would also increase revenues by the same amount over the same periods resulting in a net effect on the deficit of zero over the six-year and eleven-year periods.

ENFORCEMENT REPORT OF LEGISLATION POST-BIPARTISAN BUDGET ACT OF 2015 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive ^c	Result
53	April 19, 2016	S. Amdt. 3787 (Sen. Paul, R-KY) to S. Amdt. 2953 to S. 2012 (Energy Policy Modernization Act of 2015).	311(a)(2)(B)—Revenues reduced below levels assumed in the budget resolution ^a .	Sen. Paul (R-KY)	33–64, Not Waived
76	May 19, 2016	S. Amdt. 3900 (Sen. Blunt, R-MO) to S. Amdt. 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA ^b .	Sen. Collins (R-ME)	70–28, Waived
79	May 19, 2016	S. Amdt. 4039 (Sen. McCain, R-AZ) to S. Amdt. 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA ^b .	Sen. McCain (R-AZ)	84–14, Waived
115	June 29, 2016	House Amendment to S. 2328, the vehicle for the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).	425(a)(2)—Unfunded intergovernmental mandate in excess of limit ^d .	Sen. Hatch (R-UT)	85–13, Waived

^a At the time of consideration, a point estimate was unavailable for the Paul amendment. However, it was estimated that it would decrease revenues below the levels assumed in the budget resolution.^b This amendment designated \$1.1 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to combat the Zika virus.^c This amendment designated \$7.7 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to extend the Veterans Choice Program.^d In its estimate for PROMESA, the Congressional Budget Office found that the bill would impose a number of mandates on the territorial government of Puerto Rico and its instrumentalities. The costs of these mandates on public entities would exceed the annual threshold in UMRA for intergovernmental mandates (\$77 million in 2016, adjusted annually for inflation).^e Unless otherwise noted, the motion to waive was offered pursuant to section 904 of the Congressional Budget Act of 1974.

LAUNCH OF THE OSIRIS-REX SPACE CRAFT

Mr. MCCAIN. Mr. President, I am proud to come to the Senate floor to call attention and to honor the OSIRIS-REx spacecraft, which is scheduled to launch from Cape Canaveral, FL, tonight at 7 p.m.

In the finest traditions of space exploration, this spacecraft will journey on a 7-year roundtrip mission to an asteroid that NASA has classified as “potentially hazardous” to Earth—to complete a survey and return to Earth with the largest sample of extraterrestrial material since the Apollo lunar missions.

This program will yield insights into asteroid composition and how asteroids move in space. The truth is that, despite the potential for large asteroids to impact the Earth in catastrophic ways, we still know relatively little about them. The OSIRIS-REx mission will shed light onto both their physical and chemical properties, which is information that will be critical for predicting their movements and designing strategies to prevent catastrophic as-

teroid impacts to the Earth, as well as aid in the commercial exploitation of near-earth objects.

The most unique aspect of the OSIRIS-REx mission is the large and pristine sample of the asteroid that will be brought back to Earth, which will allow scientists to examine the composition of an asteroid using instruments and techniques that are far more advanced than what could be done in space. Scientists from the University of Arizona, UA, will also examine the sample for the resources that could be mined from asteroids in the future, such as precious metals. Interestingly, medium- to large-sized space rocks might contain hundreds of millions, if not billions, of dollars in minerals and precious metals.

Perhaps the most important aspect of this mission is the research into the origins of our universe and galaxy it will provide. The samples that the mission will bring back will help begin to answer some of the most profound and fundamental questions that have intrigued mankind since the beginning.

The OSIRIS-REx mission is funded by NASA and led by UA from my own

great State of Arizona. I would like to congratulate UA president Ann Weaver Hart and former president Robert Shelton for championing space exploration; Dr. Dante Lauretta of the UA Lunar and Planetary Laboratory for his leadership as principal investigator; and his team, for bringing this exciting mission to the launch stage. I understand that under the leadership of the late Dr. Michael Drake and Dr. Lauretta, UA has been working on this concept for the last 15 years.

I would also like to acknowledge the other project partners, which include NASA's Goddard Space Center; Lockheed Martin, which built the spacecraft bus on which the various science instruments are mounted; Arizona State University, which built an instrument on the spacecraft that will investigate mineral abundances and provide temperature information; KinetX Aerospace; Massachusetts Institute of Technology; and United Launch Alliance.

I also appreciate our international collaborators, including, the Canadian Space Agency and the Centre National d'Études Spatiales, CNES, i.e., the French Government space agency.

This mission is the latest of a long list of achievements by UA and its globally recognized space scientists. In fact, UA scientists have collaborated in every single American mission to the Moon and contributed to every mission to Mars since 1964, including serving as the lead on the Phoenix Mars Mission.

With this mission, UA is expanding the boundaries of space science, including innovating in the global challenge of planetary orbital object tracking through their Space Object Behavioral Sciences, SOBS, Initiative. Furthermore, I applaud UA, NASA, and Lockheed Martin for helping maintain U.S. leadership in near-Earth space, particularly at a time when the international community is showing a high interest in moving into this arena.

I wish the OSIRIS-REx team the best of luck for a successful launch. As the OSIRIS-REx countdown clock that has been hanging in my office for the last year gets very close to zero, I look forward to tuning in to NASA TV to watch history being made.

Thank you.

HONORING CHARLES WATERBURY

Ms. AYOTTE. Mr. President, today I wish to recognize the exceptional service and the extraordinary life of New Hampshire firefighter Charles "Charlie" Waterbury of Orford, NH.

Born and raised in Orford, Charlie graduated from Orford High School in 1978. Following graduation, Charlie enlisted in the U.S. Army and served for 4 years. After returning home, Charlie continued to serve his country and joined the New Hampshire Army National Guard. After 20 years of dedicated service to our State and our Nation, Charlie rose to the rank of E-5 sergeant.

Demonstrating his commitment to service, Charlie was a devoted member of the Orford community and known for his willingness to step up whenever help was needed. Prior to becoming a firefighter, Charlie served his hometown as a member of the town budget advisory committee, as a town tree warden, and, impressively, as a road agent for 17 years.

Ten years ago, Charlie joined the all-volunteer Orford Fire Department, where he soon became a beloved member of the team. Orford fire chief Terry Straight described Charlie as an excellent public servant whom "everyone respected and looked up to" and "a great go-to guy." On Sunday, July 24, as reports of a brush fire in Lyme came in, Charlie rushed to the scene, as he had done so many times before, placing the safety of others first. Sadly, Charlie gave his life in the line of duty to help extinguish the fire in Lyme. We are all grateful for Charlie's selfless service to Orford and the rest of our State.

Firefighter Waterbury leaves behind a daughter, Whitney Banker; a grand-

son, Arlo Austin Banker, and parents; Allan and Shirley Waterbury. We are all deeply saddened by the loss of a wonderful friend to many and an outstanding public servant, Charlie Waterbury.

Charlie represented the best of our State, and I send my deepest condolences to Whitney, Arlo, Allan, and Shirley during this difficult time. While we mourn the loss of an extraordinary man, we know that he served our State, Nation, and community with honor, courage, and dedication. Charlie gave so much to New Hampshire and our Nation, and we are forever grateful for his sacrifice and service.

REMEMBERING HENRY RUEMPLER

Mr. COCHRAN. Mr. President, I wish to recognize the life and service of my friend and former staff member Henry Ruempler, who passed away on August 29, 2016.

Mr. Henry Ruempler served as staff counsel to the House Committee on Government Operations before joining my staff in 1979 as counsel and later served as legislative director. Henry worked many years in my Washington, DC, office, and was a trusted colleague and friend to those who knew him. Following his departure from the U.S. Senate, he worked in the private sector, specializing in taxation and banking until his retirement in 2003.

Henry's accomplishments and service extended beyond the workforce. He was a Boy Scout leader, for which he received the Silver Beaver Award for distinguished service; PTA board member; and treasurer of Northern Virginia Senior Softball. Above all, Henry was a dedicated family man. He was married for 45 years to his wife Susan. They have two children, Kyle and Shannon; and two grandchildren, Maryella and Charlie.

For myself and all those who knew Henry, I commemorate his years of service, his friendship, and a life well lived.

ENDOCRINE SOCIETY CENTENNIAL ANNIVERSARY

Mr. MARKEY. Mr. President, today I wish to recognize and congratulate the Endocrine Society in honor of its Centennial anniversary this year.

Founded in 1916, the Endocrine Society is the world's oldest and largest professional society for endocrinologists and endocrine scientists, who focus their efforts on understanding and caring for the large interconnected system of glands in our bodies that produce hormones needed for the daily function of our bodies. These physicians and researchers are at the core of solving the most pressing health problems of our time—from diabetes and obesity, to infertility, bone health, and hormone-related cancers.

Throughout this year, the Endocrine Society is celebrating its 100th anniversary by focusing on endocrinology's past contributions to science and public health, while keeping an eye on today's promising research, which will lead to the discoveries of tomorrow. I am very pleased that this included holding its annual meeting and expo in Boston which drew thousands of endocrinologists from around the globe to Massachusetts. I am also pleased to note that this year the president of the Endocrine Society is Dr. Henry Kronenberg, chief of the endocrine unit at Massachusetts General Hospital, and Professor of Medicine at Harvard Medical School in Boston, MA.

Over the Endocrine Society's past 100 years, there have been remarkable discoveries and advances in biomedical research, but there is still much to learn. Thankfully, advances in endocrine research are accelerating. Today, thanks in part to funding from the National Institutes of Health, we have many doctors and scientists working to create fascinating tools to improve human health.

As one example, the bionic pancreas, developed by Dr. Ed Damiano, a professor of biomedical engineering at Boston University, completely automates the process of tracking and adjusting blood sugar. This device does not cure diabetes, but it battles its greatest threat: the dramatic fluctuations in blood sugar that cause significant side effects and even death.

I am truly appreciative of the accomplishments of endocrinologists and endocrine researchers—many who work, study, and practice in Massachusetts—over the past 100 years, and I am excited about the future of this field and better understanding how our environment impacts the way in which our hormones function and contribute to disease.

I offer sincere congratulations to the Endocrine Society on their 100th anniversary, and I look forward to seeing future advancements in the field that lead to women and men living longer, healthier lives.

TRIBUTE TO MAJOR WILLIAM GORBY

Mr. MANCHIN. Mr. President, today I wish to acknowledge the service of my former defense fellow MAJ William Gorby, who is coming to the end of his assignment as part of his experience in the Army Congressional Fellowship Program.

Mike joined my office in 2014, and immediately, his dedication, work ethic, and intelligence made him a trusted voice on my legislative team. A proud member of the West Virginia National Guard, Mike has deployed multiple times in defense of our country, and through his service, our Nation is a safer place. Most importantly, Mike is

also a devoted husband and father, and I have had the pleasure of watching his family grow over the last several years.

As Mike moves on to another assignment outside the realm of legislation, I want to extend my thanks for his service and wish him and his family continued success in his future endeavors.

ADDITIONAL STATEMENTS

RECOGNIZING HOPE FOR NEW HAMPSHIRE RECOVERY DURING NATIONAL RECOVERY MONTH

• Ms. AYOTTE. Mr. President, today I wish to recognize National Recovery Month and to applaud the accomplishments of a great organization in my home State: HOPE for New Hampshire Recovery. As New Hampshire battles a growing heroin and prescription opioid abuse crisis, the team at HOPE has brought a compassionate approach to caring for their fellow Granite Staters. Across our State, HOPE has opened six recovery centers in Manchester, Derry, Newport, Claremont, Concord, and Berlin. I was glad to join them at many of these grand opening ceremonies. These centers are important community resources, and I appreciate their work to reach every corner of our State. On Sunday, September 17, 2016, HOPE is hosting the Rally4Recovery NH, so that New Hampshire residents can show support for their families, friends, neighbors, and loved ones living in or seeking recovery.

National Recovery Month is sponsored by the Substance Abuse and Mental Health Services Administration as a means to bring greater awareness and understanding of mental and substance use disorders and to celebrate people in recovery.

Ensuring support exists for policies, programs, and initiatives that can lead to long-term recovery is a critically important piece of our comprehensive response to the heroin and prescription opioid abuse epidemic. This crisis touches all of us and as a significant public health crisis; our response must be comprehensive in nature, focusing on prevention, treatment, recovery, and support for first responders, in addition to working together to eliminate the stigma associated with addiction. National Recovery Month helps bring awareness to the efforts of groups like HOPE, who work in their communities to provide long-term resources for individuals seeking and in recovery.

We are fortunate for the dedicated work that HOPE does on a daily basis to support recovery in New Hampshire, and I am deeply grateful for their efforts to change the conversation around substance use disorders and show that long-term recovery is achievable. As we recognize National Recovery Month this September, I applaud organizations like HOPE for New

Hampshire Recovery that are making significant differences in their communities and helping to save and improve lives.●

50TH ANNIVERSARY OF THE NEW HAMPSHIRE COLLEGE & UNIVERSITY COUNCIL

• Ms. AYOTTE. Mr. President, today I wish to help commemorate the 50th anniversary of the founding of the New Hampshire College & University Council, NHCUC. Throughout the past half century, the NHCUC has consistently endeavored to advance the interests of both public and private higher education in my home State of New Hampshire.

Established in 1966 as a statewide consortium of both public and private higher education institutions, the council is committed to enhancing the quality of higher education in New Hampshire, offering students attending its member institutions opportunities for enriched experiences, as well as providing a foundation for enhanced communication among the member institutions.

The NHCUC is directed by the chancellors and presidents of the member institutions who have supported the collaborative work of the organization for 50 years. The council serves its member institutions through programs in academic affairs, admissions, library services, career services, and many other programs and initiatives in service to the students, faculty, and staff at the member institutions.

In addition, the NHCUC offers an important voice in advocating awareness of and appreciation for the importance of the higher education sector as a partner in growing New Hampshire's economic prosperity, educating the next generation of skilled workers for the twenty-first century, and enhancing the civic life of our State and local communities.

I appreciate the work of this unique statewide higher education consortium that strives to encourage all of New Hampshire's citizens to promote and advance both public and private higher education in the Granite State. It is my honor to recognize and congratulate the New Hampshire College & University Council as they reach this historic milestone, and I wish them many more years of success.●

FIFTEENTH ANNIVERSARY OF THE NATIONAL ASSOCIATION OF FREE & CHARITABLE CLINICS

• Mrs. CAPITO. Mr. President, I wish to congratulate the National Association of Free & Charitable Clinics on their 15th anniversary and to recognize the outstanding work of our Nation's 1,200 free and charitable clinics in providing vital medical services to low-income, uninsured residents, including

the eight clinics in my home State of West Virginia.

West Virginia's free and charitable clinics, with the assistance of their more than 1,000 dedicated volunteer professionals, provide health care for over 42,000 working poor of West Virginia. These clinics focus on the overall needs of patients by providing medical, dental, pharmaceutical, behavior health, vision, and health education services and ensure a medical home for vulnerable at-risk West Virginians.

Annually, America's 1,200 free and charitable clinics provide health care to 1.7 million people through 5.9 million patient visits. This is accomplished through a dedicated staff and over 160,000 volunteers, including 30,000 medical providers, 21,000 nurses, and almost 71,000 nonmedical volunteers.

Free and charitable clinics do not receive dedicated Federal funding. Instead, these clinics rely heavily on private donations from individual donors, foundations, grants, and volunteers, which allow them to keep their doors open and to deliver health care to those who need it the most.

I look forward to continuing to work with my colleagues in Congress to better address the needs of the medically underserved and to increase awareness and understanding of the important work that free and charitable clinics do every day.●

TRIBUTE TO LAURANCE M. MILLER

• Mr. CRUZ. Mr. President, I am pleased to share with my colleagues a remarkable achievement by a very distinguished American citizen, Laurance M. Miller. On October 29, 2016, Mr. Miller will have devoted over 50 years of his life to the service of his country as an officer and civil servant in the U.S. Air Force. His honorable career began when he was commissioned as a second lieutenant in the U.S. Air Force on June 6, 1966, from ROTC at the University of Akron.

Miller was stationed at Chanute Air Force Base in Illinois for training as an aircraft maintenance officer and assigned to the 526th TAC Fighter Squadron in 1967. In 1969, Miller received his orders to Vietnam, but the Pueblo Crisis diverted him to Kunsan Air Force Base in Korea, where he served as a maintenance officer for the next year and was promoted to captain.

In 1970, Miller was honorably discharged from Active Duty, but remained an Air Force Reservist with the 916th TAC Fighter Squadron in Youngstown, OH, until 1977.

On August 11, 1973, Miller made the best decision of his life when he married Patricia Kraus at St. Sebastian's Catholic Church in Akron, OH. They are the proud parents of Kevin, Melissa, and Matthew, and now grandparents of Ethan, Joy, Dylan, and Joshua.

Miller resumed Active Duty in 1977 and was assigned to Air Force Reserve Headquarters, AFRH, at Robins Air Force Base in Georgia. During his assignment at AFRH, he was promoted to major and honorably discharged from Active Duty in 1982.

He and his family then moved to New Orleans, LA, where he was assigned to 526th TAC Fighter Squadron and the New Orleans Naval Air Station as an air reserve technician. There he had the unique distinction of serving simultaneously as a civil servant for the Air Force, as well as an active Air Force Reservist.

Miller was assigned to Air Force Materiel Command, AFMC, individual mobilization augmentee at Hanscom Air Force Base in Massachusetts in 1984. During this time, he continued to serve as both a civil service employee and an active Reservist for the U.S. Air Force.

Mr. Laurance Miller devoted his life to the U.S. Air Force. His patriotic and unselfish commitment to his chosen branch of service and to the United States of America are extraordinary. I am honored to recognize him for a job well done, and I sincerely wish Larry and Pat happy trails as they enjoy a well-earned retirement together.●

TRIBUTE TO TOM RUMMEL

● Mr. DAINES. Mr. President, today I recognize Tom Rummel of Sanders County, who has served as sheriff since 2010. Thanks to his initiative and hard work, citizens affected by the Copper King Fire have been kept safe and up to speed on the latest fire activity.

Sheriff Rummel has coordinated local law enforcement and emergency services for weeks to ensure the safety of Montanans and their property as the Copper King Fire has grown to be the largest wildfire in the State.

As the fire increased in size to over 28,000 acres, Mr. Rummel implemented evacuation and pre-evacuation notices to numerous residences. In addition to phone calls, public notices around the county, and house visits, Sheriff Rummel has used Facebook to keep the community apprised of the very latest information about the fire. He has posted regular updates to the Sanders County Sheriff's Facebook page, using the power of social media to get the word out to his community.

While recent weather has tempered the spread of the Copper King Fire, Sanders County will not be completely out of the woods until we see a season-ending weather event. As Montanans continue to suffer the consequences of Federal mismanagement of our forests, it is often up to local leaders to protect our communities from wildfires.

I commend Sheriff Rummel for his tireless work to keep Montanans safe and keep his community informed. All Montanans, and indeed all Americans, owe our local law enforcement and

emergency responders a debt of gratitude for their daily efforts on our behalf.

REMEMBERING DOUGLAS MOORE

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to Douglas Moore from Montgomery, AL, who passed away on June 4, 2016. Doug was a good man who loved his family, his country, his many friends, and was always positive and productive, and he was a good friend, adviser, and helper to me. He made his own decisions and worked hard to achieve the values he believed in even when it was not easy to do so. That determination and courage was something I appreciated and admired, as did so many.

Doug and I knew each other for many years and grew up in rural Alabama not too far away from each other and at a similar time. We understood each other and shared a history of time and place. Doug was one of my favorite people. His positive spirit was contagious, as he was always thinking and always working to make America a better place. That is the definition of a patriot.

He was a man of many talents and a successful businessman. He owned a wide variety of businesses, from restaurants to a cosmetics line, courier service, and a car dealership. He worked particularly hard in Alabama to promote small and minority businesses. I was pleased to successfully urge his appointment by President Bush to the committee overseeing the U.S. Department of Agriculture responsibilities in Alabama. The Alabama Farm Service Agency handles programs including commodities, loans, disaster assistance, food assistance, and export credits. He had a farming background and was a valuable member of the committee, fully understanding the needs of small and minority farmers in the State.

Doug will always be remembered for his love of his family, church, and fellow man. He leaves behind his wife of 45 years, Shirley Ann Moore; his loving daughter, Carmen Moore-Zeigler; son-in-law, Henry Zeigler; a granddaughter who was the apple of his eye, Da Brianna Zeigler; and 11 brothers and sisters.

REMEMBERING TYREE A. RICHBURG

● Mr. SESSIONS. Mr. President, I rise today to remember Tyree A. Richburg of Mobile, AL. Reverend, marshal, and chief, Richburg had a wonderful life that blessed so many. He was a great law enforcement officer, starting as a patrolman for the Mobile Police Department, where he worked for over 40 years earning the rank of lieutenant in 1978, and then as chief of police for Prichard, AL. Following that, he was

appointed as U.S. marshal for the Southern District of Alabama, where he served with distinction from 1978 to 1981. Appointed by the President and confirmed by the Senate, U.S. marshals stand with the U.S. attorney as the representatives for the executive branch of the government in the judicial districts. Marshal Richburg was supported by his fine team of deputies and staff and, under his leadership, he fulfilled his duties in an exceptional manner.

In 1988, after years of dedicated service in law enforcement, he accepted a calling to ministry and in 2001 began his tenure as pastor of the Tabernacle Missionary Baptist Church. Indeed, in many ways his concept of law enforcement was as a ministry. He was firm with lawbreakers, but he treated each one with dignity and the kindness the situation would allow.

Tyree Richburg was honest, courageous, determined, generous, and kind. He reflected the great qualities we should all strive for. During the time I was U.S. attorney, he was a good friend, and we worked together in a relationship of confidence and trust.

His beloved wife of 63 years, Celestine Richburg, preceded him in death, but he leaves behind 4 children, 10 grandchildren, 5 great-grandchildren, and many loving clergy associates and friends.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:47 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2845. An act to promote access to benefits under the African Growth and Opportunity Act, and for other purposes.

H.R. 4481. An act to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

H.R. 5063. An act to limit donations made pursuant to settlement agreements to which

the United States is a party, and for other purposes.

H.R. 5537. An act to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 131. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Speaker appoints Mr. KINZINGER of Illinois as a conferee to fill the vacancy caused by the resignation of Mr. Whitfield of Kentucky on the conference committee on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

The message further announced that pursuant to section 4(a) of the John F. Kennedy Centennial Commission Act (Public Law 114-215), the Minority Leader appoints Mr. JOSEPH P. KENNEDY III of Massachusetts to the John F. Kennedy Centennial Commission.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2845. An act to promote access to benefits under the African Growth and Opportunity Act, and for other purposes; to the Committee on Foreign Relations.

H.R. 4481. An act to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes; to the Committee on Foreign Relations.

H.R. 5063. An act to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 5537. An act to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6740. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Citrus tristeza virus expressing spinach defense proteins 2, 7, and 8; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 9947-19) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6741. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Butanedioic acid, 2-methylene-, polymer with 1,3 butadiene, ethylbenzene and 2 hydroxyethyl-2-propenoate; Tolerance Exemption" (FRL No. 9950-63) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6742. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorantraniliprole; Pesticide Tolerances" (FRL No. 9950-04) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6743. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's proposed fiscal year 2016 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6744. A communication from the Acting Deputy Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Broadband Access Loans and Loan Guarantees" (RIN0572-AC34) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6745. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling" (RIN0579-AE19) (Docket No. APHIS-2008-0008) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6746. A communication from the Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-6747. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-6748. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Interpretive Rule Under the

Military Lending Act Limitations on Terms of Consumer Credit Extended to Service Members and Dependents" (RIN0790-ZA11) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Armed Services.

EC-6749. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations to Include August 4, 2016 Continuation of Emergency Declared in Executive Order 13222" (RIN0694-AH09) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6750. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2015 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-6751. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Sacramento County, CA, et al." ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6752. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Athens-Clarke County, GA, et al." ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6753. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Access to Data Obtained by Security-Based Swap Data Repositories" (RIN3235-AL74) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6754. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6755. A communication from the Secretary of the Interior, transmitting proposed legislation to approve the location of the National Desert Storm War Memorial; to the Committee on Energy and Natural Resources.

EC-6756. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedure for Compact Fluorescent Lamps" (RIN1904-AC74) (Docket No. EERE-2015-BT-TP-0014) received during adjournment of the Senate

in the Office of the President of the Senate on August 30, 2016; to the Committee on Energy and Natural Resources.

EC-6757. A communication from the Division Chief, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “BLM Internet-Based Auctions” (RIN1004-AE46) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Energy and Natural Resources.

EC-6758. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the U.S. Economic Development Administration (EDA) for fiscal year 2015; to the Committee on Environment and Public Works.

EC-6759. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the West Sacramento project in Yolo County, California; to the Committee on Environment and Public Works.

EC-6760. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Craig Harbor, Alaska, Navigation Improvement Project; to the Committee on Environment and Public Works.

EC-6761. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the American River Common Features project in Sacramento and Yolo Counties, California; to the Committee on Environment and Public Works.

EC-6762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Priorities List” (FRL No. 9952-06-OLEM) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Connecticut; NOx Emission Trading Orders as Single Source SIP Revisions” (FRL No. 9957-94-Region 1) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Charleston, South Carolina” (FRL No. 9951-96-Region 4) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6765. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Indiana; Redesignation of the Indiana Portion of the Louisville Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter” (FRL No. 9951-95-Region 5) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled “Outer Continental Shelf Air Regulations Consistency Update for Maryland” (FRL No. 9950-98-Region 3) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6767. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS)” (FRL No. 9951-87-Region 7) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6768. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Quality Designations for the 2012 Primary Annual Fine Particle Matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS) for Areas in Georgia and Florida” (FRL No. 9951-91-OAR) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6769. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan” (FRL No. 9951-86-Region 7) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6770. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers” ((RIN2060-AS10) (FRL No. 9951-64-OAR)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6771. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Air Quality Implementation Plans; Puerto Rico; Infrastructure Requirements for the 1997 and 2008 Ozone, 1997 and 2006 Fine Particulate Matter and 2008 Lead NAAQS” (FRL No. 9945-84-Region 2) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2” ((RIN2060-AS16 and RIN2127-AL52) (FRL No. 9950-25-OAR)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6773. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Extension of Expiration Dates for Four Body Systems Listings” (RIN0960-A103) received during adjournment of the Senate

in the Office of the President of the Senate on August 29, 2016; to the Committee on Finance.

EC-6774. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-1114); to the Committee on Foreign Relations.

EC-6775. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-1115); to the Committee on Foreign Relations.

EC-6776. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-014); to the Committee on Foreign Relations.

EC-6777. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102-1) for the April 11, 2016–June 9, 2016 reporting period; to the Committee on Foreign Relations.

EC-6778. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-045); to the Committee on Foreign Relations.

EC-6779. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 16-027); to the Committee on Foreign Relations.

EC-6780. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-030); to the Committee on Foreign Relations.

EC-6781. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-047); to the Committee on Foreign Relations.

EC-6782. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-041); to the Committee on Foreign Relations.

EC-6783. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-050); to the Committee on Foreign Relations.

EC-6784. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period April 1, 2016 through May 31, 2016; to the Committee on Foreign Relations.

EC-6785. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting,

pursuant to law, a report of a vacancy in the position of Assistant Secretary of State (Western Hemisphere Affairs), received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6786. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting, pursuant to law, a report of a vacancy in the position of Ambassador at Large for War Crimes Issues, received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6787. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting, pursuant to law, a report of a vacancy in the position of Assistant Secretary of State (Political-Military Affairs), received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6788. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 16-056); to the Committee on Foreign Relations.

EC-6789. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Technical Amendments" (Docket No. FDA-2016-N-0011) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6790. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs" (RIN0910-AA49) (Docket No. FDA-2005-N-0464) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6791. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2016 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC-6792. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Plan to Address Alzheimer's Disease: 2016 Update"; to the Committee on Health, Education, Labor, and Pensions.

EC-6793. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Health, United States, 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-6794. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act)" (RIN1830-AA22) received during adjournment of the Senate in the Office of the President of the Senate on Sep-

tember 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6795. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Workforce Innovation and Opportunity Act, Miscellaneous Program Changes" (RIN1820-AB71) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6796. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "State Vocational Rehabilitation Services Program; State Supported Employment Services Program; Limitations on Use of Subminimum Wage" (RIN1820-AB70) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6797. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Head Start Performance Standards" (RIN0970-AC63) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6798. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Workforce Innovation and Opportunity Act, Miscellaneous Program Changes" (RIN1820-AB71) (Docket ID ED-2015-OSERS-0002) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6799. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act)" (RIN1830-AA22) (Docket ID ED-2015-OCTAE-0003) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6800. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage" (RIN1820-AB70) (Docket ID ED-2015-OSERS-0001) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6801. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Savings Arrangements Established by States for Non-Governmental Employees" (RIN1210-AB71) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6802. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "The Food and Drug Adminis-

tration Food Safety Modernization Act; Extension and Clarification of Compliance Dates for Certain Provisions of Four Implementing Rules" (RIN0910-AG10; RIN0910-AG35; RIN0910-AG36; and RIN0910-AG64) (Docket Nos. FDA-2011-N-0920; FDA-2011-N-0921; FDA-2011-N-0922; and FDA-2011-N-0143) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6803. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drugs for Use in Animal Feed; Category Definitions" (Docket No. FDA-2016-N-1896) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6804. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final priority and requirement—Equity Assistance Centers" (CFDA No. 84.004D.) (Docket No. ED-2016-OESE-0015) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6805. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-449, "Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-6806. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District Agencies Did Not Provide Sufficient Oversight of Private Development Projects and Have Not Collected Potentially Significant Fines"; to the Committee on Homeland Security and Governmental Affairs.

EC-6807. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guarantee: Delegation of Authority" (RIN2900-AP77) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Veterans' Affairs.

EC-6808. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Excepted Service and Pathways Programs Miscellaneous Clarifications and Corrections" (RIN3206-AM97) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6809. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the Asheville, NC, and Charlotte, NC, Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AN37) received during adjournment of the Senate in the Office of the President of the

Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6810. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area" (RIN3206-AN26) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6811. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees' Group Life Insurance Program: Court Orders Prior to July 22, 1998" (RIN3206-AM67) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6812. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-469, "Grocery Store Restrictive Covenant Prohibition Temporary Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-6813. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-471, "Washington Metropolitan Area Transit Authority Compact Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-6814. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-470, "Gas Station Advisory Board Temporary Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-6815. A communication from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Select Committee on Intelligence.

EC-6816. A communication from the Chair of the Committee on Rules of Practice and Procedure, Judicial Conference of the United States, transmitting, pursuant to law, a report on a pending amendment to Federal Rule of Civil Procedure; to the Committee on the Judiciary.

EC-6817. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC-6818. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5462)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6819. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3989)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6820. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-0466)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6821. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5460)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6822. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8468)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6823. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8429)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6824. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8841)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6825. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5464)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6826. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-

2016-5594)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6827. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8472)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6828. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8838)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6829. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5459)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6830. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Continental Motors, Inc. Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6831. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5465)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6832. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (62); Amdt. No. 3703" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6833. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (69);

Amdt. No. 3704" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6834. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (56); Amdt. No. 3706" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6835. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (73); Amdt. No. 3705" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6836. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Linton, ND" (RIN2120-AA66) (Docket No. FAA-2016-5456) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6837. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Platte, SD" (RIN2120-AA66) (Docket No. FAA-2016-5386) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6838. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Harvey, ND" (RIN2120-AA66) (Docket No. FAA-2016-5487) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6839. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Park River, ND" (RIN2120-AA66) (Docket No. FAA-2016-5856) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6840. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Michigan towns; Alma, MI; Bellaire, MI; Cadillac, MI; Drummond Island, MI; Gladwin, MI; Holland, MI; and Three Rivers,

MI" (RIN2120-AA66) (Docket No. FAA-2016-4629) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6841. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Minnesota Towns; Hutchinson, MN; Jackson, MN; Pipestone, MN; Two Harbors, MN; and Waseca, MN" (RIN2120-AA66) (Docket No. FAA-2016-4271) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6842. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Syracuse Hancock International Airport, NY" (RIN2120-AA66) (Docket No. FAA-2016-3937) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6843. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Boise, ID" (RIN2120-AA66) (Docket No. FAA-2016-7467) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6844. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Peoria, IL" (RIN2120-AA66) (Docket No. FAA-2016-7416) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6845. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Lake Providence, LA" (RIN2120-AA66) (Docket No. FAA-2016-4236) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6846. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D Airspace; North, SC" (RIN2120-AA66) (Docket No. FAA-2016-1074) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6847. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Northern Red Hake

Inseason Possession Limit" (RIN0648-XE787) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6848. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE708) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6849. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (RIN0648-XE789) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6850. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts" (RIN0648-XE810) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6851. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XE802) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6852. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2016 Winter II Quota" (RIN0648-XE755) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6853. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "On-Time Performance Under Section 213 of the Passenger Rail Investment and Improvement Act of 2008" (RIN2140-AB22) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6854. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Champlain Valley of New York Viticultural Area" (RIN1513-AC19) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6855. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expansion of the Sta. Rita Hills Viticultural Area" (RIN1513-AC10) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6856. A communication from the Assistant Chief Counsel for Hazmat Division, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: FAST Act Requirements for Flammable Liquids and Rail Tank Cars" (RIN2137-AF17) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6857. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Maryville, Missouri)" (MB Docket No. 16-68) (DA 16-894) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6858. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991" (FCC 16-99) (CG Docket No. 02-278) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6859. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "2014 Quadrennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; 2010 Quadrennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; Promoting Diversification of Ownership in the Broadcasting Services; Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets" (FCC 16-107) (MB Docket No. 14-50; MB Docket No. 09-182; MB Docket No. 07-294; and MB Docket No. 04-256) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6860. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, a notice relative to the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6861. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE707) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 815. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians (Rept. No. 114-345).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment and an amendment to the title:

S. 1007. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park (Rept. No. 114-346).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1448. A bill to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon (Rept. No. 114-347).

S. 2309. A bill to amend title 54, United States Code, to establish within the National Park Service the U.S. Civil Rights Network, and for other purposes (Rept. No. 114-348).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Kathleen Marie Sweet, of New York, to be United States District Judge for the Western District of New York.

Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. AYOTTE:

S. 3299. A bill to direct the Secretary of Homeland Security to notify air carriers and security screening personnel of the Transportation Security Administration of the guidelines of the Administration regarding permitting baby formula, breast milk, and juice on aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE (for himself and Mr. McCain):

S. 3300. A bill to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. RUBIO:

S. 3301. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief; to the Committee on Small Business and Entrepreneurship.

By Mrs. BOXER:

S. 3302. A bill establishing the Centers for Disease Control and Prevention Emergency Response Fund for the Director of the Centers for Disease Control and Prevention to provide assistance for a public health emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. 3303. A bill to exempt firefighters and police officers from the Government Pension Offset and Windfall Elimination Provisions under the Social Security Act; to the Committee on Finance.

By Mr. THUNE:

S. 3304. A bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY:

S. 3305. A bill to amend title XVIII of the Social Security Act to require the use of electronic visit verification systems for home health services under the Medicare program; to the Committee on Finance.

By Mr. LANKFORD (for himself and Mr. MORAN):

S. 3306. A bill to amend title 18, United States Code, to prohibit dismemberment abortions, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself and Ms. COLLINS):

S. 3307. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to avoid duplicative annual reporting, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. MURPHY, Mr. LEE, and Mr. FRANKEN):

S.J. Res. 39. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of the Kingdom of Saudi Arabia of M1A1/A2 Abrams Tank structures and other major defense equipment; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY (for himself, Ms. WARREN, Mr. CASEY, Mrs. GILLIBRAND, and Mr. BOOKER):

S. Res. 549. A resolution expressing a commitment by the Senate to never forget the service of aviation's first responders; considered and agreed to.

By Ms. MIKULSKI (for herself, Ms. COLLINS, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. McCASKILL, Ms. WARREN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mrs. ERNST, Ms. HIRONO, Mrs. FISCHER, Mr. PETERS, and Mr. CARDIN):

S. Res. 550. A resolution designating the week of September 5 through September 9, 2016, as "Recognizing the 40th Anniversary of Women at the United States Naval Academy Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. VITTER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 17, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 275

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 1476

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1476, a bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes.

S. 1634

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1634, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 2253

At the request of Mr. BLUMENTHAL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2645

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally rec-

ognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

At the request of Mrs. SHAHEEN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Vermont (Mr. LEAHY), the Senator from Maine (Ms. COLLINS), the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2645, *supra*.

S. 2702

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2702, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 2703

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2703, a bill to amend the Internal Revenue Code of 1986 to allow rollovers between 529 programs and ABLE accounts.

S. 2704

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2704, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 2720

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2720, a bill to require the Securities and Exchange Commission to amend certain regulations, and for other purposes.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2890

At the request of Ms. AYOTTE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2890, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2927, a bill to prevent gov-

ernmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2993

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2993, a bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms.

S. 3039

At the request of Mr. KING, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3039, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 3065

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3153

At the request of Mr. ROUNDS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 3153, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 3155

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey

(Mr. MENENDEZ) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3195

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3195, a bill to amend title XVIII of the Social Security Act to preserve Medicare beneficiary access to ventilators, and for other purposes.

S. 3230

At the request of Mr. KING, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3230, a bill to amend the Older Americans Act of 1965 to establish an initiative, carried out by the Assistant Secretary for Aging, to coordinate Federal efforts and programs for home modifications enabling older individuals to live independently and safely in a home environment, and for other purposes.

S. 3251

At the request of Mr. COTTON, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3251, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3256

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3256, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

S. 3276

At the request of Mr. GRASSLEY, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Kentucky (Mr. McCONNELL) were added as cosponsors of S. 3276, a bill to make habitual drunk drivers inadmissible and removable and to require the detention of any alien who is unlawfully present in the United States and has been charged with driving under the influence or driving while intoxicated.

S. 3281

At the request of Mr. REID, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. HEINRICH) were added as

cosponsors of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. GARDNER), the Senator from North Carolina (Mr. TILLIS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. CON. RES. 49

At the request of Mr. UDALL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Con. Res. 49, a concurrent resolution supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of Indians, Alaska Natives, and Native Hawaiians in the United States and internationally.

AMENDMENT NO. 4981

At the request of Mr. REID, his name was added as a cosponsor of amendment No. 4981 proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4983

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 4983 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RUBIO:

S. 3301. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for dis-

aster relief; to the Committee on Small Business and Entrepreneurship.

Mr. RUBIO. Mr. President, I come to the floor again—I believe for the 10th time since March—to discuss the Zika virus.

The first time I talked about this was back in January. There was a report out that said Zika, the disease, was being transmitted by mosquitoes and there was an outbreak in Brazil. Immediately for me alarm bells went off because being from Miami, FL, my hometown, if you go to the airport and look at the board, the number of flights coming from Brazil to South Florida, the numbers are high. There are dozens of flights a week back and forth. My immediate thought at that time was that this is going to be an issue for Florida and ultimately for America, given the amount of travel back and forth.

I also saw the outbreak in the territory of Puerto Rico, a place I have taken a tremendous interest in since my time here. As everyone knows, Puerto Rico is not officially represented in this Chamber, but I, along with my colleagues Senator MENENDEZ of New Jersey and Senator NELSON of Florida, have always looked out for the interests of the island and its people who are U.S. citizens. So knowing the link between Florida and Puerto Rico and the link between Zika and Puerto Rico, I knew as early as January that this was going to be an issue. I immediately talked to our Border Patrol folks and our Customs people at our airports and seaports about ensuring we are doing everything we can.

In March, when the President came out in February and March and talked about the need for \$1.9 billion to fight Zika, I believe I was the first Republican—certainly in this Chamber—to come out in favor of that request because my argument at the time was, we don't know fully what we are dealing with here, but let's get ahead of it. Let's jump in front of it and let's deal with it. Otherwise it will only get worse. Unfortunately, that didn't happen.

In much of April and March, there was not much attention paid to this. So cases started coming up domestically, mostly travel-related. The Senate did move, and I am proud of the fact that after some back and forth, this place worked. We worked across the aisle, and I worked with Senator NELSON on his proposal and other proposals. In fact, I believe I am the only Member of Congress who voted in favor of every single Zika proposal because in my mind I wanted the money to flow so local governments and States could deal with it and researchers could develop a vaccine. We passed a law for \$1.1 billion. It was a product of compromise. It was less than what the President asked for, but it began to move. Unfortunately, the House had a

different idea and this is where we are today.

When we left in July, there had not been a reported case of a transmission of Zika by a mosquito, but as I warned through April, May, June, and July, it was only a matter of time. If you spent any amount of time in Florida, you know it is hot, it is humid, that it rains, and there are a lot of mosquitoes. You have a State which is a key entry point between key areas and the continental United States and you have mosquitoes. It didn't take a scientist or an expert in Zika to know the combination of those two things were going to lead to locally based transmission. Sadly, that is what is happening.

There is a neighborhood in Miami, FL, called Wynwood. This was an area that is economically depressed and it has come alive. It is a center of art. They have these murals where graffiti artists were allowed to come in and put in these extraordinary murals. It is not graffiti. It is art. It is a place where the art community is centered and has come alive with some of the best restaurants in South Florida. This is the Wynwood community.

It is a magnet for tourists. There are people who fly to Florida, and South Florida in particular, and go straight to Wynwood because they want to be in that area. It was the first area impacted, and the CDC came out with a warning telling people to avoid a neighborhood. This is usually the kind of advisory that goes out about avoiding other countries, telling Americans and travelers, specifically, to avoid a certain part of a certain neighborhood.

Can you imagine the impact it had on the businesses in that community? We talked about the human toll of Zika, of the infection, and of what it does to unborn children, but there is also the economic impact of having a lead health care agency in charge of public health in America issue a warning to Americans to avoid a neighborhood in an American city. I promise you that was not good for those businesses. Some of these businesses had to close for weeks on end and days on end.

Then a few weeks later we had reports of the disease being transmitted on Miami Beach. I don't need to tell you about Miami Beach. Everyone knows about Miami Beach. It is the cornerstone of tourism in South Florida. People come to Miami Beach from all over the world to enjoy world-class beaches, nightlife, entertainment, and restaurants. I want you to put yourself in a position of a small business owner—not just a large hotel chain, which is relevant here, but a small business owner.

Imagine if you are a family who runs a restaurant on Collins Avenue in Miami Beach. You are depending your whole year, your budget and your payroll is built on a predictable pattern of

travelers coming in the summer and coming in the fall and especially in the winter. You are estimating the number of travelers who will come in. They will leave money at these restaurants and they are going to go home. Now you have a report of these transmissions and similar warnings as well. What you learn from this is that this Zika issue is not just a health care issue—and that is by far the primary focus of what our attention should be—but it is also an economic issue and it is hurting small businesses. It is hurting the municipalities. Miami Beach as a city is going to see tax revenues go down. It is going to hurt the State of Florida because of failed tax revenue and so forth. It is going to hurt one of the engines of our tourism sector—the reports of this transmission. You know what is hurting it even worse? When people turn on the news, people are hearing there are people being infected with Zika in Florida and Congress is still haggling and fighting over it and can't get anything done. That does not inspire confidence.

So today I have filed a bill, an additional bill, in addition to calling on us to move on Zika. Let me touch on this first. It is inexcusable. How did we get to this point? How did a public health crisis become a political tool to be played with back and forth? Yet that is what Washington has become, a place that has become expert at literally turning any issue into a political issue, and it has done so again with this issue. That is why people are grossed out and disgusted with American politics. When they watch the news and see this fighting, they don't get it. They understand there is this problem with Zika, and it is spreading and hurting people. We just had a case of a child born in Miami Dade County, at the Jackson Memorial Hospital—not with microcephaly but with Zika—a child, a baby, starting out life infected with Zika. They are asking: How can you guys turn this thing into a political issue? That is what Washington has done. Both parties are to blame. It took too long for some in my party to come to the realization this was important. On the Democratic side, they have come up with excuses to be against the proposal, but I will say this: The Senate did it. The Senate funded it. I think at this point, that is probably the fastest and best way forward, if we are serious about funding this, is to go back to what the Senate did. I continue to work with our colleagues to make sure that is a part of whatever vehicle we use to fund the government and keep it open through most of the rest of this year.

But today I filed a bill to help people being economically impacted by it. It is a bill that deals with the Small Business Administration. What it does is it basically gives the Small Business Administration the authority to give out

small business loans to communities negatively impacted by health-related travel advisories issued by the Centers for Disease Control and Prevention. As you know, as I said earlier, the CDC has already issued those travel advisories to Wynwood and for the South Beach areas of Miami-Dade County, but that does not mean a week from now there will not be another area added to that, including another area in your State, my colleagues. You don't know when that is coming. So if they were hit by a storm, they would qualify for this. If they were hit by any other disaster, they would qualify for this. They have been hit by a storm. It happens to be a health care storm. It is hurting them economically. We need to make sure they have the flexibility and the ability to provide this short-term, low-interest loans to small businesses to be able to weather this health care Zika storm.

I don't know for the life of me why anybody would be against this. I don't know what possible way you could try to politicize it. I am not sure why anybody would object to it. My hope is, we can move quickly on this. It is important.

I know there is a lot of jurisdictional pride around here and committees will say: Well, you have to come through us first because we are the chairmen and this is our committee. I hope you can make an exception on this issue because these businesses are hurting. They are hurting badly because of what has happened, and it is only going to get worse for them as these reports come out.

I hope we can get that passed. Here is another thing people don't know. Our service men and women are deployed all over the world. Unlike people who travel, they don't have a choice. When the U.S. military tells you and your dependents you must now go to Honduras, you are now going to be stationed at a base in Guantanamo Bay or you are going to be stateside, but you are going to be in Puerto Rico—when they deploy you, you can't say: Well, I am not going because there is Zika there. You have to go. We need to make sure we are protecting our men and women.

According to the Pentagon, as of today, there are 81 servicemembers and 19 dependents who have tested positive for the Zika virus. Three of them, by the way, are pregnant. So I have filed a second bill to protect our servicemembers from Zika. It is called the Servicemembers' Zika Protection Act. It provides U.S. troops with additional protections from the Zika virus by authorizing the Secretary of Defense to transfer funds within the existing Department of Defense medical and health research accounts in order to combat the Zika virus.

I am hopeful we can unite behind that as well. With over 100 members of

our military and their families already infected with Zika, we need to take specific precautions to help them and to help our foreign partners who host Americans on military bases in regions that are affected by Zika. So I am also hopeful Congress will ultimately arrive at an agreement this month to fund our Nation's response to Zika, but also that we ensure that those being deployed on our behalf receive every protection we can provide.

So these, in addition to the broader argument about Zika, these are two commonsense approaches giving the Department of Defense flexibility to move existing money around, to provide additional protections for our service men and women and their dependents who are being deployed and impacted by Zika. This is not a theory. We have over 100 people now, including 81 in uniform, who have been impacted by it, and 19 of their dependents, 3 of them who are pregnant.

Second, the small business relief. Please put yourself in the position of a family-owned business on South Beach or in Wynwood. They are being hurt. Instead of having 50 people coming in a day, they have 5 or 10. They need help. If they had lost power or been hit by a hurricane or a tornado, this would not be an issue, but they have been hit by a tornado of a different kind, one they did not cause and they could not predict and they could not insure against; that is, Zika.

Let's make sure the SBA has the flexibility to provide them their loans. So in addition to funding this—we have to get the Zika thing done, it cannot continue to languish—we have to get the SBA flexibility built into our law so these small businesses can be provided the resources they need to stay open and not close down as a result of a travel advisory because of a disease being spread by mosquitoes.

I think we would all agree we have to make sure we are doing everything we can to protect our men and women in uniform who are not going by choice. They are being deployed to these places where Zika is prevalent. They are being infected. There is no excuse for us to not help them as well. So these are the three things I hope we will do before Congress adjourns at the end of this month: Fund Zika fully, give flexibility for our small businesses that have been impacted by Zika to get SBA loans, and do everything we can by passing a law that gives the Department of Defense the flexibility they need to use existing money to protect our men and women in uniform and their families from being infected by Zika when deployed.

By Mrs. BOXER:

S. 3302. A bill establishing the Centers for Disease Control and Prevention Emergency Response Fund for the Director of the Centers for Disease Con-

trol and Prevention to provide assistance for a public health emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today I have introduced legislation that will ensure that when there is a public health emergency or the threat of a public health emergency, the Centers for Disease Control and Prevention can respond immediately to prevent it from becoming a national or global crisis.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 549—EX-PRESSING A COMMITMENT BY THE SENATE TO NEVER FORGET THE SERVICE OF AVIATION'S FIRST RESPONDERS

Mr. MARKEY (for himself, Ms. WARREN, Mr. CASEY, Mrs. GILLIBRAND, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 549

Whereas the events of September 11, 2001, forever changed the United States as the people of the United States faced unspeakable destruction and grief that touched millions of lives;

Whereas 4 commercial aircraft were turned into weapons of mass destruction, killing nearly 3,000 innocent people at the World Trade Center, the Pentagon, and in Shanksville, Pennsylvania;

Whereas the crewmembers of United Flight 175, American Flight 11, American Flight 77, and United Flight 93 acted as first responders, providing the first information about the unfolding attacks and selflessly protecting the United States and the lives of countless others;

Whereas ever since 9/11, pilots and flight attendants in the United States report to work with heightened responsibilities as first responders and as the last line of defense in aviation security; and

Whereas the bravery of the crewmembers 15 years ago and our crewmember heroes are prominent in the hearts and minds of the people of the United States; Now, therefore, be it

Resolved, That the Senate—

(1) forever memorializes the service of aviation's first responders on that fateful day; and

(2) will always seek to honor the sacrifice of aviation's first responders, who continue to keep the United States safe today.

SENATE RESOLUTION 550—DESIGNATING THE WEEK OF SEPTEMBER 5 THROUGH SEPTEMBER 9, 2016, AS "RECOGNIZING THE 40TH ANNIVERSARY OF WOMEN AT THE UNITED STATES NAVAL ACADEMY WEEK"

Ms. MIKULSKI (for herself, Ms. COLLINS, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. MCCASKILL, Ms. WARREN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mrs. ERNST,

Ms. HIRONO, Mrs. FISCHER, Mr. PETERS, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas, in 1975, Congress authorized women to attend military service academies; Whereas, on July 6, 1976, 81 women midshipmen were inducted into the United States Naval Academy;

Whereas, in 1976, an African-American woman became the first African-American woman to attend the United States Naval Academy, and graduated in 1980;

Whereas, in 1980, 55 women became the first women to graduate from the United States Naval Academy, 47 percent of whom later became career officers;

Whereas, in 1980, a woman became the first woman to be a distinguished graduate and Trident Scholar of the United States Naval Academy;

Whereas, on May 24, 1984, a woman became the first woman to graduate first in class from the United States Naval Academy;

Whereas, in 1988, an African-American woman became the first African-American woman to be commissioned as a Naval Flight Officer from the United States Naval Academy;

Whereas, in 1991, a woman midshipman became the first woman Brigade Commander at the United States Naval Academy;

Whereas, on May 13, 1993, a member of the United States Naval Academy class of 1981 became the first woman to be assigned to a combat aircrew;

Whereas, on March 2, 1995, a member of the United States Naval Academy class of 1981 became the first woman from the Navy to travel to space aboard space shuttle *Endeavour*;

Whereas, on March 12, 1999, a member of the United States Naval Academy class of 1982 became the first African-American woman to captain a United States Naval Ship, the USS *Rushmore*;

Whereas, in 2004, a member of the United States Naval Academy class of 1998 became the first woman to be selected to attend the Fighter Weapons School of the Navy and become a Top Gun pilot;

Whereas, in 2004, a woman was first appointed Vice Academic Dean at the United States Naval Academy;

Whereas, in 2006, a member of the United States Naval Academy class of 1981 became the first woman Commandant of Midshipmen at the United States Naval Academy;

Whereas, in 2007, a member of the United States Naval Academy class of 1989 became the first woman to assume command of an operational fighter squadron;

Whereas, in May 2010, the first 11 women to be trained for the Ohio Class Submarine graduated from the United States Naval Academy;

Whereas, in 2013, the woman that was the first woman graduate of the United States Naval Academy to command an operational fighter squadron became the first woman to assume command of a carrier air wing;

Whereas, on July 1, 2014, a member of the United States Naval Academy class of 1982 became the first woman to be a 4-star naval officer and was the first woman and first African-American to be appointed to the position of Vice Chief of Naval Operations;

Whereas, on June 17, 2011, a member of the United States Naval Academy class of 1986 became the first woman to be Commander of the Marine Corps Recruit Depot at Parris Island;

Whereas, in 2013, a member of the United States Naval Academy class of 1991 became the first woman to be Deputy Commandant of the United States Naval Academy;

Whereas, in 2016, 25 percent of the graduating class of the United States Naval Academy were women; and

Whereas, between 1980 and 2016, more than 4,800 women commissioned through the United States Naval Academy: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 5 through September 9, 2016, as “Recognizing the 40th Anniversary of Women at the United States Naval Academy Week”; and

(2) honors past and present women who serve in the Armed Forces of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4985. Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 4986. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4987. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4988. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4989. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4990. Mr. MARKEY (for himself, Ms. WARREN, Ms. STABENOW, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4991. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra.

SA 4992. Mr. WYDEN (for himself, Mr. SULLIVAN, Mr. MERKLEY, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4993. Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4994. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4995. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4996. Mrs. FISCHER (for herself, Mrs. ERNST, Mr. ROBERTS, Mr. BOOZMAN, Mr. RISCH, Mr. SASSE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4997. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4998. Mr. KIRK (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. DURBIN, Mr. JOHNSON, Mr. DONNELLY, Mr. BROWN, Ms. STABENOW, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4999. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5000. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5001. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5002. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5003. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5004. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5005. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5006. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5007. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4985. Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary

of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

“SEC. 1002. FINDINGS.

“Congress finds that—

“(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

“(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

“(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

“(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

“(5) as of the date of enactment of this Act, actions are not funded that are considered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

“(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.”.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking “and” at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

“(viii) each applicable State wildlife action plan.”.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking “Great Lakes Coordinator of the”.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal” and inserting the following:

“(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project”; and

(ii) by adding at the end the following:

“(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

“(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

“(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

“(ii) as described in subparagraph (C), the costs associated with—

“(I) land acquisition or securing a conservation easement; and

“(II) restoration or enhancement of that land or conservation easement.

“(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

“(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

“(I) meets the requirements of subsection (b)(2);

“(II) is acquired before the end of the grant period of the proposal or regional project;

“(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

“(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

“(V) is appraised in accordance with clause (ii).

“(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

“(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

“(II) the appraisal shall—

“(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

“(bb) be completed by a Federal- or State-certified appraiser.

“(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

“(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

“(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

“(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).”.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”; and

(2) in subsection (c)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”; and

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2011” and inserting “2021”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2020”; and

(B) in paragraph (5), by inserting “the Great Lakes Restoration Initiative Action Plan based on” after “in support of”; and

(3) by striking subsection (c) and inserting the following:

“(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

“(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

“(2) may reassess and update, as necessary, the findings and recommendations of the Report.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2021”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “\$14,000,000” and inserting “\$6,000,000”; and

(B) in subparagraph (A), by striking “\$4,600,000” and inserting “\$2,000,000”; and

(C) in subparagraph (B), by striking “\$700,000” and inserting “\$300,000”; and

(3) in paragraph (2), by striking “the activities of” and all that follows through “section 1007” and inserting “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007”.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109-326) is repealed.

SA 4986. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the

United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds that neither the 2001 Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) or the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) authorize the use of military force against the Islamic State in Iraq and al-Sham (ISIS).

(b) It is the sense of Congress that the President, unless acting out of self-defense or to address an imminent threat to the United States, is not authorized to conduct military operations against ISIS without explicit authorization for the use of such force, and Congress should debate and pass such an authorization.

SA 4987. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60 _____. STUDY ON OWNERSHIP OF NEENAH DAM, WISCONSIN.

The Secretary shall conduct a study to determine if it is in the interest of the Federal Government and the Secretary to assume ownership of the Neenah Dam, Fox River, Wisconsin.

SA 4988. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80 _____. PATTERSON LAKE LAND CONVEYANCES.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means Dickinson Parks & Recreation in Dickinson, North Dakota (or a successor in interest to that entity).

(2) DICKINSON RESERVOIR.—The term “Dickinson Reservoir” means the Dickinson Reservoir constructed as part of the Dickinson Unit, Heart Division, Pick-Sloan Missouri Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(3) PERMITTEE.—The term “permittee” means the holder of a permit for a property.

(4) PROPERTY.—The term “property” means any 1 of the cabin sites located on Federal property around the Dickinson Reservoir for which a permit is in effect on the date of enactment of this Act.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(b) PURCHASE OF PROPERTY BY PERMITTEE; TRANSFERS TO DEPARTMENT.—

(1) OPTION.—The Secretary shall provide to the permittee of a property the first option to purchase that property for fair market value in accordance with paragraph (2).

(2) PURCHASE.—

(A) IN GENERAL.—On an election by a permittee to exercise the option to purchase a property pursuant to paragraph (1), the Secretary shall convey to the permittee, for fair market value—

(i) all right, title, and interest of the United States in and to the property, subject to valid existing rights; and

(ii) easements for—

(I) vehicular access to the property;

(II) access to, and use of, a dock for the property; and

(III) access to, and use of, all boathouses, ramps, retaining walls, and other improvements for which access is provided in the permit for use of the property as of the date of enactment of this Act.

(B) PERIOD FOR CONVEYANCE.—The Secretary shall convey to a permittee a property pursuant to subparagraph (A) during the period—

(i) beginning on the date that is 1 year after the date of enactment of this Act; and

(ii) ending on the date that is 2 years after that date of enactment.

(C) DISPUTES REGARDING FAIR MARKET VALUE.—Any dispute regarding the fair market value of a property shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations (or successor regulations).

(3) TRANSFERS TO DEPARTMENT.—

(A) FAILURE TO PURCHASE.—If a permittee fails to exercise the option to purchase a property under paragraph (2) by the date that is 2 years after the date of enactment of this Act, the Secretary shall transfer the property to the Department, without cost.

(B) CERTAIN OTHER LAND.—Effective beginning on the date that is 2 years after the date of enactment of this Act, the Secretary shall transfer to the Department, without cost, any Federal land, as of that date—

on which no cabin is located.

(C) OIL, GAS, MINERAL, AND OTHER OUTSTANDING RIGHTS.—Each conveyance to a permittee, and each transfer to the Department, pursuant to subsection (b), shall be made subject to—

(1) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by, or in favor of, a third party; and

(2) any permit, license, lease, right-of-use, or right-of-way of record in, on, over, or across the applicable property or land that is outstanding to a third party as of the date of enactment of this Act.

(d) RELEASE FROM LIABILITY.—

(1) IN GENERAL.—Effective on the date of conveyance or transfer of any property or land under this section, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to the property or land, except for damages for acts of negligence committed by the United States or an employee, agent, or contractor of the United States before the date of conveyance.

(2) NO ADDITIONAL LIABILITY.—Nothing in this section affects any liability of the United States under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(e) REQUIREMENTS RELATING TO CONVEYANCES AND TRANSFERS.—

(1) INTERIM REQUIREMENTS.—During the period beginning on the date of enactment of

this Act and ending on the date of conveyance or transfer of a property or land, the provisions of the document entitled “Management Agreement between the Bureau of Reclamation, et al., for the Development, Management, Operation, and Maintenance of Lands and Recreation Facilities at Dickinson Reservoir” that are applicable to the property or land shall remain in force and effect.

(2) LEGAL DESCRIPTIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Department, shall provide to the Department a legal description of all properties and land that may be conveyed or transferred pursuant to this section.

(f) PROCEEDS FROM SALES OF FEDERAL LAND.—Any revenues from a sale of Federal land pursuant to this section shall be made available to the Secretary, without further appropriation, for—

(1) the costs to the Secretary of carrying out this section; and

(2) deferred maintenance activities relating to the operation of the dam in the Dickinson Reservoir.

SEC. 80. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term “addition” means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term “camper or recreational vehicle” includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term “immediate family” means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term “permit” means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term “permit year” means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term “permittee” means a person holding a permit.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term “trailer area” means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled “Heart Butte Reservoir Resource Management Plan” (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term “trailer home” means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMITTED USE.—

(1) IN GENERAL.—Subject to the requirements of this section, on request by a permittee, the Secretary shall issue a 5-year permit for the use of a lot in a trailer area as described in paragraphs (2) and (3).

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) from April 1 to October 31—

(i) to park the trailer home on the lot;

(ii) to use the trailer home on the lot; and

(iii) to physically move the trailer home on and off the lot; and

(B) at any time during the permit year—

(i) to leave the trailer home parked on the lot; and

(ii) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—

With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) RENEWAL OF PERMITS.—

(1) IN GENERAL.—Subject to paragraph (2), when a permit expires, on request by the permittee, the Secretary shall renew the permit for an unlimited number of additional 5-year terms.

(2) REQUIREMENT FOR TRAILER HOMES.—The Secretary shall require removal of a trailer home in a trailer area if the trailer home has been flooded a majority of the years during any 5-year permit period.

(3) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (2), on request by the permittee, the Secretary shall authorize the permittee—

(A) to remain on the lot; and

(B) to replace the trailer home with a camper or recreational vehicle.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—

(1) IN GENERAL.—The Secretary shall require compliance with—

(A) for each trailer home in a trailer area (other than a trailer home described in paragraph (2)(B)), the anchoring requirements described in paragraph (2)(A); and

(B) for other objects on a lot in a trailer area, the anchoring requirements described in paragraph (3).

(2) ANCHORING REQUIREMENTS DESCRIBED.—

(A) IN GENERAL.—For trailer homes other than the trailer homes described in subparagraph (B), the anchoring requirements referred to in paragraph (1)(A) are the following:

(i) For a trailer home that is fewer than 50 feet in length, a minimum of 6 frame ties per side shall be provided, to be located as follows:

(I) One frame tie at each corner.

(II) The remaining frame ties at intermediate locations.

(ii) For a trailer home that is 50 feet or more in length, a minimum of 7 frame ties per side shall be provided, to be located as follows:

(I) One frame tie at each corner.

(II) The remaining frame ties at intermediate locations.

(iii) If the quantity of frame ties and over-the-top ties provided on a trailer home by the trailer home manufacturer is in excess of the minimum quantity required under clause (i) or (ii), as applicable, the total quantity provided by the trailer home manufacturer shall be used.

(iv) If an over-the-top tie is located directly above a frame tie, both the over-the-top tie and the frame tie may be fastened to the same anchor.

(v)(I) Each frame tie shall connect the anchor to the main structural frame that runs lengthwise under the trailer home.

(II) Any tie made to an outrigger beam shall not be credited to the minimum quantity of frame ties required in clause (i) or (ii), as applicable.

(vi) With respect to each flat steel strap used as a tie—

(I) the steel strap shall—

(aa) be 1.25 inches by .035 inch, with a minimum breaking strength of 4,800 pounds; and

(bb) be—

(AA) fastened to a ground anchor, and fastened in such a manner that will not cause distortion on the strap or reduce the breaking strength of the strap; and

(BB) drawn tight with 1 or more galvanized fasteners or connectors and a tensioning device;

(II) any sharp edge of the trailer home that would tend to cut the steel strap shall be protected by a suitable device to prevent cutting; and

(III) if necessary, the steel strap shall be prevented from knifing through the trailer home.

(vii) Each ground anchor shall be of the auger-type, at least 48 inches long, and equipped with at least 1 helix having a minimum diameter of at least 6 inches.

(viii) Each ground anchor shall have—

(I) at least a ¾-inch steel shaft;

(II) a fastener or connector and a tensioning device; and

(III) a minimum breaking strength of 4,800 pounds.

(B) ALTERNATIVE ANCHORING REQUIREMENTS FOR TRAILER HOMES.—A trailer home shall not be required to comply with the anchoring requirements described in subparagraph (A) if—

(i)(I) the trailer home was or is installed after 2005; and

(II) the installation complied with and continues to comply with foundation installation requirements of the Department of Housing and Urban Development (as in effect at the time of the installation); or

(ii) the anchoring system of the trailer home is certified to be of equal or better strength than the system described in subparagraph (A), as determined by a person qualified to make such a certification.

(3) ADDITIONAL ANCHORING REQUIREMENTS.—

(A) ADDITIONS TO TRAILER HOMES.—

(i) IN GENERAL.—Each addition to a trailer home subject to the anchoring requirements described in paragraph (2)(A) shall be anchored in accordance with the applicable requirements described in that paragraph.

(ii) ALTERNATIVE REQUIREMENTS.—Each addition to a trailer home subject to the anchoring requirements described in paragraph (2)(B)(ii) shall be anchored in accordance with the requirements described in that paragraph.

(B) OTHER OBJECTS.—Each deck, porch, entryway, step, propane tank, and storage shed on a lot in a trailer area shall be anchored in a secure and practical manner.

(F) REPLACEMENT REMOVAL AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY.—The United States shall not be liable for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

SA 4989. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20. REGIONAL SEDIMENT MANAGEMENT.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(1) in subsection (a)(1)—

(A) by striking “For sediment” and inserting the following:

“(A) IN GENERAL.—For sediment”;

(B) in subparagraph (A) (as designated by subparagraph (A))—

(i) by striking “an authorized” and inserting “any type of authorized”; and

(ii) by striking “at locations” and inserting “at nearshore or onshore locations”; and

(C) by adding at the end the following:

“(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.”; and

(2) in subsection (c), by adding at the end the following:

“(3) APPROPRIATE APPLICATION OF NON-FEDERAL RESPONSIBILITIES.—

“(A) DEFINITION OF PERIOD OF ANALYSIS.—In this paragraph, the term ‘period of analysis’, with respect to a project under this section, means the period—

“(i) beginning on the date of implementation of the project; and

“(ii) ending on the date on which the project no longer produces the beneficial outputs for which the project was designed.

“(B) REQUIREMENT.—For any project under this section, the Secretary shall ensure that the non-Federal requirements described in subsections (a)(1)(B), (b)(1), and (i) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) shall apply to the project only during the period of analysis of the project.”.

SA 4990. Mr. MARKEY (for himself, Ms. WARREN, Ms. STABENOW, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20. EDUCATION AND RESEARCH HARBORS.

(a) DEFINITION OF ELIGIBLE HARBOR.—The term “eligible harbor” means a harbor that supports or will support a federally owned vessel operated by—

(1) a State maritime academy (as defined in section 51102 of title 46, United States Code); or

(2) a non-Federal oceanographic research facility.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide assistance to a non-Federal interest for a project relating to an eligible harbor.

(c) FORM OF ASSISTANCE.—A non-Federal interest may receive assistance for a project for—

(1) the construction and maintenance dredging of an eligible harbor;

(2) the construction, installation, or maintenance of infrastructure in an eligible harbor, including bulkheads, aprons, and piles;

(3) the construction and maintenance dredging of a berth in an eligible harbor; or

(4) the construction and maintenance dredging providing access from an eligible harbor to the nearest navigation channel or deep water.

(d) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement (referred to in this subsection as an “agreement”) with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—An agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Federal share of

project costs for a project under this section—

(i) shall not exceed 50 percent; and
(ii) may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into an agreement with the Secretary for a project.

(C) CREDIT FOR INTEREST.—In the case of a delay in the funding of the Federal share of the costs of a project under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of the total project cost.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for a project under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law (including regulations) that would otherwise apply to a project under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for each fiscal year an amount not greater than \$5,000,000, to remain available until expended.

SA 4991. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 7206. LOAN FORGIVENESS FOR LOCAL IRRIGATION DISTRICTS.

Subsection (j)(1) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as redesignated by section 7202(b)(1)(A)(ii)) is amended—

(1) in the matter preceding subparagraph (A), by striking “to a municipality or an intermunicipal, interstate, or State agency” and inserting “to an eligible recipient”; and

(2) in subparagraph (A), in the matter preceding clause (i), by inserting “in assistance to a municipality or intermunicipal, interstate, or State agency” before “to benefit”.

SA 4992. Mr. WYDEN (for himself, Mr. SULLIVAN, Mr. MERKLEY, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army

to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20. EMERGING HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) (as amended by section 2009) is amended by striking “2012” and inserting “2015”.

SA 4993. Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . MODIFICATIONS TO EXEMPTION FROM REQUIREMENT TO MAINTAIN HEALTH COVERAGE.

(a) EXEMPTION FOR INDIVIDUALS IN AREAS WITH FEWER THAN 2 ISSUERS OFFERING PLANS ON AN EXCHANGE.—Section 5000A(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) INDIVIDUALS IN AREAS WITH FEWER THAN 2 ISSUERS OFFERING PLANS ON AN EXCHANGE.—

“(A) IN GENERAL.—Any applicable individual for any period during a calendar year if there are fewer than 2 health insurance issuers offering qualified health plans on an Exchange for such period in the county in which the applicable individual resides.

“(B) AGGREGATION RULES.—For purposes of subparagraph (A), all health insurance issuers treated as a single employer under subsection (a) or (b) of section 52, or subsection (m) or (o) of section 414, shall be treated as a single health insurance issuer.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act.

SA 4994. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h-1) the following:

“SEC. 9b. RECREATIONAL ACCESS.

“(a) DEFINITION OF FLOATING CABIN.—In this section, the term ‘floating cabin’ means a watercraft or other floating structure—

“(1) primarily designed and used for human habitation or occupation; and

“(2) not primarily designed or used for navigation or transportation on water.

“(b) RECREATIONAL ACCESS PERMITTED.—The Board may approve and allow the construction and use of a floating cabins on waters under the jurisdiction of the Corporation if—

“(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board; and

“(2) the Corporation has authorized the use of recreational vessels on the waters.

“(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

“(d) CONTINUED RECREATIONAL USE.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

“(1) may not require the removal of the floating cabin—

“(A) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

“(B) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

“(2) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

“(A) the floating cabin meets the requirements of subsection (b); and

“(B) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).”.

SA 4995. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60. TABLE ROCK LAKE, MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall extend the public comment period for the Table Rock Lake Master Plan revision; and

(2) shall not finalize the revision for the Table Rock Lake Master Plan during the 5-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on issuance of shoreline use permits for Table Rock Lake.

(c) STUDY.—

(1) IN GENERAL.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings; and

(B) submit to Congress a report on the results of the study described in subparagraph (A).

(2) REQUIREMENT.—The Secretary shall complete the study under paragraph (1)(A)

before adopting any revision to the Table Rock Lake Shoreline Management Plan.

SA 4996. Mrs. FISCHER (for herself, Mrs. ERNST, Mr. ROBERTS, Mr. BOOZMAN, Mr. RISCH, Mr. SASSE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8 . . . SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or a successor regulation).

(3) GALLON.—The term “gallon” means a United States liquid gallon.

(4) HISTORY OF A SPILL.—The term “history of a spill” has the meaning given the term “reportable oil discharge history” in section 1049(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113-121).

(5) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “spill prevention, control, and countermeasure rule” means the regulations promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(b) APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—

(1) IN GENERAL.—In implementing the spill prevention, control, and countermeasure rule with respect to any farm, the Administrator shall—

(A) require a certification of compliance with the spill prevention, control, and countermeasure rule by—

(i) a professional engineer for a farm with—

(I) an individual tank with an aboveground storage capacity that is greater than 10,000 gallons;

(II) an aggregate aboveground storage capacity that is not less than 42,000 gallons; or

(III) a history of a spill; or

(ii) the owner or operator of the farm (via self-certification) for a farm with—

(I) an aggregate aboveground storage capacity that is—

(aa) greater than 10,000 gallons; and

(bb) less than 42,000 gallons; and

(II) no history of a spill; and

(B) exempt from all requirements of the spill prevention, control, and countermeasure rule any farm with—

(i) an aggregate aboveground storage capacity that is not greater than 10,000 gallons; and

(ii) no history of a spill.

(2) CALCULATION OF ABOVEGROUND STORAGE CAPACITY.—

(A) IN GENERAL.—For purposes of paragraph (1), the calculation of the aggregate aboveground storage capacity of a farm shall not include any container on a separate parcel with a capacity that is less than 1,320 gallons.

(B) ANIMAL FEED INGREDIENTS.—For purposes of paragraph (1), the calculations of the aggregate aboveground storage capacity of a farm and the aboveground storage capacity of an individual tank on a farm shall not include any container holding animal feed ingredients that are approved by the Commissioner of Food and Drugs for use in livestock feed.

SA 4997. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8 . . . INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

Notwithstanding any other provision of law, including the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006, the United States Section of the International Boundary and Water Commission shall be the sole entity responsible for the repair, operating costs, and maintenance of the international outfall interceptor and the Nogales wash, located in Nogales, Arizona.

SA 4998. Mr. KIRK (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. DURBIN, Mr. JOHNSON, Mr. DONNELLY, Mr. BROWN, Ms. STABENOW, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 20 . . . GREAT LAKES NAVIGATION SYSTEM.

Section 210(c)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(4)) is amended—

(1) by striking “To sustain” and inserting the following:

“(A) IN GENERAL.—To sustain”; and

(2) by adding at the end the following:

“(B) FUNDING.—Notwithstanding any other provision of this subsection, in making expenditures under paragraph (1) for each of fiscal years 2015 through 2024, the Secretary shall allocate for operation and maintenance costs of projects within the Great Lakes Navigation System an amount that is not less than 10 percent of the funds made available under this section for fiscal year 2015 to pay the costs described in subsection (a)(2).”.

SA 4999. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill

S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 80 . . . EXEMPTION OF RURAL WATER PROJECTS FROM CERTAIN RENTAL FEES.

Section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)) is amended in the eighth sentence by inserting “and for any rural water project serving fewer than 3,300 individuals that is federally financed (including a project that receives Federal funds under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12))” after “such facilities”.

SA 5000. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;
 (O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;
 (P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;
 (Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;
 (R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;
 (S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;
 (T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;
 (U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;
 (V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;
 (W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;
 (X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;
 (Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;
 (Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;
 (AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;
 (BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;
 (CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and
 (DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

SA 5001. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 80. LAKE OAHE EASEMENT.

The Secretary shall not grant an easement for the Lake Oahe crossing for the Dakota Access Pipeline until the date on which an environmental impact statement with respect to the easement is completed.

SA 5002. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8. PREPAYMENT OF CERTAIN REPAYMENT OBLIGATIONS UNDER CONTRACTS BETWEEN THE UNITED STATES AND THE WEBER BASIN WATER CONSERVANCY DISTRICT.

(a) **DEFINITIONS.**—In this section:
 (1) **COVERED CONTRACT.**—
 (A) **IN GENERAL.**—The term “covered contract” means the repayment contract numbered 14-06-400-33 between the United States and the Weber Basin Water Conservancy District, dated December 12, 1952, which provides for the repayment of Weber Basin Project construction costs allocated to irri-

gation and municipal and industrial purposes for which repayment is provided pursuant to the contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102-575; 106 Stat. 4624).

(B) **INCLUSIONS.**—The term “covered contract” includes—

(i) any amendments and supplements to the contract described in subparagraph (A); and

(ii) any applicable contracts related to the contract described in subparagraph (A).

(2) **DISTRICT.**—The term “District” means the Weber Basin Water Conservancy District.

(b) **AUTHORIZATION OF PREPAYMENT.**—The Secretary of the Interior shall allow for the prepayment of Central Utah Project, Bonneville Unit, repayment obligations under the covered contract.

(c) **REQUIREMENTS AND AUTHORITIES.**—The prepayment authorized under subsection (b)—

(1) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(2) may be provided in several installments;

(3) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(4) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

SA 5003. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . REAUTHORIZATION OF DENALI COMMISSION.

(a) **ADMINISTRATION.**—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) **TERM OF FEDERAL COCHAIRPERSON.**—The Federal Cochairperson”;

(B) in the second sentence, by striking “All other members” and inserting the following:

“(3) **TERM OF ALL OTHER MEMBERS.**—All other members”;

(C) in the third sentence, by striking “Any vacancy” and inserting the following:

“(4) **VACANCIES.**—Except as provided in paragraph (2), any vacancy”;

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

“(2) **INTERIM FEDERAL COCHAIRPERSON.**—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of

Federal Cochairperson is filled in accordance with subsection (b)(2).”; and

(2) by adding at the end the following:

“(f) **NO FEDERAL EMPLOYEE STATUS.**—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

“(g) **CONFLICTS OF INTEREST.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a “member”) shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

“(A) The member.

“(B) The spouse, minor child, or partner of the member.

“(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

“(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

“(2) **DISCLOSURE.**—Paragraph (1) shall not apply if the member—

“(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

“(3) **ANNUAL DISCLOSURES.**—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

“(4) **TRAINING.**—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

“(5) **VIOLATION.**—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned for not more than 2 years, or both.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is amended, in subsection (a), by striking “under section 4 under this Act” and all that follows through “2008” and inserting “under section 304, \$20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.”.

(2) **CLERICAL AMENDMENT.**—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is redesignated as section 312.

SA 5004. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr.

INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end subtitle A of title VII, add the following:

SEC. 71. MONITORING FOR UNREGULATED CONTAMINANTS.

Section 1445 of the Safe Drinking Water Act (42 U.S.C. 300j-4) is amended—

(1) in subsection (a)(2)—

(A) by striking subparagraph (A) and inserting the following:

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The Administrator shall promulgate regulations establishing the criteria for a monitoring program for unregulated contaminants for all public water systems, regardless of the number of people served by a public water system.

“(ii) REQUIREMENTS.—In promulgating regulations under clause (i), the Administrator shall—

“(I) require the monitoring of drinking water supplied by public water systems; and

“(II) vary the frequency and schedule for monitoring requirements for public water systems based on—

“(aa) the number of people served by a public water system;

“(bb) the source of the water supply; and

“(cc) the contaminants likely to be found in the water supply.”; and

(B) in subparagraph (C), by striking “(i) IN GENERAL” and all that follows through “(ii) GRANTS FOR SMALL SYSTEM COSTS—”; and

(2) in subsection (g), by striking paragraph (7) and inserting the following:

“(7) UNREGULATED CONTAMINANTS.—With respect to contaminants for which a national primary drinking water regulation has not been established, the data base shall include—

“(A) monitoring information collected by public water systems under subsection (a); and

“(B) other reliable and appropriate monitoring information on the occurrence of the contaminants in public water systems that is available to the Administrator.”.

SA 5005. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . KING COVE.

(a) FINDING.—Congress finds that the land exchange required under this section (including the designation of the road corridor and the construction of the road along the road corridor) is in the public interest.

(b) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term “Federal land” means the approximately 206 acres of Federal land located within the Refuge as de-

picted on the map entitled “Project Area Map” and dated September 2012.

(B) INCLUSION.—The term “Federal land” includes the 131 acres of Federal land in the Wilderness, which shall be used for the road corridor along which the road is to be constructed in accordance with subsection (c)(2)(B).

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 43,093 acres of land owned by the State as depicted on the map entitled “Project Area Map” and dated September 2012.

(3) REFUGE.—The term “Refuge” means the Izembek National Wildlife Refuge in the State.

(4) ROAD CORRIDOR.—The term “road corridor” means the road corridor designated under subsection (c)(2)(A).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Alaska.

(7) WILDERNESS.—The term “Wilderness” means the Izembek Wilderness designated by section 702(6) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 1132 note; Public Law 96-487).

(c) LAND EXCHANGE REQUIRED.—

(1) IN GENERAL.—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land.

(2) USE OF FEDERAL LAND.—The Federal land shall be conveyed to the State for the purposes of—

(A) designating a road corridor through the Refuge; and

(B) constructing a single-lane gravel road along the road corridor subject to the requirements in subsection (e).

(3) VALUATION, APPRAISALS, AND EQUALIZATION.—

(A) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this subsection—

(i) shall be equal, as determined by appraisals conducted in accordance with subparagraph (B); or

(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) APPRAISALS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(ii) REQUIREMENTS.—The appraisals required under clause (i) shall be conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) EQUALIZATION.—

(i) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this subsection, the value of the Federal land and non-Federal land shall be equalized—

(I) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;

(II) by the State making a cash payment to the United States; or

(III) by using a combination of the methods described in subclauses (I) and (II).

(ii) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land

exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this subsection, the value of the Federal land and non-Federal land shall be equalized by the State adjusting the acreage of the non-Federal land to be conveyed.

(iii) AMOUNT OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a payment under clause (i)(II) in excess of 25 percent of the value of the Federal land conveyed.

(4) ADMINISTRATION.—On completion of the exchange of Federal land and non-Federal land under this subsection—

(A) the boundary of the Wilderness shall be modified to exclude the Federal land; and

(B) the non-Federal land shall be—

(i) added to the Wilderness; and

(ii) administered in accordance with—

(I) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(II) other applicable laws.

(5) DEADLINE.—The land exchange under this subsection shall be completed not later than 180 days after the date of enactment of this Act.

(d) ROUTE OF ROAD CORRIDOR.—The route of the road corridor shall follow the southern road alignment as described in the alternative entitled “Alternative 2-Land Exchange and Southern Road Alignment” in the final environmental impact statement entitled “Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement” and dated February 5, 2013.

(e) REQUIREMENTS RELATING TO ROAD.—The requirements relating to usage, barrier cables, and dimensions and the limitation on support facilities under subsections (a) and (b) of section 6403 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

(f) EFFECT.—The exchange of Federal land and non-Federal land and the road to be constructed under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 5006. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8. GUIDELINES FOR SPECIFICATION OF CERTAIN DISPOSAL SITES.

Section 404(b) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)) is amended—

(1) by striking “(b) Subject to subsection (c) of this section” and inserting the following:

“(b) SPECIFICATION FOR DISPOSAL SITES.—

“(1) IN GENERAL.—Subject to subsection (c)”;

(2) by striking “the Secretary (1) through” and inserting the following: “the Secretary—“(A) through”;

(3) by striking “section 403(c), and (2) in any case where such guidelines under clause (1) alone” and inserting the following: “section 403(c); and

“(B) in any case in which guidelines under subparagraph (A) alone”; and

(4) by adding at the end the following:

“(2) LIMITATION.—Guidelines under paragraph (1) may not prohibit the specification of a site due to the lack of a final site plan resulting from the lack of an identified end user or industry or industrial classification for the site when determining whether there is a practicable alternative to a proposed discharge that would result in less adverse impact on the aquatic ecosystem.”.

SA 5007. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 80. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—Except as provided in subsection (b), any action by the Secretary relating to reviewing an application for a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 403), and any action by the Director of the United States Fish and Wildlife Service (referred to in this section as the “Director”) pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), relating to the mechanized removal of salt cedar from an area that consists of not more than 500 acres shall be completed by the Secretary or the Director, as applicable, by not later than 90 days after the date of receipt of the application.

(b) EXCEPTION.—The Secretary may provide to an office conducting a review described in subsection (a) an extension of not longer than an additional 90 days to complete the review, if the Secretary determines that such an extension is warranted.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PORTMAN. Mr. President, I have four requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 8, 2016, at 10 a.m., to conduct a hearing entitled “Pakistan: Challenges for U.S. Interests.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on September 8, 2016, fol-

lowing the first vote of the Senate, in S-216 of the Capitol.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 8, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on September 8, 2016, at 10 a.m. to conduct a hearing entitled, “Reviewing Independent Agency Rulemaking.”

MASTER CHIEF PETTY OFFICER JESSE DEAN VA CLINIC

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 3969 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3969) to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the “Master Chief Petty Officer Jesse Dean VA Clinic.”

There being no objection, the Senate proceeded to consider the bill.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3969) was ordered to a third reading, was read the third time, and passed.

EXPRESSING A COMMITMENT BY THE SENATE TO NEVER FORGET THE SERVICE OF AVIATION'S FIRST RESPONDERS

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 549, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 549) expressing a commitment by the Senate to never forget the service of aviation's first responders.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BOOZMAN. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble

be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 549) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

RECOGNIZING THE 40TH ANNIVERSARY OF WOMEN AT THE UNITED STATES NAVAL ACADEMY WEEK

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 550, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 550) designating the week of September 5 through September 9, 2016, as “Recognizing the 40th Anniversary of Women at the United States Naval Academy Week.”

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. Mr. President, I rise today having submitted a resolution honoring the 40th anniversary of women attending the U.S. Naval Academy in Annapolis, MD. Forty years ago, in 1975, Congress proudly authorized women to attend military service academies. That act of Congress, created a milestone in our military history, setting the national stage for women's equality.

On July 6, 1976, the very first class of women entered the U.S. Naval Academy. Four years later, the graduating class of 1980, commissioned 55 women. Since then, more than 4,800 women, including this year's graduating class of 2016, have graduated from the U.S. Naval Academy and have transcended traditional military roles for women.

Women have had to fight every single day and in every single way to be able to advance ourselves. Today, women make up 27 percent of the U.S. Naval Academy's student body, the highest in the school's history. This year, midshipmen were admitted from every state in the U.S., as well as the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. The Naval Academy continues to evolve, depicting our Nation's diversity, and promoting equality.

Our country is stronger today because women have advanced in the military. There are 2.2 million women serving in our military, serving with their male counterparts in leadership capacities that now include combat occupations. These strong, powerful, and

intelligent women have unselfishly chosen to serve their country in a time when our Nation's military is needed the most, and they have done so with passion, heroism and integrity.

The U.S. Naval Academy was founded in 1845. A school that began with merely 50 midshipman students and 7 professors now fosters a graduating class of 1,076 commissioned officers. A school rich with tradition, the Academy offers 43 different majors within 19 fields of study. The U.S. Naval Academy offers a premier education and continues to bolster some of the finest and most hardworking patrons of our society. But that society would not be complete without our women service members. When women succeed in the workplace, our economy succeeds, and our country is stronger for it.

The U.S. Naval Academy has groomed trailblazers, women who have commanded in combat, women who have set standards for success, and women who have paved the way for our daughters and granddaughters. I wish to honor just a few of those trailblazers, as we recount the importance of this 40-year revolution.

In 1995, CDR Wendy Lawrence, class of 1981, became the first Navy woman in space aboard space shuttle Endeavor.

In 2006, RADM Margaret D. Klein, class of 1981, became the first woman commandant at the U.S. Naval Academy. Later she served as the Chief of Staff for U.S. Cyber Command, pioneering in the cyber field.

In 2011, Marine Brig. Gen. Lori Reynolds, class of 1986, was the first woman to command the Marine Corps Recruiting Depot in Parris Island.

Of course, we can't celebrate the U.S. Naval Academy without celebrating the accomplishments of ADM Michelle J. Howard, class of 1982; who was the first African-American woman to command a Navy ship. In 2014, Admiral Howard became the first woman to become a four-star admiral, and was then appointed the Vice Chief of Naval Operations; becoming the first African-American and the first woman to hold that position.

This list of accomplishments from our U.S. Naval Academy women graduates goes on. It is the reason I have introduced this resolution. We must ensure the legacy of this institution and the accomplishments of these amazing women are recognized and celebrated.

Last May, the U.S. Naval Academy commissioned 265 women officers. These women, like their predecessors, will go on to serve in some of the most demanding assignments in the Navy, the Marine Corps, and even inter-service agencies such as the U.S. Coast Guard. They will continue to break new ground and become firsts in their fields.

It is because of our Nation's heroes we are able to stand here today, but

the service of women in the military is a milestone we must honor. These women have proven equality matters. These women have proven that they can achieve anything. These women have made many sacrifices to make our country safe.

We must continue to promote equality and encourage women to strive for success in order to guarantee future parity. In today's increasingly uncertain world, women serving in military leadership roles, are more important than ever before. Women service members are a necessity—they are dynamic, resilient leaders who inspire millions to make the world a better place. I am proud to promote and recognize such strength.

As the Navy proudly proclaims, "Through Knowledge, Sea Power." As dean of the Women Senators, I am here to proudly proclaim, through women's equality, we gain knowledge and create power that is unstoppable. As a society, we must continue to promote and recognize our Nation's heroines and their outstanding efforts for future generations.

Mr. BOOZMAN. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 550) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, SEPTEMBER 12, 2016

Mr. BOOZMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, September 12; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2848; finally, that notwithstanding the provisions of rule XXII, the Senate vote on the motion to invoke cloture on the Inhofe-Boxer substitute amendment, No. 4979, at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 12, 2016, AT 3 P.M.

Mr. BOOZMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:09 p.m., adjourned until Monday, September 12, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JOHN E. HYTEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

PAUL K. CLARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be colonel

ENRIQUE J. GWIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

ANTHONY S. ROBBINS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

GAIL E. S. YOSHITANI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

VEDNER BELLOT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

GRAHAM F. INMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALEXANDER M. WILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD A. DORCHAK, JR.

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

ARISTIDIS KATERELOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

SCOTT C. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MONA M. MCFADDEN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

NICOLE N. CLARK
MARION R. COLLINS
RONALD A. CUPPLES

DAVID C. FEELEY
ANNETTE R. GRANDPRE
CHRISTINE L. HOFFMANN
NICK JOHNSON
THOMAS H. MANCINO
SHANE M. MARTIN
DOUGLAS L. SIMON
SUSAN R. SINGALEWITCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

CLAYTON T. HERRIFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JAMES R. BOULWARE
ADDISON BURGESS
MITCHELL A. BUTTERWORTH
LOUIS A. DELTUFO
DAVID J. DEPPMEIER
RICHARD D. GARVEY
JAMES R. GRIFFIN
ROBERT H. HART, JR.
MILTON JOHNSON
CHUL W. KIM
DAVID W. LILE
KAREN L. MEEKER
ROY M. MYERS
DANIEL S. OH
JULIE M. ROWAN
JACK J. STUMME
DAVID E. WAKE
MATTHEW S. WYSOCKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID E. FOSTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JUSTIN J. ORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

TINA R. HARTLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MELAINE A. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANTHONY T. SAMPSON

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM J. KAISER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

NICOLE A. AGUIRRE
TRAVIS C. ALLEMANG
JOSEPH AN
SARAH ANDERSON
CHAD T. ANDICOCHEA
JACOB T. ANKENY
STEPHEN S. AUSTAD
ANDREA L. AUSTIN
DEREK A. AUSTIN
THOMAS J. AVALLONE
JOSHUA C. BARNHILL
THOMAS S. BARROS II
ROBERT J. BEERS
PASHA L. BENTLEY
MICHAEL J. BERGE
JENNIFER E. BERGSTROM
MATTHEW S. BERNIARD
ANDREW J. BIGGS
JESSICA L. BLUHM
DAVID R. BOLTHOUSE
DANIEL E. BRADLEY
STEPHANIE M. BRASHEAR

BENJAMIN J. BRIGGS
MATTHEW R. BROCK
TIMOTHY R. BROOKS
KELLY L. BROWN
ADAM K. BRUST
ANDREW C. BUCHHOLZ
SARAH E. L. BUMPS
JACQUELYN M. BURNETT
KENDRA R. CAGNIART
PIERRETIENNE C. CAGNIART
SVETLANA CARAGHEAUR
MATTHEW D. CARPINELLO
HILLARY A. CHACE
ANDRE L. CHARTIER
JULIA H. CHERINGAL
COLEEN L. COLAHAN
JASON J. CONDINO
AARON C. CONWAY
JASON R. CROAD
ANTHONY M. CRUZ
CAITLIN O. CRUZ
MARK M. CRUZ
ANDREW J. DELLEDONNE
JOHN A. DERENNE
KATRINA L. DESTREE
BENJAMIN A. DREW
STEPHEN A. DUMONTIER
THOMAS A. EDWARDS
TAYLER B. ELDRIDGE
ROBERT P. ELIAS
MICHAEL J. ELIASON
THOMAS R. EVANS
MICHAEL C. FANGEROW
GREGORY R. FAULKNER
RYAN K. FAWLEY
MATTHEW T. FEELEY
JEFFREY P. FENNELLY
CHRISTOPHER W. FERGUSON
JASON F. FISHER
DANIEL J. GALKA
KIA M. GALLAGHER
CHIRAAQ N. GANGAHAR
MICHELLE T. GANYO
DANIEL S. GARVIN
BETHANY J. GOD
JOAN M. GONZALEZ
MICA D. GRANTHAM
IAN A. GRASSO
MARGARET C. GREEN
JONATHAN E. S. GRUBER
ROBERT J. GRZYBOWSKI
JUAN D. GUERRA
MATTHEW L. HALDEMAN
GREGORY W. HALL
MATTHEW G. HANLEY
FRANCIS J. HARTGE IV
RUSTON L. HESS
ADRIENNE S. HIATT
MICHAEL H. HIGHT
CHARLES J. HORN
ALEXANDER HRAY III
JENNIFER L. HUNT
JOHN E. JACKSON
SUZANNE M. H. JENKINS
FREDERIC C. JEWETT III
MARC J. KAJUT
SEAN S. KIM
CHASE A. KISSLING
LAURA S. KLEIN
ANDREW S. KNECHT
PETER F. KNICKERBOCKER
STEPHEN A. KOPLIN
ADRIAN B. KORDUBA
ERICA J. KRELLER
JANELLE R. KRINGEL
JULIAN S. KU
COLLEEN F. LAIL
JOHN K. LAMBRUX
KATRINA N. LANDA
GRACE D. LANDERS
ALISON B. LANE
JONATHAN T. LAU
JOSHUA R. LEBENSON
NANCY A. LENTZ
DANA R. LILLI
DIANA R. LINDSEY
SAMUEL F. LIVINGSTON
ROBERT J. LONG
STARLA N. LYLES
JESSE H. LYNN
KRISTINE E. LYONS
HARRY T. MADHANAGOPAL
KRISTIN N. MANSON
GEORGIA L. MARSH
JOSEPH S. MARTIN
ADAM D. MARUSZEWSKI
HORACE G. MATTHEWS
KATIE M. MCAULIFFE
CASEY E. MCCANN
BRENT J. MCDANIEL
SEAN C. MCINTIRE
RUTH E. MCCLAUGHLIN
STEPHEN M. MCMULLAN
STEPHANIE P. MEYER
WILLIAM E. MICHAEL
JUSTIN G. MILLER
MICHAEL J. MILLER
ERICA N. MINGO
ADRIAN J. MORA
JOHN W. MORRISON, JR.
PATRICK B. MORRISSEY
SHEILA MULLIGAN

KELLI R. MURPHY
PRITI V. NATH
MATTHEW D. NEALEIGH
KARI A. NEAMANDCHENEY
VU Q. NGHIEM
KIM T. NGUYEN
YUMMY NGUYEN
NATHAN M. OEHRLEIN
THOMAS F. OLSON
EJIROGHENE ONOS
CLAUDIO A. OSORIO
AMY A. OSTROFE
ADAM N. OVERBEY
KAITLIN D. PALA
BRIAN B. PARK
BRIAN Y. PARK
HYUN J. PARK
JENNIFER L. PARK
JOSEPHINE A. PEARSON
KELLY C. PENG
RICHARD A. PIERSON
DOUGLAS M. POKORNY
WILLIAM B. POKORNY
CATHERINE A. POPADIUK
MANDY M. POTTER
BRITTANY E. POWELL
WILLIAM M. PULLEN
CHRISTINE M. PUTHAWALA
MICHAEL J. RACS
VICTOR A. RAMOS
JEFFEREY M. RAUNIG
CLIFFORD J. RAYMOND
MATTHEW C. RE
MATTHEW J. RICHTER
BRENDAN J. RINGHOUSE
SHAYNA C. RIVARD
MELANIE E. ROBERSON
JOHN S. ROBERTS
CARRIE L. ROBINSON
CHRISTOPHER M. ROCK
AMY E. ROGERS
ANTHONY M. ROMERO
BENJAMIN J. ROPER
ANNA L. RUTHERFORD
RAUBBY C. SABALERIO
ALANA B. SABENE
STEVEN W. SAITO
GORDON P. SALGADO
JORGE SALGADO
JOSEPH N. SARUBBI
PATRICK L. SCARBOROUGH
ERIC C. SCHMIDGAL
RYAN J. SCHUTT
ANGELA L. SENESE
MATTHEW S. SERAFINE
CHARLES I. SIMERMAN
BRIGHID H. SIMMONS
PATRICK C. SIMPSON III
ANUMEHA SINGH
EVAN P. SLEIPNESS
HEATHER S. SLUSSER
EUGENE R. SMITH III
MARGO Z. SMITH
MATTHEW E. SMITH
CHRISTOPHER L. SNITCHLER
HEATHER M. SOLORIA
KIMBERLY M. SPAHN
SHELBY R. SPANDL
ALISON P. SPANIOL
JOSEPH W. SPELLMAN
CASANDRA M. SPREEN
CARL E. STARR
JENA L. SWINGLE
TESHOME M. TAFES
NICHOLAS A. TAMORIA
BRIAN E. TAYLOR
ALEXANDER S. TEEFEY
PATRICK M. THOMAE
JENNIFER L. THOMPSON
KIMBERLY A. THOMPSON
MATTHEW M. THOMPSON
KATHLEEN T. TILMAN
TIMOTHY D. TODD
DUY P. TRAN
GABRIEL S. VALERIO
TIMOTHY M. VEAL
BRANDON R. VIER
ADAM D. VOELCKERS
AUDREY C. VOSS
KATHERINE N. VU
SEAN M. S. WADE
MERCY D. WAGNER
ANDREW L. WARD
BRIAN P. WEIMERSKIRCH
JASON J. WEINER
ALLISON G. WESSNER
MATTHEW J. WESSNER
ANDREW H. WESTMORELAND
STEVEN A. WHELPLEY
NATHAN R. WHITLOW
JESSICA R. WINTERS
AMELIA L. WRIGHT
KEVIN T. WRIGHT
KURT C. WUKITSCH
PHILIP M. YAM
JOSEPH M. YETTO
TATYANA O. YETTO
CELESTE D. YOUNG
RYAN M. ZALESKI
KRIS E. ZAPORTEZA
AMETHYST K. ZIMMERMAN
AMY F. ZUCHARO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ALICE A. T. ALCORN
ERIK D. ANDERSON
KARIMA AYESH
ERIN S. BAILEY
BRYAN J. BEHM
BRADLEY A. BENNETT
NICHOLAS A. BENNETTS
SPENCER W. BJARNASON
DAVID G. BURKE
CAMRON S. BUTTARS
JOSEPH R. BYRAM
ADAM J. CATZ
JOHN A. CHAMBERLAIN
KAI C. J. CHANG
JERRY CHENG
SARAH H. CHILDS
KELVIN Z. C. CHOU
JOSEPH R. COOK
JOSEPH E. DEHMER
RACHEL V. DULEBOHN
DANIEL J. FISHER
MICHAEL P. FITZGERALD
ERIC H. FREDERIKSEN
BRANDON L. GEDDES
GREGORY M. GITTLEMAN
LINDSAY A. GODFREY
JOSEPH GRANT III
UJVAL R. GUMMI
PETER J. HAM
FARID HAMIDZADEH
DANIEL A. HAMMER
MARINA HERNANDEZFELDPAUSCH
SEAN B. HERSHBERGER
MARKUS S. HILL
CYNTHIA R. HOLLIDAY
RYAN K. HUKILL
ELISE V. HURRELL
JOSEPH M. JARMAN
MELISSA M. JOY
GABRIELLE K. JOY
DAVID J. KOSEK
CATHERINE L. KUBERA
BRITTANY L. KURZWEG
TAYLOR M. LONDON
MICHAEL H. LEE
MICHAEL J. LEWIS
CHRISTINA L. LILLI
ELLA T. A. K. LIM
ALICE C. L. MA
JAREN T. MAY
REBECCA S. MCGUIRE
STEPHANIE N. MORA
JAMES S. MORRIS, JR.
DAVID L. NELSON
KYLE T. NELSON
BRANDI B. NOORDMANS
JASON M. NOTARIO
ERIC W. OLENDORF
ELIZABETH G. PADILLA
DONALD G. PRITCHETT, JR.
RYAN J. PRYOR
STEVEN G. RABENSTEIN
HILLARY C. REEVES
AMANDA L. RICE
MATTHEW A. ROUSE
DAVID L. SANDBERG
ABIGAIL L. SCHMIDT
ADAM E. SCHMIDT
LINDSEY G. SHOWERS
JEREMIAH J. SPARKS
ALEXANDER TARASOV
ARTHUR S. VALERI
WILLIAM S. WALKER III
GEOFFREY L. WARD
WESLEY D. WEIBEL
BEECHER C. WHITEAKER III
NATHANIEL D. WILLIAMS
KEVIN C. WIMAN
DAVID S. YI
STACY L. YU
MALKA ZIPPERSTEIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JULIE M. C. ANDERSON
BRIAN C. ANDREWSSHIGAKI
ELIZABETH R. ANGELO
THOMAS S. ANNABEL
MICHAEL C. AVANTS
JOHN L. BALSAMO
RENARDIS D. BANKS
BENJAMIN J. BARRUS
MICHAEL B. BAUN
CHRISTINE S. BRADY
BYRON M. BREEDING
KEVIN M. BRIGHTON
DAVID L. BRODERICK
ALEXANDER P. BULAN
GRETCHEN S. BURNS
WILLIAM J. BURRELL
QINGYUAN CAO
AUDREY J. CARTER
HUNTER R. COATES
CARLOS M. COLEMAN

BRENT D. COLLINS
JORGE L. CONCEPCION
COLLEEN I. CORDRICK
FRANCISCO A. CORNEJO
JILL S. CUNNINGHAM
TAMMY L. DALESANDRO
JONATHAN R. DAVIS
LEONARDA M. DEGUZMAN
JOSEPH W. DICLARO II
PHILLIP S. DOBBS
KATHERINE V. DOZIER
KIMBERLY A. EDGEL
ANTHONY M. EISENHARDT
DAVID B. ENGLAND II
ANALIZA M. ENRIQUEZ
LUIS A. ESTRELLA
ELIZABETH D. FARRAR
FELIPE P. FINLEY
JOSEPH C. FISCUS
SARAH E. FLETCHER
JEREMIAH D. FORD
SETH L. GARCIA
AMANDA A. GARDNER
KRYSTAL S. GLAZE
LINDSAY H. GLEASON
KEVIN A. GOODELL
KRISTEN D. GROSS
MATTHEW D. GRYP
ZACHARY W. HARE
WILLIAM F. HAYES, JR.
RICK W. HECKERT
JEFFREY C. HERTZ
SUSAN A. HINEGARDNER
TONY H. HUGHES
ANN M. HUMMEL
ANDREW J. HUNTER
KYLEIGH B. HUPFEL
ERIC J. INFANTE
VINCENT P. JONES
JOSEPH K. KALEIOHI
MICHAEL D. KAVANAUGH
MICAH J. KINNEY
SANDEEP KUMAR
RACHEL E. LANTIERI
THUY D. T. LE

LAURA A. J. LETCHWORTH
AMANDA F. LIPPERT
MELISSA M. LIWANAG
WILFREDO L. LUCAS, JR.
ENKELEIDA MABRY
JOHN W. MAHONEY III
RYAN P. MAID
DANIEL N. MANNIS
CRYSTAL C. MASSEY
KARL M. MATLAGE
ALISTAIR S. MCLEAN
RODERICK S. MEDINA
JUSTIN W. MEEKER
LYNDSY M. MEYER
JACQUELINE L. MILLER
JEREMY K. MILLER
REBECCA M. L. MIRANDA
LEAH D. MOSS
ANGELA M. MYERS
MARY L. NEAL
JOSEPH W. NEIL
JAMES A. NEIPP
JOHN O. OCHIENG
JOHN R. OLIVA
NINA A. PADDOCK
CHRISTOPHER L. PAULETT
GIAO B. PHUNG
JOHN J. PICCOONE
AILEEN M. PLETTA
JOSE A. PULIDO
EVA K. REED
MARK A. RIEBEL
REBECCA L. ROOT
HEATHER L. ROSATI
ROBERT A. RUSSELL
VAHE L. SARKISSIAN
JESSE J. SCHMIDT
LEE W. SCIANINI
GARY L. SEARS
BRENDA L. SHARPE
ADAM J. SHARRITS
RYAN L. SHEPPARD
MATTHEW R. SHIPMAN
TARA M. SMALLIDGE
RYAN W. SMITH
GEORGE T. STEGEMAN, JR.
ROBERT C. SUMMERS
JOSHUA M. SWIFT
BRENT A. SZYCHULDA
BLAKE V. TOWNS
MARION G. VANZIE
DAWN B. WALKER
CHRISTOPHER WASHINGTON
BRADLEY S. WELLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BENJAMIN D. ADAMS
ADRIENNE M. BALDONI
LAURA R. BATEMAN
KEVIN R. BRANDWEIN
SHAWN W. BRENNAN
DANIEL M. BRIDGES
STEPHEN W. BUCKLEY
AUBREY D. CHARPENTIER

STEPHANIE L. CIRONE
ANDREW M. COFFIN
MARGARET V. COLE
BRIAN D. CORCORAN
MATTHEW C. COX
ARI E. CRAIG
THOMAS L. EATON
SCOTT W. FISHER
JESSICA L. FORD
JARROD R. FRANKS
GEOFFREY T. GILLESPIE
CHARLES C. GOUGH
EDWARD T. GRIFFIS, JR.
LEIGHA B. F. GROVES
CANDACE M. HOLMES
ALEXANDER G. HOMME
LAUREN E. HUGEL
CHRISTOPHER H. HUTTON
ADAM E. INCH
MEGAN R. JACKLER
MATTHEW J. KADLEC
JENNIFER L. LUCE
JEFFREY S. MARDEN
LAUREN A. S. MAYO
ANDREW J. MOORE
PAUL B. MORRIS
SARA P. NEUGROSCHEL
KATHRYN A. PARADIS
ADAM G. PARTRIDGE
MICHAEL T. PIERCE, JR.
THERESA D. POINDEXTER
PHILIP W. ROHLFING
CHARLES M. ROMAN
DENISE L. ROMEO
BRANDON H. SARGENT
JOHN A. SCHAFER
KEVEN P. SCHREIBER
KIMI K. SCHULTHEISS
ANTHONY P. SHAM
NICOLE T. STARING
TIA R. SUPLIZIO
JAMES C. SYLVAN
JON T. TAYLOR
MATTHEW P. THRASHER
MICHAEL F. WHITTAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEPHEN K. AFFUL
BETSY L. ALBERS
NGUYET N. ALLBAUGH
JUSTIN E. ALLEN
RACHEL D. ALLNUTT
CANDY S. ANDERSON
DAVID A. ANTICO
AMY E. APARICIO
JOURDAN K. ASKINS
KRISTIN S. AUCKER
JONATHAN M. AUKEMAN
ROBERT B. BAILEY
ERIC S. BANKER
AMY H. BARENDSE
KATHRYN A. BARGER
JOHN B. BENEFIELD III
TRACI L. BENSON
RACHEL A. BRADSHAW
JASON L. BROUGH
JERRY J. BROWN
TERRY J. BROWN
TRACI E. BURRELL
JOHANNA M. CARLSON
ROGER G. CASON
CHERYL Q. CASTRO
CHANTEL D. CHARAIS
KRYSTAL M. CHUNACO
SHARON A. CROWDER
LESLIE A. DALEY
JESSICA E. DALRYMPLE
ALAWAH C. DAVIS
ADA C. DEE
WILBERT C. DIXON III
BRIAN C. DUENAS
ERIC E. DUNBAR
PHYLLIS J. A. DYKES
DANNY J. EASON, JR.
ALESHA K. EGTS
APRIL L. EHRHARDT
NICHOLAS W. EIGHMY
DARCEY L. R. ENDICOTT
YVES H. EYIKE
COREY M. FANCHER
SARAH E. FARIS
JESSICA M. FERRARO
TRAVIS J. FITZPATRICK
JEAN A. FORTUNATO
ROBERT H. FOWLER III
CLEMENT FRANCIS
JENNIFER T. FRANCIS
KEITH J. FREEMAN
JOHN D. GARDNER
LEEYANNA M. GERBICH
CARLA J. GRAHAM
STACIE B. GROVES
JONATHAN D. HAMRICK
LANAE Z. HARRISON
CHRISTOPHER L. HARVIE
ANGELA R. HEALY
NANCY G. HELFRICH
KIMBERLEY L. HENDRICKS
SERINA A. HERNANDEZ

ANTHONY S. HOFER
JUANITA T. HOPKINS
MICHAEL J. HOWARD
JASMYNE C. IRIZARRY
SARAH A. JAGGER
SAMANTHA J. JENNINGS
ANDY L. KELLER
JENIQUE B. KEYS
JAMES W. KILPATRICK
CHARLES J. KINARD
MARY E. KING
ROBERT M. LEAHY
JENNIFER H. LORAN
YVONNE M. MARENCO
SCOTT E. MCCLURE
LEAH U. MCCOY
LINDSAY K. MCQUADE
DANILO R. MENDOZA, JR.
MEGAN K. MOODY
JOSHUA J. MORGAN
AMANDA P. MUNRO
ERICA H. NICOLETTI
FARZAN NOBBEE
STEFANIE A. NOCHISAKI
OTIS OSEI
RHYS A. PARKER
ALLEN K. PAYNE
ERICA L. PHILLIPS
COURTNEY V. POWELL
NIKKI L. PRITCHARD
RENEE M. QUEZADA
TY M. QUINN
JERICHO H. RAMIREZ
BARBARA M. REMEDIOS
MARY K. REYNA
BRANDON A. RUDY
EDWARD L. S. RUNYON
SARAH D. RUSHNOV
BRETT A. SALAZAR
KAREN J. SANCHEZ
CRYSTAL M. M. SARACENI
BRANDON J. SARTAIN
ERIKA D. SCHILLING
LESLIE R. SCHNEIDER
NATHANIEL J. SCHWARTZ
RACHEL I. SEHNERT
JUAN D. SERRATO
MELISSA A. SLACK
JUDITH SMART
LATARYA D. SMITH
DONELLE J. SPIVEY
ANGELA G. SPRUILL
JENNIFER D. SQUAZZA
STEVEN A. STARR
DOMINICK B. STELLY
KIMBERLY A. STEVENS
MICHAEL A. STEVENS
KRISTIN P. STONIECKI
LOUIS D. STREB
KASSY L. STRICKLAND
CHRISTOPHER O. SUTHERLAND
STACEY A. SWINDELLS
ADAM M. TAYLOR
KOA J. THOMAS
ANDREW B. TINGUE
MARYPAT A. TOBOLA
JOEL P. TRAUSCH
MEREDITH K. TVERDOSI
DAVID T. UHLMAN
NATESHA A. VAILLANCOURT
SUSAN R. VIDAURRE
CLAIRE M. VIDRINE
STEPHANIE E. WALLACE
CRAIG A. WILKINS
MELINDA S. WILLIAMS
MICHAEL C. WILLIAMS, JR.
VANITA J. WILLIAMS
BRIAN C. WILSON
PETER J. WOODS
CAITLIN M. WORKMAN
JOSHUA A. WYMER
BRITTANY L. YANG
ALESSANDRA E. ZIEGLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SCOTT E. ADAMS
PATRICK D. AMUNDSON
LAURA A. ANDERSON
ANJA D. ANLIKER
ZACHARY J. ARMSTRONG
CARNELL P. AURELIO
JATAN BASTOLA
JOHN R. BING
STEPHEN T. BLONSKI
BERT R. BRATTON, JR.
ANDREA K. BUCK
ANTHONY M. CASTLEBERRY
JENNIFER L. CHARLTON
LISA CHEN
PHILIP F. CLARK, JR.
KATHRYN M. DAMORE
MICHAEL P. DAUSEN
ELDRIDGE L. DAVIS
JAMMIE L. DOWNER
BRADFORD L. EDENFIELD
JEFFREY J. EOM

GARRY K. FERGUSON
ANDREW W. FOURSHA
PAUL D. FUERY
JOSE A. GALVAO
JARED A. GIBSON
CASEY J. GILLETTE
RAYFIELD N. GOLDEN
JASON E. HARNISH
DAVID W. HILL
TIMOTHY M. HILL
ADAM G. HILLIARD
WESLEY P. HITT
EUGENE K. J. HO
THOMAS D. HOUSE
FRANKLIN J. JENSEN, JR.
KYLE A. JOHNSON
JAMES W. JONES
PAUL J. KLOEPPING
ANDREW J. KRANTZ
JOSHUA L. G. LANGHORNE
CHRISTOPHER M. LEBEL
JOSHUA D. LONGWORTH
MATTHEW M. LORGE
DANIEL MALDONADO III
STEPHEN J. MANNILA
CHRISTOPHER M. MASON
RUDY MASON
CHARLES E. MCCANDLESS
JAY T. MCFARLAND
JOHN W. G. MCNEIL
DAVID A. MEDICI
TRAVIS M. MILLER
WILLIAM E. MORRISON
EDUARDO A. NICHOLLSCARVAJAL
EDWARD P. NIXON
DAVID F. ODOM
JOHN P. O'DONNELL
JONATHAN P. PAGNUCCO
BRANDON W. PALMER
CARLISLE C. PENNYCOOKE
SHANNON E. PERCIVAL
JESSE P. PETTY
JEFFREY M. PHILLIPS
JASON L. REVITZER
JONATHAN R. RICHMOND
PETER RIESTER
STEPHEN C. RYAN
ALBERTO H. SABOGAL
WILLIAM E. SHIELDS
MARY E. B. SLY
JOSEPH A. SMUTZ
AMPHAY SOUKSAVATDY
JAMIE J. STEFFENSMEIER
EDWIN J. STEVENS
DAVID J. STONECIPHER
TYHEEM SWEAT
AARON T. THORNTON
BENJAMIN D. THORNTON
MICHAEL S. TUDDENHAM
GILBERT P. UY
REMUIS D. WALLS
XIAO Y. WANG
DWANN E. WASHINGTON
ANTHONIO R. WEATHERSPOON
CHARMAINE R. YAP

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RAYMOND B. ADKINS
MICHAEL W. BEASLEY
JEREMY P. BLYTHE
STEPHEN B. BROWN
STEPHEN B. CHAPMAN
YOON J. CHOI
VITO M. CRECCA III
DAVID A. DAIGLE
JOEL R. DEGRAEVE
CONRAD T. DELANEY
CHRISTOPHER N. EARLEY
JOSHUA R. EARLS
KEN R. ESPINOSA
ROBERT D. FASNACHT
CHAD O. HAMILTON
DIANE M. HAMPTON
GREGORY R. HAZLETT
JAMES P. HOGAN
CLAYTON D. JONES
MICHAEL S. KENNEDY
TAE H. KIM
DIEGO H. LONDONO
SCOTT P. MASON
DANIEL J. MCGRATH
DAVID S. PAHS
JEFFREY A. PERRY
MATTHEW A. PICKERING
JAMES C. RAGAIN III
JOSEPH L. ROACH
ARTHUR J. ROBBINS II
JAMES M. RUTAN
MARK A. TORRES
STEPHEN E. VELTHUIS
CHRISTILENE WHALEN
GALE B. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PAUL I. AHN
JAMES G. ANGERMAN
JOSHUA S. BETTIS
BRYAN J. BEYER
RICHARD E. BUECHEL
BRENDAN B. BUNN
MICHELLE S. B. CAPONIGRO
NATHAN H. DEUNK
BENJAMIN R. DUNN
DOUGLASS G. FARRAR
JOHN D. FRANK
BRIAN R. GATES
ADAM J. GERLACH
JANNIRA L. GREGORY
MARJORIE J. GRUBER
DEREK B. HALL
JOHN H. HEATHERLY
KIRK W. HEUTEL
BRIAN A. HOLMES
SEAN R. HUGHES
CHRISTOPHER E. JAMES
RUSSELL B. JARVIS
MARK S. JUSTISS
CODY W. KEESEE
HARRY Y. KIM
MATTHEW J. KING
DOUGLAS H. KNOTTS
JOHN D. KVANDAL
JOSHUA M. LEWIS
CHRISTOPHER J. MCDOWELL
JAMIE R. MCFARLAND
JACK D. MCLEOD
MATTHEW R. MILKOWSKI
KENA K. MONTGOMERY
JOSE D. MORA
NIGEL T. MORRISSEY
ANDREW G. MOYER
RAMA K. MUTYALA
CHRISTOPHER J. OVER
JONATHAN M. PILON
BRADLEY J. ROBERTS
MARK Z. ROUSSEL
JOHN V. RUGGIERO
DAVID N. SARE
HENDRIK A. SCHOEMAN, JR.
ANDREW M. TAKACH
GEORGE C. TOMALA
JOSHUA A. TURNER
IAN H. UNDERWOOD
MICHAEL A. WARREN
JEFFREY J. WATSON
CHRISTOPHER J. WIDHALM
ANTHONY L. WILLIAMS
ANDREW P. WINCKLER
SHANNON L. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DENNIS L. LANG, JR.
YASMIRA LEFFAKIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KAREN J. SANKESRITLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
IN THE GRADES INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

MARK F. BIBEAU

To be lieutenant commander

MATTHEW K. KOKKELER
JASON A. LAURION

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RANDALL L. MCATEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN F. CAPACCHIONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

STUART T. KIRKBY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT
TO THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CARRIE M. MERCIER

CONFIRMATION

DEPARTMENT OF STATE

DINARY AND PLENIPOTENTIARY OF THE UNITED STATES
OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

Executive nomination confirmed by
the Senate September 8, 2016:

PETER MICHAEL MCKINLEY, OF VIRGINIA, A CAREER
MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF
MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAOR-

EXTENSIONS OF REMARKS

HONORING MR. CRAIG J. ROLISH
OF JOHNSTOWN, PENNSYLVANIA

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. ROTHFUS. Mr. Speaker, I rise to honor Mr. Craig J. Rolish of Johnstown, Pennsylvania. He is an Airforce veteran who served in Vietnam as an enlisted airman, and is a 2002 recipient of the Four Chaplains Legion of Honor Award.

In 1993, Craig was involved in the founding of the Veteran Community Initiatives (VCI). For the past 23 years, Mr. Rolish has been instrumental in the growth and credibility of the VCI's efforts to enhance the lives and well-being of veterans and their families.

As the Vice President-Treasurer, and original Board Member, Mr. Rolish has been long involved in ensuring VCI assists in meeting the social and economic needs of the disabled, disadvantaged, physically and mentally challenged, unemployed and underemployed, and current and previously incarcerated.

Craig's dedication to veterans and their families for more than 20 years has created a lasting legacy at VCI.

Mr. Speaker, Pennsylvania values its veterans, and it is my great pleasure to honor the man who has spent more than two decades building an organization that provides assistance to those who have served in our armed military and their families.

HONORING JAMES CARMICHAEL

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. RENACCI. Mr. Speaker, I rise today to pay tribute to my friend and a great American, James "Jim" Carmichael, of Wooster, Ohio. Our nation, the state of Ohio, and his beloved Wayne County lost a friend, a father, a husband, and a dedicated public servant on July 13, 2016.

God, country, and family were Jim's guiding stars. He was a man of incredible faith, integrity, and love. Jim served in the Ohio Army National Guard from 1959 to 1964, and from 1971 to 1979, he was the mayor of Shreve, Ohio. During this time he was president of the Wayne County Mayors Association and president of the Shreve Friends of the Library. Jim was also a member of the Shreve Police and Fire Departments. He continued his public service as a member of the Wayne County Board of Elections from 1980 to 1999, and served as the board's chairman from 1989 to 1999; Jim also served as chairman of the Wayne County Republican Party from 1981 to 2000.

In 2001, Jim was elected to the Ohio House of Representatives, an office he held until 2009. During his time in the legislature, he held a number of positions including Assistant Majority Whip, Majority Whip, and Assistant Majority Floor Leader. He also led as the Chairman of the House State Government Committee and Chairman of the Ohio House and Senate Cancer Caucus. After his tenure in the Ohio House of Representatives, Jim was elected Commissioner for Wayne County from 2009 until this year. Jim loved his community. He served as a Merit Badge Counselor for the Boy Scouts' Citizen in the Nation merit badge. He was also very proud to be a longtime fan of Tri-Way-Shreve School and sports, and loved to cheer on the home team.

Jim is survived by his wife Carolyn, his daughters Keely and Debbie, grandchildren Matt, Lindsay, Jamie, Garrett, Grace, and Gavin; great-grandchildren, Aubrey, Gage, and Evelyn, and his sisters, Ruth Flinner and Jane Carmichael.

I ask my colleagues in the House to join me in paying tribute to a reliable friend, a thoughtful lawmaker, and very simply, a good man.

KINGWOOD HIGH SCHOOL RUGBY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. POE of Texas. Mr. Speaker, I rise today to congratulate the Kingwood Girls' Rugby Club 2015–2016 team for going undefeated in the regular season, making it to the state finals, and participating in the 2016 High School Division at the Penn Mutual Rugby Championship in Philadelphia, Pennsylvania. Their achievement is a testament to the dedication of head coach, Josh Dill, and assistant coach, Nick Carline, and the player's work ethic. Balancing school and athletics is not an easy task and these student athletes work hard in the classroom and continually strive to improve their craft. The families, teachers, friends, and the entire community are very proud of the Kingwood Girls' Rugby team. It is with great pleasure to recognize the members of the 2015–2016 Kingwood Girls' Rugby team:

Amber Balow
Mckenzie Borchers
Isabelle Haro
Ella Hurley
Avery Lobusch
Delanna Martin
Bryanna Matschiner
Monica Reescano
Katie Rozum
Deja Steinbrecher
Sierra Titus
Jennifer Villanueva
Taylor Welch

Tori Wilson
Nick Carline (assistant coach)
Josh Dill (head coach)
And that's just the way it is.

HONORING THE 25TH ANNIVERSARY
OF MACEDONIAN INDEPENDENCE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the Macedonian-American community in honor of their homeland's 25th Independence Day. The people of the Republic of Macedonia voted on September 8, 1991, to officially gain independence from the former Yugoslavia. By voting for independence, the people decided that it was time for their country to forge its own democratic path and to begin a new era in their history. This 25th anniversary of their independence provides us all an opportunity to recognize the Macedonian-American community's significant contributions within the United States.

But first, I would like to ask for a moment of silence for the 24 victims of devastating floods that affected Macedonia's capital Skopje (Scop-yay) last month, which left hundreds injured and thousands displaced. Our own government provided over \$50,000 in aid to help these flood victims and repair schools in time for the start of the school year.

Since 2001, Macedonia has been one of the staunchest allies of the United States in the War on Terror. Macedonia was the fourth and fifth largest contributor of troops, per capita, in the mission in Afghanistan. Macedonian troops guarded American troops at the compound in Kabul. And, Macedonia welcomed 50,000 and 400,000 refugees during the wars in Bosnia and Kosovo, respectively. For a country of little over two million, Macedonia has done its fair share and deserves to be in NATO. On that note, I ask that you join me, and 35 colleagues, in cosponsoring H. Res. 56 in support of Macedonia's NATO accession as soon as possible.

With American support, Macedonia has become a model of stability in a region known for ethnic strife and tension. Up until earlier this year, Macedonia was struck with the unprecedented refugee crisis facing Europe, as hundreds of thousands of migrants and refugees fled war-torn countries in the Middle East and North Africa. In one year, an estimated one million migrants traveled through Macedonia, and the country's institutions organized an orderly response to the influx of people, including organizing daily trains to ferry migrants from the southern to the northern border. If the partnership between the United States and Macedonia is to remain strong, the country needs our continued support.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I also use this opportunity to urge Macedonia's leaders to continue strengthening their institutions and reforming its democracy and rule of law, especially following the slated December 11, 2016 elections, which will prove a true test of its democracy.

As a way to recognize and strengthen this strategic U.S.-Macedonia partnership, I started the first Congressional Caucus on Macedonia and Macedonian-Americans. This Caucus is a bipartisan group of members of Congress dedicated to maintaining and strengthening a positive and mutually beneficial relationship between the United States and the Republic of Macedonia, as well as advocating for the concerns and interests of the Macedonian-American community in the United States.

Michigan's 10th District has one of the largest populations of Macedonian-Americans in the Nation. I would like to acknowledge their contributions to our District and our State, and I look forward to continuing that relationship as we deal with the problems facing our great Nation.

Again, congratulations to all of Macedonian heritage for their achievements as we commemorate this important 25th anniversary of Macedonia's independence.

Long Live Macedonia (Da Zivee Makedonija)

Long Live the United States (Da Zivee Amerika)

"TURN THE PAGE" LITERACY INITIATIVE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. POE of Texas. Mr. Speaker, every summer youth without access to books lose academic skills, while those who are reading continue to make progress in developing their proficiency. Studies show that summer learning loss is a significant cause of the achievement gap between lower- and higher-income youth. Students from low-income households learn at the same rate as their peers while school is in session, but while middle- and upper-income students show slight gains in their reading performance after the summer months, lower income students experience a two-month loss in reading achievement.

It is what teachers refer to as the "summer slide" or "summer setback." This loss is cumulative: while teachers spend 4 to 6 weeks re-teaching material to the students who have fallen behind over the summer, other students are progressing with their skills. The result? By the end of the sixth grade, children who lose reading skills during the summer are on average 2 years behind their peers. Even more startling is the conclusion of University of Nevada research, which has shown that students without access to books are less likely to complete their basic education.

The simple fact is that there are fewer opportunities for daily summer reading when both parents are away at work. Without access to books, our kids fall behind.

My daughter teaches English at Baylor University. She has dedicated her life to edifying

the young people of this country by instilling in them a love for reading, and for the intellectual tradition it gives them access to. This love needs to start early, and the inheritance of that tradition should be accessible to all Americans. That is why I am proud of the efforts of KHOU and Star Furniture, who are rolling out a new community effort to increase the literacy rate in Houston. They are soliciting donations for the non-profit group "Books Between Kids," which provides at-risk children with books that they can keep in their home. We need more programs like this in our country.

IN HONOR OF JAN BLACK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. FARR. Mr. Speaker, I rise today to commend the remarkable personal and professional achievements of Dr. Jan Black, a great educator, selfless activist, and dear personal friend. Jan is at the same time a model American and a global citizen. Over the years she has devoted countless hours to local political campaigns for offices ranging from the President and Congress to city council and school board. Equally, she has been a tireless advocate and traveled around the world on behalf of international education and human rights.

Jan has taught for many years at the Middlebury Institute of International Studies in Monterey, California. She earned her BA in Art and Spanish from the University of Tennessee. She earned her MA in Latin American Studies and PhD in International Studies at the American University School of International Service in Washington DC.

Jan's international experience includes Senior Associate Membership at St. Antony's College, Oxford University; Fulbright, Mellon and other grants and Fellowships in South America, the Caribbean, and India; on-site or short-term teaching and honorary faculty positions in several Latin American countries, and extensive overseas lecturing and research. She was also a Peace Corps Volunteer in Chile and a faculty member with the University of Pittsburgh's Semester-at-Sea program.

Jan was a research professor in the Division of Public Administration, University of New Mexico, and editor and research administrator in American University's Foreign Area Studies Division. She has also served on some two dozen international editorial and non-governmental organization boards and has published numerous articles and books, including most recently a 2009 book titled "The Politics of Human Rights Protection."

In 2011, Jan was elected to the Board of Directors of Amnesty International USA, she is a member of the Advisory Boards of the International Political Science Association's Committee on Civil-Military Affairs; the Global Studies Program of California State University, San Jose; and the PhD Fellowship Program of the U.S. Inter-American Foundation.

Mr. Speaker, I know I speak for the whole House in recognizing Dr. Jan Black for her remarkable personal and professional achievements. The world is a better place because of her efforts.

RECOGNIZING THE 90TH BIRTHDAY OF THE CITY OF MIAMI SPRINGS

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. DIAZ-BALART. Mr. Speaker, I rise to recognize the city of Miami Springs on the occasion of its 90th birthday.

Miami Springs was founded in 1926 by aviation pioneer Glenn H. Curtiss. Since that time, Miami Springs has grown to be home to 14,000 Floridians who prize the town for its small-town feel and civic amenities.

Miami Springs has been distinguished with several awards. In recognition of the historic nature of the town and numerous buildings and memorials that illustrate Florida history, the city was designated a "Preserve America Community" by former First Lady Laura Bush in 2008. Today, visitors and residents can tour over twenty historic sites. Additionally, Miami Springs has been certified as a Tree City USA since 1993.

For 90 years, Miami Springs has profited from and contributed to the community surrounding Miami International Airport. The city is a vibrant part of South Florida, and continues to be a wonderful place to live, raise a family, and open a business. I am proud to have collaborated with the thriving City of Miami Springs, and look forward to partnering with its leaders for many years to come.

Mr. Speaker, I am honored to pay tribute to the City of Miami Springs on this auspicious milestone, and I ask my colleagues to join me in recognizing this exceptional city.

CONSTITUTION WEEK 2016

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. RICE of South Carolina. Mr. Speaker, I would like to submit the following proclamation:

Whereas, it is the privilege and duty of the American people to commemorate the two hundred and twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

Now, therefore, I, TOM RICE, by virtue of the authority vested in me as Representative of the Seventh District of the State of South Carolina, do hereby proclaim September 17 through 23, 2016 to be Constitution Week and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

HONORING EAGLE SCOUT REECE
O'CONNOR

HON. PETER J. ROSKAM
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. ROSKAM. Mr. Speaker, I am pleased to recognize Reece O'Connor, an exceptional and accomplished young man from the Sixth District of Illinois. Reece is a senior at Hinsdale Central High School and has not only earned the rank of Eagle Scout but has earned every single merit badge the Boy Scouts of America have to offer.

This achievement represents many years of diligence and personal determination in support of the ideals of scouting. What makes this achievement even more impressive is the fact that Reece did not join Boy Scouts until the 7th grade.

Even with the late start, Reece made it his goal to "catch up" to the rest of his scout mates—and ultimately he surpassed his goal. While the Scouts only offer 136 merit badges, he currently has 138 badges. The Boy Scouts frequently add new badges and retire old ones for special occasions; for example Reece earned several badges that were only offered during the Scouts' 100th anniversary. According to a spokesman for the Boy Scouts of America Reece's success is "an extremely rare achievement."

Reece's Eagle Scout project was also an impressive accomplishment. In 2013, the summer before he started high school, he organized a shoe drive and collected more than 1,000 pairs of shoes. These shoes were sent to people in Oklahoma displaced by tornadoes, and to refugees in Nicaragua and Rwanda. Reece is a testament to the Boy Scouts organization and all that it stands for.

Mr. Speaker, please join me in honoring Reece for his remarkable achievements.

11TH ANNUAL NATIONAL NIGHT
OUT IN THE CITY OF BULVERDE,
TEXAS ON OCTOBER 4, 2016

HON. LAMAR SMITH
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. SMITH of Texas. Mr. Speaker, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie in order to make our neighborhoods safer. The City of Bulverde, which is located in the 21st Congressional District in Texas, facilitates National Night Out as a unique opportunity to join with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts.

Congratulations to the City of Bulverde as it marks its 11th consecutive year participating in this important event with the Bulverde Police Department. Each year, community participation has increased. In 2015, Bulverde placed 2nd in Texas in the National Night Out Awards Program and 14th in the U.S. in their population category.

Thanks go to the citizens of Bulverde as they join the Bulverde Police Department and the National Association of Town Watch in supporting the Annual National Night Out on October 4, 2016. These efforts keep our communities, and our citizens, more safe and secure.

HONORING THE LIFE AND SERVICE
OF ST. JOHN THE BAPTIST FIRE
CHIEF SPENCER CHAUVIN

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to recognize the life and service of St. John the Baptist Fire Chief Spencer Chauvin. Chief Chauvin lost his life on August 28th after being struck by a charter bus while responding to a car accident.

From the time he was a teenager, Chauvin knew that he wanted to serve his community by following in the footsteps of his father and grandfather who both served as firefighters. At the age of 14, Chauvin became a volunteer firefighter with the St. John the Baptist Parish Westside Volunteer Fire Department.

He continued to show his dedication to service by working as an EMT for Acadian Ambulance then later receiving his Associate's Degree in Fire Science. In 2004, Chauvin joined the St. John the Baptist Fire Department full-time where he then became District Chief.

After 40 years of service, Chief Chauvin leaves behind a legacy that will resonate for years to come. My deepest condolences and prayers are with Chief Chauvin's family, his fellow firefighters, and especially his two young children.

FL INVENTOR HALL OF FAME 2016

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the seven inventors who have been recognized as the 2016 Inductees of the Florida Inventors Hall of Fame. These inventors were nominated by their peers and have undergone the scrutiny of the Florida Inventors Hall of Fame Selection Committee, having had their innovations deemed as making a significant impact for the citizens of Florida and the United States on quality of life, economic development, and welfare of society.

The Florida Inventors Hall of Fame was founded in 2013 by Paul R. Sanberg, Senior Vice President for Research, Innovation and Economic Development, and Judy Genshaft, President, at the University of South Florida. It was recognized by the Florida Senate with Senate Resolution 1756 and adopted on April 30, 2014. Its mission is to encourage individuals of all ages and backgrounds to strive toward the betterment of Florida and society through continuous, groundbreaking innovation by commending the incredible scientific work

that has been or is being accomplished in Florida and by its citizens.

Nominations to the Florida Inventors Hall of Fame are open to all Florida inventors who are or who were residents of Florida and whose connection to the state has informed their inventive work. The nominee must be a named inventor on a patent issued by the United States Patent and Trademark Office. The impact of the inventor and his or her invention should be significant to society as a whole, and the invention should have been commercialized, utilized, or led to important innovations.

The 2016 Inductees of the Florida Inventors Hall of Fame are: William Dalton, Tampa physician, founder and CEO of M2Gen at Moffitt Cancer Center, for his revolutionary developments in personalized cancer treatment; Yogi Goswami, Distinguished Professor at the University of South Florida in Tampa, for his pioneering contributions and technology development in solar energy and indoor air quality; Alan Marshall, professor and chief scientist at Florida State University in Tallahassee, who invented the Fourier transform ion cyclotron resonance (FT-ICR) mass spectrometry, used to analyze complex structures; Nicholas Muzyczka, microbiologist at University of Florida in Gainesville, whose ground breaking research in adeno-associated virus has led to numerous breakthroughs in gene therapy; Jacqueline Quinn, environmental engineer at Kennedy Space Center in Cape Canaveral, who invented multiple, globally-impacting environmental cleanup technologies, including NASA's most licensed and recognized technology for groundwater remediation, Emulsified Zero Valent Iron (EZVI); Andrew Schally, Nobel Laureate, Distinguished Professor at University of Miami School of Medicine, and Distinguished Medical Research Scientist and Chief of the Endocrine, Polypeptide and Cancer Institute at the Miami Veterans Affairs Medical Center, for his discovery of hypothalamic hormones and subsequent applications of their analogues to treatment of cancer and other diseases; and MJ Soileau, professor at the University of Central Florida in Orlando, for his innovative research in the advancement of high energy laser optics used by the Department of Defense and leading the development of UCF's internationally recognized Center for Research & Education in Optics & Lasers (CREOL).

These contributions made to society through innovation and invention are significant and life changing. I commend these individuals for the work they have done to benefit the world. In contemplating the work of these inventors, future generations can strive to emulate these honorees and their dedication to innovation.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. SINEMA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted:

Roll Call Number 479, yes.

Roll Call Number 480, yes.

IN RECOGNITION OF HOME INSTEAD SENIOR CARE'S 10TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. COMSTOCK. Mr. Speaker, please allow me to take a moment to congratulate the Home Instead Senior Care in Manassas, Virginia who are celebrating their 10th anniversary this October. Opened by Jack and Jacqueline St. Clair in 2006, Home Instead provides quality care to nearly 600 senior citizens throughout our great Commonwealth.

Home Instead caregivers seek to build quality relationships with the clients they serve, giving a personal touch to home care. The company operations are all derived from their mission "to enhance the lives of again adults and their families". This mission is evident as their care allows seniors to remain at home with family where they are comfortable and happy. Home Instead Senior Care in Manassas is a company run with compassion and a focus on providing excellent care for their clients. As local residents themselves, Jack and Jacqueline St. Clair pride themselves on providing friendly and responsive service to their neighbors and have dedicated themselves to making their community a better place to live for seniors and their families.

In closing Mr. Speaker, I ask that my colleagues join me in sending our most sincere appreciation to a company that has given so much to their neighbors. Jack, Jacqueline, and the staff at Home Instead Senior Care in Manassas serve as an example to all. On behalf of Virginia's 10th Congressional District I wish them continued success in the future.

IN RECOGNITION OF TIO TACHIAS

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. SINEMA. Mr. Speaker, I rise today to recognize the tenure and accomplishments of a community leader, an elected official, and an advocate for higher education in Arizona, Mr. Tio Tachias.

Mr. Tachias has proudly served the state of Arizona for over 40 years through his work as a Coconino County Supervisor, a member of the Arizona Board of Regents and a board member for countless community and educational organizations.

He developed personal and political relationships with Arizona Governors Castro, Babbitt, Mofford and Napolitano and is widely regarded as the best person to identify, register and turnout new voters on the Navajo Nation. His work contributed to countless electoral victories and he has helped thousands of new voters exercise their right to vote on Election Day.

Mr. Tachias has also served as a mentor for the next generation of Latino and Native

American youth in Arizona. He has been involved in organizations such as the Boy's and Girl's Club of Flagstaff, the Phoenix Boys Choir and Northern Arizona Crisis Nursery.

Arizona is lucky to have Tio as part of our community and I know that even in retirement he will continue to contribute to our state in countless ways.

CITY OF BRONSON'S
SESQUICENTENNIAL CELEBRATION

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the City of Bronson's Sesquicentennial celebration.

The city of Bronson—located in the heart of Branch County—was first incorporated as a village in 1866 under the name Bronson's Prairie. Named for Jabez B. Bronson, who was the first settler to the area and later the first village postmaster, Bronson was officially chartered as a city in 1934.

Known as the "Gladiolus Capital of the United States," Bronson grows the finest gladiolus flowers along with other diverse agricultural commodities on over 300 local farms. The city is also home to a strong industrial base, with a mixture of precision metal machining, tool and die, and automotive assembly, among numerous other manufacturing shops.

With its many lakes and trails, farmer's markets, and concerts in the park, Bronson is busy with countless activities for all. Its yearly Polish Festival attracts visitors from throughout the region, featuring Polish food, vendors, crafters, and a parade.

A gem of the community—the Bronson Public Library—remains as one of the few remaining Carnegie Libraries still in its original unaltered configuration.

It is truly an honor to commemorate this exciting celebration for the people of Bronson—where family, friends, and neighbors proudly come together to make the community a special place to call home. Congratulations to the citizens of Bronson as they celebrate 150 years.

THANKING TINA HANONU FOR HER
DEDICATED SERVICE TO THE
HOUSE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to acknowledge and thank Ms. Tina Hanonu, who, after 31 years of dedicated service to the United States House of Representatives, retired August 5, 2016.

Tina began her career in 1984 serving as an advisor and consultant to Representative Connie Morella and went on to become a senior systems administrator for Representative Sherwood Boehlert. Recognizing her technical

know-how and proven ability to provide seamless customer solutions in the IT field, Ms. Hanonu was hired by the House's Chief Administrative Officer as a systems administrator for House Information Resources. During her tenure with House Information Resources, Ms. Hanonu was promoted multiple times and took on several important roles, including the Director of Technology Support, Assistant Chief Administrative Officer and then finally the Senior Advisor for the Transition to the 115th Congress.

Having worked in various capacities on the Hill, Tina developed a comprehensive understanding of the House's complex IT needs and worked tirelessly to serve the House community. Tina's colleagues at the CAO and the countless congressional offices she worked with over the course of her three-decade career, not only praised her many skills, but also her upbeat attitude, positive approach to every problem and strong work ethic that cultivated strong relationships between Member offices and administrative House organizations.

Ms. Hanonu's supervisor, Chief Information Officer Catherine Szpindor, praised Tina's "deep commitment to the House and genuine love for the role she played in supporting the Member, Committee, and Leadership offices and CAO offices over her 31 year tenure."

Tina once said that despite her many years working on the Hill, she would get "goosebumps every day" when she saw the Capitol Dome. The privilege of working here at the Capitol was not lost on Ms. Hanonu and it showed every day. Mr. Speaker, I think it's clear that those who worked with Ms. Hanonu considered it a privilege to call her a colleague and a friend.

On behalf of the U.S. House of Representatives, I personally congratulate Tina on her retirement, and thank her for her outstanding dedication and contributions to this institution.

RECOGNIZING TEXAS
INSTRUMENTS INCORPORATED

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to applaud the work of Texas Instruments Incorporated and to recognize the important contributions they have made to accelerate U.S. innovation and increase access to high-quality science, technology, engineering, and mathematics (STEM) education in my home state of Texas.

Texas Instruments was founded in 1951, when Cecil H. Green, J. Erik Jonsson, Eugene McDermott, and Patrick E. Haggerty reorganized Geophysical Service Incorporated after the company had produced the world's first commercial silicon transistor. They evolved the business from a company primarily serving the oil and gas industry to a semiconductor manufacturer. As an organization fundamentally built by engineers and scientists, research and development has always been a top priority. Sincere in their desire to invest in innovation and education in their own community, the founders helped establish the University of

Texas at Dallas in 1969 with the vision of creating a local science, technology, and research institution.

Over the years, the leadership of Texas Instruments has not lost the vision of the founders. They have continued a commitment to improving STEM education in Texas and creating high-skilled jobs across the nation by investing in the surrounding community and schools and by maintaining manufacturing facilities within the United States.

In early August 2016, Texas Instruments and the Texas Instruments Foundation announced a commitment of \$5.4 million to the advancement of STEM education in public schools, with an emphasis on creating opportunities for girls and minorities. The majority of this contribution will be distributed to North Texas schools, including \$1.7 million for Southern Methodist University to train a large new cadre of middle school science teachers. An additional \$2 million will support the professional development of math and science teachers as well as teacher training for Advanced Placement courses through the proven National Math and Science Initiative.

Mr. Speaker, Texas Instrument's generous 2016 contribution to STEM education is testament to their unwavering 65-year commitment to the Dallas area and to our nation. Their philanthropic history represents the best of what can be accomplished in partnership between companies and their local communities. I am proud to honor Texas Instruments today, and I look forward to all they will continue to do in the future.

IN RECOGNITION OF THE 125TH ANNIVERSARY OF THE RIALTO UNIFIED SCHOOL DISTRICT

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. TORRES. Mr. Speaker, I rise today to recognize the Rialto Unified School District (USD) on their 125th anniversary. For 125 years, the Rialto USD has taken part in educating our children and fostering the bright leaders of tomorrow.

Rialto USD services a diverse population of approximately 25,500 students, with more than 2,700 district employees. Presently, the District has three comprehensive high schools, one adult education school, one continuation high school, 5 middle schools, 19 elementary schools, and 20 preschools. Not only is the Rialto USD the largest employer of the City, but they are always looking for ways to give back to their community. They embrace a vision of providing an education that prepares all students for their future. They pursue a mission to provide high levels of instruction for all students and to inspire every student to set goals and maximize their potential.

In 2010, Rialto USD inaugurated the 'Cesar Chavez/Dolores Huerta Center for Education,' a new professional development center and location for community events.

Under the leadership of Dr. Cuauhtémoc Avila, the District's first Latino school chief, Rialto USD has received several awards includ-

ing state academic, athletic, and fine arts awards. In 2015, Dollahan and Myers Elementary Schools in Rialto were honored as the California 'Gold Ribbon Schools' which recognizes outstanding educational programs and practices.

For their many contributions to the greater community of Rialto, I would like to recognize the Rialto Unified School District for their 125 years of service to the 35th District.

HONORING DR. JUAN QUINTANA, DNP, MHS, CRNA, PRESIDENT OF THE AMERICAN ASSOCIATION OF NURSE ANESTHETISTS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to pay tribute to Dr. Juan Quintana, DNP, MHS, CRNA. Dr. Quintana will soon complete his year as national president of the American Association of Nurse Anesthetists (AANA) whose headquarters are located in my district. I am proud that Dr. Quintana was elected as 2015–2016 president, and I want to congratulate him on his year of leadership of this prestigious national organization.

Certified Registered Nurse Anesthetists (CRNAs) are advanced practice registered nurses who administer approximately 43 million anesthetics to patients each year. They work in every setting where anesthesia is delivered, including the Veteran Health Administration, Department of Defense, hospital surgical suites, obstetrical delivery rooms, ambulatory surgical centers, and the offices of dentists, podiatrists, and specialty surgeons. They also provide acute and chronic pain management services to patients in need of such care. CRNAs provide anesthesia for all types of surgical cases and are the sole anesthesia providers in many rural hospitals.

The president of Sleepy Anesthesia, an anesthesia practice founded in 1999, Dr. Quintana has been practicing anesthesia since 1997. Graduating with a Doctor of Nursing Practice degree from Texas Christian University in 2009, Dr. Quintana is a leader in the area of education and evaluation of cost-effectiveness and efficiency. A highly sought-after lecturer, he has been invited to speak at hospitals and numerous anesthesia meetings on the state and national levels about the business of anesthesia, cost effectiveness of best anesthesia practice models, cost effectiveness of anesthesia professionals, and anesthesia billing and compliance.

In 2010, Dr. Quintana became the first CRNA to serve on the Medicare Evidence Development and Coverage Advisory Council (MEDCAC), an independent body that provides the Medicare agency guidance and expert advice on the science and technology affecting healthcare delivery.

Dr. Quintana, is also an educator, ex-officio faculty to the Texas Christian University (TCU) Doctor of Nursing Practice program, and adjunct faculty to TCU's Nurse Anesthesia Program, both in Fort Worth, Texas. Dr. Quintana resides in Winnsboro, Texas.

During his AANA Presidency, Dr. Quintana has been a prominent advocate before federal agencies and with members of Congress for nurse anesthetists and the patients they serve so well. He has worked tirelessly to improve veterans' access to care through recognition of CRNAs and other advanced practice registered nurses as Full Practice Authority Providers in the Veterans Health Administration (VHA), promote anesthesia patient safety and the value of CRNAs to our healthcare system, ensure proper implementation of the provider non-discrimination provision of the Affordable Care Act, and obtain appropriate recognition of the full scope of CRNA practice including pain management and related services in the Medicare system.

I extend my sincere congratulations to Dr. Quintana today on a job well done. His service to the AANA, our veterans, and patients is deeply appreciated, and his commitment to guaranteeing access to high quality health care nationwide is commendable. I ask my colleagues to join me in recognizing his notable career and outstanding achievements.

INTRODUCTION OF THE LIMITING INHUMANE FEDERAL TRAPPING (LIFT) FOR PUBLIC SAFETY ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. BLUMENAUER. Mr. Speaker, today I am introducing legislation to severely restrict the use of inhumane body-gripping traps on certain public lands and by certain public officials. Countless dogs, cats, and wild animals are injured and killed each year in body-gripping traps such as leg and foothold, Conibear, and snare traps. These traps are used by federal agencies, state and local governments, private entities, and individual trappers to catch creatures for their fur, keep animals away from livestock and crops, and even for recreational purposes. Unfortunately, body-gripping traps subject captured animals to intense pain—sometimes for hours or even days—before they may eventually die from dehydration, injuries, predation, or when a trapper eventually finds them. Furthermore, these traps are non-selective in their victims, and may capture and even kill non-target species such as pets and other companion animals, particularly if set in popular areas. There are many effective non-lethal methods that can be deployed in place of these cruel traps.

Wildlife Services, a federal agency notorious for its secrecy and use of inhumane animal management techniques, is responsible for the death or capture of thousands of animals per year in cruel body-gripping traps, often used as a first resort. Wildlife Services also advises and enters into contracts and cooperative agreements with state and local governments, as well as with private entities, to kill animals using these traps. Other federal agencies, too, use body-gripping traps to control animal species—too often without attempting more humane, effective, and non-lethal control options first. This bill will severely limit Wildlife Services' and other agencies' ability to deploy or

counsel others to deploy cruel body-gripping traps, increasing transparency for this agency and ensuring that taxpayer dollars are prioritized for nonlethal methods of control.

Although trapping is regulated at the state level, federal land management agencies have oversight of where and when trapping occurs on federal land. Unfortunately, federal agencies have limited data showing where traps are deployed on public lands, thereby prolonging the suffering of trapped animals and leaving the public to learn about traps only when pets and humans are injured. The bill tackles this issue as well, making sure that federal agencies in the Departments of Agriculture and Interior do a better job of regulating trapping by non-federal entities on public lands, thereby limiting cruelty and protecting public safety.

In Oregon and across the country, there have been too many concerning examples of wild animals suffering and pets falling victim to these traps. This bill complements efforts by other colleagues in the House and Senate to crack down on the use of body-gripping traps, in light of the growing public acknowledgement that we should not and cannot continue to endorse the widespread use of these inhumane devices.

BIG BEAR CITY COMMUNITY SERVICES DISTRICT CELEBRATES 50TH ANNIVERSARY

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. COOK. Mr. Speaker, I rise today in celebration of the Big Bear City Community Services District (BBCCSD) 50th anniversary. BBCCSD hosted a special ceremony on Monday, August 1, 2016 during their regularly scheduled board meeting to mark this special occasion.

BBCCSD was formed in 1966 to provide water, solid waste, and sewer services to residents of Big Bear City and East Valley.

As the representative of Big Bear City in the U.S. House of Representatives, I'd like to congratulate BBCCSD Board President Paul Terry, Board Vice President John Green, Board Member Karyn Oxandaboure, Board Member Larry Walsh, and Board Member Al Ziegler. In addition, I'd like to recognize past and current BBCCSD employees for their contributions to the residents of Big Bear City and surrounding communities.

CAPE LOOKOUT LIFE SAVING STATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. JONES. Mr. Speaker, commencing first in 1848, the United States Life Saving Service was a federal government agency that grew out of private and local humanitarian efforts to create and man rescue stations along the

coast. These outposts were often remote. The men stationed there took great pride in their deep commitment to save the lives of shipwrecked mariners and passengers, often against overwhelming odds. In 1874, life saving stations were added along the coast of Maine, Cape Cod, and the famed Outer Banks of North Carolina. In 1878, this network of stations was formally organized as a separate agency of the United States Department of the Treasury. In 1915, the Service formally merged with the Revenue Cutter Service to form the United States Coast Guard. These lonely, isolated outposts were always manned by the bravest of men who knew no fear, and who were dedicated to their sworn duty of rescuing seamen in distress. Their motto was "to always go, but not always return". Even now, many stories are told about the daring rescues by such men, some admittedly embellished a bit for literary interest. Proudly beat the hearts today of all who can call themselves their descendants.

One of the most notable of these rescues occurred on a cold, blustery winter's night in February of 1905. The three-masted schooner, *Sarah D. J. Rawson*, was two days out of Georgetown, South Carolina and bound for New York with a full cargo of lumber. While running under reefed sails in a heavy winter squall on February 8, she ran up hard aground on Cape Lookout Shoals at approximately 5:00 PM. Managing as best he could under extreme conditions, the captain gave orders to take in all canvas and prepare for the worst. While the brave crew performed its work, a Norwegian seaman—Jacob Hansen—was swept overboard to his death, his body given up to the shoals. The violent onslaughts of the treacherous waves continually broke over the ship eventually carrying away her spars, deckhouses, running rigging, and life boat, her cargo of lumber likewise being scattered like match sticks among the unforgiving seas. Positioning themselves among the highest points of her masts, the crewmen did the best they could to preserve their lives while hoping and praying throughout the night that help would soon arrive, but no doubt fearful of a bad ending to their ordeal.

The following morning broke with a thick mantle of fog enshrouding the sea. While scanning the ocean at approximately noon of the 9th, the duty watchman of the Cape Lookout life saving crew who was posted atop the watch tower spotted the uppermost mast heads of the *Rawson* through the fog bank. Realizing the ship was in dire distress, he immediately called forth his fellow life savers from their barracks. Though many had high fevers and suffering from the flu, all leapt into action according to their rigorous training and hastened to the shore with their mule drawn wagon and such other equipment as they knew would be required. The surf boat was then launched through breaking seas, and with all hands aboard, they began to row the nine mile journey through the shoal waters to the stricken ship. Arriving on the scene about 4 PM, the life savers found themselves seriously surrounded and endangered by floating wreckage and lumber being cast about in the waves. As night was setting in, orders were given to stand away a bit and wait for more favorable sea conditions. With anchor set, these

crewmen spent the entire night in the freezing cold huddled together in their little boat, awaiting the morning hour when seas would subside and be more in their favor for a rescue attempt. Throughout the night, the surf men suffered greatly from exposure, fatigue, and hunger, but none failed or faltered to perform their sworn duty as life savers.

At about 1 PM of the 10th, and with their hopes encouraged and renewed, the life savers were able to commence a rescue attempt due to better conditions of wind and tide, and so they approached the *Rawson* close enough to lay in amongst the nearby wave troughs and cast over their "heaving line" to the deck of the ship. With the first attempt successful, the first fortunate seaman tied the rope around his waist, jumped into the sea, and was pulled to the safety of the life boat. His companions followed his example, and one by one in turn, all hands were rescued in like fashion. Once all were brought aboard, the life savers began the long, exhausting pull back to the shore, now loaded with the weight of fourteen men—eight life savers and the six rescued seamen. The savers gave up their oil skins and wrapped those and other garments about the huddled, suffering seamen so they could better endure the perils of the freezing weather.

The crew of the *Rawson* had been forty-eight hours without food or water. The life savers had spent twenty-eight hours in their cramped, open boat being cast about in the treacherous seas without food or sufficient warmth, uncertain whether a successful rescue could even be achieved, given the perilous conditions. Upon their return to the shore, the *Rawson* seamen were given food and shelter at the station and eventually returned to their families and employers through intermediary assistance. The fate of the *Sarah D. J. Rawson* and her crew would never have been known but for the unflinching heroism of the crew of the Cape Lookout Life Saving Station. Each member was subsequently awarded the Gold Lifesaving Medal for extreme and selfless service in this famous rescue. All had admirably performed their sworn duty in the face of incredible obstacles and in the highest traditions of the Life Saving Service. A more complete report of the *Rawson* rescue appears at: <http://www.coastalguide.com/helmsman/rawsonrescue.shtml>.

The names of the members who were attached to the Cape Lookout Station and participated in this rescue are: William H. Gaskill (the "Keeper"), Kilby Guthrie, Walter M. Yeomans, Tyre Moore, James W. Fulcher, John E. Kirkman, Calupt T. Jarvis, and Joseph L. Lewis, some of the bravest "Tar Heel" sons ever hatched out of Carteret County homes. During World War II, the U.S. Government made a request of these men to return their gold medals to support the war effort. The medals have never been returned to the men or their families.

I thank the United States Coast Guard for agreeing to provide replicas of these medals to the surviving families of the members of the Cape Lookout life saving crew. These brave men will be honored in perpetuity by the display of these replica medals in the Core Sound Waterfowl Museum in Harkers Island, North Carolina for their brave efforts they gave during the rescue of the *Sarah D. J. Rawson*.

IN RECOGNITION OF LOUDOUN
COUNTY'S 2016 FUTURE LEADERS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the eight Loudoun County students selected by the Claude Moore Charitable Foundation to be a part of the 2016 Future Leaders Program. I would like to personally commemorate Gabby Lewis, Ryan Wells, Maria Fernando Peña, Matthew Eberhart, Oriella Meija, Jasmine Lu, Devin MacGoy, and Madison Ojeda, each of whom has proven to be both outstanding students and remarkable people. They truly embody the very best of this nation's values through their continued hard work and commitment to excellence in education.

Loudoun County has continually provided a top notch learning environment with numerous opportunities and programs above and beyond its expectations, which has cultivated many young leaders like the ones I am recognizing today. These future leaders have developed amiable qualities similar to those of our nation's leaders. This recognition is a clear testament to the outstanding works these exemplary individuals exhibit and they are deserving of recognition.

Mr. Speaker, it brings me immense pride to recognize such a fine group of students, and I sincerely hope that we all can live up to their remarkable example. I ask my colleagues to join me in congratulating them and I wish them the best of luck and continued success in their futures.

IN RECOGNITION OF STATER
BROS. 80TH ANNIVERSARY

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. TORRES. Mr. Speaker, I rise today to recognize Inland Empire based supermarket chain Stater Bros. on their 80th year anniversary and their commitment to provide value, quality, and friendly service to families all across Southern California.

On August 17, 1936, the first Stater Bros. store was opened in the San Bernardino County by two World War II veteran brothers, Cleo & Leo Stater. The company has become the largest privately owned chain of supermarket stores in Southern California and is the largest private employer in both San Bernardino County and Riverside County.

Stater Bros. currently operates 168 supermarkets with approximately 18,000 members working as part of the Stater Bros. family. As a company that was founded by veterans, nearly 2,000 employees have served or continue to serve in multiple branches of our armed forces. Stater Bros. advances the legacy of its founders by continuing to give back to the communities it serves.

Stater Bros. is among the top 100 privately owned businesses in the country and it is a

valued and valuable member of the community. They have provided funding to countless local organizations benefitting hunger relief, children's well-being, education, health care, and help for our nation's veterans. This includes support for organizations such as Feeding America, Toys for Tots, the Children's Fund, and the 'Believe Walk' to fight cancer.

Their generosity has garnered Stater Bros. several honors and recognitions such as the Donor of the Year award from Feeding America's Riverside/San Bernardino chapter for leading efforts to donate over 3 million pounds of food to local food charities each year. Stater Bros. also received the Best Emissions Rate award from the U.S. Environmental Protection Agency for helping remove nearly 40 million pounds of waste from landfills each year through their Green Waste Composting Program.

Because they go above and beyond to serve their community, I would like to recognize and congratulate Stater Bros. on their 80th Anniversary.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. SINEMA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: Roll Call Number 481, No; Roll Call Number 482, No.

IN RECOGNITION OF BURR GRAY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. VAN HOLLEN. Mr. Speaker, I rise today to recognize the remarkable service of Burr Gray to our community. Burr has served as the President of the Cabin John Citizens Association in Cabin John, Maryland for 20 years. He was elected to lead the Association in 1997 and has served the Cabin John community with vision and distinction ever since.

Burr is an exemplar of what it means to be engaged in a community. In 1997, at the beginning of his first term, Burr encouraged members of the Cabin John community to become volunteers, to be active in its Citizens Association, and to participate in the first Cabin John Stream Cleanup. Thanks to Burr's leadership, the Cabin John Stream Cleanup is now a community tradition that keeps this waterway to the Potomac River and, ultimately, the Chesapeake Bay, clean. Burr also encouraged community members to support Friends of Cabin John Creek, a coalition of neighborhood community organizations working to curb stormwater runoff.

Burr brought the community's love for the Potomac River to a new level when he began the Cabin John Regatta in 1999. This annual canoe trip has increased respect for the River within the community and allows members of the community to enjoy the natural beauty of Cabin John.

Burr's other endeavors are numerous and include an annual community blood drive, plans for a playground at the Clara Barton Community Center, and formation of Friends of the Clara Barton Community Center. The list goes on and on.

In 2008, Burr spearheaded the neighborhood effort to celebrate the 400th Anniversary of Captain John Smith's voyage on the Potomac River in 1608. This event brought the community together and led the Citizens Association to publish Cabin John: Legends and Life of an Uncommon Place.

Burr has served on the Boards of the Potomac Conservancy and Glen Echo Park. He also spearheaded efforts to preserve Gibson Grove, a cemetery for freed slaves. These efforts led to the restoration of the area and a historical panel to highlight the significance of the site.

Over the last two decades, Burr has put the needs of the Cabin John community first and has personified Cabin John's traditions of service and leadership. I ask my colleagues to join me in expressing our deepest gratitude and appreciation to Burr Gray for his 20 years of creative and visionary service to the community.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,478,308,415,366.69. We've added \$8,851,431,366,453.61 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING BURNHAM JOHN
"BUD" PHILBROOK'S 70TH BIRTHDAY

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. MCCOLLUM. Mr. Speaker, I rise to recognize Burnham John "Bud" Philbrook as he celebrates his 70th birthday. As Bud commemorates this milestone with his wife Michele and their family, I would like to call to attention some of the remarkable work that Bud has done in his 70 years.

As newlyweds, Bud and Michele embarked on a honeymoon they would later describe as a "blending of Disney World and the real world". From Florida, Bud and Michele traveled to Guatemala to volunteer in the rural village of Conacaste. This experience stayed with Bud and Michele and changed the course of their lives.

This tireless couple went on to found Saint Paul-based Global Volunteers. This non-profit

sends as many as 2,500 volunteers each year to 100 communities in 20 countries around the world. Bud and Michele understood that for programs like theirs to work, change had to come from within the developing communities. By building local partnerships, Global Volunteers has made strides in agriculture, education, and public health care, impacting thousands of lives.

Before Bud co-founded Global Volunteers, he was already acting as a community leader in Minnesota. Bud worked on the campaigns of Senators Eugene McCarthy and George McGovern. After law school, Bud represented the people of Minnesota in the State Legislature, where he served on the education, agriculture, and financial institutions committees. Later, he became the Assistant Commissioner for the Minnesota Department of Natural Resources.

In 2009, Agriculture Secretary Tom Vilsack appointed Bud as the U.S. Department of Agriculture's Deputy Under Secretary for Farm and Foreign Agricultural Services (FFAS). In this role, Bud coordinated the international elements of the FFAS mission. Keeping with his past international development work, at the USDA Bud was also able to provide food aid as well as technical assistance to foreign countries in times of need.

In his 70 years, Bud has come to exemplify the term "global citizen". From his leadership at home in Minnesota to the countless lives Bud and Michele have improved around the world, Bud represents the positive change a person can make in the world. Here is to a happy birthday for Bud, and for many more years of family, health, and happiness.

THE CENTENNIAL OF THE CREATION OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. LEVIN. Mr. Speaker, I rise today to commemorate the centennial of the creation of the United States International Trade Commission. As Ranking Member of the Committee on Ways and Means, the committee that oversees the Commission, I want to congratulate the Commission on this anniversary and the Commission's staff who do important work.

Congress has tasked the Commission with a number of important roles, including administering U.S. trade remedies laws in a neutral and objective fashion, maintaining the harmonized tariff schedule, and determining whether foreign goods violate U.S. intellectual property laws or are otherwise unfairly traded.

Congress has also called upon the Commission to independently investigate and analyze a wide range of issues related to international economics. The Commission's role in this regard is highlighted by the lack of detailed analysis on many international economic issues that impact the lives of American workers and families. The impact of U.S. trade agreements is not a hypothetical issue, and we cannot simply assume that the benefits of trade will

outweigh its costs or that those who benefit will compensate those who lose. We need new models and new thinking regarding how we analyze the impact of international trade, and it is important that the Commission be a leader in that regard.

I look forward to working with the Commission, as it begins its second century of work, to ensure that the analysis of international trade addresses 21st century economic issues.

MR. GEORGE PIRO

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to Mr. George Piro, who passed away on July 23, 2016, at the age of 95.

George's story is unlike any other. When he answered his country's call to duty and enlisted in the U.S. Army in January of 1942 during World War II, he could have never envisioned the trials and tribulations that would await him just a year later. In September 1943, on his ninth combat mission, George was forced to parachute from a B-24 Liberator after it was shot down in the mountains about 80 miles east of Rome. When they made landfall, they were unfortunately taken by the local police and found themselves continually on the move from one POW camp to the next until they arrived at Stalag Luft 1, where they would spend the remainder of the war as prisoners.

George and his fellow service members were finally liberated on April 30, 1945, the same year he returned to Bellport, NY. In 1946, he married Madeleine Myers, whom he had met prior to enlisting, and started working at the local post office. In addition to all he managed to accomplish as a service member and in his personal life; he was also a charter member of the VFW in East Patchogue, NY. George is survived by his brother, daughter, two grandchildren, four great-grandchildren, and two great-great grandchildren.

I would like to take this opportunity to thank George for his years of dedication and service to our country and community. What he had to endure as a POW cannot be summarized in a few words; however it is important we honor these types of individuals as best we can. It is my hope that many will follow in his footsteps and give back to our country as graciously as he did. People like him are a rare breed and they help make not only our country, but our world a much safer and better place.

RECOGNIZING THE SERVICE AND DEDICATION OF THE MEMBERS AND VOLUNTEERS AT GLEANING FOR THE WORLD, INC.

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to recognize the service and

dedication of the members and volunteers at Gleaning for the World, Inc.

Gleaning for the World is a non-profit, humanitarian aid organization that provides lifesaving supplies and equipment to those in need at home and abroad. From its beginnings in the basement of its founder, Reverend Ronald Davidson, the organization expanded to an ever-growing facility in Concord, Virginia and now serves more than 55 countries. Gleaning for the World currently utilizes over 2,100 local volunteers and expects that number to increase to over 4,000 with the recent addition of its new Volunteer Center.

The organization prides itself on operating innovatively and efficiently. Forbes Magazine recognized Gleaning for the World four of the last five years as "The Most Efficient Large Charity in America." Rather than serving as a stand-alone charity, it partners with churches and other charitable organizations to coordinate and maximize the strengths of all for the common good. Over the course of 17 years, Gleaning for the World saved over 35 acres of landfill space by repurposing products for humanitarian purposes. For every dollar donated, it places \$103 worth of supplies domestically and \$212 worth of supplies internationally.

Gleaning for the World serves as a first responder non-profit for emergencies in the United States and provides water and other critical supplies within hours of natural disasters at home. Recently, the organization served as a critical resource in its own backyard following devastating tornado damage in Appomattox County. Gleaning for the World continues that role to this day as a long-term relief coordinator for Appomattox County.

I ask the Members of this House of Representatives to join with me in thanking Gleaning for the World, Reverend Ronald Davidson, and all of its members and volunteers, for its unwavering, dedicated service at home and abroad.

IN TRIBUTE TO RICHARD MASLOWSKI

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. MOORE. Mr. Speaker, I rise today to recognize Richard Maslowski who has served as the City of Glendale, Wisconsin's City Administrator since 1980. After 36 years of exemplary service to the City of Glendale, he retired effective on August 31, 2016. Richard Maslowski may well be the longest-serving city administrator in the State of Wisconsin and is a native of South Milwaukee, Wisconsin. He held similar positions in West Bend and Butler prior to assuming the Glendale City Administrator position.

Richard Maslowski has been a transformative figure for the City of Glendale, Wisconsin. He leaves behind a city that has undergone major positive changes due in large part to his broad influence and great leadership. When Richard Maslowski started working as Glendale's City Administrator, the community's most visible properties were Bayshore Mall and Jos. Schlitz Brewing Co.'s massive

grain elevator. More than three decades later, the mall has been redeveloped as the mixed-use Bayshore Town Center, while a business park has replaced the grain elevator.

Under Mr. Maslowski's direction, Glendale created its first tax incremental financing (TIF) district in 1981, for a hotel project; eight more districts followed during his tenure. The nine commercial developments developed during Mr. Maslowski's tenure utilizing the city's TIF district authority include: hotels, business parks, apartments and the conversion of Bayshore Mall into Bayshore Town Center being the largest TIF project.

Mr. Maslowski always found a way to move the project forward. I was proud to work with Richard Maslowski to obtain a federal grant to help finance an off-ramp from I-43 to Bayshore's main parking structure on N. Port Washington Road. At the time, I obtained the funds I did not represent Glendale in Congress but had previously represented Glendale in Wisconsin's State Senate. I knew the area well and knew what it represented for the future of the City of Glendale and for this development, Bayshore Town Center, which opened in 2006.

Mr. Maslowski has been an innovator, he was among the first to utilize TIFs for environmental cleanup costs. In 1992, Glendale used a TIF for environmental cleanup costs, an unusual tactic then but is now commonplace, to convert a closed hotel, built on the site of a former dump, into a new Hotel complex. Glendale also became perhaps the first city in Wisconsin where the developer/company paid the costs upfront for environmental cleanup. The company later received property tax rebates to compensate it for the environmental cleanup costs.

Mr. Speaker, I am proud to recognize Mr. Richard Maslowski. He leaves big shoes to fill and a rich legacy of innovation, creativity, growth and sustainability for the City of Glendale. Mr. Maslowski has many skill sets and is always professional. However, I believe perhaps his strongest ability is bringing the right people together at critical times to complete a project and ultimately recreate a city. He is a true trailblazer. The citizens of the Fourth Congressional District, the State of Wisconsin and the nation have benefited tremendously from his dedicated service. I am honored for these reasons to pay tribute to Mr. Richard Maslowski.

HONORING NASA'S LAUNCH OF
THE OSIRIS-REX

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of NASA's launch of the spacecraft OSIRIS-REx to the asteroid Bennu. I am extremely proud that Tucson is once again a key player in a critical NASA mission, as it was with the Mars Phoenix Lander mission a few years ago, and many others throughout our Nation's history.

In a seven-year roundtrip mission, OSIRIS-REx will journey to an asteroid that NASA has

classified as "potentially hazardous" to Earth to complete a survey and return with the largest sample of extra-terrestrial material since the Apollo lunar missions. This program will yield insights into asteroid composition and how asteroids move in space. The most unique aspect of the OSIRIS-REx mission is the large and pristine sample that will be brought back to Earth, which will allow scientists to research the origins of our universe and galaxy and help us answer some of the most profound and fundamental questions that have intrigued mankind since our beginnings. We will be able to examine the composition of the asteroid using instruments and techniques that are far more advanced than those in space, including the potential for resources that could be mined from asteroids.

The OSIRIS REX mission is funded by NASA and its science is led by the University of Arizona (UA). I would like to congratulate Dr. Dante Lauretta of the UA Lunar and Planetary Laboratory for his leadership as principal investigator and, along with his team, for bringing this exciting mission to the launch stage. I understand that Dante has been working on this concept for the last 15 years, and I greatly look forward to celebrating even more milestones with his team as the mission progresses.

This mission is the latest in a long list of achievements by scientists at the University of Arizona in my home district. In fact, UA scientists have collaborated in every single American mission to the Moon and Mars since 1964, including serving as the lead on the Phoenix Mars Mission. I look forward to announcing the next big milestone in Aug. of 2018, when the spacecraft will rendezvous with the asteroid called "Bennu" to begin surveying it before taking a sample and returning to Earth by 2023. In the meantime, the University of Arizona will house mission control, as it did for the Phoenix Mars mission, continuing to involve undergraduate and graduate students in the research, which will help cultivate the next generation of STEM leaders—many of whom will be from my home state of Arizona.

I wish the OSIRIS REX team the best of luck in their historic mission and congratulate them in their profound success.

HONORING HELEN LANDERS

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. DEUTCH. Mr. Speaker, I, along with Representative WASSERMAN SCHULTZ, Representative HASTINGS, and Representative FRANKEL, rise today to honor the life and legacy of Helen Landers, who passed away on September 4, 2016. We commend Mrs. Landers' decades of service to Broward County and offer our sincerest condolences to her loved ones on her passing.

Helen Landers served as Broward County Historian for over twenty years until her retirement at the age of 90. With her knowledge of the region and passion for history, she educated South Floridians young and old about

our rich heritage. Through her participation in historical events like Pioneer Days, she fostered a love of learning about the past.

Helen Landers also dedicated much of her life to helping women empower women. She was a member of the Broward County Women's Hall of Fame, a founding member of the Broward County Women's History Coalition, Chair of the Broward County Commission on the Status of Women 1989, and served on the National Board of Directors of the American Association of University Women. She advocated remarkably for women's rights and passage of the Equal Rights Amendment.

Through her archival work and community service, Helen Landers preserved the stories of how South Florida came to be the home we know and love today. Her many contributions to our community will never be forgotten. It is with gratitude that we remember her life of service in the CONGRESSIONAL RECORD.

HONORING MARION ASHEN
LUSARDI

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize Marion Ashen Lusardi, or Midge as she is known to many. Midge is a longtime Michigan resident and a community treasure.

Midge is the wife of Dr. Bob Lusardi, whom she married in 1970, and the proud mom of Matthew and Gregory. She graduated from St. Mary's College in Indiana with a Bachelor of Arts in 1973 and received her Master's degree in Library Science from Wayne State University in 1991. She worked tirelessly as a Librarian at the Troy Public Library for several years before becoming the Director of the Chesterfield Township Library, where she has served for the past 20 years.

Throughout her time at the Chesterfield Township library, she secured over \$1.2 million in awards and grants, which have provided innumerable resources to our local community. She is also the recipient of several awards, including the State Librarian's Citation of Excellence Awards from the Library of Michigan. She also chaired the Michigan Library Association's Public Policy Committee in 2002.

In addition to her service at the library, she has been a member of many community organizations that have all been proud to have her input and positivity. She has promoted a love of reading and learning throughout the 10th District of Michigan, and, although she is retiring from her current post at the Chesterfield Township Library, I have no doubt that she will continue to serve our community in countless ways.

Mr. Speaker, I believe we can all agree that providing our children and our communities with invaluable educational resources is a noble pursuit, and Midge has been a diligent example of this. I ask that my colleagues join me today in honoring Midge for her contributions to the 10th District of the great State of Michigan, our children, and the future of this country.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. SINEMA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: Roll Call Number 483, no; Roll Call Number 484, no; Roll Call Number 485, no; Roll Call Number 486, no; Roll Call Number 487, yes; Roll Call Number 488, yes.

HONORING MAJ. RAYMOND
WINDMILLER**HON. JIM COOPER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Mr. COOPER. Mr. Speaker, I rise today to recognize Maj. Raymond Windmiller on his retirement from the United States Army.

Ray enlisted in the Army in 1989. After completing Basic Combat Training, Advanced Individual Training and Airborne School, he was stationed with the 82nd Airborne Division in Fort Bragg, NC. Ray has served our nation honorably over his long and distinguished career spanning numerous assignments here and abroad, most notably two deployments to Iraq and one to Afghanistan. A decorated combat veteran and infantryman, Ray has earned dozens of awards, including a Bronze Star.

I was fortunate to have Ray on my staff as an Army Congressional Fellow in 2012. His

hands-on field and training experience and in-depth knowledge of national security affairs assisted me greatly in my role as a senior member of the House Armed Services Committee.

Mr. Speaker, Ray has dedicated himself to the United States Army every day for 27 years. I want to thank Ray, his wife, Amy, and their children, Hailey and Alex; they have served our community and made many sacrifices for our country. Ray represents the very best of our Armed Forces, and I wish him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 7, 2016, on Roll Call No. 481 on the motion on ordering the previous question on H. Res. 843, Providing for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016, I am not recorded. Had I been present, I would have voted no on the motion on ordering the previous question on H. Res. 843.

On September 7, 2016, on Roll Call No. 482 on agreeing to the Resolution, H. Res. 843, Providing for consideration of H.R. 5063, the Stop Settlement Slush Funds Act of 2016, I am not recorded. Had I been present, I would have voted no on agreeing to the Resolution, H. Res. 843.

On September 7, 2016, on Roll Call No. 483 on agreeing to the Amendment, Conyers of

Michigan Amendment No. 1, offered to H.R. 5063, I am not recorded. Had I been present, I would have voted yea on agreeing to the Amendment, Conyers of Michigan Amendment No. 1.

On September 7, 2016, on Roll Call No. 484 on agreeing to the Amendment, Cicilline of Rhode Island Amendment No. 2, offered to H.R. 5063, I am not recorded. Had I been present, I would have voted yea on agreeing to the Amendment, Cicilline of Rhode Island Amendment No. 2.

On September 7, 2016, on Roll Call No. 485 on agreeing to the Amendment, Jackson Lee of Texas Amendment No. 4, offered to H.R. 5063, I am not recorded. Had I been present, I would have voted yea on agreeing to the Amendment, Jackson Lee of Texas Amendment No. 4.

On September 7, 2016, on Roll Call No. 486 on agreeing to the Amendment, Gosar of Arizona Amendment No. 5, offered to H.R. 5063, I am not recorded. Had I been present, I would have voted no on agreeing to the Amendment, Gosar of Arizona Amendment No. 5.

On September 7, 2016, on Roll Call No. 487 on the motion to recommit with instructions, H.R. 5063, Stop Settlement Slush Funds Act of 2016, I am not recorded. Had I been present, I would have voted yea on the motion to recommit with instructions.

On September 7, 2016, on Roll Call No. 488 on passage of H.R. 5063, Stop Settlement Slush Funds Act of 2016, I am not recorded. Had I been present, I would have voted no on passage of H.R. 5063.

HOUSE OF REPRESENTATIVES—Friday, September 9, 2016

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of mercy, we give You thanks for giving us another day.

On this day, we ask Your blessing on the men and women of the people's House who have been entrusted with the care of this great Nation's people. Because of the great blessings you have bestowed on our Nation, may we embrace the opportunity to build a better world beyond our borders as well.

As another election approaches, Members are understandably focused on their campaigns. Give them the energy and courage to remain focused as well on the demands of office facing them now.

This is difficult, but our Nation and our world have many issues calling for attention, and these few have the privilege of addressing them with some hope of bringing resolution that may be of benefit to us all.

May all that they do this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. COSTA) come forward and lead the House in the Pledge of Allegiance.

Mr. COSTA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CONGRATULATIONS TO TEAM USA

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate all of our Olympians and Paralympians who represented Team USA in Rio de Janeiro this year.

The United States brought in 121 medals at the Olympic Games last month, and with the start of the Paralympics this week, I am confident that Team USA's staggering medal count will rise even higher.

The Illinois 13th District sent some incredibly talented athletes to the Games this year. Nichole Millage; my friend Tatyana McFadden and her sister Hannah; Ryan Held, a gold medalist from Springfield, Illinois; Lauren Doyle and Kelsey Card; as well as wheelchair basketball coach Stephanie Wheeler were selected to represent their country on Team USA; for many, the dream of a lifetime.

These individuals endured hours of rigorous training, overcame personal struggles, and sacrificed simple pleasures to represent our country on the global stage. They are the best and brightest our country has to offer, as well as some of the world's most skilled athletes. They have certainly made their hometowns proud, and it is an honor to represent them in Congress.

PROGRESO LATINO'S 39TH ANNIVERSARY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, I rise today to recognize Progreso Latino, the State of Rhode Island's leading Latino human services organization that is celebrating its 39th anniversary this weekend.

For nearly four decades, Progreso Latino has empowered Rhode Island's Latino community, providing direct advocacy, adult education, child care, and youth programs that have helped build strong, sustainable neighborhoods across our State. They have done this work with great professionalism and a deep commitment to the community.

Progreso Latino has gone above and beyond to provide essential healthcare services for families, including wellness programs, preventive care, and regular checkups.

Headquartered in the city of Central Falls, this organization continues to play a critical role today in meeting the needs of Rhode Island's Latino families and ensuring they have an opportunity to get ahead.

I am delighted to congratulate Progreso Latino and the dedicated men and women of this extraordinary organization as they celebrate 39 years of service this Saturday.

SUICIDE PREVENTION MONTH

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, the death toll due to mental illness continues to climb. Yesterday we lost another 118 lives to suicide, and this brings the total lives lost since passage of H.R. 2646 to 7,670.

We lost another 959 lives to mental illness, bringing the total of lives lost to 62,355 since House passage of my bill in July. If nothing is done today, then tomorrow we will lose more. By Monday, another 2,800.

I hope my colleagues in the Senate are moved to action by this continued loss of lives, which is preventable. But if it's popularity, approval ratings, or upcoming elections that our friends are worried about, my friends should know that most Americans believe the country is losing ground in dealing with mental health. In fact, 83 percent of the country thinks so, according to a national mental health survey.

Mr. Speaker, how high does the death toll need to climb before the Senate decides to act? We only have a few legislative days left in September. We can either spend that time reading more obituaries or news clips of tragedies or passage of H.R. 2646. It is absolutely clear that America wants us to act now. The question is: Will the Senate finally act and bring treatment before tragedy?

CALIFORNIA'S WATER CRISIS

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise to call attention today to the ongoing water crisis facing California. The drought is not over, nor has Congress addressed the underlying reasons for the disproportional impact on the San Joaquin Valley communities and the conditions that we face.

It has been reported that California could be facing a La Niña condition this upcoming winter. That means that we will have dry conditions and further loss of available water for people, farms, and the environment.

We must pass legislation that will be signed into law which will create a rational, balanced water policy, both in the short and long term, that benefits California's farm communities and the environment.

I will submit later for the RECORD a thoughtful op-ed piece written by a constituent and friend of mine, Cannon Michael. He is a farmer in the valley. We share a lot of the same frustration over how Congress has failed to pass legislation to solve California's water problems. This op-ed piece describes exactly how the people of the valley feel, and I urge my colleagues to come together to enact legislation that California desperately needs this year.

RECOGNIZING THE JEWISH COMMUNITY SERVICES OF SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in recognition of the Jewish Community Services of South Florida, an organization that is committed in lending a hand to those members of our society who need it the most.

Through its many programs, such as mental health counseling, homelessness prevention, and assistance to those with developmental disabilities, JCS is dedicated to bringing aid and smiles and providing the necessary care for those in need.

Since its founding in 1920, this organization has not strayed from its clear goals to improve the quality of life for families in our south Florida community.

The Jewish Community Services of South Florida will be delivering its 10,000th Rosh Hashanah holiday basket to homebound seniors, many living at or below the poverty level.

Mr. Speaker, I am truly honored to recognize this organization's mission, and to JCS I say mazel tov on a job well done.

THE 15TH ANNIVERSARY OF 9/11

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this Sunday marks the 15th anniversary of 9/11, a day when we suffered from the savagery of mankind at its worst and witnessed the courage of humanity at its best.

In our collective sorrow, I have never seen this body so united and determined to protect our people, to protect America. We found strength from one another. I am proud of the way my city, my country, and my colleagues responded.

I am grateful for the privilege of working with our first responders, sur-

vivors, and families, and my colleagues from both sides of the aisle to pass the James Zadroga 9/11 Health and Compensation Reauthorization Act, so that anyone suffering from the wounds of 9/11 will never have to worry about the health care and assistance they deserve.

It is in this way we remember and honor those who carry the wounds of that very dark day and who deserve the thanks of a grateful nation. It is in this way that we show we will never forget.

MESQUITE, NEVADA, A PURPLE HEART CITY

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Mr. Speaker, the Purple Heart is our Nation's oldest military decoration. It is a unifying symbol that binds together men and women who have bled for freedom.

When these brave warriors return to our communities, we cannot forget them and their sacrifice. That is why I am proud to recognize my hometown of Mesquite, Nevada, for its decision to become a Purple Heart City.

The decision, which will be formally announced next week, will signal to all veterans throughout southern Nevada and around the country that Mesquite welcomes them and is proud to honor their service. I would like to thank Chapter 711 of the Military Order of the Purple Heart for working with the city of Mesquite to make this day possible.

It is my hope that more communities take this step to honor the sacrifices of these heroes by becoming Purple Heart communities.

I can't wait to see that Purple Heart flag proudly flying over Mesquite.

HONORING MAJOR TRAVIS BRUNELLE

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to honor a man who spent his entire adult life serving our country, a man who served with great distinction, and a man who truly was an American patriot. Mr. Speaker, I rise today to honor U.S. Army Major Travis Brunelle of Tampa, Florida.

Major Brunelle enlisted in the Army in 1991. In 2002, he graduated from Florida State University with a bachelor's degree in information studies and was commissioned a 2nd lieutenant in the infantry, gaining his commission through ROTC at Florida State. He attended the Infantry Officer's Basic Course, where he served as a platoon leader and would go on to attend the Special Forces Officers Qualification Course. In October 2004, Brunelle earned the coveted Green Beret.

Then-Captain Brunelle served as a detachment commander for Company C, 3rd Battalion, 20th Special Forces Group. He deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom.

For his service to our Nation, Brunelle was decorated with two Bronze Star Medals, three Army Commendation Medals, four Army Achievement Medals, and multiple OEF and OIF deployment ribbons. Additional recognitions included the Expert Infantryman Badge, Combat Infantryman Badge, Master Parachutist Badge, Ranger Tab, and the Special Forces Tab.

A Master Mason and president of the Tampa Bay Ranger Regiment motorcycle club, Major Brunelle was known by his community as selfless, compassionate, and full of life.

Today, Major Brunelle is survived by his wife, Renee, and many countless, loving friends and family. May God bless Major Travis Brunelle for his service to our Nation. May God bless his family, his friends, and may God bless the country he so valiantly and proudly fought for, the United States of America.

I AM STUNNED

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker, I come this morning rather stunned because I am witnessing comments by Presidential candidate Trump and Vice Presidential candidate Mike Pence that stuns me.

Today I heard that Pence basically said that Vladimir Putin has been a stronger leader in his country than Barack Obama in his country. And then, of course, Donald Trump is arguing that the Russians are not meddling in American Presidential politics, despite the fact he was interviewing on a Russian television station.

What is going on here? Is this patriotism? I don't know why all of a sudden we have a Presidential candidate who is praising or talking about basically a dictator being better than the President of the United States of America.

□ 0915

ZIKA EMERGENCY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, have you ever heard of a travel ban on an American city? Now, we have one in the beautiful boutique district called Wynwood, in the heart of my district. It is time to lift that ban.

District 24, Miami, Florida; and the entire State have been besieged by the Zika virus. We are in the epicenter of

this growing epidemic and living in fear of the damaging impact a single mosquito bite can have on an unborn fetus.

The vibrant, bustling millennial area of Wynwood has the best restaurants, the best trendy art galleries, museums, antique shops, hat stores, and tourist attractions. Tourists flock there from all over the world.

Now, with the travel ban in place because of Zika, people are being laid off; businesses are on the verge of closing. In comparison, it is a ghost town. The unborn babies are not the only ones affected by the virus. The economy is suffering immensely.

We need your help, Mr. Speaker. Zika is taking a huge bite out of Florida's booming economy and is devastating the tourism industry.

Mr. Speaker, please bring a clean Zika bill to the floor with no riders, no poison pills; just a clean bill. The unborn, families, and the businesses of America are depending on you. Zika is an ever-evolving nightmare and we must do that. When this travel ban has been lifted, I am looking forward to saying: Business as usual in Wynwood.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair would remind all Members to refrain from engaging in personalities toward the nominees for the Office of President and Vice President.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES REGARDING THE TERRORIST AT- TACKS LAUNCHED AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001, ON THE 15TH ANNIVER- SARY OF THAT DATE

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform, Committee on Homeland Security, Committee on the Judiciary, Committee on Transportation and Infrastructure, Committee on Armed Services, Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence, be discharged from further consideration of House Resolution 842, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 842

Whereas, on September 11, 2001, while Americans were attending to their daily routines, terrorists hijacked four civilian aircraft, crashing two of them into the towers

of the World Trade Center in New York City, a third into the Pentagon near Washington, DC, and a fourth was prevented from also being used as a weapon against America by brave passengers who placed their country above their own lives;

Whereas thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, and bystanders;

Whereas the crewmembers of United Flight 175, American Flight 11, American Flight 77, and United Flight 93 acted as first responders, reporting the first intelligence of a war the United States did not know it was fighting and sacrificing their own lives to protect the United States and the lives of countless others;

Whereas 15 years later the country continues to, and shall forever, mourn their tragic loss and honor their memory;

Whereas these attacks destroyed both towers of the World Trade Center, as well as adjacent buildings, and seriously damaged the Pentagon;

Whereas these attacks were by far the deadliest terrorist attacks ever launched against the United States, and, by targeting symbols of American strength and success, were intended to assail the principles, values, and freedoms of the United States and the American people, intimidate our Nation, and weaken its resolve;

Whereas memorials have been constructed to honor the victims of these attacks at the Pentagon, in Shanksville, Pennsylvania, and on the World Trade Center grounds, so that Americans and people from around the world can visit to mourn those lost and to pay tribute to the heroic action and sacrifice of those who have served our communities and our country in the years since the attacks;

Whereas 15 years after September 11, 2001, the United States continues to fight terrorists and other extremists who threaten America and her friends and allies;

Whereas successive Congresses have passed and President Bush and President Obama have signed numerous laws to assist victims of terrorism, protect our Nation, combat terrorism at home and abroad, and support the members of the Armed Forces who courageously defend the United States;

Whereas by the tireless efforts of our intelligence, military, and law enforcement professionals, the United States has been able to significantly degrade the al Qaeda network, by taking into custody or killing senior al Qaeda leaders, operational managers, and key facilitators, and owes a debt of gratitude to the focused and persistent efforts of all those personnel involved in the removal of Osama bin Laden;

Whereas the terrorist attacks that have occurred around the world since September 11, 2001, remind us of the hateful inhumanity of terrorism and the ongoing threat it poses to freedom, justice, and the rule of law;

Whereas United States law enforcement and intelligence agencies and allies of the United States around the world have worked together to detect and disrupt terrorist networks and numerous terror plots since September 11, 2001;

Whereas the Nation is indebted to the brave military, intelligence, law enforcement, and civilian personnel serving in Afghanistan, Iraq, and elsewhere in advancement of United States national interests;

Whereas thousands of families have lost loved ones in the defense of freedom and liberty against the tyranny of terror; and

Whereas the passage of 15 years has not diminished the pain caused by the senseless loss of nearly 3,000 persons killed on September 11, 2001: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes September 11 as a day of solemn commemoration;

(2) extends again its deepest sympathies to the thousands of innocent victims of the September 11, 2001, terrorist attacks, and to their families, friends, and loved ones;

(3) honors the heroism and the sacrifices of United States military and civilian personnel and their families who have sacrificed much, including their lives and health, in defense of their country;

(4) credits the heroism of first responders, law enforcement personnel, State and local officials, volunteers, and others who aided the victims of these attacks and, in so doing, bravely risked their own lives and long-term health;

(5) expresses thanks and gratitude to the foreign leaders and citizens of all nations who have assisted and continue to stand in solidarity with the United States against terrorism in the aftermath of the attacks on September 11, 2001, and asks them to continue to stand with the United States against international terrorism;

(6) commends the military and intelligence personnel involved in the removal of Osama bin Laden;

(7) reasserts its commitment to opposing violent extremism arrayed against American interests and to providing the United States military, intelligence, and law enforcement communities with the resources and support to do so effectively and safely;

(8) vows that it will continue to identify, intercept, and disrupt terrorists and their activities;

(9) reaffirms that the American people will never forget the sacrifices made on September 11, 2001, and will never bow to terrorist demands; and

(10) declares that when Congress adjourns today, it stands adjourned out of respect to the victims of the terrorist attacks.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO POSTPONE PRO- CEEDINGS ON MOTION TO RE- COMMIT ON H.R. 5424, INVEST- MENT ADVISERS MODERNIZA- TION ACT OF 2016

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 5424 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

INVESTMENT ADVISERS MODERNIZATION ACT OF 2016

Mr. HURT of Virginia. Mr. Speaker, pursuant to House Resolution 844, I call up the bill (H.R. 5424) to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to

investment advisers, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 844, the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5424

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Investment Advisers Modernization Act of 2016”.

SEC. 2. MODERNIZING CERTAIN REQUIREMENTS RELATING TO INVESTMENT ADVISERS.

(a) INVESTMENT ADVISORY CONTRACTS.—

(1) ASSIGNMENT.—

(A) ASSIGNMENT DEFINED.—Section 202(a)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)(1)) is amended by striking “; but” and all that follows and inserting “; but no assignment of an investment advisory contract shall be deemed to result from the death or withdrawal, or the sale or transfer of the interests, of a minority of the members, partners, shareholders, or other equity owners of the investment adviser having only a minority interest in the business of the investment adviser, or from the admission to the investment adviser of one or more members, partners, shareholders, or other equity owners who, after such admission, shall be only a minority of the members, partners, shareholders, or other equity owners and shall have only a minority interest in the business.”.

(B) CONSENT TO ASSIGNMENT BY QUALIFIED CLIENTS.—Section 205(a)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-5(a)(2)) is amended by inserting before the semicolon the following: “, except that if such other party is a qualified client (as defined in section 275.205-3 of title 17, Code of Federal Regulations, or any successor thereto), such other party may provide such consent at the time the parties enter into, extend, or renew such contract”.

(2) NOT REQUIRED TO PROVIDE FOR NOTIFICATION OF CHANGE IN MEMBERSHIP OF PARTNERSHIP.—Section 205 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-5) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking the semicolon and inserting “; or”;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3); and

(B) in subsection (d), by striking “paragraphs (2) and (3) of subsection (a)” and inserting “subsection (a)(2)”.

(b) ADVERTISING RULE.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commission shall amend section 275.206(4)-1 of title 17, Code of Federal Regulations, to provide that paragraphs (a)(1) and (a)(2) of such section do not apply to an advertisement that an investment adviser publishes, circulates, or distributes solely to persons described in paragraph (2) of this subsection.

(2) PERSONS DESCRIBED.—A person is described in this paragraph if such person is, or the investment adviser reasonably believes such person is—

(A) a qualified client (as defined in section 275.205-3 of title 17, Code of Federal Regulations), determined as of the time of the publica-

tion, circulation, or distribution of the advertisement rather than immediately prior to or after entering into the investment advisory contract referred to in such section;

(B) a knowledgeable employee (as defined in section 270.3c-5 of title 17, Code of Federal Regulations) of any private fund to which the investment adviser acts as an investment adviser;

(C) a qualified purchaser (as defined in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a))); or

(D) an accredited investor (as defined in section 230.501 of title 17, Code of Federal Regulations), determined as if the investment adviser were the issuer of securities referred to in such section and the time of the publication, circulation, or distribution of the advertisement were the sale of such securities.

SEC. 3. REMOVING DUPLICATIVE BURDENS AND APPROPRIATELY TAILORING CERTAIN REQUIREMENTS.

(a) BROCHURE DELIVERY.—Not later than 90 days after the date of the enactment of this Act, the Commission shall amend section 275.204-3(c) of title 17, Code of Federal Regulations, to provide that an investment adviser is not required to deliver a brochure or brochure supplement to a client that is a limited partnership, limited liability company, or other pooled investment vehicle for which each limited partner, member, or other equity owner has received, before purchasing a security issued by the pooled investment vehicle, a prospectus, private placement memorandum, or other offering document containing (to the extent material to an understanding of the pooled investment vehicle, the business of the pooled investment vehicle, and the securities being offered by the pooled investment vehicle) substantially the same information as would be required by Part 2A or 2B of Form ADV at the time of delivery of the brochure or brochure supplement, as the case may be.

(b) FORM PF.—Not later than 90 days after the date of the enactment of this Act, the Commission shall amend section 275.204(b)-1 of title 17, Code of Federal Regulations, to provide that an investment adviser to a private fund is not required to report any information beyond that which is required by sections 1a and 1b of Form PF, unless such investment adviser is a large hedge fund adviser or a large liquidity fund adviser (as such terms are defined in such Form).

(c) CUSTODY RULE.—Not later than 90 days after the date of the enactment of this Act, the Commission shall amend section 275.206(4)-2 of title 17, Code of Federal Regulations, as follows:

(1) The Commission shall provide additional exceptions to the independent verification requirement of paragraph (a)(4) of such section for an investment adviser with respect to funds and securities of a limited partnership (or a limited liability company or other type of pooled investment vehicle), as follows:

(A) An exception that applies if the outstanding securities (other than short-term paper, as defined in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a))) of the pooled investment vehicle are beneficially owned exclusively by—

(i) the investment adviser;

(ii) affiliated persons of the investment adviser;

(iii) supervised persons of the investment adviser;

(iv) officers, directors, and employees of the affiliated persons of the investment adviser;

(v) family members and former family members (as such terms are defined in section 275.202(a)(11)(G)-1 of title 17, Code of Federal Regulations) of persons described in clause (iii) or (iv); or

(vi) officers, directors, employees, or affiliated persons of, or persons who provide, have pro-

vided, or have entered into a contract to provide services to—

(I) the investment adviser of the pooled investment vehicle;

(II) one or more clients of the investment adviser of the pooled investment vehicle; or

(III) issuers from which the pooled investment vehicle or any other client of the investment adviser of the pooled investment vehicle has acquired securities, such as the portfolio company of a private fund.

(B) An exception that applies if the pooled investment vehicle has been established to hold only the securities of a single issuer in which one or more pooled investment vehicles managed by the investment adviser have acquired a controlling interest.

(2) Consistent with, and expanding on, IM Guidance Update No. 2013-04, titled “Privately Offered Securities under the Investment Advisers Act Custody Rule”, published by the Division of Investment Management of the Commission, the Commission shall, with respect to the exception for certain privately offered securities in paragraph (b)(2) of such section—

(A) remove the requirement of clause (i)(B) of such paragraph (relating to the uncertificated nature and recordation of ownership of the securities); and

(B) remove the requirement of clause (ii) of such paragraph (relating to audit and financial statement distribution requirements with respect to securities of pooled investment vehicles).

(d) PROXY VOTING RULE.—Not later than 90 days after the date of the enactment of this Act, the Commission shall amend section 275.206(4)-6 of title 17, Code of Federal Regulations, to provide that such section does not apply to any voting authority with respect to client securities that are not public securities.

SEC. 4. FACILITATING ROBUST CAPITAL FORMATION BY PREVENTING REGULATORY MISMATCH.

The Commission may not—

(1) amend section 230.156 of title 17, Code of Federal Regulations, to extend the provisions of such section to offerings of securities issued by private funds; or

(2) adopt rules applicable to offerings of securities issued by private funds that are substantially the same as the provisions of such section.

SEC. 5. EXCLUSION OF ADVISORY SERVICES TO REGISTERED INVESTMENT COMPANIES.

This Act shall not apply with respect to advisory services provided, or proposed to be provided, to an investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

SEC. 6. REFERENCES TO REGULATIONS.

In this Act, any reference to a regulation shall be construed to refer to such regulation or any successor thereto.

SEC. 7. DEFINITIONS.

In this Act:

(1) PUBLIC SECURITY.—The term “public security” means a security issued by an issuer that—

(A) is required to submit reports under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a); 78o(d)); or

(B) has a security that is listed or traded on any exchange or organized market operating in a foreign jurisdiction.

(2) TERMS DEFINED IN INVESTMENT ADVISERS ACT OF 1940.—The terms defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)) have the meanings given such terms in such section.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in part B of House Report 114-725, if offered by the Member designated in the report, shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

The gentleman from Virginia (Mr. HURT) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5424, the Investment Advisers Modernization Act of 2016.

I represent a rural district in Virginia, Virginia's Fifth District, which stretches from Fauquier County to the North Carolina border.

As I traveled through my district during August, much as I have done throughout my time in Congress, I continued to hear hardworking Americans express concern about the current state of our economy and the economic uncertainty facing their children and grandchildren. I think every Member of this body can agree that, with millions of Americans out of work, our top focus in Congress should be on enacting policies to help spur job creation throughout our country.

Today, we are discussing several legislative efforts that, if enacted, will encourage economic growth and job creation by reducing unnecessary regulatory burdens. One of these measures is a bipartisan piece of legislation that I have been working on with Representatives FOSTER, VARGAS, STIVERS, HULTGREN, SINEMA, and others. In fact, during a June markup in the Financial Services Committee, H.R. 5424 garnered broad bipartisan support, passing by 47-12.

This measure, the Investment Advisers Modernization Act, is an effort to modernize a 76-year-old law to reflect current industry needs and standards. The legislation directs the SEC to update rules that clarify provisions within the Investment Advisers Act.

Specifically, the legislation modernizes the outdated portions of the Investment Advisers Act, such as "assignment" definition; it removes dupli-

cative requirements, such as the notification to clients for any change in membership of a partnership; and it tailors current reporting metrics so that advisers are not required to provide burdensome and unnecessary information on their portfolio companies, among other things. Most importantly, it streamlines the regulatory scheme, while giving the SEC sufficient discretion to craft these rules to ensure investor protection. To be clear, this bill would in no way compromise investor protection, nor would it hinder the SEC's ability to pursue enforcement actions.

In our district, the investment of private capital is responsible for thousands of jobs. These critical investments allow our small businesses to innovate, expand their operations, and create jobs that our communities need.

Over the past three Congresses, there has been growing concern about the burden that Dodd-Frank unnecessarily placed on advisers to private equity, while at the same time exempting advisers to similar investment funds.

Over recent years, many of us have worked together in a bipartisan effort to eliminate the registration required by Dodd-Frank, but this bill does not do that and would not change the registration requirement that Dodd-Frank mandated. It simply updates the Investment Advisers Act. Instead, this legislation is a pragmatic and bipartisan approach to addressing some of the concerns with the Investment Advisers Act.

No matter your views on Dodd-Frank, the Investment Advisers Modernization Act represents the view that Congress should continuously look for bipartisan, commonsense solutions to update and streamline its laws in order to encourage economic growth and job creation.

I ask my colleagues on both sides of the aisle to support H.R. 5424, the Investment Advisers Modernization Act.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we stand here today after an extraordinarily long recess, and Republicans' first order of business is to protect Wall Street profits instead of dealing with a host of critical issues facing the American public.

I recently visited Baton Rouge, Louisiana, where thousands of residents are still without homes and communities are struggling to recover in the wake of last month's historic devastating flooding.

There is so much that we need to do as Members of Congress to help our constituents in the short amount of time we have left in session, whether it is helping the people of Baton Rouge, ending the crisis of homelessness in America, or preventing senseless gun

violence. However, rather than working together to pass sensible legislation to address these issues, we are debating H.R. 5424, a bad bill that would put Americans' savings and investments at risk by opening the door to further abuses in the private equity industry.

This is an industry that touches all of us because it is not just private businesses looking to these funds to raise capital. One-quarter of the investments held by private equity firms come from our public pension funds that are holding our teachers' and firefighters' retirement savings. And it is not just our public pensions that are on the line. It is also our emergency services and mortgages and consumer lending markets where private equity funds are increasing their presence.

That is why it is so important to have adequate oversight of this industry. We must ensure that Wall Street does not turn a profit at the expense of investors, consumers, and retirees.

Unfortunately, H.R. 5424 would roll back Dodd-Frank's much-needed oversight and transparency measures for the shadow banking industry. Dodd-Frank required advisers to private equity funds and hedge funds with more than \$150 million in assets under management to register with the SEC and comply with important reporting and audit requirements. In addition, it required newly registered advisers to file systemic risk reports with the Financial Stability Oversight Council, because we had sufficient information on the risks that private funds could pose to our economy as a whole.

Thanks to this new oversight, the Securities and Exchange Commission has been able to examine and, where appropriate, bring enforcement actions against private fund advisers. In fact, the SEC has brought numerous enforcement actions against private fund advisers for a variety of transgressions in the past few years.

In 2013, the SEC identified violations or weaknesses in more than 50 percent of cases where it had examined how fees and expenses are handled by advisers. Recently, the SEC Director of Enforcement urged greater transparency in this area and said the Commission "will continue to aggressively bring impactful cases in this space."

All of this comes on top of recent news reports showing how private equity firms are investing in our fire departments, ambulance services, and mortgage and consumer lending markets. Their profit-driven tactics have resulted in slower reaction times in our emergency services, exorbitant interest rates, and the same sort of foreclosure abuses that we witnessed before and during the financial crisis.

So, when it comes to private equity funds and hedge funds, it is clear that more regulation is needed, not less. Yet this bill takes us in the wrong direction. For example, advisers would no

longer have to notify clients of a change in ownership or provide them with information on their procedures for handling conflicts of interest in voting proxies. Additionally, they would not have to disclose information on large funds to the FSOC, making it harder to monitor and detect systemic risk.

Also troubling is that the bill would create a Bernie Madoff loophole by providing a broad exception from an annual audit requirement for funds whose investors may have a relationship with the adviser and for funds invested in private securities that are not represented by a paper certificate.

I must note that, despite efforts by my colleagues to amend this bill and remove some of its harmful provisions, there are still too many problematic provisions in this bill that would put investors, retirees, and consumers at risk. That is why it is opposed by consumer and investor advocates, State security regulators, institutional investors, and labor unions representing workers whose pensions could be affected.

Moreover, the White House has threatened to veto the bill, saying it “would enable private fund advisers to slip back into the shadows” and “unnecessarily put working and middle class families at risk, while benefiting Wall Street and other narrow special interests.”

I, therefore, strongly urge my colleagues to oppose H.R. 5424.

I reserve the balance of my time.

□ 0930

Mr. HURT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), who is the chairman of our Housing and Insurance Subcommittee.

Mr. LUETKEMEYER. Mr. Speaker, I first would like to thank the gentleman from Virginia (Mr. HURT) for his hard work on H.R. 5424. Since joining this body, Mr. HURT has been a tireless advocate for small business creation, capital formation, and working with families across Virginia and throughout the United States. He is to be commended for his efforts.

Today, Mr. Speaker, we will consider his legislation, H.R. 5424, the Investment Advisers Modernization Act. This bill makes long-awaited and sensible changes to the 76-year-old Investment Advisers Act. H.R. 5424 also streamlines requirements for private equity funds and sophisticated investors in private equity funds.

As I said on the floor yesterday, there should be no room for regulation that serves only to appease bureaucratic demands. Capital should be used to create jobs and further growth, not fulfill meaningless and unproductive regulatory requirements.

Private equity plays a vital role in our economy. I have seen it firsthand

in my district and across Missouri, and hope my colleagues recognize that private equity is responsible for saving and creating jobs in each of their congressional districts. Capital is the lifeblood of businesses.

At a time when investment returns are down and options are limited, when investment advice is more expensive and may soon be out of reach for many Americans, and when our economy continues to stagnate, we need to take measured steps to streamline regulations and free equity. That is the way you fuel an economic recovery.

This bill came to us from constituents who we have been listening to during all of the different times that we go home and talk to them. They said these are the rules and regulations that are strangling their ability to do business.

The ranking member just talked about a shadow banking system. I would argue that we have a shadow regulatory system that is producing rules and regulations at a furious clip, and without understanding the consequences of those rules and regulations.

H.R. 5424 will make modest but meaningful changes to existing law. This is a bipartisan bill that received support from the majority of the minority during the Financial Services Committee markup. It is legislation that merits support from all my colleagues, and that is because H.R. 5424 is about modernization, capital formation and, ultimately, American jobs.

I ask my colleagues to join me in supporting this legislation. I thank the gentleman from Virginia for his leadership on these issues and Chairman HENSARLING for bringing this bill to the floor.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of our Subcommittee on Capital Markets and Government Sponsored Enterprises.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in opposition to H.R. 5424.

While my good friend from Illinois, Mr. FOSTER, is going to offer an amendment that would remove two of the most problematic provisions, I, unfortunately, still have serious concerns with the remaining provisions in the bill, which makes changes to core aspects of a regulatory regime that has been very successful for decades.

For one thing, this entire bill applies to more than just private equity funds. It applies to private equity funds, hedge funds, and commodity pools. So, as a threshold matter, this is not narrow or targeted relief.

I also have a problem with the provision exempting private equity advisers

from the Proxy Voting Rule for private securities. The Proxy Voting Rule simply requires advisers to have a policy—just a policy—in place to deal with conflicts of interest when the adviser is voting on shareholder proposals on their clients’ behalf.

Proxy voting is not limited to public companies, and conflicts of interest exist whether a company is public or private. So there is really no reason why private securities should get an exemption here.

In fact, private equity advisers are even more likely to have a conflict of interest when they are voting on shareholder proposals on a client’s behalf because the entire business model of private equity funds is premised on the funds having a significant amount of influence, if not outright control; and, in some cases, they even manage the company.

So a private equity adviser that is voting on a client’s behalf would have a conflict of interest virtually every time it is faced with a proposal that is good for management, but bad for shareholders.

Requiring a private equity adviser to have policies in place to manage these conflicts of interest is really not too much to ask. We are just asking for policies to be in place.

While I think there are some very good things in this bill that are reasonable, I think too many of the provisions go too far, so I urge my colleagues to oppose this bill.

Mr. HURT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, I rise today in support of H.R. 5424, the Investment Advisers Modernization Act. I am proud to be a cosponsor of this legislation, which was introduced by Congressman HURT. I would especially like to thank Speaker RYAN and Chairman HENSARLING for their work in bringing this up for a vote today.

Private equity has a long history of making a positive difference for Illinois companies, their employees, and our communities. Over the last 10 years, private equity firms have invested hundreds of billions of dollars in Illinois-based companies. In fact, Illinois ranked number one nationally in attracting private equity investment in 2015, according to the American Investment Council.

It comes as no surprise that these companies, backed by strong financing and experienced management, with innovative products and services, support hundreds of thousands of workers and their families.

In addition to the economic growth driven by private equity, we also shouldn’t overlook its importance to investors. For example, the State Universities Retirement System of Illinois and its 200,000 members depend on investments in private equity-backed companies.

So why shouldn't we, as legislators, seize an opportunity to make private equity investment easier?

This bill would make relatively modest updates to a 76-year-old Investment Advisers Act.

Our securities laws are meant to reflect the sophistication of the investors. We should not apply cumbersome regulations intended for less-sophisticated retail investors to professionals with deep knowledge and expertise of investment advising.

The majority of private equity funds in Illinois are middle market and do not have large administrative staffs. Generally, the staff is just one or two finance professionals. The proliferation of rules, reporting, and regulation at both the Federal and State level has severely taxed these firms and taken valuable resources away from the important job of identifying, investing in and growing companies and, thus, growing our economy.

The Investment Advisers Modernization Act will reduce administrative costs, making it easier to invest in our communities, and improve the rate of return, whether they are saving for retirement or for a university's endowment.

In closing, I would like to thank Chairman HENSARLING again and Mr. HURT for their leadership on this legislation.

It is no surprise that such a common-sense bill already has a strong bipartisan record. I urge all of my colleagues to support the Investment Advisers Modernization Act.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, after general debate, my colleague from Illinois will offer an amendment to eliminate two toxic provisions of this bill. While I am supportive of his effort, I am concerned that his amendment does not go far enough.

I am going to describe the six provisions Mr. FOSTER's amendment leaves intact but that are still harmful to investors and threatens the ability of the SEC to oversee private equity funds and hedge funds. As such, even if the amendment is adopted, I urge all Members to oppose final passage of H.R. 5424.

The first reason to vote against final passage is that H.R. 5424 would still remove systemic risk reporting requirements for private equity funds. Congress created the Financial Stability Oversight Council when it passed the Dodd-Frank Act to look for risks across the entire financial system, including those within shadow banks like private equity funds.

Democrats understood that one of the most important lessons of the crisis was the value of sunshine into all of the dark corners of our markets. We do not want another AIG to make enough

risky financial bets to take down the entire economy without anyone knowing until it is too late.

H.R. 5424, however, would repeal the requirement that large private equity firms provide certain information about their portfolio companies and their leverage.

The second reason to vote "no" on an amended H.R. 5424 is that the bill still would prohibit the SEC from applying the antifraud guidance related to advertising materials of mutual funds to private equity funds and hedge funds. This is a basic investor protection.

Private equity funds should not be able to selectively use performance data to dupe investors into buying their funds. It works for mutual funds and it will work for other funds similarly.

Reason number three to oppose H.R. 5424 is that the amended bill would remove the bright-line test for fraudulent and misleading advertising materials, thereby allowing private equity advisers to use testimonials and past recommendations to create a false perception of the adviser's performance. This provision will enable private equity funds to more easily sell key securities to unsuspecting investors.

Reason number four to vote "no" is the bill would still remove the requirement that fund advisers notify investors of ownership changes. This would allow an adviser to sell its business or the fund it manages to anyone, raising the concern that an unacceptable party would suddenly be managing a pension's invested money without their consent. The public pension plans have a right to know if the star manager has been replaced with an underachiever.

An amended H.R. 5424 also would repeal disclosures of proxy voting procedures for handling conflicts of interest. Namely, the bill eliminates a requirement that advisers to private equity funds and hedge funds have policies and procedures in place to dictate how and when the adviser will vote a proxy and how it will mitigate any conflicts of interest.

Because these policies and procedures inform investors and the SEC to whether an adviser is meeting some of its fiduciary responsibilities, I find it hard to understand how Democrats who stood up to protect the fiduciary obligations of everyday Americans can now support weakening it for the funds investing on behalf of those Americans.

Finally, even though the Foster amendment preserves the audit requirement for certificated securities, the bill would remove the audit requirement under the SEC's custody rules for private, uncertificated securities for which advisers would not have to keep any record. Although such securities may not be common in the private space, this distinction between two types of securities has all the trappings of a loophole in the making and would create a terrible incentive.

So I would urge all Members to oppose H.R. 5424 even if the Foster amendment is adopted.

I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER).

□ 0945

Mr. FOSTER. Mr. Speaker, I thank the gentleman for yielding.

I cosponsored this bill because private equity makes considerable investment in Illinois and, specifically, in my district. Nationwide, many businesses are backed by private equity and are a key driving force behind our economy, making critical national and local economic contributions. These businesses support 11 million jobs nationwide.

This bill is about applying the provisions of the Investment Advisers Modernization Act that make sense for the private equity business model. That business model involves making long-term investments in companies that a fund intends to turn around or grow over a period of years.

This bill, from the very beginning, was an effort to apply those requirements in a way that makes sense, and it is the culmination of a great deal of bipartisan work.

Working across the aisle, I have worked with Congressman HURT of Virginia to remove the provisions that my colleagues on my side of the aisle have indicated are the most troubling to them. Together, we worked on two amendments. The amendment passed in committee resulted in more than half of the Democrats on the committee supporting the bill.

Today I will be offering an amendment that will address two concerns that have been most prominently expressed by Democrats and advocates through the amendment I will be proposing and answers their main objections.

First, the amendment will address concerns over transparency into the fund's policies. It will continue current law that the adviser is required to deliver a brochure to the client with information about fees and brokerage services and, in turn, deliver that information to the SEC.

Second, we are addressing concerns over investor confidence that funds hold the assets that they say they do. The provision that we are removing would have provided a narrow exemption to the annual audit and surprise inspection requirements for some funds, so they will continue to be subject to these after my amendment is, hopefully, adopted.

My amendment will ensure that funds continue to receive a third-party look to ensure that the fund has the assets it has represented to clients that it has, including that the asset is held in the name of the client.

I know that there are other concerns, but after careful consideration, I believe they can be addressed. Opponents

say that advisers will no longer keep records of the private securities that are held in custody, but this is actually not accurate. The adviser does need to keep records. These securities are illiquid and require issuer consent to sell, and these securities will be subject to annual audit and surprise inspection.

Opponents also say that the clients might find that they have a new adviser without their consent, but current law allows for minority stakes in an adviser organized as a partnership to be done without consent. So this provision just treats an LLC and corporate structures identically.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HURT of Virginia. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. FOSTER. Mr. Speaker, this bill would remove the requirement for private equity funds to submit certain information on Form PF to the FSOC; but that information is intended to capture funds that have built up leveraged and risky positions that pose a systemic risk through counterparty exposure. This is very different from the business model of private equity firms.

I know that for those Members who supported H.R. 1105 in the last Congress, this should actually be easier because it provides a very narrow, targeted relief. I voted against H.R. 1105, but I support this bill after thinking carefully about it and the changes.

The bill received the support of more than half the Democrats on the Financial Services Committee, and I hope that many more Democrats will support this bill on the floor after my amendment has been adopted.

Mr. Speaker, I urge my colleagues to support this bipartisan bill that will support businesses and economic growth around the country.

Ms. MAXINE WATERS of California. Mr. Speaker, investors, consumer advocates, public pension funds, and others have spoken on H.R. 5424, and they have deemed it to be harmful.

Let me read for you a few excerpts from opposition letters received by the House of Representatives. First of all, let me tell you who they are: Americans for Financial Reform; the American Federation of State, County, and Municipal Employees; the American Federation of Teachers; the Consumer Federation of America; Communications Workers of America; and U.S. PIRG.

“Far from modernizing the regulation of investment advisers, this legislation would roll back the clock to the years before private fund advisers were subject to elementary oversight measures, measures that numerous documented abuses have shown to be necessary for investor protection. The laundry list of regulatory exemptions in this bill would enable the exploi-

tation of investors, possibly including outright fraud. It would also reduce the information available to regulators to address systemic risk.”

North American Securities Administrators Association, Incorporated, these are our State securities regulators, the cops on the beat policing Main Street from financial crime, let me give you their quote:

“Although the bill purports to be an updating of the framework for the regulation of investment advisers, it is in fact little more than an effort to shield advisers to private funds from the scrutiny of SEC registration and examination oversight.”

Let's hear what CalPERS has to say: “We believe that H.R. 5424 would erode the Dodd-Frank provisions that established greater transparency into private equity funds, protected investors against fraud by fund advisers, and enhanced the ability of regulators to effectively monitor systemic risk in the private fund industry.”

CalSTRS: “This current legislation amends the Investment Advisers Act of 1940 to purportedly ‘modernize’ certain requirements related to private equity advisers. In actuality, this proposed legislation would roll back important investor protections provided to funds, in terms of transparency and oversight by the Securities and Exchange Commission.”

Let's hear from the Institutional Limited Partners Association: “The ILPA believes that the changes to mandatory disclosures and other requirements as proposed in H.R. 5424 would be counterproductive to providing institutional limited partners with the transparency they need to ensure alignment of interest in their private equity fund investments, and to carry out their duty to protect the interests of millions of beneficiaries of these investments—retirees, policyholders, nonprofit and educational institutions.”

Let's hear from the Council Institutional Investors:

“H.R. 5424 rolls back important transparency and reporting requirements that we and many of our members believe are critical to investor protection. For example, section 3(b) of H.R. 5424 would provide exceptions for private equity and hedge funds from existing disclosure requirements on Form PF, a confidential form used by the U.S. Securities and Exchange Commission and other regulators to track risks in the financial system.”

Let's hear from Public Citizen: “This bill allows investment advisers to escape current safeguards designed to reduce inflated sales pitches or obfuscation of investment risks. Specifically, investment advisers need to make sure that potential private equity investors have basic sales documents such as the company prospectus before consummating a sale. Investors in private

funds should be accorded ample information. The bill also frustrates efforts by investors to gain access to company records in so-called books-and-records requests.”

Unite Here: “H.R. 5424 is an invitation for private equity managers to make false and misleading statements to the public. At a time when the nearly \$4 trillion private equity industry should become more transparent, H.R. 5424 would enable it to become more opaque, putting workers, retirees, and the general public at risk.”

Mr. Speaker, I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HENSARLING). Chairman HENSARLING has done so much to promote pro-growth policies in the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I rise in strong support of H.R. 5424. I want to thank the gentleman from Virginia for his leadership and the gentleman from Illinois as well.

This is a strong, bipartisan bill out of the House Financial Services Committee having passed on a vote of 47–12, which means 80 percent of the members of the House Financial Services Committee, including over half of the Democrats, support this commonsense, pro-growth, pro-jobs legislation.

Mr. Speaker, as children—including my own—all across this Nation go back to school, we would be negligent if we didn't acknowledge the latest report card that Americans received on our economy less than 2 weeks ago. The report card shows our economy growing at a measly 1.1 percent, roughly one-third of its normal growth. In other words, it has received a failing grade, Mr. Speaker. One economics writer has said the report suggests “the economy could be on the brink of recession.”

Americans deserve better. Hard-working Americans do deserve better. Again, economic growth has been far stronger in our country. The economy grew on an average of 3.7 percent during every other recovery in the postwar era. But growth has averaged nearly 2 percent in the last 7 years, and even worse, about 1 percent so far this year. It is just more evidence that the economy is not working for working Americans. They have seen their paycheck shrink, and they have seen their wages stagnate. Seven years after recession ended, nearly 14 million Americans are unemployed or underemployed.

I am confident that all of us—Republicans and Democrats alike—want this to change. We want to help Americans who are struggling, who are underemployed and unemployed. We have to lift the nearly 7 million additional Americans who have been thrown into poverty during these last 7 years. We must help them. We know—or should know—that nothing helps the poor, the

unemployed, and the underemployed like economic growth. Growth means more jobs, more growth means higher average wages, more growth means less government borrowing, and growth enables Americans to achieve the dream of financial independence.

But if we want to ignite growth and revive our struggling economy, the answer is not more debt, more spending, or more onerous regulations from Washington. Instead, we need more entrepreneurs, more innovation, and more small business expansion on Main Street. So at this time, when record levels of debt and Federal regulation hinder growth and slow our economy, it is critical for us to find bipartisan solutions—not always easy to come by—that will accelerate growth and get our economy back on track.

Mr. Speaker, we have exactly that kind of bill before us today. Again, it is a bipartisan bill supported and sponsored by the gentleman from Virginia (Mr. HURT), Mr. VARGAS of California from the Democratic side of the aisle, Mr. STIVERS of Ohio from the Republican side of the aisle, and Mr. FOSTER of Illinois from the Democratic side of the aisle. I have the honor of serving with all four of these gentlemen on the House Financial Services Committee, and I thank them for their bipartisan work on this bill.

Again, this passed in our committee 47-12. Over half the Democrats on the committee support the bill—80 percent of the committee. There is no reason why every Member of the House shouldn't approve this bipartisan Investment Advisers Modernization Act because, Mr. Speaker, again, it is bipartisan, it is pragmatic, and it is commonsense. It simply updates portions of a 76-year-old law by updating regulations that have made it harder for the job growth engine of America—our small businesses—to access the capital they need to create jobs on Main Street.

□ 1000

We know, again, that small businesses across the country are struggling to find investment and financing options that enable them to open their doors, hire workers, and succeed. They are struggling, again, because of a growing regulatory burden imposed by Washington, by a Washington-knows-best mentality.

Witnesses have testified before our committee, Mr. Speaker, that there has been a serious decline in loans from banks to small businesses over the past few years, and our Nation has gone a decade—a decade—with no growth in the value of small business loans.

It is not surprising that, during the second quarter of this year, one of every three small-business owners said they had to transfer personal assets to keep their businesses running, according to a recent report from Pepperdine

University. This same report found that 50 percent of small-business owners said their growth opportunities are restricted by the current business financing environment.

As a small-business owner, my hometown of Dallas wrote me recently: "We have seen wave after wave of Federal regulations affecting our ability to grow." Another small business owner from the town of Chandler, in the Fifth District I have the privilege of representing, summed up the economic harm caused by Washington's regulatory burden this way: "No one can keep up."

In order for the economy to grow for small businesses to create jobs that Americans need, we have to remove unnecessary regulations that tie up private capital and cause economic uncertainty. We must put in their place policies that encourage investment, innovation, and entrepreneurial spirit that makes America a beacon of opportunity for all.

Again, Mr. Speaker, we have a bipartisan bill before us having passed 47-12, 80 percent of our committee having approved. It is a modest, but important, step in the right direction. But as one witness told us: It will go a long way towards facilitating capital formation while maintaining our commitment to investor protection.

I urge all of my colleagues to support the bipartisan bill. By doing so, they will remove unnecessary burdens on our small businesses, and we will help grow not only the American economy but the Main Street economy as well.

I thank Members on both sides of the aisle for their bipartisan work on this very, very strong bill. And I thank the gentleman from Virginia for his leadership and for yielding the time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

I think I heard my colleague on the opposite side of the aisle reference Main Street, but I did not hear him describe who his Main Street is, and we don't know who he is talking about.

Let me just remind the Members one more time who is opposing this bill—this is truly representative of Main Street—AFL-CIO; American Federation of Teachers; American Federation of State, County and Municipal Employees; Americans for Financial Reform; Communications Workers of America; Consumer Federation of America; Council of Institutional Investors; CalPERS; CalSTRS; Institutional Limited Partners Association; North American Securities Administrators Association; Public Citizen; UNITE HERE; United Automobile, Aerospace and Agricultural Implement Workers of America, UAW; and U.S. Public Interest Research Group.

We have opposition from working people, from the real people of Main Street, on this legislation. I think, as

Members begin to read and look at this bill, they will understand how dangerous it is and how we would be rolling back the clock, jeopardizing the reforms that we have made with Dodd-Frank, and also taking us back to undermining the SEC in extraordinary ways.

Recently, Mr. Speaker, there was an investigative series initiated by The New York Times looking into the operations of private equity firms. I would like to read for you a few key excerpts from the articles which I think might highlight the need for further regulation of private equity and not the rollbacks we see today in H.R. 5424.

This is from a June 25, 2016, article titled: "When You Dial 911 and Wall Street Answers."

"Since the 2008 financial crisis, private equity firms, the 'corporate raiders' of an earlier era, have increasingly taken over a wide array of civic and financial services that are central to American life.

"Unlike other for-profit companies, which often have years of experience making a product or offering a service, private equity is primarily skilled in making money. And in many of these businesses, The Times found, private equity firms applied a sophisticated moneymaking playbook: a mix of cost cuts, price increases, lobbying and litigation.

"In emergency care and firefighting, this approach creates a fundamental tension: the push to turn a profit while caring for people in their most vulnerable moments."

This article then goes on to describe how response times slowed and lives were put in danger—and I am talking about the response time of fire departments that are now controlled by equity funds—when these profit-hungry Wall Street firms took over essential public health services, like ensuring ambulances arrived to victims on time.

From an article titled, "How Housing's New Players Spiraled into Banks' Old Mistakes," dated June 26, 2016: "When the housing crisis sent the American economy to the brink of disaster in 2008, millions of people lost their homes. The banking system had failed homeowners and their families.

"New investors soon swept in—mainly private equity firms—promising to do better.

"But some of these new investors are repeating the mistakes that banks committed throughout the housing crisis, an investigation by The New York Times has found. They are quickly foreclosing on homeowners. They are losing families' mortgage paperwork, much as the banks did. And many of these practices were enabled by the federal government, which sold tens of thousands of discounted mortgages to private equity investors, while making few demands on how they treated struggling homeowners.

“The rising importance of private equity in the housing market is one of the most consequential transformations of the post-crisis American financial landscape. A home, after all, is the single largest investment most families will ever make.

“Private equity firms, and the mortgage companies they own, face less oversight than the banks. And yet they are the cleanup crew for the worst housing crisis since the Great Depression.”

The article then goes on to describe how private equity firms can squeeze fees out of homeowners during every stage of the foreclosure process, often through conflicts of interest that make foreclosure more profitable than providing sustainable loan modifications.

Mr. Speaker, this investigated series by The New York Times exposes practices that I think no credible Member of Congress would want to be associated with. This is horrible that we could even think that we are allowing our citizens to be placed at risk and their lives jeopardized because we have a private equity firm that is brought up and is now in control of critical services to our citizens, and they have to do it and make a profit. The way they make that profit is they cut back on personnel, equipment, machinery, or whatever it takes to turn that dollar.

I am absolutely amazed that any Member of Congress would dare to think about supporting this kind of legislation that would allow these practices not only to continue in ways that I have described, and let me just remind you, I don't know how we can soon forget the crisis that this country experienced in 2008 when we had this subprime meltdown and we had so many foreclosures, so many families that were literally put on the streets because they lost their home because of practices that were not regulated by this government.

This is amazing. This is absolutely amazing, and it is outrageous. I believe when the Members who come to vote today take a look at the fine print that they will understand what is happening here today. I think even if some Members thought they could, or should, support this bill, I think they are going to change their minds. And while it is being touted as a bipartisan effort, I don't think so.

I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Speaker, it is an honor to be here today to talk about what is very essential in America, and that is getting people to work and creating opportunities.

Small businesses are essential to America's economic competitiveness. Not only do they employ half the Nation's private sector, but they also cre-

ate two-thirds of the net jobs in our country.

Unfortunately, in recent years, small businesses have been slow to recover from a recession and credit crisis that has hit them especially hard. Unlike large enterprises that can obtain funds from commercial debt and equity markets, small businesses must often rely on their own personal assets, retained earnings, community banks, and credit unions for needed capital.

Last month, in the great city of Santa Clarita, I hosted my annual small business conference and expo. The conference was designed to hear from constituents exactly what was happening and their problems in small businesses. After listening to small-business owners and employees talk about the challenges they face, it was very evident that overregulation and lack of access to capital were the biggest issues.

That is why I applaud and support Mr. HURT's work on H.R. 5424, the Investment Advisers Modernization Act of 2016. The Investment Advisers Act has proven to be a duplicative burden that not only drives up costs but also blocks an efficient allocation of capital.

We need to modernize these laws so that we can remove existing barriers and tailor our policy to help facilitate capital formation. H.R. 5424 would do exactly that. The legislation takes into consideration the business model of today's private equity and not one from 70 years ago.

I look forward to continuing my work with Mr. HURT, and with all of my colleagues here in the House, on commonsense measures like the Investment Advisers Modernization Act of 2016, so that we can ensure our small businesses can grow and employ more of our neighbors.

Again, Mr. Speaker, I support H.R. 5424, and ask my colleagues to vote in favor of this bill because access to capital is not a partisan issue, it is something that we need and will help our small businesses.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself as such time as I may consume.

I will remind the Members that NANCY PELOSI, our leader, has weighed in on this pretty heavily. She doesn't weigh in on a lot of things, but she has put out an advisory here today titled: H.R. 5424, a House GOP giveaway to the shadow banking industry.

We have from the administration that a Presidential veto will take place on this legislation should it get to his desk.

This morning's debate illustrates Republican's misguided priorities. When we are here in Washington, the American public expects us to address the pressing needs of our Nation and not waste our time with Wall Street giveaways that the financial crisis taught

us is neither prudent nor without devastating consequences.

Why is it that the interest of Wall Street takes high priority when we return from our break?

□ 1015

Why aren't we talking about homelessness? Why aren't we talking about Flint? Why aren't we talking about Zika? Why aren't we talking about Baton Rouge?

I will tell you that there are those who think, perhaps, they have to take care of Wall Street, that it comes first, but I do not think so. I ask for a “no” vote on this bill.

I yield back the balance of my time. Mr. HURT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

In closing, I urge all of the Members of this body to support this good bill.

Let's remember where we started with this registration requirement for private equity. In the Dodd-Frank Act, in the aftermath of the financial crisis, private equity was swept into the Dodd-Frank Act in an effort, ostensibly, to try to stop future systemic crises in the United States' markets. As a consequence, over the last couple of years, we have introduced legislation to repeal that registration requirement. This bill does not do that. Those efforts were bipartisan in nature. They were designed to promote more investment in jobs across this country, but that was met with resistance. Registration is now a fact of life. There are Members on the other side who did not support our previous efforts, Mr. FOSTER being one of them.

As has been said, we have more than half of the Democrats on the Financial Services Committee supporting this legislation because it is not a repeal of the registration requirement. What it is, in fact, is a streamlining of a 76-year-old law that has made it more difficult for investment funds to be able to be successful.

This bill is not about rolling back investor protection. In fact, investor protection will still be strong. The SEC has the power to bring enforcement actions. Nothing has been done, again, to repeal the registration requirement. These firms will still continue to have to be registered. This is not about investor protection. All of the antifraud provisions that are currently in Federal securities law will continue to apply.

This is about teachers. It is about firefighters. This is about the pension funds in these investment funds that have had success over the last 10 years. These have been the places where these pension funds have, in fact, invested because they have been solid-performing funds. That is good for teachers and firefighters and their retirements. That is what this bill is about. It is about making it easier for these

funds to be successful so that they can bring back those returns for the retirements of our teachers and our firefighters.

At the end of the day, probably as important as anything to me are the jobs that are created all across this country because of the investments of these funds—places like Main Street in Martinsville, Virginia, where we have seen, over the last 15 years, unemployment as high as 25 percent. There have been investments in places like Southside, Virginia, that have created jobs, that have grown companies.

That is what this bill is about. It is about those jobs in Martinsville, Virginia. It is about those families in Martinsville, Virginia, or in Rocky Mount, or in Charlottesville, in Virginia's Fifth District. That is what this bill is about. That is why it has garnered strong bipartisan support on our committee, and I hope it will garner strong bipartisan support today on this floor. I urge my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise in opposition to H.R. 5424, the so-called "Investment Advisers Modernization Act of 2016." Regrettably, instead of modernizing the regulation of investment advisors, as the bill's title suggests, the legislation under consideration today would take us back to a time when there was minimal transparency and reporting requirements for private firms such as private equity and hedge funds.

Over the past few months, I have been following the New York Times investigative series that exposed abuses by the private equity industry that impact our daily lives. I am concerned that private equity firms are now overtaking our fire departments, our ambulance services, our public water services, and our mortgage market. The influence of these private firms in services that traditionally have been provided by our government is resulting in slower reaction times for emergency services, aggressive collection practices, and the type of foreclosure abuse that we saw before the 2008 financial crisis. Given the increased influence of these firms in our daily lives, it is critical that we do not roll back crucial oversight and transparency requirements through this legislation.

I served on the Financial Services Committee during the 2008 financial crisis. I witnessed the harmful impact that the lack of regulation had on hard-working families around our nation. I had the honor of helping to reform our financial system through the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act (The Dodd-Frank Act). The Dodd-Frank Act increased the transparency of private funds by requiring increased reporting and compliance requirements.

Unfortunately, this legislation would destroy much of the hard work we did through the Dodd-Frank Act. According to Americans for Financial Reform, the regulatory exemptions included in this bill would enable the exploitation of investors and would reduce the infor-

mation available to regulators to address systemic risk. Specifically, this harmful legislation removes certain requirements made applicable by the Dodd-Frank Act to investment advisers to private equity funds and hedge funds, so that they do not have to notify their investors of ownership changes, report certain information on large private equity funds in their systemic risk reports to the Financial Stability Oversight Council, or annually deliver plain-text disclosures to clients. It also exempts these private funds from the annual independent audit requirement, which was strengthened by the Securities and Exchange Commission following the Bernie Madoff scandal.

A quarter of the investments in private equity funds comes from public pensions, which invest the retirement savings of our nation's teachers and firefighters. We cannot repeal these important protections for our nation's public servants.

In closing, this harmful bill would provide regulatory relief for an industry that needs more regulation. It is a dangerous step in the wrong direction. This is why I urge my colleagues to vote "no" on this bill.

The SPEAKER pro tempore (Mr. CARTER of Georgia). All time for debate on the bill has expired.

AMENDMENT PRINTED IN PART B OF HOUSE REPORT 114-725 OFFERED BY MR. FOSTER

Mr. FOSTER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike line 14 and all that follows through page 7, line 5.

Page 7, strike line 18 and all that follows through "Consistent with" on page 9, line 16, and insert "Regulations, consistent with".

Page 9, beginning on line 20, strike "the Commission shall."

Page 9, line 23, insert ", so as to" after "such section".

The SPEAKER pro tempore. Pursuant to House Resolution 844, the gentleman from Illinois (Mr. FOSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Speaker, I thank my friend from Virginia (Mr. HURT) for working with me on this bill.

Mr. Speaker, the amendment that I am proposing addresses two of the concerns that have been most prominently expressed by Democrats and advocates, including the two major objections that the administration's statement, which opposed this bill before the amendment, highlighted. I hope this will lead most of the Caucus to join me in voting for this bipartisan bill after my amendment addresses the chief concerns voiced by my colleagues.

First, the amendment will address concerns over transparency into the fund's policies. It will continue current law that the adviser is required to deliver a brochure to the client with information about fees and brokerage services and, in turn, deliver that information to the SEC.

Second, my amendment will address concerns over investor confidence that the funds hold the assets that they say they do. It removes a provision that would have provided a narrow exemption from the annual audit or surprise inspection requirements for some funds; so they will now, with this amendment, continue to be fully subject to annual audits and surprise inspections. My amendment will ensure that the funds continue to receive a third-party look to confirm the assets it has represented to clients, including that the asset is actually held in the name of the client.

These are the two concerns most prominently expressed, but I know there are others.

After careful consideration, I do not believe that they are problematic or should prevent Members from supporting this bill. The adviser does need to keep records on the securities in its custody. The securities eligible to be held in its custody are illiquid and will be subject to the annual audit or surprise inspection. Funds that have built up leveraged and risky positions that could pose a systemic risk through counterparty exposure and other mechanisms will still be required to submit the additional information on Form PF to the FSOC.

My amendment will remove the provisions that had been the main features for the opposition during this process, so I urge my colleagues to support this bipartisan bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I ask unanimous consent to claim the time in opposition.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HURT of Virginia. Mr. Speaker, I commend Representative FOSTER and his staff for working with us on this measure and for making it a truly bipartisan effort, for which I am grateful.

This amendment is simple; yet, much like the amendment that was offered by Representative FOSTER during the July markup of this bill, it helps alleviate some outstanding concerns, and it helps ensure that the legislation continues to gain bipartisan support.

This amendment would remove two sections:

First, it would remove the brochure delivery changes that were made a part of this bill. While I believe the private fund sponsors already disclose substantial information in their private placement memoranda, which are included in the books and records requirements that advisers are required to maintain, there was concern that removing the requirement that advisers complete and deliver a brochure and a brochure

supplement to a client that is a limited partnership or otherwise would make it more difficult for the SEC to conduct examinations and compile information.

The second change would remove the first part of the custody rule changes that were made in the bill. The legislation would, as reported, require the SEC to provide additional exemptions to the custody rule, which will generally require an adviser of a pooled investment vehicle to have an independent accountant conduct surprise or scheduled audits every year of its clients' funds and securities. While I believe that the proposed exemption is carefully tailored to limit its scope to persons with whom the fund sponsor has a close relationship, there were concerns about the level of connectedness and how far current SEC staff guidance could be extended. This is an issue that should continue to be evaluated as, I believe, the current SEC guidance is too narrow, and the cost of the audit is often greater than the investor protection it provides.

While I think there are serious policy merits to the legislation as reported, I do think that these two changes that have been proposed by Mr. FOSTER alleviate some concerns and help make the bill even more bipartisan than it was when it received the strong vote that it did in the Financial Services Committee. I support this amendment, and I thank the gentleman from Illinois (Mr. FOSTER) for offering this amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. FOSTER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Illinois has 2½ minutes remaining.

Mr. FOSTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Thank you to Chairman HENSARLING, Ranking Member WATERS, and Congressmen HURT, FOSTER, VARGAS, and STIVERS for all of their work on this bipartisan legislation to streamline the antiquated regulatory framework for private equity fund advisers while maintaining appropriate industry oversight and investor protections.

Private equity investors across the country provide billions of dollars each year to Main Street businesses, and over 11 million Americans work for private equity-backed businesses. Last year alone, private equity firms invested an estimated \$18 billion in more than 60 Arizona-based companies. Together, these companies support over 130,000 workers and their families.

GoDaddy is the world's largest domain name register with more than 12 million customers, and like thousands of large and small American businesses, GoDaddy is a private equity-backed company. Last month, I visited

their Tempe, Arizona, facility in my district. It is a state-of-the-art complex that promotes collaboration and innovation, and it employs over 1,000 Arizonans, including engineers, developers, and small business consultants. With the help and investment of private equity, GoDaddy will create hundreds of quality technology jobs for years to come.

By providing narrowly targeted regulatory relief to private equity fund advisers, this legislation improves the flow of capital to businesses in every community and in every district in the United States. This bill passed out of the House Financial Services Committee on a bipartisan vote. Following the committee vote, we worked together on a bipartisan fix to address two specific concerns.

First, the amendment strikes the bill's narrow exemption from the annual audit or surprise inspection requirements for some funds, ensuring that investors are able to verify that funds actually contain particular investments as claimed. Second, the amendment ensures that advisers will continue to deliver a plain language narrative brochure annually to both clients and the SEC.

All currently registered investment advisers remain subject to SEC registration and examination and the antifraud provisions of the Investment Advisers Act. This legislation does not reduce the SEC's authority to examine or to bring enforcement actions against private fund managers or eliminate any of the tools that the SEC has to pursue such actions. Further, private equity funds invest in companies for several years and, therefore, do not present systemic risks.

Private equity-backed businesses are a key driving force behind our economy, making critical national and local economic contributions. We must work together to create an environment that enables these companies to grow and succeed and expand opportunities for hardworking Americans.

Thank you again to my colleagues on both sides of the aisle for their work on this important legislation.

Mr. HURT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding.

Mr. Speaker, I support the Foster amendment that has been offered by my good friend and colleague from Illinois, and I thank him for his hard work in responding to concerns that the Democrats raised. I thank Chairman HENSARLING for accepting the amendment and Congressman HURT for accepting the amendment.

This amendment removes a provision in the bill that would exempt certain funds from the annual audit require-

ment of the custody rule. The custody rule is a longstanding investor protection that guards against outright theft of clients' funds, so I think that is a very huge burden of proof if you want to even think about rolling it back.

There are so many ways to comply with the custody rule, but this bill without the Foster amendment would allow certain advisers to be exempt from having an annual audit, from having an annual surprise exam, and the requirement to hold a client's securities at an independent qualified custodian. In other words, it would exempt certain advisers from all of the protections of the custody rule. I think that is a bridge too far, and I am so pleased that Mr. FOSTER's amendment would remove this provision. It makes it a much better bill.

I still have concerns about the remaining provisions of the bill, but I think that this amendment is a huge step in the right direction, and I urge my colleagues to support the Foster amendment.

Mr. FOSTER. Mr. Speaker, I yield back the balance of my time.

Mr. HURT of Virginia. Mr. Speaker, I close simply by saying that I have certainly appreciated being able to work with Mr. FOSTER on this over the last several months. I appreciate his leadership on the issue, and I hope this body will approve this amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1030

MOTION TO RECOMMIT

Mrs. TORRES. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. TORRES. I am opposed in its current form.

Mr. HENSARLING. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Torres moves to recommit the bill H.R. 5424 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 8. REPORT ON EMERGENCY VEHICLE RESPONSE TIMES OF COMPANIES OWNED BY PRIVATE FUNDS.

(a) IN GENERAL.—Section 204(b) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-4(b)) is amended by adding at the end the following:

“(12) REPORT ON EMERGENCY VEHICLE RESPONSE TIMES OF COMPANIES OWNED BY PRIVATE FUNDS.—

“(A) IN GENERAL.—Each investment adviser required to file annual or other reports under this section and who advises a private fund that owns a controlling interest in an emergency services company shall, not less often than annually, disclose to the Commission—

“(i) the change in the average response time of emergency vehicles since the private fund acquired a controlling interest in the emergency services company, disaggregated by the response times of emergency vehicles deployed to—

“(I) rural areas; and

“(II) urban areas;

“(ii) if a required response time is established by a contract for emergency services between the emergency services company and a unit of local government or by an ordinance of a unit of local government, the percentage of response times of emergency vehicles deployed by the emergency services company to that unit of local government that do not meet such requirement; and

“(iii) if the response times failed to meet the required response time described under clause (ii), a description of the impact of such failure on the value of the emergency services company to the private fund.

“(B) DEFINITIONS.—For purposes of this paragraph:

“(i) EMERGENCY SERVICES COMPANY.—The term ‘emergency services company’ means a company that provides ambulance, firefighter, or other emergency services in response to 9-1-1 calls.

“(ii) EMERGENCY VEHICLE.—The term ‘emergency vehicle’ means an ambulance, fire engine, or other vehicle deployed in response to a 9-1-1 call.”

(b) RULEMAKING.—Not later than 270 days after the date of the enactment of this section, the Commission shall issue regulations to carry out paragraph (12) of section 204(b) of the Investment Advisers Act of 1940, as added by subsection (a).

Mrs. TORRES (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Mrs. TORRES. Mr. Speaker, this is a final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, a June 26 New York Times article revealed some of the troubling consequences of private equity firms taking over local emergency services.

According to the article, since the 2008 financial crisis, private equity firms are investing in growing numbers in emergency services companies, sometimes with disastrous results. The

piece found cases where emergency response times were so slow, personnel even had time for a cigarette break before arriving to the scene.

Some emergency services companies also reported mismanagement, specifically, that their parent companies are not able to pay their salaries or restock ambulances with critical medical supplies.

My amendment will make sure that there is accountability and transparency when private equity firms invest in emergency services. My amendment will not prohibit private equity funds from investing in these services or place any restrictions on how they choose to invest, nor will it deny the fact that private equity has and can play an important role in investing in companies in communities across our country. It would simply provide reassurance to our constituents that when they call 9-1-1, their lives won't be put at risk because their local fire or ambulance service wants to turn a profit.

This motion to recommit would require private equity firms to report the change in response time of emergency vehicles since the private fund acquired a controlling interest in the emergency services company. Additionally, the report will require data on the percent of emergency response times that violate contracts entered into by local governments and emergency services companies and include an explanation as to why response times did not meet requirements set out in such contracts.

At a time when local jurisdictions are struggling to make ends meet and the demands on emergency services are only growing, there is certainly a role for private equity firms to play in making sure our constituents have the services they need and expect. But if a private equity firm decides to invest in an emergency service company, they also take on the responsibility to provide those services to the best of their capacity.

As a former 9-1-1 dispatcher, I know that when it comes to getting emergency personnel to those in need, every second matters. There is no margin of error, and under absolutely no circumstances should profit come before saving lives.

I urge my colleagues to support this motion.

I yield back the balance of my time. Mr. HENSARLING. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I am just curious where this amendment

was during the bipartisan process to bring H.R. 5424 to the floor. I am curious where it was in our committee deliberations. I am curious why it was never presented to the Rules Committee and we are just seeing it now.

Again, H.R. 5424, the Investment Advisers Modernization Act, is a bipartisan piece of legislation to make sure our small businesses, entrepreneurs, and innovators can access capital. It passed the committee 49-12. More than half of the Democrats supported it.

Now we have a motion to recommit that moves it in the complete opposite direction—one more disclosure, disclaimer, more job-killing regulations to be put upon those who are trying to fund our small businesses, to try to help the working poor better themselves, to try to help improve the paychecks and the well-being of middle-income America.

It is time to reject the motion to recommit. Let's work on a bipartisan basis. Let's pass H.R. 5424. Vote down the motion to recommit. Vote for the bipartisan bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. TORRES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 36 minutes a.m.), the House stood in recess.

□ 1105

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARTER of Georgia) at 11 o'clock and 5 minutes a.m.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2040) to deter terrorism, provide justice for victims, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice Against Sponsors of Terrorism Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.

(2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) PURPOSE.—The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR INTERNATIONAL TERRORISM AGAINST THE UNITED STATES.

(a) IN GENERAL.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605A the following:

“§ 1605B. Responsibility of foreign states for international terrorism against the United States

“(a) DEFINITION.—In this section, the term ‘international terrorism’—

“(1) has the meaning given the term in section 2331 of title 18, United States Code; and

“(2) does not include any act of war (as defined in that section).

“(b) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by—

“(1) an act of international terrorism in the United States; and

“(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

“(c) CLAIMS BY NATIONALS OF THE UNITED STATES.—Notwithstanding section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection (b).

“(d) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (b) on the basis of an omission or a tortious act or acts that constitute mere negligence.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605A the following:

“1605B. Responsibility of foreign states for international terrorism against the United States.”.

(2) Subsection 1605(g)(1)(A) of title 28, United States Code, is amended by inserting “or section 1605B” after “but for section 1605A”.

SEC. 4. AIDING AND ABETTING LIABILITY FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by adding at the end the following:

“(d) LIABILITY.—

“(1) DEFINITION.—In this subsection, the term ‘person’ has the meaning given the term in section 1 of title 1.

“(2) LIABILITY.—In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.”.

(b) EFFECT ON FOREIGN SOVEREIGN IMMUNITIES ACT.—Nothing in the amendment made by this section affects immunity of a foreign state, as that term is defined in section 1603 of title 28, United States Code, from jurisdiction under other law.

SEC. 5. STAY OF ACTIONS PENDING STATE NEGOTIATIONS.

(a) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act.

(b) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under section 1605B of title 28, United States Code, as added by section 3(a) of this Act, for the purpose of seeking a stay of the civil action, in whole or in part.

(c) STAY.—

(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

(2) DURATION.—

(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

(B) EXTENSION.—

(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional 180-day periods.

(ii) RECERTIFICATION.—A court shall grant an extension under clause (i) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought.

SEC. 6. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of the provisions and amendments to any other person not similarly situated or to other circumstances, shall not be affected by the holding.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall apply to any civil action—

(1) pending on, or commenced on or after, the date of enactment of this Act; and

(2) arising out of an injury to a person, property, or business on or after September 11, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials to S. 2040, under current consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Justice Against Sponsors of Terrorism Act has been introduced over several successive Congresses and has twice passed the Senate. Over the years that this legislation has been considered, I have

worked with its sponsors to make the bill's language more precise in order to ensure that any unintended consequences are kept to a minimum.

In particular, I have worked to make sure that JASTA's extension of secondary liability under the Anti-Terrorism Act closely tracks the common law standard for aiding and abetting liability and is limited to State Department-designated foreign terrorist organizations.

Secondary liability should only attach to persons who have actual knowledge that they are directly providing substantial assistance to a designated foreign terrorist organization in connection with the commission of an act of international terrorism. JASTA, as revised in the Senate Judiciary Committee, ensures that aiding and abetting liability is limited in this manner.

In addition to the Anti-Terrorism Act, JASTA amends the Foreign Sovereign Immunities Act to waive the sovereign immunity of any country that sponsors an act of international terrorism that causes physical injury on U.S. soil.

JASTA makes this change because, under current law, a foreign nation can provide financing and other substantial assistance for a terrorist attack in our country and escape liability so long as the support is provided overseas.

For example, under current law, if the intelligence agency of a foreign government handed a terrorist a bag of money in New York City to support an attack on U.S. soil, the country would be liable under the Foreign Sovereign Immunities Act's tort exception right now. However, if we change the fact pattern slightly so that, rather than giving a terrorist money in New York City, the money is provided in Paris, the foreign state will not be subject to liability in U.S. courts.

This is a troubling loophole in our antiterrorism laws to say that a terrorist attack occurring in the United States, a tort occurring in the United States on U.S. citizens, would not allow U.S. citizens access to their own courts for a tort that occurred in their own country.

When Congress enacted the Foreign Sovereign Immunities Act in 1976, it put in place a broad set of exceptions to sovereign immunity, including an exception for tort claims involving injuries occurring in the United States. However, the courts have not consistently interpreted those exceptions in such a manner that they cover the sponsoring of a terrorist attack on U.S. soil.

JASTA addresses this inconsistency with a concrete rule that is consistent with the nine, longstanding exceptions to foreign sovereign immunity already provided for under U.S. law.

JASTA ensures that those, including foreign governments, who sponsor terrorist attacks on U.S. soil are held

fully accountable for their actions. We can no longer allow those who injure and kill Americans to hide behind legal loopholes, denying justice to the victims of terrorism.

I urge my colleagues to vote in favor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. CONYERS) control the balance of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleague from New York, a senior member of the committee with whom I have worked for many years, for yielding.

Mr. Speaker, the September 11, 2001, terrorist attack on the United States was the deadliest foreign attack on American soil in our Nation's history. Its impact has been immeasurable, as evidenced by the fact that we are still grappling with the cultural and policy implications stemming from the events of that day. And, 15 years on, most Americans continue to feel its searing emotional impact, particularly as the anniversary date approaches this Sunday. This is especially true for those who lost loved ones or were injured as a result of this horrific attack. They deserve our deepest sympathy and our help.

So it is in this vein that we consider S. 2040, the Justice Against Sponsors of Terrorism Act, which, among other things, amends the Foreign Sovereign Immunities Act of 1976 to create a new exception to the act's general grant of foreign sovereign immunity.

The Judiciary Committee held a hearing on this bill last July, at which the bill's supporters presented compelling and sympathetic arguments in favor of ensuring that the 9/11 families have access to a well-deserved day in court. At the same time, however, the administration and others raised a number of concerns about the bill's potential impact that we should keep in mind.

First, the administration, some allied nations, and others, assert that the enactment of S. 2040 may lead to retaliation by other countries against the United States, given the breadth of our interests and the expansive reach of our global activities.

Secondly, they assert that the bill will hamper cooperation from other nations because they may become more reluctant to share sensitive intelligence, in light of the greater risk that such information may be revealed in litigation.

Moreover, they raise the concern that the bill, effectively, would allow private litigants rather than the gov-

ernment to determine foreign and national security policy questions like which states are sponsors of terrorism.

Because of the moral imperative of enacting legislation and the seriousness of the concerns raised, I remain hopeful that we can continue to work with the administration to resolve these issues so that legislation can be signed into law by the President.

I also want to acknowledge Representatives PETER KING and, particularly, JERROLD NADLER, and Senators JOHN CORNYN and CHARLES SCHUMER for their tireless leadership and efforts to achieve congressional passage of this measure. There is no doubt as to the passion they bring for advocating for victims of the September 11, 2001, attacks—a passion that I, and many others, share.

□ 1115

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 3 minutes to the gentleman from Texas (Mr. POE), a distinguished member of the Judiciary Committee, and welcome him back.

Mr. POE of Texas. Mr. Speaker, Sunday marks 15 years since America was viciously attacked in 2001. Everyone remembers what they were doing. I was driving my Jeep to the courthouse in Texas, where I was a judge. People stopped on the side of the road because they were listening to the radio about how planes were used as a weapon to attack our Nation.

Three thousand Americans and people from other nations were murdered at the hands of evil, malicious terrorists, and our country changed forever that day. The lives of those families especially changed, those families that suffered loved ones who were killed and injured and are still injured today.

Meanwhile, we are here debating whether or not these families of the victims deserve their basic right, under the Constitution of the U.S., to their day in court, the right to sue the perpetrators. I don't think there should be much dissenting on this issue.

Mr. Speaker, if any foreign government, if it can be shown to have supported a terrorist attack on U.S. soil, American victims ought to have the right to sue that country. Based on the 28 pages held secret for years, there may be evidence that the country of Saudi Arabia and their officials may have had some involvement in planning the elements of that attack. I don't know. That is what the courtroom is for. Whether this involvement rises to the level to be held accountable at trial is an issue for a jury of Americans to decide.

It is interesting that Saudi Arabia objects to this legislation. Methinks they object too much.

Like any other issue, we should let a jury decide the damages, what they should be, whether there should be any

at all. The legislation gives the victims' families access to the courts, to the rule of law, and we, as a people, should be more concerned about these victims of terror than we are about diplomatic niceties with other countries.

The voices of the murdered cry out for us to do justice, and justice has been waiting too long; 15 years for justice.

Mr. Speaker, justice is what we do in this country, and that is what these victims and their families want.

And that is just the way it is.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 3 minutes to the gentleman from New York (Mr. NADLER), who has been working on this issue for such a long time.

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of JASTA. I am proud to be the lead Democratic sponsor of this bill, alongside my friend from New York (Mr. KING), and I appreciate all of his hard work on this legislation.

On Sunday, we will observe the 15th anniversary of the September 11 terrorist attacks, when thousands of Americans were brutally murdered in my district in New York, as well as at the Pentagon, and in Shanksville, Pennsylvania. JASTA would help ensure that those responsible for aiding and abetting those attacks are held accountable for their actions.

Unfortunately, because of certain court decisions misinterpreting the Foreign Sovereign Immunities Act and the Anti-Terrorism Act, the 9/11 victims and their families have been unable to pursue their claims in court against some of the parties they believe were responsible for funding the attacks.

JASTA simply reinstates what was understood to be the law for 30 years, that foreign states may be brought to justice for aiding and abetting acts of international terrorism that occur on American soil, whether or not the conduct that facilitated the attack occurred in the United States.

Think of it this way: some courts have held that if a foreign government agent hands over a \$1 million check to al Qaeda in a cafe in New York in order to fund a terrorist attack in the United States, that government can be sued in an American court. But if that same foreign agent funds the same attack by handing over the same \$1 million check in a cafe in Geneva, his government should be immune from liability.

That makes no sense, and it flies in the face of what had been settled law for many years. We must correct these erroneous court decisions so that anyone who facilitates a terrorist attack on our people can be brought to justice.

Let me be clear. This legislation does not prejudge the merits of any particular case. It simply ensures that the

9/11 families, or anyone who may face the same situation, can plead their case in court.

Some critics of this bill have argued that if we pass it, other nations may retaliate by enacting similar laws that could subject Americans, or the United States itself, to liability in those countries. I find this argument unpersuasive. The United States does not engage in international terrorist activity and would not face any legal jeopardy if a law like JASTA were enacted anywhere else.

Furthermore, the Foreign Sovereign Immunities Act, and its well-established tort exception, have been the law for 40 years. In that time, we simply have not seen the parade of horrors that some critics imagine would happen if this bill were to become law.

We cannot allow threats from a country that fears being held to account for its actions, and may threaten retaliation of some sort, to deny victims of terrorist attacks their day in court. Moreover, this legislation contains a reasonable provision allowing for a stay of court proceedings if the President is engaging in good faith negotiations to resolve the claim through diplomatic channels.

We need not fear retaliation from another country. This is not the 1790s. The United States is a major power and can hold our own.

JASTA is a narrow bill that has been carefully negotiated over the last 6 years, and which passed the Senate unanimously in May. It would provide clarity to the courts, and justice to the victims of 9/11, and it deserves swift passage today.

I urge all my colleagues to vote for this bill.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 3 minutes to the gentleman from New York (Mr. KING), the chief sponsor of this legislation.

Mr. KING of New York. I thank the chairman for yielding.

Mr. Speaker, this is a great day for America. Let me, at the outset, commend Chairman GOODLATTE for the outstanding work that he has done, for always keeping his word, for being a person we could always count on to do what had to be done, and always told us what he was doing, and always carried everything out. So I thank BOB very much.

Let me thank the Speaker of the House, Mr. RYAN; the Majority Leader, Mr. MCCARTHY; the Democratic leaders, NANCY PELOSI and STENY HOYER; and my good friend, JERRY NADLER, for being there from day one.

Also, let me thank former Congressman Dan Lungren, who was the original lead sponsor of this bill going back several years.

Let me also thank the 9/11 families for the fact that they have never, ever

yielded. They have never stepped back. They have always kept this issue on the front burner at a time when too many Americans choose to look the other way.

I especially want to thank Terry Strada and the great work that she has done. Her husband, Tom, her father-in-law, Ernie, and her mother-in-law, Mary Ann, are very good friends. I want to again thank her for the job that she did. And her husband, certainly she is carrying on his name; and Terry, I thank you for that.

This is essential. It is essential that justice be done. It is essential that 9/11 families have the right to bring action in American courts. As Judge POE said, this is the most basic constitutional right. This is an obligation. It is an obligation we, in the Congress, have to not allow foreign lobbyists or foreign countries or anyone else to intimidate us.

Justice must be done, and we want to make sure that there are no more 9/11s. This is one more step we can take to show foreign governments they cannot step aside, they cannot walk away when something is carried out, where they are sort of looking the other way to make believe it is not happening.

I am not prejudging the case, but the fact is the 9/11 families have the right to have this resolved in court, and I am proud to stand with them.

I want to commend my colleague, DAN DONOVAN. From the day he arrived here in Congress, this has been a major issue for him. The Zadroga Act and JASTA is what propels him and certainly has motivated me.

So, again, I want to thank all the 9/11 families for all the work they have done. It is a bipartisan effort. It is an American effort, and we can be very proud as we go into the 15th anniversary of the most horrible day in America that we have not given up the fight. We will continue to fight and we will win.

Mr. CONYERS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for all of his hard work on this bill and others.

I thank Chairman GOODLATTE for his hard work in helping to bring it to the floor. I thank my colleagues from New York, Congressmen KING and NADLER, for their hard work.

This is an important, important bill, and I rise today, 2 days before the 15th anniversary of 9/11, to express my strong support for the passage of the Justice Against Sponsors of Terrorism Act.

The attacks of 9/11 were acts of appalling cruelty. They targeted, knowingly and specifically, innocent Americans who just got up and went to work like every other American and were killed on 9/11.

Though the hijackers of those planes died that day, it is virtually indisputable that people who conspired with them in the planning, preparation, execution, and financing of those horrific acts walk the streets freely in foreign capitals today.

In fact, they are protected by a peculiar interpretation of international law that shields them from justice in U.S. courts for terrorist acts on U.S. soil.

This bill, a version of which passed the Senate unanimously, would correct misinterpretations of previous legislation and lower court decisions, and empower survivors and families of the victims of international terrorism to seek a measure of justice through our civil court system.

This bill is needed because both the Congress and the executive have affirmed that civil litigation against terror sponsors, including governments, can have an important deterrent effect.

This bill is also mindful of the concerns some have about its possible effect on sovereign immunity. For that reason, it is narrowly focused and applies only to attacks committed on U.S. soil that harm U.S. nationals.

The attacks of 9/11 were roundly condemned by people and governments around the world, so this bill is needed not just for the families of those who died in New York and at the Pentagon and in Pennsylvania, but it is needed by people around the world.

We know we lost, roughly, 3,000 people on 9/11, but thousands and thousands more have died since the attacks because of the diseases that they now have because of being exposed to the toxins down at Ground Zero. Now they are predicting that, roughly, 15 people a day are concerned because cancer is now in their bodies from the exposure. So our people are still suffering.

Fifteen years is a long time to wait. This bill is needed. Justice, we need justice. I think it is a strong deterrent. I am proud of the United States Congress and the legislative body of this country for standing up and passing this bill.

I strongly urge my colleagues to not forget and to support overwhelmingly this bill.

Mr. GOODLATTE. Mr. Speaker, at this time, it is my pleasure to yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of the Justice Against Foreign Terrorists Act sponsored by Mr. KING of New York. As we approach the 15th anniversary of the horrific terrorist attacks of September 11, 2001, it is appropriate that we, in Congress, are finally authorizing that victims from that terrible day have the right to pursue full justice in our courts of law.

I am a lawyer and I have worked with constitutional and statutory issues. This legislation does not convict any

one person or any one nation, but it gives the loved ones of those who died recourse for full justice and compensation.

New Jersey lost more than 700 residents in the attacks, 81 of them from communities I represent here in Congress. I know some of those names, and I know all of those communities. They deserve their day in court, and they deserve the assistance of the Federal Government in being as transparent as possible with the evidence and the intelligence. The truth is the truth, and it is time that we all know this.

This measure passed the United States Senate with unanimous support, yet there are some who believe that the White House may threaten to veto the legislation, citing how it may compromise our relationship with certain other nations. This is backward logic.

Those nations should recognize the fundamental justice and legal remedies against a terrorist network that killed more than 3,000 Americans.

Mr. Speaker, I urge a "yes" vote. I am sure this will pass overwhelmingly, perhaps unanimously, in a bipartisan fashion.

□ 1130

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, look around the world. In Europe, in Asia, in the Middle East, and in Africa, wherever you see evidence of radical Islam, that extremism can usually be traced to preachers of hate from Saudi Arabia. The Kingdom has blood on its hands.

Is it the blood of the victims of 9/11? Possibly. Fifteen of the nineteen hijackers were Saudis. Some Saudis were permitted to flee this country without thorough interviews. "Saudi Arabia has long been considered the primary source of funding for al Qaeda." [The 9/11 Commission Report, p. 171]

Intelligence Committee Chair Senator Bob Graham saw "a direct line between at least some of the terrorists who carried out the September 11 attacks and the Government of Saudi Arabia." [Saudi Arabia May Be Tied to 9/11, 2 Ex-Senators Say; New York Times; Feb. 29, 2012] But evaluating all of this evidence, the evidence of both sides, is why we have a judicial system in the first place. And for our government to obstruct the 9/11 victims—their families—from seeking the truth about Saudi Arabia and its involvement is just flat wrong.

Some in our government have tried to hide as much as they could for as long as they could about the Saudis. Ignoring Saudi treachery, we had a President who literally held hands with the Crown Prince while attacking another country in the biggest foreign policy disaster in our Nation's history that continues to plague us.

The Muslims that I know, who are my neighbors in Texas, and those with

whom I meet here in Washington, do not deserve blanket blame for themselves or for Islam, but neither should there be blanket immunity for those who may have committed wrong.

I salute the bipartisan sponsors of this legislation. Give these 9/11 families their day in court and accord the Saudis all of the rights in a judicial proceeding that they so regularly deny their own citizens.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Speaker, to begin, I would like to acknowledge and thank Speaker RYAN, Chairman GOODLATTE, and Chairman UPTON. I have been a Member of this distinguished institution for only 16 months, and, in that time, they have done right by the heroes I represent in Congress. I thank them, and the thousands of heroes and their families from my district thank them as well.

My good friend, the gentleman from New York (Mr. KING), has been a fierce advocate for all 9/11 heroes and their families for the last 15 years, and it is an honor to stand by his side.

I would like to read into the RECORD part of a letter written to me last week by Lori Mascali, the widow of firefighter, and my good friend, Joseph Mascali from New York City Fire Department's Rescue 5:

"It's Sunday morning, and the smell of coffee fills the air as I wait to hear the sound of the key in the front door. I know that sound of that key will be followed by the words, 'I'm home,' and my heart is excited. No longer do I hear the sound of the key in the door on a Sunday morning. No longer do I hear the simple words, 'I'm home.' Sovereign immunity should not be allowed as a shield of protection for persons or nations that fund terrorists and cause mass murder. JASTA must be passed to send a strong message to all nations: if you fund terrorism, there will be accountability."

Mr. Speaker, this bill is about giving victims of terror attacks on United States soil their day in court and the chance to hold everybody accountable—including foreign governments that may have been involved.

9/11 devastated families in my district—and for me, their priorities are my priorities. I support this bill, and ask my colleagues to join me in voting for passage.

As my good friend from New Jersey (Mr. LANCE) said, the President has threatened to veto this bill, but, for those Americans who have earned the right for justice, I hope he has the conviction and courage to sign JASTA into law.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank my friend, the distinguished ranking member.

Mr. Speaker, I rise in support of the Justice Against Sponsors of Terrorism Act. Mr. Speaker, 15 years ago, my Congressional District lost 200 men and women—families named Downey, families named Murphy, families named Uggiano, and so many other families. In the years since, those who responded to that act of terror have been getting sicker and sicker and sicker.

They all deserve justice, Mr. Speaker. You get justice on the battlefield. You can get justice in the courtroom. This bill ensures that they have the right to justice in the courtroom. For that simple and very profound reason, I support this bill. I was pleased to cosponsor the bill with my friend from New York (Mr. KING).

Mr. Speaker, I urge the President not to veto this bill. I thank my friend from Michigan.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank Chairman GOODLATTE for his extraordinary work on this legislation, Mr. CONYERS, and, of course, PETER KING who has been absolutely tenacious picking up the good work that Dan Lungren, a former member of Congress and Attorney General of California, had done on this legislation previously.

This is a bipartisan piece of legislation, and it has to be signed by the President. I certainly hope—echoing comments of the previous speaker—that the President will, indeed, sign it into law.

This bill holds the promise of some measure of justice for the victims of al Qaeda's horrific terrorist attack on the United States 15 years ago this Sunday.

Time has not diminished the suffering of those who have lost loved ones on that day, nor has it brought accountability and, certainly, has not brought closure.

This bill aims to change that to some degree by overturning the legal challenges that have stood between the victims and the justice they rightly seek from foreign governments and individuals suspected of financing the 9/11 attacks.

I have worked extensively with the 9/11 survivors and the family members. I have worked with the Jersey Girls, as they became known, who pushed so hard for the 9/11 Commission that was chaired by my former Governor Tom Kean, who did yeoman's work to get to the bottom of what happened and what we might do to mitigate such a crisis going forward. Unfortunately, there still are gaps, and this is one of those gaping holes that need to be closed.

Here today are some of those family members, many of them widows: Kathy Wisniewski, who works on my staff who lost her husband, Alan; Mindy Kleinberg; Lorie Van Auken; Monica

Gabrielle; and Carol Ashley are here in the Chamber and have pushed so hard for this legislation.

Not here but here in spirit: Kristen Breitweiser, Patty Casazza, and Sheila Martello.

Mary and Frank Fetchet also are with us. They lost their son Brad.

These are people who have said "never again" needs to mean never again so no other Americans would suffer what they have endured at the loss of their loved ones. This is why this legislation is another major step forward.

Look at the Foreign Sovereign Immunities Act and the impediments that it has placed. As some of my colleagues have said earlier, we just want in court to be able to get at the truth: who was part of the facilitating and the financing of the 9/11 murderers—the terrorists—that killed some 3,000 people, 50 of whom—more than 50 who lived in my own congressional district.

This bill also would amend the Anti-Terrorism Act of 1987. The bill will open foreign officials to accountability to so-called secondary liability, such as aiding and abetting or conspiring with terrorist perpetrators. These are very commonsense and modest changes to the law that will hopefully get us closer to justice for those who have suffered so much. It is a great bill.

Again, I thank Chairman GOODLATTE. PETE KING has been absolutely tenacious, and our leadership has heeded those calls and is supportive. I want to thank them for ensuring it came up today prior to the 15th anniversary of that infamous event.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the bipartisanship of this bill and the emotional but clear discussion that has gone on in support of it. Because of the importance of enacting legislation of this importance and the recognition of the concerns raised, I know that we can continue to work with the administration to resolve these issues so that this measure can be signed into law by the President of the United States.

I thank everyone who has participated.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to say, first of all, thank you very much to the ranking member of the committee, the gentleman from Michigan (Mr. CONYERS) for working with us on this legislation. I want to congratulate the chief sponsors of the legislation, particularly Congressman KING of New York who has, as many have said here, been tenacious at pursuing justice.

I urge all of my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I wish to join with my colleagues in support of today's vote on S. 2040, the Justice Against Sponsors of Terrorism Act (JASTA).

Next week, our nation will mark the 15th anniversary of the September 11th attacks. The United States suffered an immeasurable tragedy that day, but for the victims and their families, their loss was even more profound. Their lives were irrevocably changed that day, and their road to healing has been made all the more difficult by the questions that remain unanswered and by the justice that has yet to be served.

S. 2040, along with its House companion bill H.R. 3815, of which I am a proud cosponsor, would go a long way in providing answers to the victims and their families. In pursuing civil claims against terrorists, as well as those who aided and abetted them, we will be able to ensure greater transparency. The process of trying civil suits in a court of law would bring to light new evidence about how those events came about including identifying the money flows to the hijackers, as well as any connections the perpetrators had to foreign government officials. Ultimately, it will help to provide a more complete story of the September 11th attacks, not only of what happened that day, but also of what happened in the days leading up to them.

I have worked over the last number of years with my colleagues Congressman WALTER JONES and Congressman THOMAS MASSIE in calling for the declassification of the 28 pages of the Joint Congressional Inquiry into Intelligence Activities before and after the Terrorist Attacks of September 2001. In doing so, I have also had the honor and privilege of getting to know some of the families who lost loved ones during the attacks. These families need and deserve answers and justice. Their representatives in Congress should be working tirelessly to give them that.

The release of the 28 pages earlier this summer was an important first step in getting answers for the families. Passing JASTA today, and getting it enacted, would be an equally important next step towards getting justice for the victims, survivors and their families.

Ms. JACKSON LEE. Mr. Speaker, this Sunday will mark the 15th year since that day our nation faced the greatest loss of life on U.S. soil from a terrorist attack.

The years that have passed since that day have not dimmed my memory or diminished my resolve to see an end to terrorism not only in the United States, but around the world.

As a Member of Congress and a senior Member of the Committees on Homeland Security and the Judiciary, both of which deal with national security issues, I have long been committed and engaged in efforts to develop policies that anticipate and respond to new and emerging challenges to the security of our nation and the peace and safety of the world.

I will never forget September 11, 2001 when 2,977 men, women and children were murdered by 19 hijackers who took commercial aircraft and used them as missiles.

I stood on the East Front steps of the Capitol on September 11, 2001, along with 150 members of the House of Representatives and sang "God Bless America."

I visited the site of the World Trade Center Towers in the aftermath of the attacks and grieved over the deaths of so many of our men, women, and children.

I want to thank and commend the work of our first responder community on that day and every day since September 11 for their efforts to protect their communities and our nation from acts of terrorism.

Mr. Speaker, September 11, 2001 will always be remembered as a day of tragedy and heroism, heartbreak and courage, and shared loss.

But the loss remains especially painful to those whose loved ones died or were injured by the criminal acts of terrorists on that fateful day.

They remain in our thoughts and prayers and they have our sympathies.

Mr. Speaker, this past July the Judiciary Committee, upon which I sit, held a hearing on S. 2040, the "Justice Against Sponsors of Terrorism Act," at which the bill's supporters offered powerful and compelling testimony in favor of insuring that 9/11 families have access to their day in court against the parties directly and vicariously liable for the injuries they suffered.

The "Justice Against Sponsors of Terrorism Act," amends the Foreign Sovereign Immunities Act of 1976 to create a new exception to the Act's general grant of foreign sovereign immunity.

As the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigation, I am committed to doing all that I can to ensure that they receive their day in court.

I am sensitive, however, to the concerns raised by the Administration regarding unintended consequences that may result if the bill is passed in its current form.

In particular, the Administration, allied nations, and others point out that enactment of S. 2040 in its current form may lead to retaliation by other countries against the United States.

Additionally, the Administration raises the legitimate concern that if enacted in its current form, S. 2040 may hamper cooperation from other nations because they may become more reluctant to share sensitive intelligence out of fear that such information may be disclosed in litigation.

I am confident, however, that these legitimate concerns can be addressed and resolved as the legislation makes its way through the legislative process and I look forward to working with the Administration and the bill's sponsors and supporters to craft acceptable legislation that can be presented to the President for signature.

I thank the House and Senate sponsors of this important legislation, my colleagues Congressmen PETER KING and JERROLD NADLER of New York, and Senators JOHN CORNYN of Texas and CHARLES SCHUMER of New York, for their tireless efforts on behalf of fairness and justice for the 9/11 families.

Mr. KING of New York. Mr. Speaker, as the lead sponsor of the House companion to this legislation, I would also like to address two technical items in the Justice Against Sponsors of Terrorism Act that deserve clarification.

The first issue deals with Section 4 of JASTA. Section 4 amends the Anti-Terrorism

Act to create a cause of action for aiding and abetting terrorism. It is a narrowly crafted provision aimed at any "person," as defined in section 1 of title 1 of the U.S. Code. After the Senate passed JASTA, one commentator speculated that the definition of "person" in this section was too limited and would not permit such a cause of action against a foreign government. This would be an inaccurate interpretation of the text. Section 3 of JASTA expressly authorized jurisdiction for claims made under section 2333 of title 18 and made clear that such claims would be permitted against foreign states in any case in which the new jurisdictional exception of JASTA, proposed section 1605B, might apply. This language should be interpreted as controlling. This point should be obvious given the underlying purpose and structure of JASTA, but I wanted to make it emphatically clear here.

The second item addresses Section 5 of JASTA, the provision authorizing a stay of actions in appropriate circumstances. When the Senate passed JASTA on May 17, Senator CHARLES SCHUMER emphasized that, should the government pursue a stay pursuant to this provision, it should be prepared to provide substantial evidence of good faith negotiations to the court such as details about those involved in the discussions and their authority to reach a resolution, where and when the discussions occurred, and a timeline for resolving the matter.

I agree with Senator SCHUMER that these factors are important, but I also understand the concept of "good faith" to include additional requirements that the court should consider. First, we expect that good faith settlement discussions will include appropriate representatives of the plaintiffs in any litigation, such as the lead counsel designated by the court or otherwise. Second, as the court evaluates whether good faith discussions are ongoing, it should also remember that those discussions are designed to achieve a fair and equitable resolution of the disputes, taking fully into account the gravity of the harm and scope of the claims in issue, the length of the pendency of the claims, and other relevant factors. In other words, the purpose of negotiations is not simply to come to a settlement, but to come to a fair and equitable one.

Third and finally, given the realities of international terrorism and the sometimes murky relationship between private and state parties, any discussions occurring pursuant to a stay may properly encompass the resolution of claims against private parties, so as to enable a comprehensive resolution of disputes arising under JASTA that implicate foreign relations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, S. 2040.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, proceedings will resume on questions previously.

Votes will be taken in the following order:

Adoption of the motion to recommit on H.R. 5424; and passage of H.R. 5424, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

INVESTMENT ADVISERS MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 5424) to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes, offered by the gentleman from Virginia (Mr. HURT), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 176, nays 232, not voting 23, as follows:

[Roll No. 494]

YEAS—176

Adams	Cielline	Edwards
Aguilar	Clark (MA)	Ellison
Ashford	Clarke (NY)	Engel
Bass	Clay	Eshoo
Beatty	Cleaver	Esty
Becerra	Clyburn	Farr
Bera	Cohen	Foster
Beyer	Conyers	Frankel (FL)
Bishop (GA)	Cooper	Fudge
Blumenauer	Costa	Gabbard
Bonamici	Courtney	Gallego
Boyle, Brendan	Crowley	Garamendi
F.	Cuellar	Graham
Brady (PA)	Cummings	Grayson
Brownley (CA)	Davis (CA)	Green, Al
Bustos	Davis, Danny	Green, Gene
Butterfield	DeFazio	Grijalva
Capps	DeGette	Gutiérrez
Capuano	Delaney	Hahn
Cárdenas	DeLauro	Heck (WA)
Carney	DelBene	Higgins
Carson (IN)	DeSaulnier	Himes
Cartwright	Deutch	Hinojosa
Castor (FL)	Dingell	Honda
Castro (TX)	Doggett	Hoyer
Chu, Judy	Duckworth	Huffman

Israel	McColum	Sarbanes	Roe (TN)	Simpson	Walden	Frelinghuysen	Luetkemeyer	Rothfus
Jackson Lee	McDermott	Schakowsky	Rogers (AL)	Sinema	Walker	Garrett	Lummis	Rouzer
Jeffries	McGovern	Schiff	Rogers (KY)	Smith (MO)	Walorski	Gibbs	MacArthur	Royce
Johnson (GA)	McNerney	Schrader	Rohrabacher	Smith (NE)	Walters, Mimi	Gibson	Maloney, Sean	Ruppersberger
Johnson, E. B.	Meeks	Scott (VA)	Rokita	Smith (NJ)	Weber (TX)	Goodlatte	Marino	Russell
Kaptur	Meng	Scott, David	Rooney (FL)	Smith (TX)	Webster (FL)	Gosar	Massie	Salmon
Keating	Moore	Serrano	Ros-Lehtinen	Stefanik	Wenstrup	Gowdy	McCarthy	Sanford
Kelly (IL)	Moulton	Sewell (AL)	Roskam	Stewart	Westerman	Graham	McCaul	Scalise
Kennedy	Murphy (FL)	Sherman	Rothfus	Stivers	Williams	Granger	McClintock	Schrader
Kildee	Nadler	Sires	Rouzer	Stutzman	Wilson (SC)	Graves (GA)	McHenry	Schweikert
Kilmer	Napolitano	Slaughter	Royce	Thompson (PA)	Wittman	Graves (LA)	McKinley	Scott, Austin
Kind	Neal	Smith (WA)	Salmon	Thornberry	Womack	Graves (MO)	McMorris	Scott, David
Kirkpatrick	Nolan	Speier	Sanford	Tiberi	Woodall	Grothman	Rodgers	Sensenbrenner
Kuster	Norcross	Takano	Scalise	Tipton	Yoder	Guthrie	McSally	Sessions
Langevin	O'Rourke	Thompson (CA)	Schweikert	Trott	Yoho	Hanna	Meadows	Sewell (AL)
Larsen (WA)	Pallone	Thompson (MS)	Scott, Austin	Turner	Young (AK)	Hardy	Meehan	Shimkus
Larson (CT)	Pascarell	Titus	Sensenbrenner	Upton	Young (IA)	Harper	Messer	Shuster
Lawrence	Payne	Tonko	Sessions	Valadao	Young (IN)	Harris	Mica	Simpson
Lee	Pelosi	Torres	Shimkus	Walberg	Zeldin	Hartzler	Miller (MI)	Sinema
Levin	Perlmutter	Tsongas	Shuster			Heck (NV)	Moolenaar	Smith (MO)
Lewis	Peters	Van Hollen				Heck (WA)	Mooney (WV)	Smith (NE)
Lieu, Ted	Peterson	Vargas	Brown (FL)	Hastings	Ross	Hensarling	Moulton	Smith (NJ)
Lipinski	Pingree	Veasey	Connolly	Johnson, Sam	Rush	Hice, Jody B.	Mullin	Smith (TX)
Loeb sack	Pocan	Vela	DesJarlais	Lynch	Russell	Hill	Mulvaney	Stefanik
Lofgren	Polis	Velázquez	Doyle, Michael	Miller (FL)	Ryan (OH)	Himes	Murphy (PA)	Stewart
Lowenthal	Price (NC)	Visclosky	F.	Neugebauer	Sanchez, Loretta	Holding	Neugebauer	Stivers
Lowey	Quigley	Walz	Fincher	Nugent	Swallow (CA)	Hudson	Newhouse	Stutzman
Lujan Grisham	Rangel	Wasserman	Gohmert	Palazzo	Westmoreland	Huelskamp	Noem	Thompson (PA)
(NM)	Rice (NY)	Schultz	Guinta	Reichert	Zinke	Huizenga (MI)	Nunes	Thornberry
Luján, Ben Ray	Richmond	Waters, Maxine				Hultgren	Olson	Tiberi
(NM)	Roybal-Allard	Watson Coleman				Hunter	Palmer	Tipton
Maloney,	Ruiz	Welch				Hurd (TX)	Paulsen	Trott
Carolyn	Ruppersberger	Wilson (FL)				Hurt (VA)	Pearce	Turner
Maloney, Sean	Sánchez, Linda	Yarmuth				Issa	Perlmutter	Upton
Matsui	T.					Jenkins (KS)	Perry	Valadao
						Jenkins (WV)	Peters	Vargas
						Johnson (OH)	Peterson	Veasey
						Jolly	Pittenger	Vela
						Jordan	Pitts	Wagner
						Joyce	Poe (TX)	Walberg
						Katko	Poliquin	Walden
						Kelly (MS)	Polis	Walker
						Kelly (PA)	Pompeo	Walorski
						Kilmer	Posey	Walters, Mimi
						Kind	Price, Tom	Weber (TX)
						King (IA)	Quigley	Weber (FL)
						King (NY)	Ratcliffe	Wenstrup
						King (NY)	Reed	Westerman
						Kinzing (IL)	Renacci	Williams
						Kirkpatrick	Rice (NY)	Wilson (SC)
						Kline	Rice (SC)	Wittman
						Knight	Rigell	Womack
						Labrador	Roby	Woodall
						LaHood	Roe (TN)	Yoder
						LaMalfa	Rogers (AL)	Yoho
						Lance	Rogers (KY)	Young (AK)
						Larsen (WA)	Rohrabacher	Young (IA)
						Latta	Rokita	Young (IN)
						Long	Rooney (FL)	Zeldin
						Loudermilk	Ros-Lehtinen	Zinke
						Love	Roskam	
						Lucas		

NOT VOTING—23

□ 1203

Messrs. COFFMAN, BISHOP of Michigan, McHENRY, SIMPSON, Mrs. HARTZLER, and Mr. STIVERS changed their vote from “yea” to “nay.”

Mrs. CAPPS and Mr. PERLMUTTER changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MAXINE WATERS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 145, not voting 25, as follows:

[Roll No. 495]

YEAS—261

Abraham	Ellmers (NC)	Knight	Abraham	Buck	Curbelo (FL)	Adams	Crowley	Hoyer
Aderholt	Emmer (MN)	Labrador	Aderholt	Burgess	Davidson	Bass	Cummings	Huffman
Allen	Farenthold	LaHood	Aguilar	Byrne	Davis, Rodney	Beatty	Davis (CA)	Israel
Amash	Fitzpatrick	LaMalfa	Allen	Calvert	Delaney	Becerra	Davis, Danny	Jackson Lee
Amodei	Fleischmann	Lamborn	Amash	Carney	DelBene	Bera	DeFazio	Jeffries
Babin	Fleming	Lance	Amodei	Carter (GA)	Denham	Bishop (GA)	DeGette	Johnson (GA)
Barletta	Flores	Latta	Amodei	Carter (TX)	Dent	Blumenauer	DeLauro	Johnson, E. B.
Barr	Forbes	LoBiondo	Amodei	Chabot	DeSantis	Bonamici	DeSaulnier	Jones
Barton	Fortenberry	Long	Amodei	Chaffetz	Diaz-Balart	Boyle, Brendan	Deutch	Kaptur
Benishek	Fox	Loudermilk	Amodei	Clawson (FL)	Dold	F.	Dingell	Keating
Bilirakis	Franks (AZ)	Love	Amodei	Coffman	Donovan	Brady (PA)	Duckworth	Kelly (IL)
Bishop (MI)	Frelinghuysen	Lucas	Amodei	Cole	Duffy	Brownley (CA)	Duncan (TN)	Kennedy
Bishop (UT)	Garrett	Luetkemeyer	Amodei	Collins (GA)	Ellmers (NC)	Bustos	Edwards	Kildee
Black	Gibbs	Lummis	Amodei	Collins (NY)	Emmer (MN)	Butterfield	Ellison	Kuster
Blackburn	Gibson	MacArthur	Amodei	Comstock	Esty	Capps	Engel	Langevin
Blum	Goodlatte	Marchant	Amodei	Conaway	Farenthold	Capuano	Eshoo	Larson (CT)
Bost	Gosar	Marino	Amodei	Connolly	Farr	Cárdenas	Farr	Lawrence
Boustany	Gowdy	Massie	Amodei	Cook	Fleming	Carson (IN)	Frankel (FL)	Lee
Brady (TX)	Granger	McCarthy	Amodei	Cooper	Flores	Cartwright	Gabbard	Levin
Brat	Graves (GA)	McCaul	Amodei	Costa	Forbes	Castro (FL)	Gallego	Lewis
Bridenstine	Graves (LA)	McClintock	Amodei	Costello (PA)	Fortenberry	Castro (TX)	Garamendi	Lieu, Ted
Brooks (AL)	Graves (MO)	McHenry	Amodei	Cramer	Foster	Chu, Judy	Grayson	Lipinski
Brooks (IN)	Griffith	McKinley	Amodei	Crawford	Fox	Cicilline	Green, Al	LoBiondo
Buchanan	Grothman	McMorris	Amodei	Crenshaw	Franks (AZ)	Clark (MA)	Green, Gene	Loeb sack
Buck	Guthrie	Rodgers	Amodei	Cuellar		Clarke (NY)	Grijalva	Lofgren
Bucshon	Hanna	McSally	Amodei	Culberson		Clay	Gutiérrez	Lowenthal
Burgess	Hardy	Meadows	Amodei			Cleaver	Hahn	Lowey
Byrne	Harper	Meehan	Amodei			Clyburn	Higgins	Lujan Grisham
Calvert	Harris	Messer	Amodei			Cohen	Hinojosa	(NM)
Carter (GA)	Hartzler	Mica	Amodei			Conyers	Honda	Luján, Ben Ray
Carter (TX)	Heck (NV)	Miller (MI)	Amodei			Courtney		(NM)
Chabot	Hensarling	Moolenaar	Amodei					
Chaffetz	Herrera Beutler	Mooney (WV)	Amodei					
Clawson (FL)	Hice, Jody B.	Mulvaney	Amodei					
Coffman	Hill	Murphy (PA)	Amodei					
Cole	Holding	Newhouse	Amodei					
Collins (GA)	Hudson	Noem	Amodei					
Collins (NY)	Huelskamp	Nunes	Amodei					
Comstock	Huizenga (MI)	Olson	Amodei					
Conaway	Hultgren	Palmer	Amodei					
Cook	Hunter	Paulsen	Amodei					
Costello (PA)	Hurd (TX)	Pearce	Amodei					
Cramer	Hurt (VA)	Perry	Amodei					
Crawford	Issa	Pittenger	Amodei					
Crenshaw	Jenkins (KS)	Pitts	Amodei					
Culberson	Jenkins (WV)	Poe (TX)	Amodei					
Curbelo (FL)	Johnson (OH)	Poliquin	Amodei					
Davidson	Jolly	Pompeo	Amodei					
Davis, Rodney	Jones	Posey	Amodei					
Denham	Jordan	Price, Tom	Amodei					
Dent	Joyce	Ratcliffe	Amodei					
DeSantis	Katko	Reed	Amodei					
Diaz-Balart	Kelly (MS)	Renacci	Amodei					
Dold	Kelly (PA)	Ribble	Amodei					
Donovan	King (IA)	Rice (SC)	Amodei					
Duffy	King (NY)	Rigell	Amodei					
Duncan (SC)	Kinzing (IL)	Roby	Amodei					
Duncan (TN)	Kline		Amodei					

NAYS—145

Adams	Crowley	Hoyer
Bass	Cummings	Huffman
Beatty	Davis (CA)	Israel
Becerra	Davis, Danny	Jackson Lee
Bera	DeFazio	Jeffries
Bishop (GA)	DeGette	Johnson (GA)
Blumenauer	DeLauro	Johnson, E. B.
Bonamici	DeSaulnier	Jones
Boyle, Brendan	Deutch	Kaptur
F.	Dingell	Keating
Brady (PA)	Duckworth	Kelly (IL)
Brownley (CA)	Duncan (TN)	Kennedy
Bustos	Edwards	Kildee
Butterfield	Ellison	Kuster
Capps	Engel	Langevin
Capuano	Eshoo	Larson (CT)
Cárdenas	Farr	Lawrence
Carson (IN)	Frankel (FL)	Lee
Cartwright	Gabbard	Levin
Castor (FL)	Gallego	Lewis
Castro (TX)	Garamendi	Lieu, Ted
Chu, Judy	Grayson	Lipinski
Cicilline	Green, Al	LoBiondo
Clark (MA)	Green, Gene	Loeb sack
Clarke (NY)	Grijalva	Lofgren
Clay	Gutiérrez	Lowenthal
Cleaver	Hahn	Lowey
Clyburn	Higgins	Lujan Grisham
Cohen	Hinojosa	(NM)
Conyers	Honda	Luján, Ben Ray
Courtney		(NM)

Maloney,	Pelosi	Takano
Carolyn	Pingree	Thompson (CA)
Matsui	Pocan	Thompson (MS)
McCollum	Price (NC)	Titus
McDermott	Rangel	Tonko
McGovern	Richmond	Torres
McNerney	Roybal-Allard	Tsongas
Meeks	Ruiz	Van Hollen
Meng	Sánchez, Linda	Velázquez
Moore	T.	Visclosky
Murphy (FL)	Sarbanes	Walz
Nadler	Schakowsky	Wasserman
Napolitano	Schiff	Schultz
Neal	Scott (VA)	Waters, Maxine
Nolan	Serrano	Watson Coleman
Norcross	Sherman	Welch
O'Rourke	Sires	Wilson (FL)
Pallone	Slaughter	Yarmuth
Pascarella	Smith (WA)	
Payne	Speier	

NOT VOTING—25

Barton	Griffith	Palazzo
Brown (FL)	Guinta	Reichert
Bucshon	Hastings	Ross
DesJarlais	Johnson, Sam	Rush
Doggett	Lamborn	Ryan (OH)
Doyle, Michael	Lynch	Sánchez, Loretta
F.	Marchant	Swalwell (CA)
Fincher	Miller (FL)	Westmoreland
Gohmert	Nugent	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KELLY of Mississippi) (during the vote). There are 2 minutes remaining.

□ 1209

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained for rollcall vote 495. Had I been present, I would have voted "aye".

Mr. BUCSHON. Mr. Speaker, on rollcall No. 495, I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. LYNCH. Mr. Speaker, on rollcall vote 494, the vote on the Motion to Recommit H.R. 5424, the Investment Advisers Modernization Act of 2016, had I been able to vote, I would have voted "aye."

Mr. Speaker, on rollcall vote 495, the vote on Final Passage of H.R. 5424, the Investment Advisers Modernization Act of 2016, had I been able to vote, I would have voted "nay."

□ 1215

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY) for the purpose of giving us the schedule for the next week.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business.

On Friday, no votes are expected in the House.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

The House will also consider H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act, sponsored by Representative MARTHA MCSALLY. This critical bill will prevent Americans with high healthcare costs from facing a tax increase next year.

Additionally, the House will consider H.R. 5620, the VA Accountability First and Appeals Modernization Act, sponsored by Representative JEFF MILLER, which ensures that employees at the Department of Veterans Affairs are held accountable for misconduct or poor performance. This bill will also modernize the disability appeals process to reduce the unacceptable backlog of claims.

The House will also consider H.R. 5226, the Regulatory Integrity Act, sponsored by Representative TIM WALBERG, which is a commonsense bill requiring agencies to publish information about proposed regulations on their Web sites.

Finally, Mr. Speaker, the House will consider H.R. 5351, sponsored by Representative JACKIE WALORSKI, which prohibits the transfer of any individuals detained at Guantanamo Bay, Cuba.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that schedule. I won't discuss any of the bills that the gentleman mentioned on the schedule, but I do want to note a couple of absences. One is, of course, the continuing resolution.

As the gentleman knows, after next week where the CR is not included, we have 9 legislative days left before the scheduled adjournment. As the gentleman knows, we have not passed a single appropriations bill. And without finding fault with either side—because I know each side thinks the other side is at fault—the fact remains we have not passed a single appropriations bill.

So there is no alternative to a continuing resolution, and we must pass a continuing resolution if the government is going to operate on October 1 in the new fiscal year. The limited number of days in session—9 days after next week.

There are reports that the House Republicans are already divided on how long the CR ought to be, whether or not we ought to go into the 115th Congress or not. Representative TOM COLE was quoted as saying, "Since we're all drawing our checks, we ought to actually do our job and get it done"—meaning the appropriations process and the funding of the government—"and recognize that the next administration and the next Congress are going to have plenty to do and to deal with on their own and not throw additional

work at them because we are either too lazy or incompetent to do our work."

That is Representative TOM COLE, one of the senior Members of this body, a former chairman of the campaign committee, and a respected Member of this body.

Mr. Leader, I believe we ought to pass a CR as soon as possible, consider it as soon as possible. My own belief is that it ought to be short-term. I believe many people share that view. Apparently, Senator MCCONNELL shares that view as well.

It is my understanding the Senate is going to consider such a CR and send it to us. Obviously, it is our responsibility on fiscal matters under the Constitution to move pieces of legislation. They may well amend theirs into a House bill, as I am sure you know that both sides do from time to time.

Can you tell me, A, how long do you expect the CR—first of all, when do you believe we will consider a continuing resolution to fund government past September 30? Secondly, how long do you think that CR will extend? Thirdly, as we did last year, is it your expectation that we will do an omnibus in December in the lameduck?

I yield to the gentleman from California.

Mr. MCCARTHY. Well, I thank the gentleman for yielding.

I do want to just clarify one of your statements. Surely the gentleman did not mean from the point that no appropriations bills have passed this floor because six have passed. They just have not been sent to the President.

Mr. HOYER. Mr. Speaker, reclaiming my time, as the gentleman and I both know, no appropriations bills have been enacted. As I pointed out, forgetting about who is to blame—and I am sure you and I have different perspectives on that—the fact of the matter is they haven't passed, and they haven't been signed by the President. When I say "passed," that's the Congress. They haven't passed the Congress, and the President hasn't signed any. So there is no possibility we are going to pass one or more of those bills.

As you know, there are 12 appropriations bills to fund government. We haven't passed one of them. It doesn't look like we are going to pass any of them, so we are going to need a CR. So my question relates to the CR. There are three points.

I thank the gentleman for clarifying it.

I yield to the gentleman from California.

Mr. MCCARTHY. I thank the gentleman for clarifying.

Just one more little clarification, if the gentleman may. All 12 of the appropriations bills have passed out of committee. So it is our desire to finish that work.

Yes, it looks as though we will be into a continuing resolution. We have

funding up until September 30. It is our intent to have that done before we depart. We will not depart without finishing that work.

The duration is up for discussion, and we have been having discussions on both sides of the aisle about that. But as soon as that decision is made, Members will be advised when the floor action is scheduled. But I assure the gentleman it will be done before any Member is departing.

Mr. HOYER. Well, I presume that. I presume that the majority—and I will say this, that for whatever reasons—and your party is in control of both the House and the Senate. Yes, we have the Presidency, the Democrats, but no bills have reached his desk. Whether they got out of committee or not, no bills have reached his desk.

You and I both know getting out of committee means nothing. Nothing happens because it gets out of committee, other than it is eligible to come to the floor. Beyond that, nothing happens with respect to funding government. And your party is in the majority. It is not a question of blame. It is a question of no bill has passed from the Congress to the President of the United States for signature. He hasn't vetoed any bills because they haven't gotten to him. So we need to adopt a CR.

I think the gentleman is correct that we are not going to go home, I presume, without passing a CR. The government was shut down for 16 days some years ago because we wouldn't repeal the Affordable Care Act. I don't presume that is going to happen this time.

I certainly hope that we address the CR. It is not scheduled for next week.

I am going to discuss another subject in just a second that should have been scheduled, in my view, this week. But we did bills that, frankly, aren't going to pass or be sent to the President. We spent a full week—otherwise known as 25 percent of the time—that is scheduled for us to be here before the election.

Next week, it will make it 50 percent of the time, and still no CR is being brought forward. We left town in July without passing the Senate bill—it passed 68-30, a bipartisan bill—to address the critical health crisis confronting the American people, Zika. You don't schedule that for next week either on your schedule, Mr. Leader.

I am very concerned. I think America is very concerned. Certainly, on this side of the aisle, we are very concerned.

I want to make a representation here publicly, so that America will know and you will know, that I am prepared to say that almost everybody in our caucus—I would say “unanimous,” but I haven't talked to everybody—is ready to pass the bipartisan Senate bill, which passed 68-30, which would appropriate \$1.1 billion.

Tony Fauci was on the Hill, who is the director of NIH's NIAID, National Institute of Allergies and Infectious Diseases, which of course Zika falls within the ambit of his expertise and authority.

□ 1230

He has said as of October 1, he is going to have no money to deal with the development of a vaccine. I know the gentleman is as concerned as I am because we have talked about setting up funds for disasters; and this is a health crisis, obviously a disaster.

Let me ask the gentleman if he expects Zika funding to come to the floor either with the CR or as a separate bill, and again, I represent to him, I believe every Democrat—I haven't talked to every Democrat, but I believe every Democrat will support the bipartisan Senate bill which passed 68-30, which appropriates money and has the virtue, unlike the conference report, which the House added poison pill language that they knew neither the Democrats would support in the House nor the Senate nor would the President support, undermining, frankly, the ability to have health services delivered in Puerto Rico to women, the epicenter of the Zika crisis.

It should have been no surprise that that was not going to be supported, and the President made it very clear he was not going to support it. We need to reach a compromise. The Senate reached a compromise. I urge the majority leader to address this and bring it to the floor. I tell him, he will have my full support and engagement for the Senate bill, which was a bipartisan bill.

I yield to my friend to let us know when he expects to deal with this critical health crisis confronting the American people.

Mr. MCCARTHY. I thank the gentleman for yielding.

Before I begin, I want to thank the gentleman. At the very beginning of this crisis, you and I sat together. At the very beginning of this crisis, you and I compiled a group of Members on both sides of the aisle with the expertise to deal with it. \$600 million quickly went out the door to fight it, to combat it. The Senate approved \$1.1 billion.

I am somewhat excited to hear that all the Democrats will change their mind now and vote for the bill because I would like to remind the gentleman that in June this House took up this issue because we knew what would happen in the summer. We know what is transpiring in Florida because we predicted that it would because it was already happening in Puerto Rico, but that was not the case on this floor that night. Everyone on the other side said “no.”

Well, you know what, in the Senate, they have taken this up three times.

Your side of the aisle decided to leave without dealing with this issue. They could have dealt with this issue this week. This is the exact amount of money that the Senate voted for unanimously over there—maybe not unanimously, but bipartisanly. This is not one to play politics with. We did our job here.

It is quite ironic that in clarification on your past remark saying Republicans are in the majority here, yes, that is true, and you saw that happen. The rules in the Senate are much different, where it empowers the minority to stop. That is why we are talking about a CR. But this should not be the case. You could have challenged your colleagues in that Senate, in your party, to stop the filibuster, that the people should not have to wait.

We have been in those rooms together. I know your desire. When you and I talked about putting the emergency funding together, you know what, that is an appropriations issue. We need this to get done. They need the money. We need to combat it, and we need to continue to monitor it. That is why we dealt with this in June.

That is why I have the frustration that I have. Even when we came back this week, the Senate Democrats were in the exact same place they were before. This money goes to the community centers in Puerto Rico, exactly as the President requested.

So it is not a time to play politics. It is not a time to get frustrated about a different issue that you had that night so you couldn't vote “yes.” That is the truth behind this, and that is wrong.

Mr. HOYER. I could get very animated in my answer. The fact of the matter is, what the majority leader represents, in my view, is inaccurate. The Senate sent us a bipartisan bill, and because you think you needed to serve some of your most hard-line Members, you made it a political bill. And we were not going to take it. We are not going to see you eliminate Planned Parenthood, which overwhelmingly is the—listen to me, Mr. Majority Leader. I listened to you respectfully.

The bill eliminated Planned Parenthood services and funding to deliver services in Puerto Rico, the epicenter of this disease. And you put other legislation in that bill you knew was unacceptable to us. The Senate did not do that because they need 60 votes, which means they need to come to a bipartisan agreement. You rejected a bipartisan agreement on your side of the aisle.

The SPEAKER pro tempore (Mr. KELLY of Mississippi). The Chair would remind Members to direct their remarks to the Chair.

Mr. HOYER. Mr. Speaker, the majority party rejected the bipartisan legislation that came from the Senate with 68 votes. That is more than two-thirds

of the Senate. Half of the Republicans in the United States Senate passed that bill over to us, and we could have passed it.

I know some people said we needed the \$1.1 billion, but I will tell you, had you brought that bill to the floor without adding political aspects to it that you knew we would not support, it would have passed. You could have passed it on your own, but you chose to make it a political bill. And we are not going to accept that because the American—you are right, Mr. Speaker, the American people deserve that we deal with this issue now.

The President asked for this money on February 22. We are now at September 10, Mr. Speaker, and we have not dealt with this except in a way that, frankly, the majority party knew would not be acceptable, would not be bipartisan, would not pass the Senate, and would not be signed by the President.

It is, I say with all due respect, Mr. Majority Leader, not credible to say because we didn't take what you wanted to jam down our throat when we had an agreement—not everybody agreed. I understand some people on my side said, oh, no, 1.1 is not enough, and I frankly don't think it is enough. But it is a very substantial sum that would enable NIH to pursue vaccines and pursue other matters in Puerto Rico and Florida and other places in this Nation to keep our people safe.

So I tell the majority leader, again, bring the bipartisan bill passed to us by the United States Senate with 68 votes. Bring it to the floor as a House bill and we will pass it, and that is why I tell the majority leader, Mr. Speaker, that I believe every Member on my side of the aisle will vote for that, not because they believe \$1.1 billion will be sufficient to address this problem.

Leader PELOSI makes the very cogent point, Mr. Speaker, the Director of CDC says that it will cost \$10 million per child who suffers from microcephaly, which is the result of Zika. Very frankly, in Brazil they found that the results go beyond that, \$10 million. If 200 children get microcephaly, that gets to the dollars that the President wants from us to prevent this horrible consequence to the children and to the families of America.

So I say with all due respect, Mr. Majority Leader, you can say all you want—and I know the spin: the Democrats in the Senate are holding this up. I do not accept that. I think it is inaccurate. What is holding it up is putting in items in a bill that is absolutely essential, gratuitously, that you know we will object to as opposed to doing what the Senate did, Mr. Speaker, and that is reaching a bipartisan agreement. It is very tough to reach bipartisan agreements in this House because we have a group in this House who

wants to wag the dog. And that is not what the American people expect.

I want to say, Mr. Speaker, that I have great respect for the majority leader, and he is accurate. We do sit down, we work together, and we can come to bipartisan agreements. We didn't sit down on this. The conference report was not signed by a single Democrat. There was no doubt that when it came to this House floor, there were no Democrats on that conference report, and we had no debate.

Now, one of the reasons we had no debate—I want to make it clear because the majority leader, Mr. Speaker, is going to make that clear as well—was our side, we thought there was another important issue, but the fact of the matter is not whether it was debated. There would have only been 30 minutes a side anyway, a short debate.

But the fact of the matter is the majority leader knows that the \$1.1 billion bill that the Senate passed, even though it is not the President's request, would have passed on this floor, and it would pass on this floor today. And NIH and CDC would have the resources, Mr. Speaker, that they need to protect the American people. Mr. Speaker, that is what we ought to do.

I now yield to my friend, the majority leader.

Mr. MCCARTHY. I thank the gentleman.

I think the best thing for the American people is to actually read the bill. So let me just read the section that you referred to, that you stated that no Democrat in Appropriations would sign on to, that no Democrats on the other side wanted to vote for. It referred to a block grant. Let me quote it. This is in the bill dealing with Zika. "For the funding for health services provided by public health departments, hospitals or reimbursed through public health plans."

Seriously, you are opposed to that? That is what you are fighting over while the mosquitoes begin to grow and go beyond State by State? This is what we are fighting over?

That \$1.1 billion, added with the other \$600 million, took place in June. Yeah, we couldn't get to the floor to debate it because you wouldn't give us one microphone. But I am sorry, I know there is a lot of politics that goes around here, but this is not. This is the moment, this is the time that we rise above it. The American people do not deserve that, and I say let's put this paragraph out, let the public read what the bill says, and I will promise you, the majority wants you to vote for it and stop playing games.

Mr. HOYER. I understand the majority wants to vote for what they want us to vote for. They don't want to reach a bipartisan—

Mr. MCCARTHY. You voted against that. Explain.

Mr. HOYER. I did vote against that.

Mr. MCCARTHY. If the gentleman would please explain to me what—

The SPEAKER pro tempore. The Chair would remind Members to direct their remarks to the Chair.

Mr. HOYER. It is so hard, Mr. Speaker.

Mr. MCCARTHY. Will the gentleman yield?

Mr. HOYER. I will be glad to yield to my friend. I have a comment, but I will yield to him first.

Mr. MCCARTHY. Mr. Speaker, to the gentleman across the aisle, it is true, we work closely together on the big issues, and we try to find common ground. In that spirit, will you tell me what in that paragraph you disagree with?

Mr. HOYER. Reclaiming my time, Mr. Speaker, is the gentleman aware that the major deliverer of health services to women in Puerto Rico is through Planned Parenthood? Is the gentleman aware of that?

I yield to the gentleman.

Mr. MCCARTHY. Did the President request, when he requested money, that it get delivered that way? Or in here may I remind the gentleman what I am requesting, "the funding goes for health services provided by public health departments, hospitals, or reimbursed through public health plans."

Public health means that is the way the health care is provided, so we are funding the entities that provide the health care, exactly when the President had requested it.

Mr. HOYER. Reclaiming my time, Mr. Speaker, that language was clearly designed, as the gentleman knows, as the staff knows, and as has been publicized, to preclude one of the agencies that delivers health care in Puerto Rico from doing so, and that is Planned Parenthood that gets public funds. This is designed, we believe, to restrict it. But let's put that aside. Let's say we have a disagreement on that. Let's accept that.

□ 1245

What the Senate said, if we have disagreements on these things, we are going to pass a bill that gets that money out the door. And they passed it 68-30, which means approximately one-half of the Republicans voted for it because—and, very frankly—a predecessor of yours, Mr. BLUNT, was a co-sponsor of that bill—one of my very close friends, as you know—along with Mrs. MURRAY.

So, they achieved the objective in the United States Senate of doing exactly what I think you are actually correct, Mr. Speaker, in saying, and that is that the people want us to act.

It is not on the schedule this week. It is not on the schedule next week. And it ought to be on the schedule for consideration, and it ought to be in a bipartisan way, which means that both you and I could say that, yes, our sides

can support this. Without, we have some very significant differences, Mr. Speaker. We all understand that. The American people understand that. And we ought not to try to deal with those in something as critically important.

That is what the Senate decided to do. That is what ROY BLUNT decided to do. That is what Senator MURRAY decided to do. And that is what 68 Members of the United States Senate decided to do.

Now, let's, just for the sake of argument, agree that we have a disagreement on the interpretation of what that does, but if we have a disagreement, that means that we are not able to pass that bill. You may disagree with our reasoning, but that is the fact. And that is the conclusion the United States Senate came to, Mr. Speaker. So they did a bill that they could agree on in a bipartisan way.

And I tell you, Mr. Speaker—I will reiterate it once again—bring the Senate bill. It wasn't our bill. This is a Blunt-Murray bill. Mr. BLUNT is the former majority leader and majority whip and minority whip of the House of Representatives. The Senator from Missouri, a Republican leader in the Senate, sent us a bipartisan bill.

Let's take that bill, and whatever other differences we have, let's debate them, Mr. Speaker. Those provisions can be brought to the floor separate and apart, without undermining the need to immediately fund the Zika public health efforts.

So, I, again, say to my friend, those two issues—and I might also add, perhaps in closing, that we ought to be dealing with Flint as well, another public health issue that has been pending, Mr. Speaker, for over a year.

Mr. MCCARTHY. Will the gentleman yield, before he goes to a new subject?

Mr. HOYER. I would be glad to yield to my friend.

Mr. MCCARTHY. The only thing I want to clarify here is: Do you believe in debate and having the opportunity for people to air different sides?

Mr. HOYER. I do. That is why we didn't have a lot of debate because we were asking for Mr. KING's bills to be brought to the floor, as I recall. So I do believe in that.

Mr. MCCARTHY. Will the gentleman yield to me?

Mr. HOYER. I would be glad to yield to the gentleman.

Mr. MCCARTHY. I would ask the gentleman to join with me, then, in requesting that the Democrats on the Senate—the filibuster denies the bill to even come up for debate, let alone it be voted for. So would you not join with me in asking the Democrats to stop playing politics with a filibuster and allow the bill to come up? If the bill fails, the bill fails. But it is not even being allowed to be debated.

You were always so good with reading articles, and I don't know that I

have ever read one to you, but I would like to. If you will indulge me. PolitiFact—this is the organization that looks at what we say and tries to put truth to it. This is the headline: "Democrats Stretch Impact of Planned Parenthood Exclusions in Zika Bill."

This is one highlighted:

"The bill also provided funds that would potentially help clinics and hospitals in nearly every municipality on the island."

Could we not agree that that is more important than politics? Could we not agree that people are being affected every day and that those who are watching this debate shake their head and wonder why we are even having this fight?

In June, we passed a bill. Since that time, Democrats in the Senate will not even allow it to be debated, not even allow it to be debated, to vote it up or vote it down.

There is one thing Americans believe in: fairness. And I don't believe that that is fairness, if you deny a bill from coming forward. If you deny the bill from coming forward, you are blocking it.

So, if you want the true definition of what is happening in the Zika battle, it is that those on the other side of the aisle in the Senate are blocking the discussion from even taking place.

Mr. HOYER. Reclaiming my time, they are not blocking anything. They passed a bill 68-30. They sent it here, and it was blocked from coming to the floor. And it would have passed.

If you believe, as you asked me, do I believe, should we consider things, the answer, of course, is yes.

And I said, as an aside, PETER KING, the former chairman of the Homeland Security Committee has two bills that are supported by over 85 percent of the American public. Bring them to the floor on the premise, Mr. Speaker, that we ought to debate, consider, and vote. Bring them to the floor. Bring Mr. KING's bills to the floor. Bring the Senate bill. You know the Senate bill has 68 votes.

Mr. Speaker, I will tell the majority leader that, had he brought the Senate bill to the floor—we were precluded from voting on the Senate bill, Mr. Speaker. The majority leader just said, Oh, we ought to bring the bill to the floor. Isn't that the right thing to do? Well, if it is right for the Senate—and we can't control the Senate, but we can control the House. And, as a matter of fact, Mr. Speaker, as you know, I was the majority leader, and I could decide whether to bring the bills on the floor or not bring them on the floor. The majority leader has that authority.

Bring the Senate bill to the floor. If, in fact, as the majority leader just said we ought to have debate, we ought to consider it, and we ought to vote, and if it goes down, fine; if it passes, that is the will of the House—will of the Sen-

ate, you said. If that is a good premise in the Senate, it is an even better premise in the House of Representatives.

So, Mr. Speaker, I ask my friend, the majority leader, to bring that bill to the floor. Let's vote on it. That is what he said his premise was and what we were committed to. I agree with him.

I don't like the filibuster. I don't like the 60-vote rule in the Senate, I will tell you that. The 60-vote rule undermines democracy. If a bill has 50 percent and a committee reports it out, it ought to come to the floor. I agree with the majority leader on that. And Mr. REID and I have had some discussions on that. My colleague Senator CARDIN and I have had some discussions on that.

But if it is good for the Senate, it is good for the House. And the House does that. The majority can rule in this House. And if he brings that bill to the floor, it will pass. It will pass on Monday, I guarantee the gentleman.

And I know we need to conclude this. In all consideration, Ms. KELLY is coming over to explain to me schedules.

But this is serious, and I don't say this—the majority leader and I do work together. But let's pass this Zika bill, as the Senate passed it, and then have the arguments on stuff that we don't agree on. We do agree on the Senate bill, at least to the extent it goes, and there are things that we don't agree.

To make an aside, you stripped the Confederate Flag amendment from the conference report on the MILCON bill because you didn't want your guys to vote on it. Mr. Speaker, I understand that. That is why it was done. I didn't like that, but that passed the House, stripped out of the bill, not by the Senate, but by us. But that is an aside.

It is an aside because, you are right, Mr. Speaker, the majority leader is right, that doesn't affect Zika. What affects Zika is that \$1.1 billion that we can get to them on Monday, Mr. Speaker. If the majority leader will bring it to the floor, we can pass it on suspension.

Mr. Speaker, I appreciate the majority leader's discussion on this matter, but we have some critical issues, Mr. Speaker, that we need to deal with: funding government, getting Zika passed, helping the people in Flint, funding opioids. We passed a bill. It was a good bill. The President signed it. We passed it in a bipartisan way, but we didn't fund it. Another health crisis.

We need to address these critical matters. These other bills may have merit, but they are not a crisis.

Mr. Speaker, unless the majority leader wants to say something further, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced

that the Senate has passed without amendment a bill of the House of the following titles:

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic".

ADJOURNMENT FROM FRIDAY, SEPTEMBER 9, 2016, TO MONDAY, SEPTEMBER 12, 2016

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, September 12, 2016, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. DOLD). Is there objection to the request of the gentleman from California?

There was no objection.

9/11 ANNIVERSARY

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, Sunday will mark 15 years since the September 11 attacks. Each year, this anniversary seems to sneak up on us faster than it did the year before.

September 11 forever changed who we are individually and as a country. It prompted grief, fear, and anger. The images of the Twin Towers collapsing one after the other are just as tragic today as they were a decade and a half ago. The scene of smoke rising from the Pentagon is seared in our memory. The gaping hole left in an open Pennsylvania field is something we will never forget.

September 11 also brought stories of courage, hope, and leadership. It tested the resolve of this great Nation. From the brave passengers of Flight 93, who quite possibly saved this very building we are standing in today, to the first responders who gave their life to ensure the well-being and safety of others.

We will never forget the President, who confidently stood on the rubble of collapsed buildings in New York to comfort an uncertain nation. I will always remember the first pitch President Bush threw at Yankee Stadium several weeks later.

As tens of thousands of fans looked on, the ball went right down the middle. He threw a perfect strike. It was a symbolic moment. It was symbolic of America's ability to not only recover from tragedy but reemerge as a greater country than it was before.

In God we trust.

REMEMBERING 9/11

(Ms. JACKSON LEE asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, today, on the steps of the House, we sang "God Bless America."

Standing on those steps some 15 years ago, the searing memory comes back again—the horrific bloodshed, the dividing of families, the loss of lives, the pain, and the tragedy. To those remaining loved ones, I offer my deepest sympathy. And to America: we will never forget.

I am grateful that we passed S. 2040 today, the Justice Against Sponsors of Terrorism Act. The reason is, our citizens should never be denied the right to enter courts and to petition for justice. As well, the pain needs to be eased.

I want to thank those first-responders. I visited Ground Zero. I have felt that pain. Every year, I think it is important for Americans to understand that we must remember to give honor and respect to those fallen and recognize the values of this Nation.

As this legislation makes its way, I am committed to working with the administration in ensuring that all is well. It is important to note today, as we sang "God Bless America," we honored those families still in pain by passing S. 2040, Justice Against Sponsors of Terrorism Act.

God bless America.

Mr. Speaker, I rise to join my colleagues in recognizing and commemorating the 15th anniversary of the attacks on our homeland on September 11, 2001.

This Sunday will mark the 15th year since that day our nation faced the greatest loss of life on U.S. soil from an enemy attack since the attack on Pearl Harbor.

The years that have passed since that day have not dimmed my memory or diminished my resolve to see an end to terrorism not only in the United States, but around the world.

As a Member of Congress and a senior Member of the Committees on Homeland Security and the Judiciary, both of which deal with national security issues, I have long been committed and engaged in efforts to develop policies that anticipate and respond to new and emerging challenges to the security of our nation and the peace and safety of the world.

I will never forget September 11, 2001 when 2,977 men, women and a children were murdered by 19 hijackers who took commercial aircraft and used them as missiles.

I stood on the East Front steps of the Capitol on September 11, 2001, along with 150 members of the House of Representatives and sang "God Bless America."

September 11, 2001 remains a tragedy that defines our nation's history, but the final chapter will be written by those who are charged with keeping our nation and its people safe while preserving the way of life that terrorists seek to change.

I visited the site of the World Trade Center Towers in the aftermath of the attacks and grieved over the deaths of so many of our men, women, and children.

I want to thank and commend the work of our first responder community on that day and

every day since September 11 for their efforts to protect their communities and our nation from acts of terrorism.

I watched as thousands of first responders, construction workers, and volunteers worked to recover the remains of the dead, and removed the tons of debris, while placing their own lives and health at risk.

The men and women who worked at "Ground Zero" were called by a sense of duty to help in our nation's greatest time of need since the bombing of Pearl Harbor.

There is unfinished work for those first responders who were injured or suffered illnesses during and after the September 11, 2001 attacks.

September 11 will forever remain a part of our national memory and for those who serve in Congress a clarion call to be vigilant against those who would do our nation harm.

To respond to the medical needs of the thousands of people who became ill from exposure to the toxic environment at Ground Zero, Congress passed the James Zadroga September 11 Care Act (9/11 Care Act), which provides rescue and recovery workers with health care to treat the conditions that resulted from their exposure to toxic dust after the terror attack.

Under the leadership of President Obama, Bin Laden was found and killed.

President Obama accepted, and succeeded in the mission to bring justice to those responsible for the carnage of September 11, 2001.

Today, let us remember those who perished on this awful day 14 years ago, and rededicate ourselves to honoring their sacrifice by doing all we can to protect our homeland and all who dwell peaceably therein.

BIRTHDAY CARDS FOR AVA

(Mr. YOUNG of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Iowa. Mr. Speaker, everyone, meet Ava.

Ava hails from Bondurant, Iowa, and is turning 11 years old next week. She is the beautiful daughter of Kris and Joni Hutchinson. Something you should know about Ava? Ava is a warrior. She is a fighter. She also is battling brain cancer.

Now, cancer is not new to Ava. It is something she has fought as a toddler. The battle began again, though, for Ava this summer.

Ava has faced the heartbreaking realities and struggles in her fight against cancer that many folks are lucky enough to never encounter in their lifetime, but Ava is strong, Ava is brave, and Ava is an inspiration to us all. She makes us all smile—everyone she has met.

With her 11th birthday quickly approaching, you may be asking yourself: What does she wish for? Ava wants a birthday card from you—anyone—everyone who would like to send one.

Folks from across the country and around the world are sending birthday cards for Ava. Of the cards, she said: I

like getting them because I know people are praying for me and thinking about me every day.

Let's help make Ava's birthday one to remember. I encourage all who can—everybody—to take part in this outpouring of love and support for Ava. Anyone can send a card to Ava at: cards for Ava, 104 9th Street SE, Altoona, Iowa 50009. The address is right here.

Mr. Speaker, today, let us take a moment to send our thoughts and prayers to Ava and her family. Let us wish Ava a happy birthday. The best one is yet to come.

Happy birthday, Ava.

□ 1300

CONGRESS NEEDS TO DO ITS JOB NOW AND FULLY FUND ZIKA

(Ms. FRANKEL of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FRANKEL of Florida. Mr. Speaker, Congress needs to stop playing around with people's lives and fully fund the fight against Zika now.

For my home State, Florida, at stake is the future of our newborns, our tourism jobs, and the hopes and dreams of folks like Andrew and Christina Rosebrough. For the past 9 years, they have battled the ups and downs of infertility, seen numerous doctors, spending thousands of dollars on treatments and drugs. After years of heartache and disappointment, they actually gave up; and then their own miracle, Christina became pregnant.

They were elated. They were excited. But now their joy is tempered by anxiety and trepidation. Christina has to stay confined to her home, scared of that poisonous mosquito that would devastate her baby's brain.

Mr. Speaker, Congress needs to do its job now and fully fund Zika.

HONORING THE KENNEWICK AMERICAN YOUTH BASEBALL TEAM

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute.)

Mr. NEWHOUSE. Mr. Speaker, today I rise to recognize the remarkable achievements of the Kennewick American Youth baseball team, the reigning U.S. champions.

The Kennewick American team won the United States Division of the Cal Ripken World Series Tournament to become the U.S. champions. They then finished second in the world, competing against the best young baseball talent from around the world. Kennewick's own Simeon Howard was named the MVP of the U.S. side of the tournament, while setting a tournament record for hits.

With the support of their families and local community, Kennewick

American concluded its season with an impressive 36 and 5 record, while becoming the first team from the Pacific Northwest to ever reach the championship game. This is an incredible achievement for the State of Washington as well as the Pacific Northwest.

I am proud to represent these young men in Congress. I congratulate the players and their coach, Bryan Knapik, on their tremendous success and look forward to following their run next season.

HEAR THE AMERICAN PEOPLE

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, after Orlando, the largest mass shooting in our history, Democrats focused the Congress and the country on the urgent need to expand background checks. Many jurisdictions, including the Nation's Capital, have strong gun safety laws, but they are countermanded daily by congressional failure to pass national legislation to keep criminals from bringing guns from neighboring jurisdictions.

Eighty-one percent of the American people support background checks before purchase of a deadly weapon. They want Congress to check the recent spike in gun violence nationwide. They want us to pass H.R. 1217, our bipartisan background check bill. Hear the American people.

RECOGNIZING THE SERVICE OF LIEUTENANT ROBERT HESS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of Lieutenant Robert Hess, a resident of Lock Haven, Pennsylvania, in the Pennsylvania Fifth Congressional District. Lieutenant Hess was recently chosen by the Military Chaplains Association to receive its Distinguished Service Award, which annually recognizes excellent chaplains in the Army, Navy, Air Force, Veterans Affairs, and Civil Air Patrol.

Lieutenant Hess was born in Lock Haven and joined the Navy after graduating from Lock Haven High School in 1990. As a member of the Navy, he has traveled extensively during his service, including time spent in Spain, France, England, Slovenia, Germany, Greece, and the Netherlands. He is currently attached to the Destroyer Squadron, DESRON 60.

Lieutenant Hess also spent several years as a civilian pastor before being recalled to Active Duty after the terrorist attacks on September 11, 2001,

which, of course, occurred 15 years ago this Sunday.

As an Army dad, I have the deepest respect for our servicemen and -women, including those such as Lieutenant Hess, who work every day to counsel, teach, and minister to the spiritual needs of those servicemembers.

TRIBUTE TO THE VICTIMS OF SEPTEMBER 11, 2001

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Mr. Speaker, I love my country, and I rise today to pay tribute to those who lost their lives on 9/11. It has been a very painful thing for those of us who love our country.

But notwithstanding all of the pain that I and the many others endure, it is not the same pain as those who have loved ones who made a transition on that day. So today I rise in honor of those who made the transition, those who went forward when others were running away.

I salute those who are willing to stand and secure this country. I salute the police officers. I salute the military. I thank them for their service.

I also want to honor those who lost their lives, and I have great sympathy for those who survived and the family members.

I ask for a moment of silent prayer.

Mr. Speaker, I know that there are still people who are willing to go into harm's way to make the ultimate sacrifice so that we can have a better quality of life in the freest country in the world.

CELEBRATING THE 50TH ANNIVERSARY OF THE SHASTA LIVESTOCK AUCTION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this year marks the 50th anniversary of the Shasta Livestock Auction, located in Cottonwood, California, which was opened in 1966 by Ellington Peek and his wife, Betty, and family.

Ellington is well known in California agriculture. He was named Tehama County's first Cattleman of the Year, California Livestock Man of the Year, and an inductee into the Cowboy Hall of Fame.

In May, the Shasta Historical Society presented a program commemorating the auction yard, and while it tells a lot about the business, it also focuses on the person Ellington is that has made him so successful—an honest, hardworking man who represents the epitome of the American story.

Around the time Ellington Peek began buying and selling cattle at his

yard, the industry started experiencing a lot of ups and downs in the market, forcing many ranchers out of the business. Refusing to give up, he took his business on the road, busing prospective buyers and sellers to different ranches and showing available cattle up on a slide show for purchase.

Later, this innovative model that was such a success ultimately led him to the business of video auction, starting the Western Video Market, with one of the first auctions selling over 25,000 head of cattle.

This innovation and vision not only gave California and Western cattlemen access to a national marketplace, but entirely changed the market. Today, it is a very viable and strong and thriving enterprise, the Shasta Livestock Auction, with the video market.

So I just want to say thank you to the Peeks; and also remembering their son they lost a few years ago, Andy, and what that means to that family operation and what it means, this anniversary of the 50th, to all of us in northern California.

CONGRATULATING UNITED LAUNCH ALLIANCE FOR AN- OTHER SUCCESSFUL SPACE LAUNCH

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to congratulate the men and women of United Launch Alliance on another successful space launch on Thursday. United Launch Alliance, or ULA, is headquartered in Centennial, Colorado, and has provided assured access to space since 2006.

ULA's most recent launch propelled NASA's OSIRIS-REx into space. The payload will travel to a near-Earth asteroid called Bennu, map the chemical elements on the asteroid's surface, and then return a sample to Earth in 2023.

This launch marks ULA's 111th consecutive successful space launch. This amazing success record is a testament to the hard work of ULA's dedicated team of professionals.

Congratulations on a job well done.

NATIONAL SUICIDE PREVENTION WEEK

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today because this week is National Suicide Prevention Week.

Studies have shown that roughly 90 percent of people who commit suicide struggled with mental illness. In July, with enormous bipartisan support, the House passed the Helping Families in Mental Health Crisis Act to tackle our

Nation's mental health crisis. In recognition of this week, I believe the Senate should immediately take up this very important piece of legislation.

Sadly, Mr. Speaker, veterans who have served our Nation are even more at risk. The disturbing reality is that far too many of our veterans who fought for our freedom are not truly free when they return home.

We cannot be bystanders as our Nation's heroes struggle with mental illness and suicide. That is why we passed and signed into law the Clay Hunt SAV Act, which prioritizes mental health care for our veterans.

But there is still so much work to be done to reach out to those who may need our help. Together, we can and must erase the stigma surrounding suicide and mental health.

REPLACE LEAD PIPES

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute.)

Mr. TED LIEU of California. Mr. Speaker, it has been 2 years since the people of Flint were able to turn on their faucets and get clean water, and Congress has not acted to help the people of Flint. That is a travesty and an injustice, and the issues since then have gotten even worse, not just for the people of Flint, but across America.

Multiple reports indicate that now at least 29 States have issues with lead in their drinking water. We need an investment for infrastructure that is not only going to help people no longer get poisoned, but also create new jobs.

That is why, on the House Budget Committee, I introduced an amendment to increase, by over \$3 billion, the funding to the State's Clean Water Revolving Fund to help local municipalities upgrade and replace lead pipes. There is now new technology such as plastic PVC pipes that do not leach lead that are safe. They are less expensive.

Cities and municipalities and States across the Nation should be investing in plastic pipes to deliver lead-free water to our residents. It is my hope that Congress acts on this soon.

CONGRATULATING UNIVERSITY OF SOUTHERN INDIANA'S COLLEGE OF NURSING AND HEALTH PRO- FESSIONS

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, the University of Southern Indiana's College of Nursing and Health Professions received the first-ever Nexus Award from the National Center for Interprofessional Practice and Education in August.

The Nexus Award is a prestigious national honor that recognizes the interprofessional, team-based approaches that connect higher education and health care with goals to transform healthcare delivery, improve health outcomes, and decrease costs.

I have personally toured USI's healthcare programs and met with the college's leadership as recently as last month, and I have long supported USI's work to fill healthcare delivery gaps, including serving urban and rural populations that would otherwise not receive primary healthcare services.

Congratulations to USI Dean Dr. Ann White, as well as the professors and students, for this outstanding national recognition.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. DOLD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p.m.), under its previous order and pursuant to House Resolution 842, the House adjourned until Monday, September 12, 2016, at noon, for morning-hour debate, out of respect to the victims of the terrorist attacks.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6733. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Sacramento County, CA, et al.) [Docket ID: FEMA-2016-0002; Internal Agency Docket No.: FEMA-8451] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6734. A letter from the Regulations Coordinator, Office of Head Start, Administration for Children and Families, Department of Health and Human Services, transmitting the Departments Major final rule — Head Start Performance Standards (RIN: 0970-AC63) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6735. A letter from the Secretary, Bureau of Consumer Protection, Federal Trade Commission, transmitting the Commission's final rule — Rules, Regulations, Statements of General Policy or Interpretation and Exemptions Under the Fair Packaging and Labeling Act (RIN: 3084-AB33) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6736. A letter from the Director, Regulations Policy and Management Staff, FDA,

Department of Health and Human Services, transmitting the Department's final rule — The Food and Drug Administration Food Safety Modernization Act; Extension and Clarification of Compliance Dates for Certain Provisions of Four Implementing Rules [Docket Nos.: FDA-2011-N-0920, FDA-2011-N-0921, FDA-2011-N-0922, FDA-2011-N-0143] (RIN: 0910-AG10, 0910-AG35, 0910-AG36, 0910-AG64) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6737. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's direct final rule — New Animal Drugs for Use in Animal Feed; Category Definitions [Docket No.: FDA-2016-N-1896] received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6738. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of PB-22, 5F-PB-22, AB-FUBINACA and ADB-PINACA into Schedule I [Docket No.: DEA-433] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6739. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Maryville, Missouri) [MB Docket No.: 16-68] [RM-11762] received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6740. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations to Include August 4, 2016 Continuation of Emergency Declared in Executive Order 13222 [Docket No.: 160808698-6698-01] (RIN: 0694-AH09) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6741. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — International Traffic in Arms: Revisions to Definition of Export and Related Definitions (RIN: 1400-AD70) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6742. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees' Group Life Insurance Program: Court Orders Prior to July 22, 1998 (RIN: 3206-AM67) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6743. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area (RIN: 3206-AN26) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public

Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6744. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Asheville, NC, and Charlotte, NC, Appropriated Fund Federal Wage System Wage Areas (RIN: 3206-AN37) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6745. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Excepted Service and Pathways Programs Miscellaneous Clarifications and Corrections (RIN: 3206-AM97) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6746. A letter from the Chief, Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulfur Operations on the Outer Continental Shelf — Oil and Gas Production Safety Systems [Docket ID: BSEE-2012-0005; 16XE1700DX EX1SF0000.DAQ000 EEEE500000] (RIN: 1014-AA10) received September 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6747. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction [Docket No.: 130312235-3658-02] (RIN: 0648-XE824) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6748. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 151130999-6225-01] (RIN: 0648-XE782) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6749. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE833) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6750. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska [Docket No.: 150818742-0610-02] (RIN: 0648-XE772) received September 2, 2016, pur-

suant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6751. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Northern Red Hake Inseason Possession Limit [Docket No.: 120109034-2171-01] (RIN: 0648-XE787) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6752. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2016 [Docket No.: 160322276-6276-01] (RIN: 0648-XE741) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6753. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE725) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6754. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; North Atlantic Swordfish Fishery [Docket No.: 120627194-3657-02] (RIN: 0648-XE567) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6755. A letter from the Regulations Coordinator, Assistant Secretary for Financial Resources, Department of Health and Human Services, transmitting the Department's interim final rule — Adjustment of Civil Monetary Penalties for Inflation (RIN: 0991-AC0) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6756. A letter from the Acting Chief, Border Security Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections Relating to Issuance of Notices to Appear, Warrants of Removal, Exercise of Power by Immigration Officers, and Standards for Enforcement Activities (CBP Dec. 16-14) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6757. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2016-5464; Directorate Identifier 2015-NM-097-AD; Amendment 39-18607; AD 2016-16-09] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Transportation and Infrastructure.

6758. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-8468; Directorate Identifier 2014-NM-208-AD; Amendment 39-18605; AD 2016-16-07] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6759. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-5462; Directorate Identifier 2015-NM-131-AD; Amendment 39-18606; AD 2016-16-08] (RIN: 2120-AA64) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6760. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the following Michigan Towns; Alma, MI; Bellaire, MI; Cadillac, MI; Drummond Island, MI; Gladwin, MI; Holland, MI; and Three Rivers, MI [Docket No.: FAA-2016-4629; Airspace Docket No.: 16-AGL-8] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6761. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Peoria, IL [Docket No.: FAA-2016-7416; Airspace Docket No.: 16-AWA-5] (RIN: 2120-AA66) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6762. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Boise, ID [Docket No.: FAA-2016-7467; Airspace Docket No.: 16-AWA-2] (RIN: 2120-AA66) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6763. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class C Airspace; Syracuse Hancock International Airport, NY [Docket No.: FAA-2016-3937; Airspace Docket No.: 16-AWA-1] (RIN: 2120-AA66) received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6764. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for the Minnesota Towns; Hutchinson, MN; Jackson, MN; Pipestone, MN; Two Harbors, MN; and Waseca, MN [Docket No.: FAA-2016-4271; Airspace Docket No.: 16-AGL-6] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6765. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E

Airspace; Lake Providence, LA [Docket No.: FAA-2016-4236; Airspace Docket No.: 16-ASW-5] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6766. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D Airspace; North, SC [Docket No.: FAA-2016-1074; Airspace Docket No.: 16-ASO-3] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6767. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Park River, ND [Docket No.: FAA-2016-5856; Airspace Docket No.: 16-AGL-9] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6768. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Harvey, ND [Docket No.: FAA-2016-5387; Airspace Docket No.: 16-AGL-13] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6769. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Platte, SD [Docket No.: FAA-2016-5386; Airspace Docket No.: 16-AGL-12] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6770. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Linton, ND [Docket No.: FAA-2016-5456; Airspace Docket No.: 16-AGL-11] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6771. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Champlain Valley of New York Viticultural Area [Docket No.: TTB-2015-0010; T.D. TTB-142; Ref. Notice No.: 154] (RIN: 1513-AC19) received August 31, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5523. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the viola-

tion of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; with an amendment (Rept. 114-730, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 5111. A bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes; with an amendment (Rept. 114-731). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1301. A bill to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications; with amendments (Rept. 114-732). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 5104. A bill to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes; with an amendment (Rept. 114-733). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 670. A bill to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes; with an amendment (Rept. 114-734). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 3299. A bill to amend the Public Health Service Act to ensure preparedness for chemical, radiological, biological, and nuclear threats, and for other purposes; with an amendment (Rept. 114-735). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 5523 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself and Mr. DEFAZIO):

H.R. 5977. A bill to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself, Mr. FARENTHOLD, Mr. GARAMENDI, Mr. YOUNG of Alaska, and Mr. ROUZER):

H.R. 5978. A bill to amend title 14, United States Code, to clarify the functions of the Chief Acquisition Officer of the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. CARTWRIGHT):

H.R. 5979. A bill to ensure consideration of water intensity in the Department of Energy's energy research, development, and demonstration programs to help guarantee efficient, reliable, and sustainable delivery of energy and clean water resources; to the Committee on Science, Space, and Technology.

By Ms. MENG (for herself, Ms. KAPTUR, Mr. POLIQUIN, Mrs. BEATTY, Mr. GALLEGO, Miss RICE of New York, Mr. ASHFORD, Mr. GRAYSON, Mr. TAKANO, Mr. PERLMUTTER, Mr. DEFAZIO, Ms. DELAURO, Mrs. KIRKPATRICK, Mr. LOWENTHAL, Mr. LANGEVIN, Mr. HONDA, Ms. TITUS, Mr. ISRAEL, Mr. NEWHOUSE, Mr. THOMPSON of California, Mr. JONES, Ms. BORDALLO, Mrs. DINGELL, Mr. POCAN, and Mr. BRADY of Pennsylvania):

H.R. 5980. A bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. VELÁZQUEZ:

H.R. 5981. A bill to amend the Public Health Service Act to improve the provision of medical services to aliens present in the United States; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself, Mr. GOODLATTE, Mr. SESSIONS, Mr. MARINO, Mr. COLLINS of Georgia, Mr. BISHOP of Michigan, and Mr. PETERSON):

H.R. 5982. A bill to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HENSARLING (for himself, Mr. GARRETT, Mr. NEUGEBAUER, Mr. LUETKEMEYER, Mr. HUIZENGA of Michigan, and Mr. DUFFY):

H.R. 5983. A bill to create hope and opportunity for consumers, investors, and entrepreneurs by ending bailouts and Too Big to Fail, holding Washington and Wall Street accountable, eliminating red tape to increase access to capital and credit, and repealing the provisions of the Dodd-Frank Act that make America less prosperous, less stable, and less free, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Agriculture, Ways and Means, the Judiciary, Oversight and Government Reform, Transportation and Infrastructure, Rules, the Budget, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself and Mr. HUNTER):

H.R. 5984. A bill to authorize the Pechanga Band of Luiseño Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Natural Resources.

By Mr. MILLER of Florida:

H.R. 5985. A bill to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed

Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURBELO of Florida:

H.R. 5986. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief; to the Committee on Small Business.

By Mr. MEADOWS:

H.R. 5987. A bill to provide for recreational access for floating cabins on the Tennessee River System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COURTNEY (for himself, Mr. WOODALL, and Ms. ESTY):

H.R. 5988. A bill to provide penalties for countries that systematically and unreasonably refuse or delay repatriation of certain nationals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. BRIDENSTINE, Mr. DIAZ-BALART, and Mr. VEASEY):

H.R. 5989. A bill to provide for continuing cooperation between the National Aeronautics and Space Administration and the Israel Space Agency, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. PEARCE):

H.R. 5990. A bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself and Mr. FOSTER):

H.R. 5991. A bill to amend the Securities Exchange Act of 1934 with respect to risk-based examinations of Nationally Recognized Statistical Rating Organizations; to the Committee on Financial Services.

By Mr. POE of Texas:

H. Con. Res. 150. Concurrent resolution expressing the sense of Congress that child safety is the first priority of custody and visitation adjudications, and that state courts should improve adjudications of custody where family violence is alleged; to the Committee on the Judiciary.

By Mr. DONOVAN (for himself, Mr. FORTENBERRY, Mr. MULVANEY, and Mr. HARRIS):

H. Con. Res. 151. Concurrent resolution expressing the sense of Congress that every effort should be made to assist in the reconstruction and development of communities against whom the Islamic State of Iraq and the Levant has committed acts of genocide, war crimes, or crimes against humanity as determined by the United States Government; to the Committee on Foreign Affairs.

By Mr. FORTENBERRY (for himself, Mr. LIPINSKI, Mr. SMITH of New Jersey, Mr. VARGAS, Mr. FRANKS of Arizona, Ms. SCHAKOWSKY, Mr. ADERHOLT, Mr. WITTMAN, Mr. DONOVAN, Mr. HARRIS, Mrs. COMSTOCK, and Mr. PITTS):

H. Con. Res. 152. Concurrent resolution expressing the sense of Congress that the United States and the international community should support the Republic of Iraq and its people to recognize a province in the Nineveh Plain region, consistent with lawful expressions of self-determination by its indigenous peoples; to the Committee on Foreign Affairs.

By Mr. DENT (for himself, Mr. JOYCE, Mrs. CAROLYN B. MALONEY of New York, Mr. JENKINS of West Virginia, Mr. COOPER, and Ms. DELAURO):

H. Res. 854. A resolution supporting State, local, and community initiatives to encourage parents, teachers, camp counselors, and child-care professionals to take measures to prevent sunburns in the minors they care for, and expressing the sense of the House of Representatives that State, local, and community entities should continue to support efforts to curb the incidences of skin cancer beginning with childhood skin protection; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself, Mr. PERRY, Mr. TED LIEU of California, Mr. ZINKE, Mr. HECK of Nevada, and Mr. KINZINGER of Illinois):

H. Res. 855. A resolution expressing the sense of the House of Representatives to remember and honor the members of the United States Armed Forces, veterans, and military families who served in the aftermath of September 11, 2001; to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H. Res. 856. A resolution expressing support for designation of the week of September 12, 2016, through September 18, 2016, as "Balance Awareness Week"; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

295. The SPEAKER presented a memorial of the Legislature of the State of West Virginia, relative to House Concurrent Resolution 36, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SHUSTER:

H.R. 5977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 7 (related

to establishment of Post Offices and Post Roads).

By Mr. HUNTER:

H.R. 5978.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes) and Clause 14 (to make Rules for the Government and Regulation of the land and naval Forces).

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 5979.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. MENG:

H.R. 5980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. VELÁZQUEZ:

H.R. 5981.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. ISSA:

H.R. 5982.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;" and, Article I, Section 5, Clause 2, of the United States Constitution, in that the legislation concerns the powers of each House of Congress to determine the rules of its proceedings.

By Mr. HENSARLING:

H.R. 5983.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes");

Article I, Section 8, Clause 5 ("To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures");

Article I, Section 8, Clause 6 ("To provide for the Punishment of counterfeiting the Securities and current Coin of the United States"); and

Article I, Section 8, Clause 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.").

By Mr. CALVERT:

H.R. 5984.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. MILLER of Florida:

H.R. 5985.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. CURBELO of Florida:

H.R. 5986.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, the Commerce Clause

By Mr. MEADOWS:

H.R. 5987.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. COURTNEY:

H.R. 5988.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. KILMER:

H.R. 5989.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 5990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

Article I, Section 8, Clause 5

By Mrs. WAGNER:

H.R. 5991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Mr. PETERS and Ms. MCCOLLUM.

H.R. 379: Mr. DOGGETT, Ms. LEE, Mrs. CAROLYN B. MALONEY of New York, and Mr. MEEKS.

H.R. 532: Ms. SCHAKOWSKY.

H.R. 563: Mr. SIRES.

H.R. 800: Mr. LANGEVIN.

H.R. 814: Mr. COLLINS of New York.

H.R. 842: Mr. MILLER of Florida.

H.R. 846: Ms. GRAHAM and Mr. CURBELO of Florida.

H.R. 921: Mr. HIMES and Mr. KELLY of Mississippi.

H.R. 1220: Ms. DEGETTE.

H.R. 1343: Mr. COHEN, Mr. COFFMAN, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 1399: Ms. LORETTA SANCHEZ of California and Mr. McDERMOTT.

H.R. 1439: Mr. WALZ and Mr. PERLMUTTER.

H.R. 1441: Mr. KIND.

H.R. 1460: Ms. BONAMICI.

H.R. 1538: Mr. BISHOP of Georgia.

H.R. 1559: Mr. DESJARLAIS and Mr. CUELLAR.

H.R. 1571: Ms. STEFANIK.

H.R. 1594: Mr. ISSA.

H.R. 1708: Ms. MENG.

H.R. 1969: Mrs. BEATTY.

H.R. 2050: Mr. EMMER of Minnesota.

H.R. 2142: Mr. GIBSON.

H.R. 2293: Mr. BECERRA.

H.R. 2368: Mr. PERLMUTTER, Mr.

GARAMENDI, Mr. CAPUANO, Ms. ROS-

LEHTINEN, Mrs. BUSTOS, Mr. YARMUTH, Mr.

LARSON of Connecticut, Mr. LOEBSACK, Mrs.

BEATTY, Ms. SINEMA, Mr. VEASEY, Mr.

BECERRA, and Ms. ESTY.

H.R. 2715: Mr. VEASEY.

H.R. 2716: Mr. MILLER of Florida.

H.R. 2799: Mr. CARTER of Georgia.

H.R. 2846: Mr. NORCROSS.

H.R. 2902: Mr. BECERRA, Mr. CAPUANO, and

Mr. THOMPSON of California.

H.R. 3061: Mr. DEUTCH.

H.R. 3068: Mrs. BEATTY.

H.R. 3099: Mr. LOWENTHAL, Ms. LORETTA

SANCHEZ of California, Mr. RODNEY DAVIS of

Illinois, and Mr. ENGEL.

H.R. 3185: Ms. ROS-LEHTINEN and Mr. CLAY.

H.R. 3235: Ms. KELLY of Illinois.

H.R. 3268: Mr. BECERRA.

H.R. 3323: Mrs. LAWRENCE.

H.R. 3378: Mrs. NAPOLITANO.

H.R. 3455: Mr. GUTIÉRREZ, Ms. DELAURO,

Ms. MICHELLE LUJAN GRISHAM of New Mex-

ico, Ms. MCCOLLUM, Mr. GRIJALVA, and Mr.

VAN HOLLEN.

H.R. 3520: Mr. KING of New York, Mr.

POCAN, and Ms. KAPTUR.

H.R. 3522: Mr. SCOTT of Virginia and Ms.

MOORE.

H.R. 3599: Mr. JONES.

H.R. 3666: Ms. LOFGREN.

H.R. 3721: Mr. PETERS.

H.R. 3742: Ms. HERRERA BEUTLER.

H.R. 3815: Mr. GUINTA.

H.R. 3913: Mr. POMPEO.

H.R. 3952: Ms. ROS-LEHTINEN,

H.R. 3991: Mrs. BROOKS of Indiana.

H.R. 4113: Mr. LEVIN.

H.R. 4479: Mrs. LOWEY.

H.R. 4514: Mr. SEAN PATRICK MALONEY of

New York.

H.R. 4526: Mr. JEFFRIES.

H.R. 4537: Mr. DESJARLAIS.

H.R. 4615: Ms. ROYBAL-ALLARD and Ms.

TITUS.

H.R. 4621: Mr. SWALWELL of California.

H.R. 4773: Mr. DESANTIS.

H.R. 4919: Mr. TIBERI, Mr. LANCE, Mr. PRICE

of North Carolina, Mrs. COMSTOCK, Ms. JEN-

KINS of Kansas, and Mr. HONDA.

H.R. 4938: Mr. FARR, Mr. DELANEY, Mr.

CULBERSON, Mr. WITTMAN, Ms. EDDIE BERNICE

JOHNSON of Texas, Mr. YARMUTH, and Mr.

MILLER of Florida.

H.R. 5002: Mr. RYAN of Ohio.

H.R. 5109: Mr. SESSIONS.

H.R. 5122: Mr. LANCE and Mrs. COMSTOCK.

H.R. 5166: Mr. BARLETTA.

H.R. 5180: Mr. MILLER of Florida.

H.R. 5204: Mr. MEEHAN.

H.R. 5215: Mr. HUFFMAN.

H.R. 5256: Mr. SWALWELL of California,

Miss RICE of New York, Ms. BROWNLEY of

California, Ms. DELBENE, and Mr. VELA.

H.R. 5258: Mr. SMITH of Washington.

H.R. 5271: Mr. MILLER of Florida.

H.R. 5275: Mr. CALVERT.

H.R. 5292: Ms. FUDGE.

H.R. 5321: Ms. DELBENE.
 H.R. 5337: Mr. BISHOP of Utah, Mr. JONES, and Mr. PETERS.
 H.R. 5348: Ms. TSONGAS.
 H.R. 5351: Mr. COLLINS of New York, Mr. CRAMER, Mr. FARENTHOLD, Mr. BUCSHON, Mr. ROONEY of Florida, Mr. POLIQUIN, Mr. PALMER, Mr. HARDY, Mr. KNIGHT, Mr. KING of New York, Mr. SHUSTER, Mr. RUSSELL, Mr. BUCK, Mr. HILL, and Mr. LOBIONDO.
 H.R. 5361: Mr. PERRY.
 H.R. 5365: Mr. TAKANO.
 H.R. 5418: Mr. DESJARLAIS.
 H.R. 5428: Mr. MILLER of Florida.
 H.R. 5440: Mr. SMITH of Missouri.
 H.R. 5493: Mr. EMMER of Minnesota.
 H.R. 5499: Mr. HURD of Texas.
 H.R. 5501: Mrs. KIRKPATRICK, Mr. HASTINGS, and Mr. JONES.
 H.R. 5518: Mr. LOWENTHAL.
 H.R. 5519: Mr. LOWENTHAL.
 H.R. 5568: Ms. MCCOLLUM.
 H.R. 5620: Mr. KLINE.
 H.R. 5632: Ms. PINGREE.
 H.R. 5650: Mr. GIBSON.
 H.R. 5708: Mr. SALMON.
 H.R. 5721: Mr. SESSIONS and Mr. BLUM.
 H.R. 5732: Mr. MOONEY of West Virginia, Mr. JENKINS of West Virginia, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mrs. HARTZLER.
 H.R. 5756: Mr. TAKANO.
 H.R. 5785: Mr. SESSIONS and Mr. COLLINS of New York.
 H.R. 5836: Mr. MILLER of Florida.
 H.R. 5859: Mrs. BROOKS of Indiana.
 H.R. 5867: Mr. LARSEN of Washington.
 H.R. 5879: Mr. SIMPSON.
 H.R. 5904: Mr. BURGESS, Mr. SANFORD, and Mr. BABIN.

H.R. 5931: Mr. BURGESS, Mr. WEBER of Texas, Mr. FLORES, Mr. HUIZENGA of Michigan, Mr. KING of New York, Mr. OLSON, Mrs. WAGNER, and Mr. BLUM.
 H.R. 5941: Mr. GRAVES of Louisiana.
 H.R. 5942: Mr. HECK of Washington, Mr. CALVERT, Mr. HECK of Nevada, Mr. HASTINGS, Ms. LOFGREN, and Mr. FLEISCHMANN.
 H.R. 5946: Mr. TURNER, Mr. CRAMER, Mr. PERRY, and Mr. RODNEY DAVIS of Illinois.
 H.R. 5948: Mr. SCHIFF, Mr. LOWENTHAL, Mr. BERA, Ms. ESHOO, Mr. SHERMAN, Mr. ROHRABACHER, Ms. MATSUI, Mrs. NAPOLITANO, Ms. HAHN, Mr. HUFFMAN, Mr. MCNERNEY, Mr. GARAMENDI, Ms. PELOSI, Mr. DENHAM, Ms. BASS, Mr. MCCARTHY, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. TAKANO, Ms. MAXINE WATERS of California, Mr. HONDA, Mr. THOMPSON of California, Mrs. TORRES, Mr. COOK, Mr. FARR, Ms. LOFGREN, and Mr. COSTA.
 H.R. 5951: Mr. AUSTIN SCOTT of Georgia and Mr. COLLINS of Georgia.
 H.R. 5958: Mr. MILLER of Florida.
 H.R. 5961: Mr. LIPINSKI, Mr. KING of Iowa, Mr. MEADOWS, and Mr. VARGAS.
 H. J. Res. 94: Mr. BILIRAKIS and Mr. STIVERS.
 H. Con. Res. 40: Mr. SMITH of New Jersey.
 H. Con. Res. 114: Mr. NEWHOUSE.
 H. Con. Res. 140: Mr. KING of New York, Mr. THOMPSON of California, Mr. GIBBS, Mr. LUETKEMEYER, and Mr. STIVERS.
 H. Con. Res. 141: Mr. MILLER of Florida.
 H. Con. Res. 149: Mr. KATKO, Mr. COLLINS of New York, Ms. DELAURO, Mr. HASTINGS, Mr. MILLER of Florida, and Mr. NEWHOUSE.
 H. Res. 28: Mr. YOUNG of Alaska.
 H. Res. 220: Mr. MULVANEY.

H. Res. 590: Mr. TONKO.
 H. Res. 617: Mr. BURGESS.
 H. Res. 729: Ms. WASSERMAN SCHULTZ.
 H. Res. 762: Mr. PALLONE.
 H. Res. 829: Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. GIBSON, and Mr. WALZ.
 H. Res. 840: Mr. VEASEY.
 H. Res. 848: Mr. POCAN.
 H. Res. 850: Mr. BILIRAKIS and Mr. BENISHEK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. MILLER OF FLORIDA

The provisions that warranted a referral to the Committee on Veterans' Affairs in H.R. 5620 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DISCHARGE PETITIONS— ADDITIONS AND WITHDRAWALS

The following Member added his name to the following discharge petition:

Petition 5 by Mrs. LOWEY on H.R. 5044: Mr. Murphy of Florida.

EXTENSIONS OF REMARKS

INTRODUCING THE IRAQ AND SYRIA GENOCIDE RELIEF AND ACCOUNTABILITY ACT OF 2016

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to introduce H.R. 5961, the Iraq and Syria Genocide Relief and Accountability Act of 2016. Since ISIS' blitzkrieg across the multi-ethnic and religiously diverse mosaic of eastern Syria and western Iraq in 2014, I have chaired four hearings focused on the implications of this appalling advance for religious and ethnic minorities in those areas. Events in the region and the expert testimony of witnesses quickly revealed that ISIS was not merely focused on territorial conquest—the group was ideologically committed to exterminating ancient religious communities and cleansing its self-proclaimed caliphate of anything but its vicious and fundamentalist interpretation of Islam. Many of my colleagues and I were certain early on that ISIS was committing genocide. We pressed the Administration to formally acknowledge that fact until the Secretary of State did so in March of this year. But the most pressing question issue has always been the lives of those religious minorities right now that face extinction under this tyranny of terror.

The Iraq and Syria Genocide Relief and Accountability Act of 2016 is an answer to the question of what the United States can do to mitigate this suffering, save lives, and build a more sustainable future for Syria and Iraq. The bill tackles this overwhelming challenge on three fronts by directing the Administration to take additional measures to improve the lives of displaced genocide survivors, provide some of them with an additional lifeline to escape their war torn lands, and support efforts that will help preserve the presence of religious minority communities in those areas for years to come.

In a hearing this May that I chaired called "The ISIS Genocide Declaration: What Next?" Carl Anderson, Supreme Knight of the Knights of Columbus—who has been a leader in drawing attention to the plight of Christians in this conflict—testified that "Repeatedly we hear from Church leaders in the region that Christians—and other genocide survivors—are last in line for assistance from governments." We can and must do better. To that end, H.R. 5961 requires the Administration to assess and address the humanitarian vulnerabilities, needs, and triggers to flee, of religious and ethnic communities that were targeted for genocide or otherwise severely persecuted. It directs the Administration to fund entities that are effectively providing assistance to these communities and guarantees that faith-based organizations on the ground are not excluded from U.S. assistance.

One such example is the Chaldean Catholic Archdiocese of Erbil, which provides assistance to internally displaced families of Yazidis, Muslims, and Christians, including food and resettlement from tents to permanent housing, as well as rental assistance, for Yazidis, medical care and education to Yazidis and Muslims through its clinics, schools, and university—which are open to everyone. The Archdiocese provides some form of each of these kinds of assistance to all of the estimated 10,500 internally displaced Christian families in the greater Erbil region. Yet as it provides these critical services, it has not received a single penny from any government. H.R. 5961 is clear that the Administration must be supporting entities, regardless of whether they are faith-based, that are heroically providing assistance to genocide survivors on the ground.

In recognition of the extraordinary suffering of these religious and ethnic communities, and their extraordinary vulnerability to persecution, H.R. 5961 requires the Administration to create a Priority Two, or "P-2," visa category of special humanitarian concern that would provide one additional avenue for genocide survivors to seek resettlement in the United States through the U.S. Refugee Admissions Program. It is important to note that this is not a "fast track" to resettlement—P-2 applicants undergo the same security screening as all refugee applicants. But this special category allows them to access an overseas interview wherever the United States interviews refugee applicants, without needing a referral from the UN, an NGO, or a US Embassy, as is usually the case.

This bill also addresses a critical factor that will influence the continued presence of smaller, vulnerable religious communities in Syria and Iraq beyond this conflict: accountability for those who perpetrate heinous crimes against them. H.R. 5961 directs the Administration to prioritize supporting the criminal investigation, prosecution, and conviction of perpetrators of genocide, crimes against humanity, and war crimes. These efforts will be focused on funding and supporting entities that are conducting criminal investigations, building Syrian and Iraqi investigative and judicial capacity, or collecting and preserving evidence for eventual use in domestic courts, hybrid courts, or internationalized domestic courts. Whether they are members of the Assad regime, ISIS, or some of the Popular Mobilization Brigades in Iraq, there can be no impunity for individuals who committed these dreadful crimes.

H.R. 5961 also directs the Administration to identify gaps in our criminal statutes to facilitate the prosecution of American perpetrators, and non-Americans present in the United States, of crimes against humanity and war crimes.

Without accountability, without humanitarian assistance reaching these religious and ethnic communities, we risk losing the invaluable, ancient presence of these communities in these

countries altogether. This will feed violent extremism and dim the future of Iraq and Syria.

I urge my House colleagues to support this measure that will deliver immediate assistance to genocide survivors, help prosecute and punish perpetrators, and invest in a sustainable future for these persecuted religious and ethnic communities in the lands in which they have lived for so many generations.

PAYING TRIBUTE TO ED MORLAN

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. TIPTON. Mr. Speaker, I rise today to honor the retirement of Mr. Ed Morlan of Bayfield, Colorado. Ed has worked tirelessly for decades to grow the economy of Southwest Colorado and provide opportunities for countless families in his community to succeed and prosper.

Ed's life of service started before his work in local economic development when he fought for his country in three tours in Vietnam. For his actions he received a Purple Heart and a Silver Star. Returning from Vietnam, Ed set his sights on making a difference in his community, becoming a town board member of Bayfield, CO, for five terms while also working with the Region 9 Economic Development District of Southwest Colorado, a nonprofit organization that supports business startups, that has given more than \$19 million to advance growth and opportunity in the region which encompasses five counties and two Indian Reservations.

Through his hard work over 27 years, as Executive Director of Region 9—a fledgling organization with a \$30,000 deficit when Ed took over in 1989. Ed has overseen an expansion of the organization that now boasts an operating budget of close to \$2 million dollars and has for decades been instrumental in the economic health of Southwest Colorado.

The mining industry in Silverton, CO has faced several rounds of layoffs in recent decades. Ed's work with Region 9 has helped to offset many of these negative impacts by creating a thriving environment for small businesses. Through the years, under Ed's direction, Region 9 has assisted businesses from hardware stores, to ski areas, and even an animal hospital.

Mr. Speaker, Ed Morlan is an outstanding citizen of Colorado's Third Congressional District. He embodies the spirit of entrepreneurship and commitment to community that makes this such a special place to live. Without Ed's hard work, many rural businesses would not be thriving today. Although Ed is retiring from Region 9, he plans on continuing to help the community. On behalf of the people of Colorado's Third District I want to thank Ed

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

for his work, and service to his country and community. We wish him the very best in his future endeavors.

CELEBRATING "EDDIE GAedel
DAY"

HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. HECK of Washington. Mr. Speaker, I rise to call the attention of my House colleagues to one of the most unusual careers in our national pastime of baseball, one that began and ended with just one trip to the plate at Sportsman's Park in St. Louis on August 19, 1951. In the bottom of the first inning, during the second game of a Sunday afternoon doubleheader against the Detroit Tigers, the St. Louis Browns sent a pinch hitter to the plate, 3'7" Eddie Gaedel, whose 65 pound weight made him the shortest and lightest player in Major League Baseball history.

Wearing the uniform of the Browns nine year old batboy, Eddie drew a walk on four straight pitches from Detroit pitcher Bob Cain, and was replaced by a pinch runner. His one day professional baseball career came to an abrupt halt several days later when American League president Will Harridge voided Gaedel's contract. Nevertheless, his place in baseball history was preserved in the record books as one of the only players to have a perfect 1.000 on base percentage for his entire career. Eddie Gaedel's autograph is now worth more than Babe Ruth's, and the bat he used in the game recently sold at auction for over fifty thousand dollars.

St. Louis Browns owner Bill Veeck promised Eddie Gaedel immortality when he signed him to a contract to play for the Browns. In Spokane, WA, an organization works annually to help Eddie achieve the immortality he was promised. Founded in 2011 at O'Doherty Irish Grille and Pub, the Eddie Gaedel Society, Spokane Chapter No. 1 has launched a national campaign to make each August 19th "Eddie Gaedel Fan Appreciation Day" in ballparks everywhere. The club is also seeking Eddie Gaedel's induction into the Baseball Hall of Fame, where his jersey bearing the number 1/8 was displayed for many years before being returned to St. Louis, where it now hangs in the St. Louis Cardinals Hall of Fame and Museum. I am a proud honorary member of that organization.

Several years ago, Spokane Mayor David Condon declared August 19, "Eddie Gaedel Day" and St. Louis Mayor Francis Slay did so this year, the sixty-fifth anniversary of Eddie Gaedel's one day, four pitch baseball career. In addition, the St. Louis Cardinals have made their home game on Friday, September 9, "Eddie Gaedel Bobblehead Night," and will give away thirty thousand of the miniature statues of baseball's smallest player to fans who attend their home game against the Milwaukee Brewers.

Of particular note is the fact that the St. Louis Browns batboy who literally gave Eddie Gaedel the shirt off his back in August of 1951 so he could go to bat, Bill DeWitt, Jr., is now

principal owner of the St. Louis Cardinals. His son, Bill DeWitt III, is the team president. The DeWitt family's involvement in professional baseball in both St. Louis and other cities stretches back over one hundred years. Bill DeWitt, Sr. sold the St. Louis Browns to Bill Veeck only weeks before Eddie came up to bat, and was serving as the team's general manager at the time.

Several days after his one day career ended, Eddie Gaedel told a sportswriter "Any young fellow dreams of being a big leaguer—and that's what I consider myself. I've got a Browns uniform with No. 1/8 on the back, a glove, and a contract. I've spent all my life in Chicago and never played ball, but I've always wanted to. I made up for it by becoming a red hot fan. I've followed the game for years."

Mr. Speaker, Eddie Gaedel was the one and only red hot fan who ever appeared in a Major League Baseball game, drawing a walk to first base and into the record books. On this sixty-fifth anniversary of his historic achievement, I join with his many fans in Spokane, St. Louis, and around the baseball world in a tip of the cap to the immortal Eddie Gaedel. Take a walk, Eddie.

HONORING KAYL AUCH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kayl Auch. Kayl is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Kayl has been very active with his troop, participating in many scout activities. Over the many years Kayl has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Kayl has contributed to his community through his Eagle Scout project. Kayl built a tennis backboard located at Bennett Park in Liberty, Missouri, to allow people to practice tennis by themselves, along with providing the Liberty North High School tennis team the use of this facility during their practice times and during the off-season.

Mr. Speaker, I proudly ask you to join me in commending Kayl Auch for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO DANIEL LEONARD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Daniel Leonard, of Mount Ayr, Iowa for earning the Gold Medal in "Electrical Construction Wiring" at the 2016 SkillsUSA competition.

SkillsUSA is a collaborative effort among students, instructors and industry representatives to ensure the nation has a skilled workforce. The purpose of this championship is to reward students for excellence, involve industry professionals in directly evaluating students' performance and keep training relevant to employers' needs today. Daniel Leonard received the highest score ever awarded at this competition. He is a 2009 graduate of Mount Ayr High School, and earned his Associate of Arts degree from Southwestern Community College in Creston in 2011, completing his Associate of Applied Science degree in electrical technology in 2015.

Mr. Speaker, the example set by Daniel Leonard demonstrates the rewards of harnessing one's talents and sharing them with the world. His efforts embody the Iowa spirit. I am honored to represent Iowans like him in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Daniel Leonard for his achievements and in wishing him nothing but continued success.

HONORING DANIEL FOSTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Daniel Foster. Daniel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 378, and earning the most prestigious award of Eagle Scout.

Daniel has been very active with his troop, participating in many scout activities. Over the many years Daniel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Daniel has led his troop as the patrol leader on two separate occasions. Daniel has also contributed to his community through his Eagle Scout project. Daniel collected stuffed animals and blankets for a shelter in the Kansas City area for children who have been removed from abusive situations.

Mr. Speaker, I proudly ask you to join me in commending Daniel Foster for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF MS. ANN JOHNSON

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. BLUM. Mr. Speaker, I rise today in honor of my constituent, Ann Johnson, a recipient of the Presidential Award for Excellence in Mathematics and Science Teaching.

This prestigious award is administered by the National Science Foundation on behalf of the White House Office of Science and Technology Policy and recognizes outstanding

teachers across the country for their contributions to the teaching of mathematics and science. Ms. Johnson was awarded the Presidential Award for Excellence in Mathematics and Science Teaching for her dedication and work at the Sageville Elementary School in Dubuque, Iowa.

Teachers like Ann enable students to realize their potential and pave the path for the next generation of doctors, engineers, and innovators. On behalf of the Dubuque community and the First District of Iowa, I sincerely thank Ann for her commitment to educating our children in mathematics and science.

Congratulations on this impressive award. I am proud to represent Ann, an extraordinary educator, in Congress.

RECOGNIZING THE DOPE PROJECT
FOR INSPIRING MESSAGE ABOUT
FLINT

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing The Dope Project for the educational opportunities it has provided to Flint high school students.

The Dope Project was founded in 2013 by Fred Walker to teach youth how to be business leaders of tomorrow. The Dope Project stands for The Development of Positive Energy Project. TDP allows high school students to interact with business leaders as if they were in the real workplace. The program offers six-week workshops to teach business, leadership, and life skills to students as well as expose them to future career opportunities.

The most recent TDP workshop created a commercial for the city of Flint. The commercial was created by Flint teenagers and sends an inspiring message about unity. The message of the video focuses on fighting against labels and not giving up on the city of Flint.

It is my honor to represent such active and inspiring young members of our community. The message shared by these Flint students and TDP instills hope in the community of Flint and anyone who views their video.

Mr. Speaker, I applaud the work done by The Dope Project, Mr. Walker, and all the students involved in the program for their hard work and the services they have provided for the City of Flint.

TRIBUTE TO DONALD AND
MARILYN ROBERTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Donald and Marilyn Roberts on the very special occasion of their 65th wedding anniversary.

Donald and Marilyn were married in the summer of 1951 and make their home in Stu-

art, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 65 years of life together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN RECOGNITION OF GOLDEN
STATE FARM CREDIT

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. VALADAO. Mr. Speaker, I rise today to recognize Golden State Farm Credit for receiving the Lemoore Chamber of Commerce Ag Supporter of the Year award at the 2016 Kings County Salute to Ag Banquet.

Golden State Farm Credit has been dedicated to lending to farmers, ranchers, and agribusiness for ninety years, despite difficult economic climate. It is the largest financial service provider in California's Central Valley. Golden State Farm Credit is a strong supporter of the agriculture industry and has helped Central Valley Farmers purchase real estate, develop property, and expand dairy facilities.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in recognizing and congratulating Golden State Farm Credit for its service to Kings County and for receiving the Lemoore Chamber of Commerce Ag Supporter of the Year award at the 2016 Kings County Salute to Ag Banquet.

RECOGNIZING THE ACCOMPLISH-
MENTS OF CLARESSA SHIELDS

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Claressa Shields for her history-making accomplishments as an athlete and Olympian, and continued commitment to the State of Michigan and to my hometown of Flint, Michigan.

Introduced to boxing at a young age, Claressa has built an impressive career that boasts, among many victories in national and world championships, two successive gold medals from the 2012 Olympics in London and 2016 Olympics in Rio de Janeiro. This feat makes her the first American, male or female, to win back-to-back gold medals in Boxing. On August 23, 2016, upon her return from the Games of the XXXI Olympiad in Rio de Janeiro, Brazil, my home town of Flint welcomed home Claressa Shields in a celebration to spotlight her mark in history and inspiring story.

Through her victories, Claressa has breathed life into the dreams of young athletes and individuals in Michigan and across the nation. She is a remarkable woman who credits her success, her journey, to hard work and her faith. Her support system has been a small group of dedicated individuals ranging from the coaches whom have driven her to victory, to her grandmother who taught her that gender could not hold her back. Now, Claressa, who describes herself as "just a kid from Flint," is dedicating herself to supporting individuals, young and old, in Flint as they face the challenges of poverty, gun violence and the ongoing water crisis.

Therefore, Mr. Speaker, I submit Claressa Shields before the House as an example of not only a great athlete, but a great American. She represents the resilience of the American dream, and the strong, proud spirit of Flint, Michigan. I applaud Claressa for her dedication to her sport, and her dedication to our community. The change that she will effect has only begun.

TRIBUTE TO THE 2016 JOHNSTON
HIGH SCHOOL SOFTBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Johnston High School Softball team for winning the Iowa Girls State Class 5A Softball Tournament on July 21, 2016.

I would like to congratulate each member of the Team:

Players: Brooke Sandstoe, Chloe Fehn, Kylee Walker, Olivia Goodale, Emily Flint, Hannah Espeland, Sydney Illg, Emma Ford, Alisha Rusch, Haley Pemble, Taylor Canny, Alyssa Shepherd, Mercedes Worsfold, Brooke Wilmes, Sophie Maras, Haylee Towers, Bailey Sutton, Madison Thilges, Halle Van Roekel, Ally Schaefer, Ellie Roquet

Manager: Elise Murray

Coaches: Todd Merial, Destiny Willer, Abby Sonner, Laura Calvert, Leah Embrey

Mr. Speaker, the example set by these students and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating these young women for competing in this rigorous competition and wishing them all nothing but continued success.

CALIFORNIA WATER SUPPLY
SHORTAGE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. COSTA. Mr. Speaker, I would like to submit the following:

ABSOLUTELY NOTHING

(By Cannon Michael, Sept. 8, 2016)

California's water supply shortage is a microcosm of what's wrong in U.S. politics. The San Joaquin Valley in Central California is the most productive agricultural area in the world and is the envy of many countries that rely on imported food supplies because their climate or soil is not suitable to sustain farming. But California's water supply to this region has been critically curtailed by the government's inability to manage water resources.

That breakdown caused President Obama to visit the Central Valley in 2014 and sit down with farmers to hear about water supply problems. Several members of his administration, including the Secretary of Interior and recently the Secretary of Commerce, have personally visited the area and listened to local business and community leaders talk about their concern for the future of the region. Former Speaker John Boehner and numerous members of Congress, including Senate Energy Committee Chairwoman Lisa Murkowski, have toured the ravaged area and committed to work with their colleagues to assist Central Valley communities. Republican members of Congress, including Majority Leader Kevin McCarthy and Rep. David Valadao, as well as their Democratic colleagues, Sen. Dianne Feinstein and Rep. Jim Costa, have introduced legislation to try to fix the problem.

Remarkably, the highest leadership in the country has focused on the water supply problem and a bipartisan group of legislators has been working on legislative solutions. They all claim that the status quo is unacceptable. And what has happened?

Nothing.

Absolutely nothing.

This is why so many people are frustrated with politics as usual and are demanding that things change. We have an identified problem—a water delivery system that has been completely overrun and strangled by a regulatory process run amok. We have a water delivery system that was brilliantly designed and constructed decades ago to withstand five consecutive years of extreme drought, but when the state is blessed with rainfall and snowpack, as we were this year, the system still can't even provide water to communities. As a result, a key part of the U.S. food supply is in jeopardy and millions of Californians are seeing an important part of their state in decline.

Many people outside of California often ask why this is happening to such a productive area of the country? Unfortunately, there is no acceptable answer. The current policies restricting water deliveries are intended to protect endangered species, but those policies have failed miserably. Despite the massive redistribution of water from people, schools, communities and farms in a misguided attempt to save a fish, the fish populations have actually declined. After three very dry years, California had a wet winter in early 2016 but rather than using the water to re-supply reservoirs and communities, the government sent over 200 billion gallons of water into the ocean. The result? Dead fish, depleted reservoirs, and dying communities. Nobody wins.

This is not a recent problem; the water system has been failing for more than 20 years. Part of the problem is that progress on a solution is being held hostage by federal agencies that are serving narrow interests and creating legal issues that prohibit any progress toward achieving comprehensive solutions. The agencies' water management

policies might be defensible if the policies were working and providing some beneficial result. But farmland continues to die out, jobs have been lost, fish populations are at greater risk, land subsidence and other environmental consequences are continuing, and poverty rates are rising in the impacted communities. The result, agencies hide behind the law and the Administration and Congress have been unable to agree on a solution that will reverse this horrible decline.

To be fair, there are efforts from both sides of the aisle working to solve the problem. S. 1894 or S. 2533 (Feinstein) and HR 2898 (Valadao) are proposing to modify current policies and rein in federal agencies. These are not radical proposals, but are measured policy changes designed to improve all the outcomes—increased water supply for communities, better water management, and increased funding for environmental programs. This is what government is supposed to do—find solutions that are compatible with a variety of interests.

With the critical period for California water supply system to be replenished arriving in less than six months, Congress has very little time to act on legislation. For farmers and farmworkers, planning and financial decisions about crops and food production and hiring start long before planting season begins in February. There is no more time to waste.

Absolutely nothing is no longer acceptable. Congress needs to pass legislation that solves this decades-long problem. If they do not, absolutely nothing is what they should expect from us in return.

RECOGNIZING DORIS M. JACQUES AS SHE RECEIVES THE GOVERNOR GEORGE ROMNEY LIFETIME ACHIEVEMENT AWARD

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Doris M. Jacques of Saginaw for her unwavering commitment to serving her community.

The Michigan Community Service Commission will award Ms. Jacques the Governor George Romney Lifetime Achievement Award. The award honors an individual, usually a senior citizen, who has demonstrated a lifelong commitment to community involvement and volunteer service.

Ms. Jacques began her service career in the 1950s at St. Stephen's Church (now St. Dominic Parish) completing miscellaneous errands around the church, co-chaired the "First Nighter's" family entertainment series for 19 years, organized the first church library and served on the funeral luncheon ministry.

The more Ms. Jacques involved herself in service, the more friends she made, the more she accomplished and the more sense of purpose she experienced. This led her to volunteer with the Volunteer Auxiliary at St. Mary's of Michigan hospital in 1960, where she is currently the longest serving volunteer with well over 50,000 hours.

Ms. Jacques is a co-founder of the Hospital Gift Shop, frequented by hospital visitors, staff

and community members seeking gifts and sundries. In 1981 she co-founded Timeless Treasures Thrift Store, dedicated to providing low-cost household and clothing items for the needy. During her 55 year tenure at the hospital, Ms. Jacques' inspiring leadership has helped raise \$3.5 million through Auxiliary fundraisers, vendor sales, and sales proceeds from the Gift Shop and the Thrift Shop. These proceeds have been used by the hospital for major medical equipment purchases, two Cancer Care Vans and renovations.

Mr. Speaker, I applaud Doris M. Jacques for her magnanimity and unyielding commitment to philanthropy.

IN RECOGNITION OF MR. TONY WILLIAM DEGROOT

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. VALADAO. Mr. Speaker, I rise today to commend the late Tony William DeGroot for receiving the Lemoore Chamber of Commerce Lifetime Commitment to Kings County Agriculture Award.

Raised in Bennekom, Netherlands, Mr. DeGroot was the youngest of eleven children. During World War II, Mr. DeGroot's family was heavily involved in the Dutch Resistance, which led to his admiration of the bravery of the American soldiers and later his emigration to the United States at the age of twenty-one. On May 15, 1957, Mr. DeGroot and his wife, Betty, were married in Hollandale, Minnesota. They later moved to Southern California in 1959, and five years later they began their successful dairy farm operation in the Central Valley. In 1965, Mr. DeGroot became a founding member of the Visalia Christian Reformed Church where he worshiped, sang in the choir, and led song service. He was also a youth group leader and hosted Bible studies with his wife.

Having been a dairy farmer, Mr. DeGroot was significantly involved in the dairy community of the Central Valley for many years. He was passionate about involving future generations in the industry and supported participants in FFA and 4-H. He served on the board for Rabobank and Alltech, among others. Mr. DeGroot was also one of the developers of DG Bar Ranch, which he started for his wife.

In September of 2015, Mr. DeGroot passed at the age of eighty in a plane accident while on a fishing trip in Alaska, doing what he loved. He had a great sense for adventure, loved agriculture, and cared deeply for his family. He was a remarkable man who was hospitable to all who entered his life. Mr. DeGroot is survived by his loving wife, Betty, daughter, Rochelle, son, Tony, and grandson Jason.

Mr. DeGroot was unanimously selected by the Kings County Agriculture Selection Committee as the honoree for this award due to his important contributions to the agriculture industry in the Central Valley.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending the late Tony William

DeGroot for receiving the Lemoore Chamber of Commerce Lifetime Commitment to Kings County Agriculture Award.

IN RECOGNITION OF THE 80TH ANNIVERSARY OF SCHUYLKILL UNITED WAY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Schuylkill United Way, which celebrates its 80th anniversary today, September 9, 2016. The Schuylkill United Way is dedicated to providing funding, guidance, and encouragement to partner organizations that provide a variety of programs and services to the residents of Schuylkill County. The Schuylkill United Way supports fifteen organizations and has provided invaluable assistance to the Schuylkill County community over the last 80 years.

The organization was founded in 1936 to help local groups that offered human services at little or no cost. Originally known as the Community Chest, the organization became an independent member of United Way Worldwide in 1976 and changed its name to Schuylkill United Way.

Today, Schuylkill United Way partners with entities such as American Red Cross, Big Brothers Big Sisters, Salvation Army, Boy Scouts of America, Girl Scouts in the Heart of Pennsylvania and Meals on Wheels. Partnering efforts and contributions come from local businesses and individuals alike, and ninety-nine percent of the assistance marshalled stays within Schuylkill County. Schuylkill United Way organizes events like Stuff the Bus, which provides school supplies to children in need, and the Captain Jason B. Jones Day of Caring, where volunteers donate their time working at nonprofit and government locations.

It is an honor to recognize the Schuylkill United Way as it celebrates 80 years of helping others. I am deeply grateful for the many services they provide to the people of Schuylkill County. May they continue their great work for welfare of their neighbors for many years to come.

TRIBUTE TO PATRICIA YOUNG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Patricia Young of Jamaica, Iowa for receiving the Lifetime Achievement Award from the National Alliance of State and Territorial AIDS Directors (NASTAD).

Ms. Young manages the Iowa HIV and Hepatitis Prevention Program. She earned the award because of her passion, leadership and dedication in working to improve the lives of people living with HIV and hepatitis as well as

her tireless service and devotion to NASTAD. She has engaged in HIV prevention and care for nearly three decades and has held many roles in the Iowa Department of Health including prevention, care and community planning.

Mr. Speaker, it's an honor to represent Iowans like Patricia Young in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating her on receiving this award and in wishing her nothing but continued success.

RECOGNIZING DOCTOR SAMUEL SHAHEEN AND THE SHAHEEN FAMILY AS THEY RECEIVE THE COMMUNITY PHILANTHROPY AWARD

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Dr. Samuel J. Shaheen and his family for their unwavering commitment to the betterment of their local community. The Shaheen family was selected as the 2016 recipient for the Community Philanthropy Award presented by the Council of Michigan Foundations, the Michigan Nonprofit Association and the Governor's office.

The members of the family honored as recipients include Dr. Samuel Shaheen and his wife, Holly, brother and sister-in-law, Peter and Kari Shaheen, sister and brother-in-law, Sabrina and Kevin Cronin, and parents Patricia and the late Dr. Samuel "Doc" Shaheen.

As the Member of Congress representing the Fifth District of Michigan, I am honored to have constituents like Dr. Samuel J. Shaheen and his family. Much can be said of the many charitable accomplishments of this wonderful family. The Temple Theatre, the Saginaw Bay Symphony Orchestra, the Mid-Michigan Children's Museum and the Saginaw Art Museum have all benefitted so much as a result of Dr. Shaheen's personal contributions of time, effort, fundraising and selfless giving.

Through his efforts with the Saginaw County Chamber of Commerce and Saginaw Future, Sam has also worked diligently for the economic betterment of the local community—developing both a thriving surgical practice and building a dynamic real estate development company. These results have provided community leaders with inspiration, hope and an unprecedented level of optimism.

Dr. Samuel J. Shaheen and his family are people of tremendous substance and accomplishment. Sam has vision and makes things happen through an unwavering commitment to achieving results for his community. The charitable impact he has made is immeasurable.

Mr. Speaker, I applaud Dr. Samuel J. Shaheen and his family for their strong leadership and unyielding commitment to philanthropy.

CONGRATULATING JEFF KESTER ON WINNING THE R. LAYNE MORRILL AWARD

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Jeff Kester, current board president of the Greater Springfield Board of REALTORS, on being presented the R. Layne Morrill Award by the Member Boards and Associations of the Missouri REALTORS.

The R. Layne Morrill Award aims to recognize one person who has made it their goal, through political involvement, to advance REALTORS in Missouri's legislative agenda.

Jeff Kester has spent 21 years as an advocate for Missouri REALTORS.

I am honored to recognize Jeff Kester, and I congratulate him on receiving the 2016 R. Layne Morrill Award.

FRANCESC DE PAULA SOLER

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to once again pay tribute to Francesc de Paula Soler, a gifted and world-renowned musician.

Mr. Soler grew up in Spain and comes from a Catalan family of well-known artists. He began studying the guitar at the age of six and was completely immersed in it by age 11, earning the highest honors in the prestigious Conservatorio Superior de Musica in Barcelona, Spain. Mr. Soler received rigorous training from legendary guitarists Andres Segovia, known as the "Father of Classical Guitar," and Narciso Yepes.

Mr. Soler has become a legend in his own right due to his unique skills in conveying emotions through the strings of his guitar. Mr. Soler has performed in music halls and auditoriums throughout the United States and Europe for audiences of all ages and backgrounds. Some of the venues include the Library of Congress, the Levine School of Music and the Acheson Auditorium at the United States Department of State.

Commonly known as the "Poet of the Guitar," Mr. Soler has received numerous awards and recognitions, including: Medal of St. Vladimir of the Russian Orthodox Church, Honorary Citizen of Dallas, Honorary Citizen of Corpus Christi, Golden Key of the Corpus Christi City, Medal of the U.S. Military Academy and the Plaque of the Catalan Catholic Church Council.

In commemoration of Hispanic Heritage Month and the positive contributions of Hispanic-Americans throughout our nation's history, Mr. Soler will once again grace the Library of Congress with his music. I encourage all of my colleagues to attend Mr. Soler's concert on September 16, 2016 as we commemorate the 400th Anniversary of the death of Miguel de Cervantes Saavedra, author of the

most influential work of literature in the Spanish language—Don Quijote de la Mancha.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Francesc de Paula Soler for his contributions to the world of music.

IN RECOGNITION OF MR. GARY
ESAJIAN

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. VALADAO. Mr. Speaker, I rise today to commend Mr. Gary Esajian on being honored as the Lemoore Chamber of Commerce 2016 Agriculturalist of the Year.

Mr. Gary Esajian's family has lived in the Central Valley since the 1920s, and as a third generation Kings County farmer, he has greatly contributed to the community throughout his life. Mr. Esajian has shown dedication to his hometown of Lemoore and the Central Valley for decades through both his community work and success as a farmer. As a farmer, Mr. Esajian grows many different crops including almonds, pistachios, garlic, tomatoes, wine grapes, walnuts, and onions.

Mr. Esajian has further shown his service to the community by serving as the Westlands Water District Board of Directors for fourteen years, as a Board member of the San Joaquin Valley Cotton Board, and as the Director of a Suncrest Bank in Visalia. In regards to California's current drought issue, Mr. Esajian conducted a study on water in California, specifically the impacts to Kings and Fresno Counties, which has benefited his peers greatly.

Known for being unassuming and humble, upon receiving his award Mr. Esajian credited his family's long agricultural history and not his own success. He is also known for being a hardworking and organized man, who successfully achieves whatever he puts his mind to.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Gary Esajian on his dedicated service to the Central Valley and on being honored as the Lemoore Chamber of Commerce 2016 Agriculturalist of the Year.

TRIBUTE TO KIM AVEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kim Avey for being honored in her community as the 2016 Good Egg Days Citizen of the Year.

Ms. Avey is a great volunteer throughout the community, helping at Scoop the Loop and the local skating rink. She also works as a rural mail delivery person, well-known to go out of her way to make sure her route patrons get their mail in the best shape and in a timely manner.

Mr. Speaker, it is an honor to represent Kim Avey in the United States Congress. I ask that

my colleagues in the United States House of Representatives join me in congratulating her on receiving this award and in wishing her nothing but continued success.

PERSONAL EXPLANATION

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. WALBERG. Mr. Speaker, on Thursday, September 8, 2016, I was unavoidably detained and missed a roll call vote. Had I been present, I would have voted: "aye" on roll call vote No. 491.

IN RECOGNITION OF OTIS
REDDING, JR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize a brilliant artist, homegrown legend, and loving father, the Late Great Otis Redding, Jr. In recognition of Otis Redding's contribution to music that touched souls across the world, the Redding Foundation will be celebrating what would be his 75th birthday the weekend of September 9 through September 11, 2016 in Macon, Georgia.

Otis Redding was born in Dawson, Georgia on September 9, 1941. At a young age, he and his family moved to Macon, where he began singing at Vineville Baptist Church. Embracing his budding musicianship, he joined the school band at Ballard-Hudson High School and competed in the Douglass Theatre talent show. After winning the talent show fifteen consecutive times, he was no longer allowed to compete. However, this certainly did not discourage him from embarking on his path to becoming the King of Soul.

In 1958, Otis Redding officially began his professional music career when he joined Johnny Jenkins and the Pinetoppers. After the group finished recording with Booker T. and the MGs, Mr. Redding wanted to use the last few minutes at the end of the session to sing for everyone. As he started to sing what would become his first hit single of 17 hit singles in a row, "These Arms of Mine," everyone in the studio became captivated by his voice. Jim Stewart, then co-owner of Stax Records, came running into the studio and began yelling, "That's it! That's it! Where is everybody? We gotta get this on tape!"

A man with his own voice and a unique sound, Otis Redding's short but spectacular music career led to his releasing hit single after hit single, including "I've Been Loving You Too Long," "Respect," and "Try A Little Tenderness." On his journey to becoming the King of Soul, he performed across the country and the world with shows in the United States, Canada, Europe, and the Caribbean. In 1965, his business acumen allowed him to create his own label: Jotis Records. His concerts were box office smashes, some of the biggest of any performer during his time.

In 1966, Otis Redding received the NAACP Lifetime Membership Award. The National Academy of Recording Arts & Sciences (NARAS) nominated him for awards in three categories for his recordings from 1967. He also accrued countless other honors and recognition for his music after his passing in December 1967, most notably of which are two 1969 Grammys for Best R&B Vocal Performance and Best Rhythm & Blues Song for his number one hit single, "(Sittin' On) The Dock of the Bay;" the 1999 Grammy Lifetime Achievement Award; and his 1998, 2011, and 2015 Grammy Hall of Fame Inductions.

Otis Redding was much more than his beautiful voice. Above all else, he was a family man. He married his wife, Zelma, in August of 1961 and together, they raised three wonderful children: Dexter, Karla, and Otis Redding, III. Mrs. Redding also adopted Demetria after Mr. Redding's passing. There was a special place in Otis Redding's heart and soul reserved only for his family. He worked tirelessly to provide for them. His ambition, drive, and sacrifices paid off when he was able to move his family to "The Big O Ranch" in 1965, a 300-acre property in Round Oak, Georgia.

Reflected in the mission of the Otis Redding Foundation, which was established in 2007 by Mrs. Zelma Redding in her late husband's honor, Otis Redding was dedicated to improving the quality of life for his community through education and empowerment. Those who knew Otis Redding personally speak fondly of him and his closest friends described him as a wonderful person to be around, and always 100 percent full of energy. They remember him being big in every way: physically, in his talent, in wisdom about other people, and in his love for his family and community.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in recognizing Otis Redding, Jr. for his remarkable accomplishments as a pioneering and world-renowned musician. His timeless talent and everlasting legacy live on in the hearts of those who loved him and will continue to be remembered by generations to come.

TRIBUTE TO NANCY AND WALTER
COZIAHR

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Nancy and Walter Coziahr of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married June 8, 1956 in Council Bluffs.

Nancy and Walter's lifelong commitment to each other and their children, Mary, David, Tom, and Jane, as well as their eight grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories and for continued hope for the future.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them

many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING GEORGE ALTAMURA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor George Altamura, who is being recognized for his support of young Latino leaders at the 33rd Annual Napa County Hispanic Network Scholarship Gala.

Mr. Altamura was born in Buffalo, New York, and fulfilled a long-held dream when he moved to California in 1949 following his high school graduation. After settling in Napa County, Mr. Altamura worked as a carpenter's apprentice before he eventually earned his contractor's license. Only three years after moving to Napa County, Mr. Altamura started his own company, Altamura Enterprises and embarked on a successful career purchasing and developing property.

Just as impressive as Mr. Altamura's professional successes is his dedication to giving back to our community. Together with his wife Jackie, Mr. Altamura has been an incredible supporter of our Latino community and has sponsored multiple scholarships through the Hispanic Network each year for more than two decades. Many of the young leaders the Altamuras' have supported now live and work throughout Napa County, ensuring that the Altamuras' legacy of civic engagement and community service will be carried on for generations to come.

Mr. Altamura is the founder and president of Hands Across the Valley and the Napa Sheriff's Youth Activity, both of which aim to help those in need, and young people in particular, throughout our community. Furthermore, Mr. Altamura has supported the important work of organizations like Queen of the Valley Hospital, Uptown Theater Napa, and Meals on Wheels.

Mr. Speaker, George Altamura has not only achieved his own American dream, but he has worked hard to ensure that young people throughout our community will have a fair shot at achieving theirs, too. It is therefore fitting and proper that we honor him here today.

75TH ANNIVERSARY OF THE DEPARTMENT OF THE NAVY OFFICE OF THE GENERAL COUNSEL

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. FORBES. Mr. Speaker, today I ask my colleagues in the House to join me in honoring the Department of the Navy Office of the General Counsel as it celebrates 75 years of providing timely, effective, and candid legal advice and counsel to the Navy and Marine Corps.

The origins of DON OGC can be traced back to 1862, when the first civilian attorney was appointed to serve as Solicitor of the Navy. However, it was not until September 10, 1941, when James Forrestal, then Under Secretary of the Navy, recruited attorneys from private practice and formally established DON OGC's predecessor organization, the Procurement Legal Division, to consistently address the numerous legal issues surrounding the rapid increase in volume and complexity of ship and aircraft acquisition during World War II mobilization efforts.

Over the last three quarters of a century, what began as a small cadre of civilian attorneys has evolved into an elite government law firm composed of civilian and military attorneys, and professional support staff, located in 140 offices worldwide. In addition, DON OGC has expanded its practice areas beyond business and commercial law to include acquisition integrity, federal employment/labor law, environmental law, fiscal law, intellectual property law, real estate law, ethics and standards of conduct, energy law, Freedom of Information Act/Privacy Act, intelligence law, cyber security law, arms control law, legislation, and litigation, to ensure its attorneys possess the expertise needed to support the multifaceted mission of the warfighter.

Mr. Speaker, I congratulate DON OGC on 75 years of dedicated service to our Sailors and Marines across the globe, and wish DON OGC continued success in expertly navigating the legal challenges confronting the Navy and the Marine Corps and significantly contributing to the national defense.

TRIBUTE TO LOIS AND DAVID AISTROPE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lois and David Aistrope of Randolph, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on June 10, 2016.

Lois and David's lifelong commitment to each other and their children, Duane, Doug, and Dalene, seven grandchildren, and four great-grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

COMMEMORATING THE 150TH ANNIVERSARY OF MOUNT ZION BAPTIST CHURCH

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. BUTTERFIELD. Mr. Speaker, I rise today on behalf of the Congressional Black Caucus of the 114th Congress to commemorate the sesquicentennial anniversary of Mount Zion Baptist Church, located in Arlington, Virginia.

Mr. Speaker, Mount Zion Baptist Church has been blessed to serve as the spiritual home and faith community for thousands of people over the last 150 years. Founded in 1866, a year after the U.S. Congress passed the 13th Amendment to abolish slavery; Mount Zion Baptist Church was organized under the leadership of Reverend Joseph Matthews.

In 1914, Reverend James E. Green was elected pastor after many years of service. The Church relocated twice during Reverend Green's pastorate with property being purchased at 19th and Lowell Streets in 1944. In 1956, Doctor Oswald G. Smith had the vision to establish a Deacon's Fund to assist the community in meeting emergency costs for medicine, shelter, and other necessities.

Finally, in March 1992, Bishop Leonard N. Smith was installed as Mount Zion's ninth senior minister. Today, under Bishop Smith's leadership, the Church remains a place of worship and fellowship for its community and surrounding communities.

With a mission focused on preserving the precepts of its rich heritage, Mount Zion continues to experience blessings in ways that were once thought to be unimaginable. Recent accomplishments of Mount Zion include significant growth in membership, rededication of a refurbished and modernized facility in 2012, purchase of 22 acres of land in Woodbridge, VA in order to further the mission, and wide community outreach that spans from radio to social media. I am confident that Mount Zion will continue to serve its congregants and community for generations to come.

By the grace of God, Mount Zion Baptist Church has survived the test of time and is still going strong today. While the frame of Mount Zion has undergone many renovations, its faith remains the same—firmly rooted in Christ.

Mr. Speaker, I celebrate the rich history and accomplishments of Mount Zion Baptist Church in Arlington, Virginia. I ask that my colleagues join me in congratulating Bishop Smith, the congregation, and the residents of Arlington on this truly momentous occasion.

RECOGNIZING THE EXTRAORDINARY AUGUSTO BORDELOIS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Ms. KAPTUR. Mr. Speaker, I rise today to recognize Augusto Bordelois, an internationally acclaimed artist who is opening a new art

studio, Augusto Fine Art, in Berea, Ohio, this week.

Augusto has a deep connection to Berea, as the city has been his home since 1999. Augusto Fine Art studio will establish a dedicated art space for the entire community, building Berea, brick by brick, in the same way Augusto creates his own artwork.

At the new location Augusto will be teaching jointly with watercolorist Nancy Notarianni, who will also have a gallery in the Berea studio. His vision is to create a centralized space that will foster community and collaboration among local Cleveland-area artists who wish to teach or display their work, and by Cleveland-area residents who wish to connect with their artistic, creative side.

Augusto, who emigrated from Cuba as a young man, describes his painting style as 'magic realism' that has been largely influenced by the Renaissance, as is typical for prominent and gifted artists from Latin America and the Caribbean. He graduated from the University of Havana in Cuba, and has an inestimable and broad knowledge base that he is more than willing to share with others.

Augusto is a natural and enthusiastic leader and an active member of the arts community in Northern Ohio, where he is a teaching artist and member of the Center for Arts-Inspired Learning, the Ohio Arts Council, and most recently The Art House. He has been awarded 'Best in Show' and an Ohio Arts Council Special award at the Ohio State Fair Fine Arts exhibition.

Through his leadership in judging Ohio's 9th Congressional District's annual Art Caucus competition for promising high school artists, I have been fortunate to witness firsthand his influence across Northern Ohio, and his passion for helping others reach their full potential. I greatly appreciate his efforts to continue fostering and promoting a growing art community. Augusto's passion has inspired resurgence in community art and, through the new Augusto Fine Art Studio, a dedication to increased access to community art spaces.

Northern Ohio should have a minimum of 1,000 art studios across our lush region, which has a natural beauty and rich culture, and Augusto is a leader in reaching that goal.

The arts have long been celebrated throughout northern Ohio, with each region hosting multiple arts festivals, in addition to the many small, locally owned shops that populate the region. From the Black Swamp Arts Festival in Bowling Green to the FireFish Arts Festival in Lorain, there are many opportunities to be immersed in the local northern Ohio art scene.

I greatly admire Augusto Bordelois and celebrate his vision and legacy in northern Ohio. His unwavering dedication to teaching and promoting the arts has made a lasting mark.

Please join me to congratulate and celebrate Augusto Bordelois on this exciting next phase.

COMMENDING THE NORTH CAROLINA JUSTICE CENTER'S 2016 CHAMPIONS OF JUSTICE

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize five individuals from my home state of North Carolina who are being honored as Champions of Justice by the North Carolina Justice Center: Former North Carolina Governor Jim Hunt, President of the NC State AFL-CIO James Andrews, North Carolina State Representative Henry "Mickey" Michaux Jr., former University of North Carolina System President Tom Ross, and former North Carolina State Senator Leslie Winner. I also applaud Former Chief Justice I. Beverly Lake, Jr. on being presented with the Center's Executive Director Award for Service.

Mr. Speaker, these individuals will be honored by the North Carolina Justice Center at its 20th Annual Champion of Justice Gala on September 10, 2016 in Raleigh, North Carolina. Since its founding in 1996, the North Carolina Justice Center has been a leader in progressive research and advocacy for economic and social justice in North Carolina. The Center focuses on issues of concern to low- and middle-income North Carolinians by ensuring access to resources, services, and fair treatment for all.

Former North Carolina Governor Jim Hunt is a native of my hometown, Wilson, North Carolina. He will be presented with the Champion of Justice Award for his work on behalf of North Carolina's students, families, and communities in the areas of education and equal rights during his record four terms as governor.

Mr. James Andrews is the current President of the North Carolina state AFL-CIO, and the first full-time elected African-American state federation president in the country's history. A Vietnam Veteran and recipient of the Purple Heart, Mr. Andrews has been a lifelong and passionate activist for civil rights and social justice in North Carolina and has also served on the AFL-CIO's Executive Council.

The Honorable Henry "Mickey" Michaux, Jr. is the longest-serving member of the North Carolina General Assembly. A lifelong resident of Durham, North Carolina, Representative Michaux has dedicated his life and career to voting rights advocacy in North Carolina. He is a founding member and was the first chairman of the North Carolina Black Leadership Caucus.

Mr. Thomas W. Ross, Sr. is the former president of the 17-campus University of North Carolina System. Prior to becoming President of the UNC System, Mr. Ross had a long career in education, where he served as President of Davidson College, executive director of the Z. Smith Reynolds Foundation, and as a Superior Court judge.

Ms. Leslie Winner is a three-term State Senator and a former Senate majority whip. She currently serves as the executive director of the Winston-Salem based Z. Smith Reynolds Foundation, where she has led the foundation's statewide influence in civic, edu-

cational, and philanthropic initiatives through grants to small nonprofits, and by supporting the creation of BEST NC, a group of business leaders who present elected officials with a business rationale and recommendations for supporting public education.

The Honorable I. Beverly Lake, Jr. is a former Chief Justice on the North Carolina Supreme Court and the driving force behind North Carolina's nationally recognized Actual Innocence Commission. He has devoted his career to public service. He will be presented with the Executive Director Award for Service to North Carolina for his work on criminal justice reform.

Mr. Speaker, I ask that my colleagues join me in recognizing these outstanding North Carolinians, who have selflessly sought justice and equality for their fellow citizens.

TRIBUTE TO ESTEL AND MARVA LEA SHARON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Estel and Marva Lea Sharon on the very special occasion of their 60th wedding anniversary.

Estel and Marva Lea were married on June 17, 1956 and make their home in Guthrie Center, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PAYING TRIBUTE TO THE VICTIMS OF THE 9/11 TERRORIST ATTACK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. RANGEL. Mr. Speaker, I rise today in remembrance of those who lost their lives in terrorist attacks that occurred fifteen years ago on September 11, 2001. I was blocks away from the World Trade Center on that morning and will never forget the horror we faced in New York City. Nearly 3,000 people lost their lives in a senseless act of hatred. As we reflect on that terrible tragedy, we are reminded of the resiliency of the people of New York and our Country as a whole.

Today, we honor their memories and thank our brave first responders who selflessly rushed forward to save as many people as they could. While we can never fully express our gratitude for the sacrifices of the many police, fire and emergency personnel, we can come together as Americans and provide

those heroes with the continued respect and care they deserve. The actions of the first responders are a testament to the power of working with one another.

Although these attacks left us shaken, they did not destroy us. We were able to rebound and grow stronger. We put aside our differences and rose together as one nation. On that day, we were not concerned with past disagreements or misunderstandings or partisan politics. This year, on September 11, let us not only remember those we lost with moments of silence and memorial ceremonies. Let us also commemorate them by once again setting aside our differences and becoming united as Americans.

IN HONOR OF REPRESENTATIVE
ED JUTILA UPON HIS RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. COURTNEY. Mr. Speaker, I rise today to thank an outstanding public servant for his many years of service to my home state of Connecticut. Mr. Ed Jutila has served as State Representative for the 37th District of Connecticut since 2005, where he earned a reputation of pragmatism and commitment to the residents of East Lyme and Salem. When he retires from public service at the end of this term, he will wrap up a robust and multifaceted career serving his community. Ed served on the local Democratic Town Committee, the East Lyme Board of Selectmen, Charter Revision Commission, and as Deputy Town Meeting Moderator. His lifetime of service began at age 15 when he joined the junior firefighters.

In the State House, Ed currently serves as the Chairman of the Government Administration and Elections Committee as well as a member of the Transportation Committee. He also served as vice chairman of the General Law Committee and Public Safety and Security Committee and as assistant majority leader and deputy majority whip. His constituents know him as a friendly, warm and completely dedicated stalwart in the community. In his capacity on the Transportation Committee, he successfully advocated for expansion of the Shoreline East rail line to New London. Ed and I worked together towards gaining federal recognition of the Eightmile River as a Wild and Scenic watershed, an example of his commitment to protecting Eastern Connecticut's natural beauty and precious resources.

Although his time as an elected official will end at the conclusion of this term, I suspect that his involvement in Salem and East Lyme will not come to an end. For someone like Ed, community engagement is a way of life. I ask my colleagues to join me in thanking Ed for

his decades of service, and wish him well in life after public service.

TRIBUTE TO PHYLLIS AND
HAROLD SCHOLL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Phyllis and Harold Scholl of Adair, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on June 10, 1956.

Phyllis and Harold's lifelong commitment to their six daughters, 13 grandchildren and one great-grandchild truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

CELEBRATING NANCY MAST'S DISTINGUISHED WORK IN SERVICE TO THE UNITED STATES MILITARY

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Nancy Mast for her outstanding leadership of The HUGS Project of Elkhart County.

Having always been the type of individual to serve others, Nancy diligently searched for an organization that would benefit from her talents as a seamstress. After scouring the internet, she came across a worthy cause known as The HUGS Project, which delivers cooling neckties (nicknamed "hugs") to American troops in the Middle East. In 2006, Nancy launched The HUGS Project of Elkhart County and made it her mission to help grow and steer this organization in the right direction. What began as a handful of volunteers in a basement is now a bustling organization with 50 volunteers that continues to grow to this very day.

In Nancy's capacity with The HUGS Project, she has overseen the shipping of approximately 100,000 hugs and 50,000 pounds of "care" items, which include at least one handwritten note per box, to our troops. Her lasting commitment to such a worthy cause is a shin-

ing example of devotion and selflessness in our very own Hoosier community. She had a dream of doing "something" for our troops that sacrifice so much for each of us every day—she has truly made that dream a reality.

On behalf of Hoosiers in the Second Congressional District and as a member of the House Armed Services Committee, I would like to personally thank Nancy for the significant contributions she has made to the wellbeing of the U.S. military. Her dedication to selflessly serving those who protect America means so much to me and all the military families across the world. In addition, I would like to extend my applause to every member of The HUGS Project. It is my hope that their organization continues to flourish with each passing year.

PERSONAL EXPLANATION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. LANGEVIN. Mr. Speaker, I want to state that on July 13, 2016, during House Roll Call number 444, I incorrectly voted "aye" when I had intended to vote "nay."

I strongly support the administration's implementation of the Well Control Rule, which was developed in the wake of the disastrous Deepwater Horizon oil spill in the Gulf of Mexico. I would also like to state that I continue to advocate for adequate protection of our offshore natural resources and the conservation of our marine environment.

11 SEPTEMBER 2001—AMERICA
REMAINS FEARLESS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. POE of Texas. Mr. Speaker, September 9/11. I was driving my Jeep to the courthouse where I was a judge. On radio station KILT, Willie Nelson was singing "Blue Eyes Crying in the Rain." Suddenly, local radio newscaster Robert B. McEntire interrupted.

An airplane had crashed into the north tower of the World Trade Center. Minutes later a second airplane crashed into the south tower of the World Trade Center in New York City. After I got to the courthouse we learned the Pentagon was hit.

A fourth flight was headed towards D.C. But good folks on the flight took down the airplane. They gave their lives so that others could live. Our Nation was under attack.

The cold blooded, calculated massacre was done by 19 radical Islamic jihadists who murdered in the name of religion. America stood hand in hand that day. United.

First Responders rushed to the scene, pulling people from the rubble. They were peace officers, firefighters, paramedics and everyday folks. Many of them died that day. Today we remember them all. The ones who were murdered, and the ones who gave their lives rescuing the victims. Mr. Speaker, America survived that day. And America remains fearless on every front.

And that is just the way it is.

TRIBUTE TO DONNA AND VAN
LOBENDO

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Donna and Van Lobendo of Council Bluffs, Iowa, on the very special occasion of their 70th wedding anniversary. They were married on June 8, 1946 in Glenwood, Iowa. They were the

owners of the Council Bluffs Hatchery and Donna's Beauty Salon.

Donna and Van's lifelong commitment to each other, their children, Stanley and Dani, six grandchildren, 13 great-grandchildren, and one great-great-grandchild, truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories and for continued hope for the future.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

SENATE—Monday, September 12, 2016

The Senate met at 3 p.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Ruler of all nations, show our lawmakers clearly what their duty is and strengthen them to be faithful in doing it. May they do even the small duties in a way that will glorify You, transforming common tasks into acts of worship. May they fear only to be disloyal to the highest and best they know, never betraying those who trust them. Help them to meet today's joys with gratitude, its difficulties with fortitude, and its duties with fidelity. Bring them to this evening unashamed and with peaceful hearts.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. LANKFORD thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 5325.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 516, H.R. 5325, an act making appropriations for the Legislative Branch for fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Mike Rounds, Marco Rubio, Cory Gardner, Pat Roberts, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines, Daniel Coats, John Thune, Thad Cochran, Susan M. Collins.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING RESOLUTION

Mr. MCCONNELL. Mr. President, Members on both sides have been working toward an agreement to responsibly fund the government. We have made a lot of important progress already. I expect to move forward this week on a continuing resolution through December 9 at last year's enacted levels that includes funds for Zika control and our veterans. Talks are continuing and leaders from both parties will meet later this afternoon at the White House to discuss the progress and the path forward.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

CONTINUING RESOLUTION

Mr. REID. Mr. President, my staff has been working diligently to work with the majority to come up with a way to go forward on spending. We especially need to take care of that, but

we also need to address Zika funding. I am not going to lay down any markers here today because we are still trying to work something out, but I do want to say this. Republicans need to get away from their vendetta against Planned Parenthood. We are not going to play any funny games and try to find the money someplace else. Planned Parenthood should not be part of Zika funding.

More than 2 million women received care at Planned Parenthood clinics around the country last year. They didn't go there for abortions. They went there because they needed help with their health care. The women needed that, and they still need it. They need it more than ever now with this scourge that is sweeping our country, which is Zika. I just want to make sure that everyone understands that we are not going to play any games with Planned Parenthood. It is through. Do your vendetta someplace else because it will not be on the Zika funding.

KOCH BROTHERS

Mr. President, Webster's dictionary defines an oligarchy as "a government in which a small group exercises control for corrupt and selfish purposes." I will state that again: "a government in which a small group exercises control for corrupt and selfish purposes." By that definition, it appears that our government is moving ever closer to an oligarchy just like Putin's Russia.

For the last 8 years, Charles and David Koch and their inner circle of billionaires have wielded immense power within our democracy. Indeed, it is no exaggeration to say that the Republican Congress is bought and paid for by the Koch brothers. These two brothers, who are worth \$100 billion, are going to spend any amount necessary to ensure that their interests are represented in city halls, statehouses, and even the very Capitol.

Last year, at one of their secret planning meetings, the Kochs and their cronies vowed to spend unlimited monies to exert influence in this year's elections. I have been disappointed that this Republican Senate has done nothing to stop the Koch's crooked oligarchy agenda. Campaign finance reform is a nasty word to Senate Republicans.

The Senate has a history of standing up to the corrupt interests of tycoons like the Kochs. The Sherman Antitrust Act was written by the Judiciary Committee against the wishes of the Carnegie family, the Carnegie monopoly, the Vanderbilt family, the Vanderbilt monopoly, the Rockefeller family, and the Rockefeller monopoly. When the system is broken, we have a responsibility to try to fix it. Our system of

government is being attacked by the Koch oligarchy money, but Republicans have done nothing to oppose this march toward an oligarchy.

This Republican Senate has showed no spine—zero—in confronting the Kochs, who are trying to buy America. In fact, the evidence suggests that they are more than content to go along with the billionaire brothers from Kansas.

The Republican leader's voting record is a perfect example. Between 2009 and 2015, the senior Senator from Kentucky has voted in lockstep with the Koch brothers at least 178 times. Think about that—178 times in 7 years.

The senior Senator from Kentucky is not the only Republican with a documented history of siding with the Kochs. The junior Senator from Florida has voted with the Kochs 92 percent of the time. The senior Senator from Oklahoma has voted with the Kochs 85 percent of the time. The junior Senator from Pennsylvania has voted with the Kochs 84 percent of the time. The assistant Republican leader has voted with the Kochs 82 percent of the time. There are many others in the Republican caucus who I could refer to, but I think the foregoing gives us all an idea of this unprecedented hold on Senate Republicans by the Koch brothers.

Let's look at another example. We all remember—and we should if we don't—what happened earlier this year when the junior Senator from Kansas, Mr. MORAN, had the audacity to admit and suggest that Merrick Garland's nomination to the Supreme Court deserved consideration. He didn't say he was going to vote for him. He simply said he deserved consideration.

What happened after that? Senator MORAN may be the Kochs' biggest and most outspoken supporter in the Senate. He has proven that time and again. He has defended his home State billionaires here on the Senate floor multiple times, but even the loyalty he showed could not spare him from the Kochs' wrath. The Koch brothers rallied their massive political machine against their home State Senator, Mr. MORAN. One of their groups, the Judicial Crisis Network, threatened to launch an ad campaign against Senator MORAN.

What happened? Senator MORAN performed a breathtaking about-face in about 10 minutes, and he has since refused to support a hearing or a vote for Merrick Garland. Whether it is the nomination for the Supreme Court, the Keystone Pipeline, or the Export-Import Bank, Senate Republicans always seem to take the Koch brothers' side, and the Kochs' interest is always based on the profit motive—their profit.

Since Republicans took control of the Senate, they have done nothing for the middle class, nothing to increase the minimum wage or to help to ease the burden of student debt—nothing. But the Republican leader has scheduled multiple votes on Keystone and

has tried to roll back EPA greenhouse gas emissions often.

How long will it take Republicans to deny climate change? Climate change is real, and it is here. A week ago yesterday, the New York Times had an unprecedented article giving specific examples of what is happening now—not in the future but now—with climate change, but Senate Republicans, because of the Kochs, continue to close their eyes to the reality that the water levels are rising, putting neighborhoods, whole cities, bridges, and military installations under water. There are the islands off our coasts that have causeways that go to them. You can't go many weeks of the year because they are now swamped with water.

It is clear who this Republican Senate is trying to help, and it is certainly not working American families. But Charles and David Koch are not satisfied. They want to expand their budding oligarchy until it consumes our American democracy. The Kochs don't even mask their intention. Their own publicist explained that the Koch brothers are trying to buy a new government. Here is what he said: "It is because we can make more profit, OK?" That is a direct quote. In order to add a few more billion dollars to their bottom line, the Kochs are dumping piles of money in Senate races across the country. They are trying to tighten their grip on the Chamber by electing more stooges.

The Kochs and their dark-money empire are flooding the airwaves with misleading and false advertisements. The ads from the Koch brothers are not always easy to identify. The groups that sponsor them have names that sound harmless enough. Turn on your TV or open your mailbox, and you will see a quick disclaimer in tiny print that says who paid for it. It says things like: "Sponsored by Concerned Veterans of America," "Sponsored by Freedom Partners," "Paid for by the LIBRE Initiative," or "Paid for by Americans for Prosperity." They are afraid to tell us how much money they get from the Koch brothers. Take, for example, the U.S. Chamber of Commerce. No one knows and they won't tell us. It has been suggested that 80 percent of their money comes from the Koch brothers. I don't know if that is right, but I do know that they are doing a lot of spending against the interests of Democrats. As to this disclaimer, such as being paid for by Americans for Prosperity, the LIBRE Initiative, Freedom Partners, or Concerned Veterans of America, it would be accurate to simply say: Paid for by the billionaires, the Koch brothers.

Take a look at Nevada, where the Koch brothers are spending millions of dollars through their shadow organizations so they can tip the scales for their anointed Senate candidate, JOE HECK. He is their puppet. Who is he

going to side with on issues that are important to Nevada? The out-of-State billionaire barons who spent millions in buying his election or Nevadans? We already know the answer to that question. JOE HECK's voting record in the House of Representatives says it all. He voted with the Koch brothers 90 percent of the time—in the last year, 90 percent, and in the past, just about the same. So it is 90 percent of the time.

I will give one example from earlier this year. House Republicans had a bill called the Preventing IRS Abuse and Protecting Free Speech Act. The names are a little misleading, and that is an understatement.

Notwithstanding that bill's misleading title, the legislation sought to make it even easier for the Koch brothers to funnel even more dark money to their dark money groups. That is what it was all about.

The Koch network got the word to House Republicans to vote for this bill. So how did JOE HECK vote? Of course he voted with the Kochs. He and his Republican colleagues overwhelmingly voted with the Kochs. That is whom the Kochs want in the Senate—lackeys who will gut consumer and environmental protection and streamline Koch Industries' path to even more profit. Bankrolling extreme candidates is seen as an investment by the Kochs, and they want these investments to pay off—for them.

Charles Koch admitted as much in an interview last year. When asked what he hoped to get from his hundreds of millions of dollars in political donations, here is what he answered—and this is a direct quote: "I expect something in return." Yes, he does.

This is not the American democracy our Founding Fathers established.

The Supreme Court's disastrous Citizens United decision has constructed a political system that has effectively put our government up for sale to the highest bidder. Because of Citizens United, our country has no real restrictions on the money a billionaire or anyone else can spend to buy the government they want. This is proven day after day with the Kochs. They are in fat city. They have unlimited amounts of money.

I went to one of these minor billionaires a couple of years ago, and I said: You have wasted your money. It didn't help. You know what he said to me? He said: It doesn't matter. I have it to waste. I guess the Kochs, with their \$100 billion—the man I met was just a billionaire, but they have even more to waste.

As a country we must reject the Koch brothers' efforts to buy our democracy. We must work to rid the system of this dark money. We must address the issue of campaign finance and the unrestrained spending that is squeezing the American people out of their own government.

It is time we revive our constituents' faith in the electoral system and let them know their voices are being heard and not just the Koch brothers' voices.

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

Inhofe amendment No. 4980 (to amendment No. 4979), to make a technical correction.

The ACTING PRESIDENT pro tempore. The majority whip.

CONTINUING RESOLUTION

Mr. CORNYN. Mr. President, shortly the two leaders of this Chamber will be headed to the White House to update the President on discussions over keeping the government funded and up and running past the end of the fiscal year, which is September 30. I want to briefly remind our colleagues how we ended up in this situation, why it is we are talking about a short-term continuing resolution from this point until December 9 and then revisiting the issue beyond that by December 9.

It is pretty clear everybody understands that a CR, as we call it around here—a continuing resolution—is really a stop-gap spending bill to fund the government, and it is the result of our Democratic colleagues filibustering the regular appropriations process. As the Presiding Officer knows, there are 12 appropriations bills that need to be considered by each of the appropriations subcommittees, then they are voted on by the committee itself, and then they come to the floor of the U.S. Senate, where we take them up in a transparent and orderly sort of way—each of those 12 bills—or at least that is the plan. We brought up bill after bill to do just exactly that this year, and this is the first time since 2009 that all 12 bills have been voted out of the committee and are now available for us to act upon.

That is the way the legislative process is supposed to work and that is the way that is transparent to the American people so they know exactly what we are doing, and they can call us and say: We don't like that or they can call us and say: Well, I do like that. The

point is, this is far superior to short-term continuing resolutions or the dreaded omnibus bill that we had to deal with last year; again, as a result of our inability to get the appropriations process to work.

This year, our Democratic colleagues stopped the regular orderly process of passing appropriations bills. One might ask: For what purpose? Well, it is pretty obvious their purpose was to make sure they had maximum leverage in order to force the Federal Government to spend more money—not just on national security matters, which would enjoy a lot of support on this side of the aisle, but to use any increase in national security spending to leverage more nondefense discretionary spending, breaking the caps that have been agreed upon in a bipartisan way previously.

So this is the reason we find ourselves in this distasteful and unpleasant position—Democratic obstruction. Now we are forced to deal with a short-term stopgap bill, which is nobody's first solution. It is not my second or third, but it is something we must deal with, and we will.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. President, separately, yesterday our country observed the 15th anniversary of the terrorist attacks on the World Trade Center and at the Pentagon and in a field in Pennsylvania, where brave patriots brought down this plane rather than allow it to come to the Capitol and create or cause other damage and perhaps loss of life. We know that about 3,000 Americans died just in the attack on the World Trade Center.

All of us remember where we were on that day. I certainly do. The only other time in my life that I can tie back to a historic and sad event like that was when John F. Kennedy was killed when I was in junior high school. I remember exactly where I was when President Kennedy was assassinated. So it is that I remember exactly where I was and what I was doing when those planes hit the World Trade Center and those 3,000 Americans lost their lives.

It is important for us to send a message that evil shall not prevail. Americans from all backgrounds came together in a beautiful display of patriotism and fraternity following that terrible day of September 11, 2001. Of course, following those attacks, the United States took military and diplomatic action to bring justice not only to those families but to demonstrate the consequences of attacking the American homeland, but the truth is, the victims and their families still don't have the ability to get justice from the people—including the governments—who helped fund those terrorist attacks. That is where the bill, the Justice Against Sponsors of Terrorism Act, comes into play because if this legislation is signed by the President,

it will become the law of the land. It will amend the Foreign Sovereign Immunities Act in a way that will allow Americans to sue State sponsors of terrorism when the terrorist attack occurs on American soil. Believe it or not, under current law, that can't happen. So this law is one that is designed to make sure these families who are still grieving and still don't have closure will be able to seek justice in a court of law against the people who killed their loved ones on September 11.

This is a bipartisan bill. My primary cosponsor in the Senate is Senator SCHUMER from New York. As a matter of fact, this is so bipartisan as to be nonpartisan. It passed the U.S. Senate by unanimous consent. Any individual Senator who wanted to, could stand up and say: I object, and it wouldn't have happened, but nobody did. So by unanimous consent, we passed this legislation in the U.S. Senate. Last Friday, in the U.S. House of Representatives, it passed without any objection. It passed unanimously. I know it is pretty hard for people to actually believe anything gets passed unanimously here in Washington in this polarized political environment, but this bill was passed unanimously.

Now, just after the anniversary of these tragic attacks, the Justice Against Sponsors of Terrorism Act is headed to the President's desk, perhaps as early as today. This legislation will give victims of terror attacks and their families the opportunity to seek justice in a court of law from those who fund and facilitate terrorist attacks.

I want to make clear that contrary to some of the reports, this legislation doesn't mention any foreign government at all. It is agnostic. What it says is, if you fund and facilitate a terrorist attack on American soil, you can be hauled into court to answer for your crimes, and the families can seek compensation as they would in any other personal injury or wrongful death lawsuit.

This is a straightforward piece of legislation. It simply provides the mechanism to help victims of terrorist attacks on U.S. soil find the justice they need. The American people, through their elected representatives, have been clear in their support for this legislation.

Unfortunately, President Obama has already threatened to veto it, and for what reason I simply am at a loss to say, but I want to point out that this veto threat isn't about a President and his soured relationships with Congress; it is about the victims of 9/11 who have made clear they deserve to have this avenue of justice made into law.

Again, this legislation doesn't mention any particular country, and it doesn't decide the merits of any claim these family members may have. That is left to our justice system, as it should be.

Just yesterday, the families of the 9/11 victims sent a letter imploring President Obama to sign this bill. This is a powerful letter.

Mr. President, I ask unanimous consent that the full text of the letter be printed in the RECORD following my remarks.

The families speak openly in this letter about the grief they still feel not just on the anniversary of 9/11 but every single day. They talk about why justice is so important and how this legislation would help ensure that “justice delayed for the 9/11 families will not become justice denied.” And they are right. That justice may have been delayed, but it will not be denied under this bill.

At the end of the letter, they plead with President Obama and ask him not to “slam the door shut and abandon us. We need the Executive Branch to join Congress and protect us and all future victims of terrorism.”

They say: “Please sign JASTA.”

These victims have certainly been through a lot and they certainly have the strength of their conviction. I admire the courage they display every single day to get up in the morning and go on about their lives in the aftermath of so much loss and so much tragedy. The least we can do is to make JASTA law so they and others in the future can have access to the courts and a path to justice.

Again, this bill doesn’t decide the case; that is left to the court of law. It doesn’t target an individual country; it says that any country who sponsors and facilitates and funds terrorist activities on American soil can be called to answer for it in court.

Frankly, I find it baffling that President Obama would rather make life easier for State sponsors of terrorism than he would lend support to the families of 9/11. He should sign this bill. It has an overwhelming display of support in Congress on behalf of the American people. I hope he reconsiders his previously threatened veto, but if President Obama does veto it, I hope he doesn’t leave the American people and the victims of terrorism in limbo. If he is going to veto this legislation, he should not delay so Congress can quickly consider whether to override that veto and make the Justice Against Sponsors of Terrorism Act the law of the land. There is a way, if the President decided to play games with the victims of 9/11 and these families who have suffered so much, that he could make it hard, if not impossible, for Congress to vote to override the veto, but one thing he can do, out of respect for them and the memory of their lost loved ones, is to go ahead and veto it, if that is his determination, and then send it back here and then let Congress vote to override the veto, which I am confident we will.

Mr. President, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 11, 2016.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are all mothers, fathers, wives, husbands or children who lost loved ones in the cruel and devastating attack on America fifteen years ago today.

We miss them. And we grieve at what they have missed in lives cut short by terrorists whose immediate targets were innocents and whose ongoing target is everything America has stood for, fought for and promised to protect and defend since our union was formed. And we anguish especially as we witness the spread of the poisonous ideology that is determined to ensure that 9/11 was only the beginning.

This is a hard day for all of us. But, as we are sure you must know, they are all hard, not just the anniversaries. For some of us, though, this day is harder than any since the attack and we want you to understand why.

We and so many other families have fought for years to know all of the truth about 9/11. We have fought to ensure that anyone and any entity that may have had a responsible role in the murder of 3000 people in New York, at the Pentagon and across a field in Pennsylvania is held to account for their actions. And, we have struggled to make sure that our laws—and those who are sworn to uphold them—leave nothing undone in our battle against terrorism.

The Justice Against Sponsors of Terrorism Act addresses a missing piece of America’s antiterrorism campaign—a piece that is missing because of grievously errant misconstructions of earlier laws meant to ensure that the families of Americans harmed or killed as a result of terrorist attacks with respect to which foreign governments may be complicit will be able to seek justice in our courts. That right is important for our Nation, because it will help to deter state-sponsored terrorism. It will help uncover truth—such as the mysteries surrounding the ability of 19 hijackers—barely educated, not speaking much English and without visible resources—to come to America, learn to fly, set up camps in several cities and hijack four commercial airliners, crashing them spectacularly into the heart of our Government and the heart of our economy.

You have had your differences with us about JASTA. And we have been supportive of the reasonable efforts Congress has made to address your misgivings. But, now, Congress is done, and the result is legislation that both the United States Senate and the House of Representatives passed without a single dissenting voice.

JASTA will be delivered to you soon, perhaps tomorrow. And, here lies the reason this day is made even harder than past anniversaries: we don’t know what you will do. We are left to wait, to hear remembrances and reassurances and regrets.

Mr. President, we don’t need your comfort. We have each other. We don’t need words—other than the words “I will sign JASTA into law when it reaches my desk.” We need those words and a simple action—the stroke of the only pen that can give us and the American people the assurance they need that your foreign policy and your defense of this great Nation include a determination that truth be our guidepost, that victims of terrorist attacks also have rights in our courts and that the justice delayed for the 9/11 families will not become justice denied.

Please, Mr. President, don’t slam the door shut and abandon us. We need the Executive Branch to join Congress and protect us and all future victims of terrorism. Please sign JASTA.

Sincerely,

Terry Strada, widow of Tom Strada, North Tower; Sylvia Carver, sister of Sharon Carver, Pentagon; Veronica Carver, sister of Sharon Carver, Pentagon; Bill Doyle, father of Joseph Doyle, North Tower; Gordon Haberman, father of Andrea Haberman, North Tower; Alice Hoagland, mother of Mark Bingham, Flight 93; Emanuel Lipscomb, survivor, civilian rescuer, NYC; Marge Mathers, widow of Charles W. Mathers, North Tower; Ellen Saracini, widow of Capt. Victor Saracini, pilot of Flight 175.

Kristen Breitweiser, widow of Ronald Breitweiser, South Tower; Curtis F. Brewer, widower of Carol K. Demitz, South Tower; Gail Eagleson, widow of John B. Eagleson, South Tower; Lisa Friedman, widow of Andrew Friedman from World Trade Center; Tim Frolich, personal injury survivor, North Tower; Monica Gabrielle, widow of Richard Gabrielle, South Tower; John Jermain, personal injury survivor FDNY; Mindy Kleinberg, widow of Alan Kleinberg, North Tower; Kathy Owens, widow of Peter J. Owens Jr., North Tower; Melissa Raggio Granato, daughter of Eugen Raggio, South Tower; Charles G. Wolf, widower of Katherine Wolf, North Tower.

The ACTING PRESIDENT pro tempore. The assistant minority leader.

THE APPROPRIATIONS PROCESS AND ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, my friend and colleague from Texas came to the floor to describe the budget and appropriations process which we face in this session of Congress. Our fiscal year begins October 1, and it is only a few weeks away. Under the orderly course of business, we would pass 12 different appropriations bills and fund the government for the next fiscal year. To date, we have not passed any of those bills in the Senate.

I would like to say a word in defense of the Senate Appropriations Committee on which I am honored to serve. This committee has had lengthy hearings and has produced 12 appropriations bills. I would say that these bills are good, bipartisan bills and with only a few exceptions are being brought forward in good faith in an effort to meet our constitutional obligation to fund the government.

One of the earliest bills that were brought forward was the Military Construction and Veterans Affairs bill. It is not considered to be a highly controversial bill, and it was understandable that it was one of the first appropriations bills brought to the floor. The Senators who prepared the bill—Republican Senator KIRK from Illinois, my home State, Democratic Senator JON TESTER—brought it to the floor. They added a provision in the bill that the President asked for to deal with the Zika crisis.

Back in February, President Obama asked for \$1.9 billion to deal with the public health crisis caused by this mosquito-borne disease, the Zika virus. We

have reports from around the world that pregnant women who are infected with this virus by a mosquito or by other means are giving birth to children with terrible birth defects. The President called on us in February to give him the resources to help fight the spread of this mosquito in Puerto Rico, one of the territories of the United States, and in the United States of America and also asked for the resources to help develop a vaccine, which all of us would be interested in seeing as quickly as possible, to protect innocent people from this mosquito-borne disease.

So we took the President's request, and after some debate, Senators MURRAY and BLUNT, a Democrat and Republican, agreed on \$1.1 billion of the \$1.9 billion asked for by the President. They added it to the Military Construction spending bill. It made sense. When they called it for a vote here in the Senate, the vote was 89 Senators in favor of this Military Construction appropriation bill with the Zika money included. I felt pretty good about that.

On a bipartisan basis, we had responded to the President in May of this year and passed the first appropriation bill to be sent to the House. What my friend from Texas, the Senate majority whip, failed to mention was what happened to that bill once it left the Senate. So 89 Senators, both Democrats and Republicans, supported the bill and sent over what we considered to be a responsible, clean bill. What did the House do? Did it take up this measure and pass it with the emergency provisions to deal with the Zika crisis? No. Therein lies the problem with the appropriation process. The same House Republican majority that ran John Boehner of Ohio out of town as Speaker decided to flex their muscles on this bill. Do you know what they put in the bill? They took this bill that was a bipartisan clean bill and added the most objectionable political issues.

Let me give an example. They added into this bill a question about whether Planned Parenthood would be funded to provide family planning, especially for women who were trying to avoid a pregnancy because of the threat of the Zika virus. They put a prohibition against the funding of Planned Parenthood. Last year, 2 million American women used Planned Parenthood. It is understandable that when they attack Planned Parenthood, it is a controversial issue. I stand in favor of what Planned Parenthood does when it comes to family planning. Others disagree. But why would you add that to a bill on a public health crisis about Zika? Why would you put it in a Military Construction and Veterans Affairs bill that has nothing to do with Planned Parenthood's activities?

Secondly, the House Republicans cut \$500 million out of the Veterans' Administration that was being used to ex-

pedite the claims of veterans. We know the story back in Chicago and Illinois. A lot of our deserving veterans have been waiting in line for month after wary month for approval of their disability claims. We put in resources to speed that up. The House Republicans took the \$500 million out of the Veterans' Administration. That is controversial, unnecessary, and unfair to veterans.

Then, to add insult to injury, there was a third provision. They decided to suspend the authority of the Environmental Protection Agency when it came to the use of certain chemicals to fight the mosquitoes. Well, that carries controversy with it. Clean water is certainly something we all value, and we wouldn't want to compromise it. The House Republicans added that in.

There was one more provision they added to make it clear that this was a political exercise from the House. Listen to this one. There was a ban on the display of Confederate flags at U.S. military cemeteries. The House Republicans removed that ban so that Confederate flags could be displayed at U.S. military cemeteries.

So a bill we passed with 89 votes—a strong, bipartisan bill—a bill that included a bipartisan compromise to deal with the Zika virus in a timely fashion, was sent over to the House of Representatives and was freighted with the most political issues imaginable to be sent back home over here.

If the Senator from Texas wonders why the appropriations process broke down, don't blame the Senate Appropriations Committee. For the most part, they have done their work. Don't even blame the Senate itself. When it came to voting on the Military Construction bill, we voted on a bipartisan basis to go forward. The process fell apart across the Rotunda with the House Republicans.

So if we are going to get this done—and I hope we do—we need a short-term spending bill called a continuing resolution. It will take us through the month of October, a campaign month, through the month of November, when we return and face the Thanksgiving holidays, and into early December. That, to me, is a reasonable thing to do to give us time to finish the appropriations process, but in the meantime, we have to get back on track—and the President joins me in what I am about to say—to take out these controversial political provisions, particularly those originating in the House from the Republican leadership, and get down to the business of funding this government in a responsible fashion.

I will take exception to one statement by the Senator from Texas. He said the Democrats were trying to spend more money. That didn't quite tell the whole story. We have an agreement which says that if we want to increase defense spending—I will vote for

that—we have to increase nondefense spending in a similar fashion—same amount, equal amount. Why would we want to increase nondefense spending? Education, Pell grants, student loans, helping children in Head Start Programs, making sure hungry families across America have enough to eat, making certain the FBI is adequately funded—there are a lot of things when it comes to the nondefense side that are important for America's future and for our security. All we are asking for is fair treatment. Increase the Department of Defense, similar increase in nondefense spending—that is it.

If we can get back on track, I think we can, incidentally, get this done. I hope the leadership on the Republican side—and they control the House and the Senate—will decide to give us this short-term CR until early December and put a clean Zika provision in, the same one that passed the Senate. That would be a way to resolve our differences and to address this public health crisis which has taken too many lives across the world and has certainly caused horrible outcomes when it comes to pregnancies of women who are infected.

AFFORDABLE CARE ACT

Mr. President, last week a number of my Republican colleagues came to the Senate floor to discuss the Affordable Care Act, otherwise known as ObamaCare. They didn't come to offer the Republican alternative to the Affordable Care Act. They didn't come forward with proposals on how to improve the Affordable Care Act. They came here basically to say they were against it, period. That is no surprise.

Considering that the Republicans have spent the last 6 years attacking the Affordable Care Act, I think it is time that America hears at least some part of the other side of the story. I would like to take a moment to talk about what has happened in this country since the passage of the Affordable Care Act, or ObamaCare.

Since the Affordable Care Act became law, the uninsured rate has declined by 43 percent in America, from 16 percent uninsured in 2010 to 9.1 percent in 2015. To put it another way, the number of uninsured people in the United States has declined from 49 million in 2010 to 29 million in 2015. Stated another way, more than 20 million people have gained health insurance because of this law. For the first time ever, more than 9 out of 10 Americans have health insurance.

Have you ever been in a position in your life when you didn't have health insurance? Have you ever been a father with a brandnew baby who needed the best medical care and you didn't have health insurance? Have you ever wondered how you would take care of your child and your family when you couldn't provide them with health insurance? I have. I went through it. It

scared me to death—a brandnew dad, so happy and proud, and then a medical challenge in my family occurred, and we had no health insurance. I went to a local hospital here with my wife and baby, sat in the chair in the ward, and waited for our number to be called. I was a law student and I didn't know what was going to happen next. Luckily, we had good medical care. We paid for it. The care that wasn't covered by insurance cost us quite a bit of money in those days, and it took us a long time to pay it off. But I never felt more inadequate as a father than sitting there without health insurance. Have you ever been there? If you have, you will never forget it. I have been there.

For this country, 20 million people today have the peace of mind of health insurance who did not have it before ObamaCare. This represents the largest decline in the uninsured rate since we created Medicare and Medicaid in the 1960s.

Since the Affordable Care Act became law, Americans no longer have to worry about a lot of discriminatory things that were being done to families before we passed the law. Health insurance companies can no longer refuse to provide you insurance because of a preexisting condition.

Does anybody in your family have a preexisting condition? Certainly in our family, and most. It could be diabetes, a child who survived cancer—think of all the possibilities. In the old days before the Affordable Care Act, they could just say no in terms of covering your family or raise the rates to high heaven to make it impossible to pay for insurance. This provision alone on preexisting conditions protects 129 million Americans, 19 million children. When the Republicans come to the floor to say they want to abolish the Affordable Care Act, what do they say about the 129 million Americans with preexisting conditions? What do they say about the 19 million children with preexisting conditions? Not one word.

These insurance companies can no longer charge women more than men for the same insurance policies. That is right. There was blatant discrimination—charging women more than men for the same health insurance policies. Who is protected by that? Well, 157 million women in America. Did the Republicans suggest, when they abolish ObamaCare, what they are going to do to protect these women? Not a word.

Insurance companies can no longer impose annual or lifetime caps on benefits. Remember those days? People get gravely ill, a diagnosis they hadn't expected, an accident, and then they find out they are in for a long period of care, which is very expensive, and they check and find that their health insurance plan has a cap on how much it will pay. The rest of it was on your shoulders, and for many people that meant a trip to bankruptcy court. This

provision alone protects 105 million Americans—including 39.5 million women and 28 million children—who were previously subject to these arbitrary caps. What did these Republican Senators say about protecting these families if they abolished ObamaCare? Nothing.

No longer, incidentally, under ObamaCare, can insurers spend large percentages of your premium dollars on advertising and the salaries of the fat cats who run the company. This has protected 5.5 million consumers who received nearly \$470 million in rebates last year. Under ObamaCare, insurers can't impose copays on important preventive health services, such as immunizations, cancer screenings, and birth control.

Because of the Affordable Care Act, because of ObamaCare, Medicare is better for the 55 million seniors who depend on it. There was the dreaded doughnut hole. Do you remember that one? That was when a senior on Medicare would have pharmacy bills. The original Medicare Program for pharmacy didn't cover all expenses. It is a strange thing to explain, but it would cover expenses on the front end of the year, and then they would have to go into their savings accounts. I would say to the Senator from Florida, who knows senior issues better than most, it was called the doughnut hole, and we changed it.

So we changed it. We are filling the doughnut hole. We are closing it and phasing it out. That saves 10.7 million Medicare prescription drug beneficiaries an average of almost \$2,000 each. What have we heard from Republicans about replacing that provision? Nothing.

The Affordable Care Act also encourages health care providers to focus on quality of care, not just quantity. As a result, American lives are being saved. Because of the provisions in ObamaCare, hospital-acquired conditions have declined 17 percent in 6 years. Infections, adverse drug events that resulted in patients staying in hospitals longer and even dying have dramatically decreased. That has prevented 87,000 deaths over the last 4 years.

In Illinois, we have seen the benefits as well. Between 2013 and 2015, the rate of uninsured among 18- to 64-year-olds decreased from 17.8 percent to 10.6 percent, a 7.2-percent drop, one of the largest in the Nation. Prior to ObamaCare, the Affordable Care Act, an estimated 1.8 million Illinoisans were uninsured. Today, the number is below 800,000.

In terms of health insurance monthly premium costs, Illinois ranks 15th as one of the most affordable nationwide. Now Republican Senators single out newspaper headlines talking about premium increases. They have claimed ObamaCare is the reason. I am troubled

by certain aspects of these rate increases. I think it is important to take a close look at them.

In recent years, there have been a lot of stories in the press about premium increases for some plans, in some cities, for some people. The Republicans have come to the floor to tell all of these stories that they can. It is important to note that premiums for employer coverage, Medicare spending, and health care prices have all grown more slowly under the Affordable Care Act than before.

For employer premiums, the past 5 years included four of the five slowest growth rate years on record. Medicare spending is \$473 billion less than was projected before the Affordable Care Act. Health care price growth since the Affordable Care Act became law has been the slowest in 50 years. You don't hear that in the speeches from the other side of the aisle.

Where premium increases have been most prevalent is in the individual market. Out of 350 million Americans, 11 million are in this market. I am troubled by the increases in those markets. But it is important to remember that is a small portion of the overall market. Most people who get coverage through the insurance exchanges of ObamaCare—that is more than 80 percent of them—receive a tax credit to help them pay their premiums. Let's not forget that premium increases were around long before the Affordable Care Act.

In 2005, 5 years before the Affordable Care Act, a Los Angeles Times headline read, "Rising Premiums Threaten Job-Based Health Coverage." In 2006, 4 years before the Affordable Care Act, a New York Times headline read, "Health Care Costs Rise Twice as Much as Inflation." In 2008, 2 years before we passed the law, the Washington Post headline read, "Rising Health Costs Cut Into Wages."

Democrats passed the Affordable Care Act to combat these premium increases, which were devastating families, bankrupting individuals, and squeezing employers' budgets. Despite all the anti-ObamaCare rhetoric being peddled by my Republican colleagues, the major aspects of this law are working. More Americans are insured than ever before. We have ended the most discriminatory and dishonorable practices of the health insurance industry, and we have taken important steps to improve and strengthen Medicare.

Is the law perfect? No. The only perfect law was carried down the side of a mountain on clay tablets by Senator Moses. All the rest of our efforts can use a little work. I think Senator NELSON from Florida and I would agree. We supported the bill, but we would sit down with the Republicans tomorrow to find ways to strengthen it, make it fairer, make it better. That is constructive, but that is not what we hear

from the other side. The other side says: It must go away. That is no way to bargain.

Instead of working, Republicans have, at every possible opportunity, tried to end the Affordable Care Act. They broke all records in the House of Representatives. We think they voted 60 times to abolish the Affordable Care Act. It almost became the regular vote before they went into recess: Oh, before we leave, let's vote to abolish it—knowing that that wasn't going to happen and shouldn't happen.

What we know now is that we can make this law better. We should work to do it. We have to deal with some of the issues that are before us. If the Republicans would sit down, there are some steps we could take together. The marketplaces are working for the vast majority of Americans. Some 88 percent of enrollees live in a county with at least three choices for health care. There is still more we can do for those who have only one or two choices to face in their areas.

When we debated the Affordable Care Act, many of us on the Democratic side, myself included, said: Why don't we have one Medicare-like public plan that is available across the United States? That could compete with private insurers and bring prices down. There was a lot of fearmongering. People stopped us from our efforts to include a universal Medicare plan as part of it. I would like to return to it.

To help balance the risk pool and attract Americans in the marketplaces, particularly healthier younger people, we should expand financial assistance to help middle-class families better afford coverage. We must address one other issue that we all know is front and center—the price of pharmaceuticals, the price of drugs. This is the elephant in the room when it comes to this conversation. It is one which most Members of the Senate and House are running away from.

When drug companies increase their prices or put new treatments on the market that are exceedingly expensive, insurance companies are forced to come up with the money to cover the cost, and often they pass the cost along in higher premiums. An Illinois insurer recently told me that drug expenses, the cost of pharmaceuticals, used to account for about 15 percent of this health insurance policy cost. The number now, a year later, is up to 25 percent, and there is no end in sight.

We have asked doctors and hospitals and medical device companies and other medical professionals to bring us quality and lower costs, but we put no burden on the pharmaceutical companies. The most recent Medicare Part D data show that 46 percent of the most commonly prescribed drugs had a double-digit price increase in 2014. A recent Reuters report found that prices for 4 of our Nation's top 10 drugs have

increased by more than 100 percent since 2011. Six others went up 50 percent. What did that mean for those who use the drugs?

The price for the arthritis drug Humira went up 126 percent. The multiple sclerosis drug COPAXONE went up 118 percent. The asthma drug Advair went up 67 percent. Mylan Pharmaceuticals just increased the price of EpiPens. Did you read about that one? They increased the price of EpiPens from less than \$100 for a pack of two in 2007 to more than \$600 today. It is the same drug but a 550-percent increase in cost.

This last Friday in Chicago, a young man came to see me. He has been battling diabetes for as long as he has been alive. It is a daily battle; it is an hourly battle to try to ensure that he doesn't succumb to this disease. His mom and dad were with him. He put in front of me a list of what it costs now for insulin and for the basics that diabetics need across America. The costs just keep going dramatically. It is not pinned to the original research cost of the drug at all. Many of these drugs were on the market for years at a reasonable cost, but now the pharmaceutical companies are kiting the costs. Let me be clear. We will not be able to get a handle on rising health care costs if we are unable or politically unwilling to address escalating drug prices.

Something has to be done. I support a wide range of ideas, from requiring drug companies to disclose how they arrive at pricing, to allowing Medicare to negotiate for drug prices, from shortening the monopoly period that drug companies enjoy before generic competition, to ending the pay-for-delay arrangements that necessarily keep generic drugs and lower prices away from consumers. We should also explore imposing a tax on companies that arbitrarily raise their prescription drug prices significantly over the previous year.

I will close. The bottom line is, the Affordable Care Act is working. Twenty million Americans now have health insurance. Being a woman is no longer considered a preexisting condition. Kids can stay on their parent's health care plans up to age 26. Insurers can no longer kick someone off insurance if they get sick or cost too much.

Just as we had to make changes and improvements in Medicare over the years, the Affordable Care Act can work better if we set aside politics and sit down together and work on it. The Affordable Care Act is here to stay. So let's stop trying to repeal it and undermine it. Let's make it stronger and better for the future of America.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. DURBIN. Mr. President, I will be happy to yield through the Chair.

Mr. NELSON. Mr. President, I want to say to the Senator from Illinois that

that was an excellent recitation of what the Affordable Care Act has done to ensure health insurance and provide health care for the people of our country. This Senator just wants to underscore one statistic that the Senator from Illinois cited. The Senator cited that 20 million people in the country have health insurance who did not have it before.

If the Senator would recall, when we started this deliberation on cobbling together this new law, we were told that there were approximately 45 million people in the country who did not have health insurance. Now, when you break down that 45 million, 11 million of them are undocumented and, therefore, under the law are not eligible to have health insurance.

So that leaves 34 million. When you take the 20 million that presently have health care that the Senator cited and add to that 4 million more that will be covered by Medicaid expansion in the 16 States that have refused to expand Medicaid to 138 percent of poverty, now we are talking about 24 million of an eligible population of 34 million. That is two-thirds. That is extraordinary. That has happened just in the last few years.

Would the Senator from Illinois believe that?

Mr. DURBIN. In response through the Chair, the Senator from Florida knows this issue as well as or better than most. He understands the progress that has been made. I am sure he agrees with me that we can do better; we can improve this law. We can make it work better, but only if we do it in a constructive, bipartisan way. I listen carefully when my Republican colleagues come to the floor thinking they want to abolish the Affordable Care Act and replace it with—they never finish the sentence. They don't have a replacement.

So what are we going to say to the 20 million Americans who now have health insurance because of this law? You are on your own again. Sorry, your family is not covered. That is no answer. I would agree with the Senator from Florida that we have come a long way. We can improve this law and make it better and stronger. I think our goal to bring more people under the protection of health insurance and to slow the rate of growth in health care costs has been achieved. But to make it go forward in the right way we need to work together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

ZIKA VIRUS FUNDING

Mr. NELSON. Mr. President, I want to speak about health care, and it is a health care crisis that is upon us right now. It is the Zika crisis. Happily, if my voice will hold out, I am here to share with the Senate that I think we have finally found a path forward to

fund the fight against Zika. The specifics are still being worked out, but it seems that there will be a deal, and we will soon be able to move forward on doing what we tried to do last summer, which is to fund the crisis that we know as the Zika crisis.

Let me just briefly describe it. Populations outside of the continental United States, such as Brazil, are highly infected populations because of the presence of this type of mosquito, the *Aedes aegypti* mosquito. It is not like a normal mosquito. Normal mosquitoes come out at night. They fly all around in the countryside. When this Florida boy grew up, I was bitten by so many mosquitoes I was almost immune. But this *aegypti* mosquito lurks in the dark corners of your house. She lays her eggs, her larva, in stagnant water—but not a pool, not a pond like normal mosquitoes; they can lay their larva in a still surface of water as small as a bottle cap that has caught water. As a result, this mosquito transmitting the virus feeds not on one person at a feeding but four people. Thus, an infected mosquito has now transmitted the virus to four people who, in turn, can now transmit it to others by sexual contact or another uninfected mosquito bites the infected person. Now that mosquito is infected and it goes go on. You see how it can expand.

In Florida, there are 756 cases of the virus that we know of, and that includes 84 pregnant women. Why do I say pregnant women? Because if you get the virus, it is just like a mild flu, but if you are pregnant and you get the virus in the first trimester of pregnancy, there is a 2-percent to 11-percent chance that your baby is going to be deformed. The virus attacks the developing fetus in the brain stem and causes the brain and the head to shrink. That is what we are dealing with.

When we left in the summer, early July, to some Senators it was “out of sight, out of mind,” but we have seen the increasing numbers of cases, thousands now nationwide, 756 in Florida alone. By the way, that is just what we know of. The CDC is estimating that there are four people walking around with the virus for every one that we know of, so you see the problem.

To bring this back to politics, I can tell you that the people in Florida are very agitated. I have been there the last two weekends, and I can tell you it is the No. 1 issue on their minds. The fact that some of our Republican colleagues—particularly in the House of Representatives—are willing to put ridiculous riders on the Zika funding bill and insist on that for three votes—let me take you back. Remember, we had an overwhelming, bipartisan vote in this Senate for \$1.1 billion to get at it. To do what? Local mosquito control, health care assistance, and continued research on the vaccine. We are an-

other 1 year or 2 years away from the vaccine, but the Food and Drug Administration is ready to go with the first trial. It takes money. They have run out of money. We need to do it. The Senate recognized that.

We passed it months ago, I think by 89 votes out of the 100 Senators. We sent it to the House, and the House decided to play politics. They add something to do with the Confederate flag. They add something to do with defunding Planned Parenthood. They add something that has to do with cutting Medicaid money going to Puerto Rico. Why is that particularly onerous? The CDC estimates that 25 percent of the population of Puerto Rico is infected, that a quarter of the people are infected. Of all places, an island territory with American citizens—a territory of the United States—is where we ought to be helping with health care for a very poor population. We shouldn't be cutting additional funds for Puerto Rico. Yet that is what we have been faced with.

I am of a mind of new optimism now because I think common sense is beginning to break out.

In this Florida situation of 756 cases, we have seen newspaper reports that the State of Florida government hasn't been transparent about the spread of the virus in our State. Over the weekend, the Miami Herald reported that “the information issued by the governor and state agencies has not been timely or accurate—cases announced as ‘new’ are often several weeks old, because of a time lag in diagnosis—and excludes details that public health experts say would allow people to make informed decisions and provide a complete picture of Zika's foothold in Florida.”

As we have said many times on this floor, this is not the time for political games. Those games should be over, and we should do it. The wonderful news that a deal is being struck is welcome news to this Senator.

The threat that this country faces from the spread of this virus is real. The virus-carrying mosquito, the *Aedes aegypti*, is in the State of the Senator from Iowa—a State you wouldn't normally think of as having mosquitoes. We are in the midst of a public health crisis, and it should be treated like the emergency it is.

So as we await the final details of this possible deal, it is important to remember that no one agency, State, or leader is going to solve this crisis alone. Those who saw this virus as a political opportunity are the ones who got us into this mess of delay, month after month. The virus is not a political opportunity; it is a public health emergency. To stop the spread of the virus, we are going to have to do what we did months ago—come together in a bipartisan fashion.

As Congress comes together to finally act, we are going to need leaders

across the country to act prudently and expeditiously to put these funds to use as quickly as possible.

Members of Congress, pass the Zika bill. We need it now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

FBI'S RELEASE OF CLINTON INVESTIGATION MATERIAL

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my speech articles from the Boston Globe on September 6, 2016, and the New York Times on September 8, 2016.

Mr. President, today I wish to discuss my very serious concerns about the FBI's selective release of Clinton investigation material and especially how the Senate is handling the unclassified but not yet public information provided by the FBI.

On the Friday before a holiday weekend, the FBI chose to release to the public only two of the dozens of unclassified documents it provided to the Congress.

Director Comey said: “The American people deserve the details in a case of intense public interest” and “unusual transparency is in order.” He is right. The people have a right to know, but actions speak louder than words. Right now the public has only a very narrow slice of the facts gathered by the FBI.

The FBI has released only its summary of the investigation and the report of the interview with Secretary Clinton. However, its summary is misleading or inaccurate in some key details and leaves out other important facts altogether. There are dozens of unclassified reports describing what other witnesses said, but those reports are still hidden away from the public. They are even being hidden from most congressional staff, including some who have been conducting oversight of the FBI on these issues. Why? Because the FBI improperly bundled these unclassified reports with a very small amount of classified information and told the Senate to treat it all as if it were classified.

This is certainly not the “unusual transparency” Director Comey said he would provide. In fact, it is just the opposite: unusual secrecy. Normally, when an agency sends unclassified information to the Office of Senate Security, the office that handles and controls classified information, there is a very simple solution. The executive order and regulations governing classified information require that information be properly marked so that the recipient knows what is and is not classified.

In the past, when the Judiciary Committee, which I chair, needed to separate classified information from unclassified information, the Office of Senate Security very simply looked at

the markings on the paper and provided copies of the unclassified information without any restrictions, but that has not been done in this specific case. Why not? Because the FBI has instructed the Senate office that handles classified information not to separate the unclassified information which could then be made public. Think about that. The FBI, part of the executive branch of government, is instructing a Senate office about how to handle unclassified information.

Our Constitution creates a carefully balanced system of separation of powers—executive, judicial, legislative. The executive branch cannot instruct a legislative branch office to keep information from the public unless the legislative branch agrees or there is a legal basis for keeping the information secret.

There are laws governing the handling of classified information, but those laws cannot and should not be used to shield unclassified FBI documents from public scrutiny and vigorous constitutional, congressional oversight. But even setting aside the constitutional concerns, what is happening now is totally inconsistent with the executive branch's own rules and regulations regarding classified information. This is what Executive Order No. 13526 says:

The classification authority shall, whenever practicable, use a classified addendum whenever classified information constitutes a small portion of an otherwise unclassified document or prepare a product to allow for the dissemination at the lowest level of classification or in unclassified form.

That is the quote from Executive Order No. 13526. The binder the FBI delivered containing interview reports is, very largely, unclassified. The vast majority of these reports are unclassified in full and the rest have only a few classified paragraphs in each one.

According to the executive order I just quoted, the FBI—part of the executive branch of government—should have provided a separate set containing primarily classified material that could not be separated from an unclassified portion.

Further, that same executive order states—and I want everybody to get this quote: “In no case shall information be classified, continued to be maintained as classified, or fail to be declassified in order to: prevent or delay the release of information that does not require protection in the interest of national security.”

That is an executive order that ought to bind the FBI. Unclassified material is, by definition, information that does not require protection in the interest of national security. Yet contrary to this executive order, it is being locked away from the public and even most congressional staff and maintained as if it were classified.

Americans deserve accountability from their government. There will not

be any accountability if the Federal Government is not transparent. The American people deserve to know the truth. I want to be clear with the American people about what is going on here. If the FBI wants to provide unclassified information to Congress but also keep it hidden from the public, then it should discuss the issue with the committee and negotiate any restrictions beforehand. It should not be allowed to unilaterally impose its will on its oversight committee by delivering documents with all kinds of restrictions that prevent the committee from using those documents. The selective releases of some of the documents deprives Congress and the public of the full context. It is not fair to the public, to the Congress, or to Secretary Clinton. That is why, using common sense, even Secretary Clinton has called for information to be released in full. I agree with her 100 percent.

The FBI says it sent these documents to the Hill in keeping with our oversight responsibilities. Well, oversight and investigation mean more than just receiving whatever information the FBI provides. Independent oversight means double-checking the facts, it means contacting witnesses, and it means asking followup questions. We can't use these documents to help us perform these three steps if they are locked away in the basement of this building. In order to do its job, the committee will have to refer to these documents in the course of speaking to other witnesses and writing oversight letters. This is principles of investigation 101—very elementary.

The FBI is still trying to have it both ways. At the same time the FBI talks about “unprecedented transparency,” it is placing unprecedented hurdles in the way of congressional oversight of unclassified law enforcement matters. It turns over documents but with strings attached. It unilaterally instructed the Senate to keep them secret, even though they are unclassified. They want to keep the information locked up. If we honor that instruction, we cannot do our constitutional duty of acting as an independent check on the executive branch and, in this case, the FBI.

At least the FBI has publicly released small portions of this unclassified material I am talking about. However, that selective release has contributed to inaccuracies in the public discussion of this issue. That is why I agree with Secretary Clinton that it should all be released as soon as possible.

Here is why: On Tuesday, the Boston Globe article wrote about evidence from the publicly released FBI summary that suggests an engineer for an IT company managing the server may have intentionally deleted emails, even though that engineer knew they were the subject of a congressional investigation subpoena.

That is the article I asked for and received permission to put into the CONGRESSIONAL RECORD.

The timeline of that deletion the Boston Globe is talking about occurred around the conference call with that engineer, Cheryl Mills, and David Kendall—Hillary Clinton's lawyers. Relying on the publicly available information, some have claimed the engineer deleted the emails on his own volition.

Whether he did so on his own or at the instruction of somebody else is of course a very key question, and there is key information related to that issue that is still being kept secret, even though—it is being kept secret—even though it is unclassified. If I honor the FBI's instructions not to disclose the unclassified information it provided to Congress, I cannot explain why.

Meanwhile, the New York Times has reported that a second computer expert that worked on Secretary Clinton's servers for a contractor was also given immunity by the Department of Justice. The Department of Justice didn't inform Congress about the immunity deal. The Department of Justice is briefing the New York Times anonymously while refusing to answer questions from its oversight committee about the immunity deals.

Why is it the New York Times gets information for investigation, but the Committee of Commerce doesn't get that same information? At the same time, the FBI is putting a stranglehold on unclassified documents that describe what these witnesses said to the FBI. This is the opposite of the transparency which we are told by the FBI is so important because this is a high-profile case.

The other witness granted immunity—Bryan Pagliano—pled the Fifth to Congress. Congress has a right to question these individuals. They have reportedly received some sort of immunity for their cooperation with the FBI. The public ought to know what information they provided in exchange for a get-out-of-jail-free card.

The American people deserve the whole truth. The public's business ought to be public, and if it is not classified, then all the facts should be part of the public discussion.

Inaccuracies are spreading because of the FBI's selective release. For example, the FBI's recently released summary memo may be contradicted by other unclassified interview summaries that are being kept locked away from the public. Unfortunately, the public can't know without disclosure of information, that the FBI has instructed the Senate not to disclose.

I have objected to those restrictions. I have written to the Office of Senate Security twice, noting that the Judiciary Committee did not agree to those restrictions. I have asked the FBI to provide the unclassified material directly to the committee. That letter has not been answered.

These kinds of restrictions and document controls on unclassified information have no legal basis and there is no authority for them. They are unprecedented and out of bounds. They violate the executive order I quoted—the executive order on classified information—and they intrude on Congress's constitutional authority of oversight.

This is not only an issue for the Judiciary Committee, this isn't only an issue in regard to what the FBI investigated or didn't investigate in regard to Secretary Clinton, this is an issue for every Senator—all 100 Members of the Senate—and every Senate committee to give deep consideration to because Senators need to consider the consequences of allowing the executive branch to unilaterally impose restrictions on unclassified information like this and tell a separate branch of government what we can do under the Constitution.

Every Senator should realize, if this is allowed to stand, that other agencies will be able to abuse the system to undermine transparency, and we need transparency in government to have accountability in government. The Senate should not allow its controls on classified material to be manipulated to hide embarrassing material from public scrutiny, even when that material is unclassified.

The FBI ought to do what it should have done from the very beginning: release all the unclassified information to the public.

When Director Comey told me that he was going to bring these binders to the Hill and cooperate with Congress, giving us this information, I raised this very question with him in that telephone conversation.

Now more than ever, the public has a right to know the whole picture and all the facts gathered by the FBI. Let the people see all of the evidence, and let the people judge for themselves. That would be true transparency.

As a constitutionally elected official, I have an obligation to my constituents to represent them, be honest with them, assist them to the best of my abilities, and to make sure that what is the public's business actually is public. I cannot in good conscience do that when the FBI attempts to assert a vise grip on unclassified information that would be helpful in answering the calls and letters from my constituents. How can I look Americans in the eye and tell them that I have answers but can't share those answers because the FBI says so, even though the answers come from unclassified information?

So to my fellow Americans but most importantly to my colleagues here in the Senate, in times like these, I cannot help but think about a quote from Thomas Jefferson: "It is the people, to whom all authority belongs." It is the Federal Government that works for us; we do not work for the Federal Govern-

ment. Facts and information gathered by public officials that are relevant to the debate over a public controversy belong to the public. I urge my colleagues to discuss and resolve this issue together.

I will continue to do everything in my power to ensure that the full set of facts is brought to light.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Boston Globe, Sept. 6, 2016]

HOUSE REPUBLICANS SEEK INQUIRY ON WHETHER CLINTON OBSTRUCTED JUSTICE OVER E-MAILS

(By Michael S. Schmidt)

WASHINGTON.—House Republicans asked the Justice Department on Tuesday to investigate whether Hillary Clinton, her lawyers, and the company that housed her e-mail account obstructed justice when e-mails were deleted from her personal server.

It was the second time in two months that Republicans urged authorities to open an inquiry related to Clinton.

Representative Jason Chaffetz of Utah, chairman of the House Oversight and Government Reform Committee, said the e-mails should not have been deleted because there were orders in place at the time from two congressional committees to preserve messages on the account.

"The department should investigate and determine whether Secretary Clinton or her employees and contractors violated statutes that prohibit destruction of records, obstruction of congressional inquiries, and concealment or coverup of evidence material to a congressional investigation," Chaffetz said in a letter to the US attorney's office for the District of Columbia.

Chaffetz also sent a letter to the Denver-based company that housed the account, Platte River Networks, with a request for documents and information related to the account and the deletions.

Since FBI Director James B. Comey announced July 5 that the bureau would recommend that Clinton not be charged in connection with her use of the account, Republicans have pushed the Justice Department to continue investigating her.

Just five days after Comey's announcement, they asked the department to open an inquiry into whether Clinton had lied in October when she testified before the committee investigating the 2012 attacks in Benghazi, Libya.

Clinton dismissed Chaffetz's request when asked about it by reporters on her campaign plane in Tampa, Fla. "The FBI resolved all of this," she said. "Their report answered all the questions; the findings included debunking the latest conspiracy theories."

Representative Elijah E. Cummings, the top Democrat on the Oversight and Government Reform Committee, said the request for another investigation was "just the latest misguided attempt to use taxpayer funds to help the Republican nominee, Donald Trump, and to essentially redo what the FBI has already investigated because Republicans disagree with the outcome for political reasons."

The Republicans' request has been met with silence from the Justice Department and the FBI, and prosecutors have shown no indication that they are willing to open another investigation. Legal analysts have said making a perjury case against Clinton would be hard.

The FBI released 58 pages of investigative documents Friday related to its inquiry into Clinton's e-mail practices and whether she and her aides mishandled classified information. The documents included a summary of an interview agents conducted with her and a memorandum about the case.

According to the documents, a top aide to Clinton told Platte River Networks in December 2014 to delete an archive of e-mails from her account. But Platte River apparently never followed those instructions.

Roughly three weeks after the existence of the account was revealed in March 2015, a Platte River employee deleted e-mails using a program called BleachBit. By that time, both Chaffetz's committee and the special committee investigating the Benghazi attacks had called for the e-mails to be preserved, according to Chaffetz.

"This timeline of events raises questions as to whether the PRN engineer violated federal statutes that prohibit destruction of evidence and obstruction of a congressional investigation, among others, when the engineer erased Secretary Clinton's e-mail contrary to congressional preservation orders and a subpoena," Chaffetz said in the letter to Platte River.

Chaffetz said a series of events in the days leading up to the deletions, including a conference call with Clinton's lawyers and the creation of a work ticket, "raises questions about whether Secretary Clinton, acting through her attorneys, instructed PRN to destroy records relevant to the then-ongoing congressional investigations."

Democrats said Chaffetz's facts were wrong. The FBI's memo shows that the Platte River employee who deleted the documents "did so on his own volition and before the conference call with Clinton's attorneys," said Jennifer Werner, a Cummings spokeswoman.

The FBI said it was later able to find some of the e-mails, but it did not say how many had been deleted or whether they were included in the 60,000 e-mails that Clinton said she had sent and received as secretary of state from 2009 to 2013.

[From The New York Times, Sept. 8, 2016]
JUSTICE DEPT. GRANTED IMMUNITY TO SPECIALIST WHO DELETED HILLARY CLINTON'S E-MAILS

(By Adam Goldman and Michael S. Schmidt)

WASHINGTON.—A computer specialist who deleted Hillary Clinton's emails despite orders from Congress to preserve them was given immunity by the Justice Department during its investigation into her personal email account, according to a law enforcement official and others briefed on the investigation.

Republicans have called for the department to investigate the deletions, but the immunity deal with the specialist, Paul Combetta, makes it unlikely that the request will go far. Representative Jason Chaffetz of Utah, the top Republican on the House oversight committee, asked the Justice Department on Tuesday to investigate whether Mrs. Clinton, her lawyers or the specialist obstructed justice when the emails were deleted in March 2015.

Mr. Combetta is one of at least two people who were given immunity by the Justice Department as part of the investigation. The other was Bryan Pagliano, a former campaign staff member for Mrs. Clinton's 2008 presidential campaign, who was granted immunity in exchange for answering questions about how he set up a server in Mrs. Clinton's home in Chappaqua, N.Y., around the time she became secretary of state in 2009.

The F.B.I. described the deletions by Mr. Combetta in a summary of its investigation into Mrs. Clinton's account that was released last Friday. The documents blacked out the specialist's name, but the law enforcement official and others familiar with the case identified the employee as Mr. Combetta. They spoke on the condition of anonymity because they did not want to be identified discussing matters that were supposed to remain confidential.

Brian Fallon, a spokesman for Mrs. Clinton's presidential campaign, said that the deletions by the specialist, who worked for a Colorado company called Platte River Networks, had already been "thoroughly examined by the F.B.I. prior to its decision to close out this case."

"As the F.B.I.'s report notes," Mr. Fallon said, "neither Hillary Clinton nor her attorneys had knowledge of the Platte River Network employee's actions. It appears he acted on his own and against guidance given by both Clinton's and Platte River's attorneys to retain all data in compliance with a congressional preservation request."

A lawyer for Mr. Combetta and a spokesman for the Justice Department declined to comment.

In July, the F.B.I. director, James B. Comey, announced that the bureau would not recommend that Mrs. Clinton and her aides be charged with a crime for their handling of classified information on the account.

Five days later, Mr. Chaffetz—who has led the charge in raising questions about the F.B.I.'s decision—asked prosecutors to investigate whether Mrs. Clinton had lied to Congress about her email account in testimony in October before the special committee investigating the 2012 attacks in Benghazi, Libya. That request has been met with silence from the Justice Department.

The House oversight committee has asked officials from Platte River Networks, Mr. Combetta and others to appear at a hearing before his committee on Tuesday about how the email account was set up and how the messages were deleted.

According to the F.B.I. documents, Mr. Combetta told the bureau in February that he did not recall deleting the emails. But in May, he told a different story.

In the days after Mrs. Clinton's staffers called Platte River Networks in March 2015, Mr. Combetta said realized that he had not followed a December 2014 order from Mrs. Clinton's lawyers to have the emails deleted. Mr. Combetta then used a program called BleachBit to delete the messages, the bureau said.

In Mr. Combetta's first interview with the F.B.I. in February, he said he did not recall seeing the preservation order from the Benghazi committee, which Mrs. Clinton's lawyer, Cheryl D. Mills, had sent to Platte River. But in his May interview, he said that at the time he made the deletions "he was aware of the existence of the preservation request and the fact that it meant he should not disturb Clinton's email data" on the Platte River server.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we are going to have a vote here shortly, and it is going to be one of the major, significant votes.

First of all, I know the occupier of the Chair is very aware of the things we have been doing in the committee called Environment and Public Works. Most of the stuff we have been doing is very meaningful, including the highway bill, the chemical bill, and now the WRDA bill. These are all things that have to be done.

Last week I talked about the WRDA bill and why it is important to pass it now. Just to take a look at some of the major news stories from the past few months, earlier this summer we saw algae wash up on the beaches of Florida. This is a problem that will have significant impact on the health of Floridians, as well as negatively impacting Florida's biggest industry—tourism.

The WRDA bill 2016 has a solution to the problem. We have a project that will fix Lake Okeechobee to prevent this problem in the future.

I know a little bit about this because a lot of people are not aware that in my State of Oklahoma we have more miles of freshwater shoreline than any of the 50 States. That is because most of them are manmade lakes. They have a dam down here with lots of shoreline going around them, but, nonetheless, I had a personal experience with what they call blue-green algae. You think you are on your deathbed when you are there.

This chart behind me shows a plume in St. Lucie, FL. It is a picture of an algae plume caused by deteriorating water conditions. Not only are these plumes environmentally hazardous, but they also are economically debilitating to communities living along South Florida's working coastline. Communities along the coast depend on clean, freshwater flows to drive tourism.

Just weeks ago, we saw historic flooding in Baton Rouge, LA, and we have seen communities destroyed and lives turned upside down. In this WRDA bill, there are two ongoing Corps projects that will prevent the damages we saw. WRDA 2016 directs the Corps to expedite the completion of these projects.

The second chart shows the flooding in Baton Rouge, LA. We can no longer use a fix-as-it-fails approach as it concerns America's flood control. There is just too much on the line. We are not just talking about economic loss but devastating floods. We have all seen that, experienced that, and we are talking about loss of human life. So this is not an option.

Last year there were several collisions in the Houston Ship Channel. Due

to a design deficiency, the channel is too narrow and the Coast Guard has declared it to be a precautionary zone. The Houston Ship Channel collision in 2015 was a serious one, and without this bill, the navigation safety project to correct this problem will not move forward.

Last week I spoke about what we will lose if we don't pass this important legislation. There are 29 navigation flood control and environmental restoration projects that will not happen. There will be no new Corps reforms to let local sponsors improve infrastructure at their own expense. I am talking about this for a minute because this is significant. They are willing to spend their own money and yet it is not legal for them to do. We correct that.

There will be no FEMA assistance to States to rehabilitate unsafe dams.

There will be no reforms to help communities address clean water and safe drinking water infrastructure mandates. This is something that those of us from rural States—in my State of Oklahoma, we have a lot of small communities, and there is nothing that horrifies them more when they have an unfunded mandate. They say we are going to have to treat the water and it is going to cost \$14 million. They don't have any access to that kind of money. I suggested last week that there are a lot of similar problems. So this goes a long way to correcting these unfunded mandates. When I was mayor of Tulsa, the biggest problem we had was unfunded mandates.

Without this bill, there will be no new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for coal utilities from runaway coal ash lawsuits. We will be addressing this and recognizing that there is a great value to coal ash if properly used.

These are not State problems or even regional problems, but what we have is a bill that addresses problems faced by our Nation as a whole.

To reiterate how important this bill is, I want to give a few more real examples to show how the problems we are facing now are affecting our citizens, the people who sent us here, and in Washington, this is what we are supposed to be doing.

The water resources of this bill expand our economy and protect infrastructure and lives by authorizing new navigation, flood control, and ecosystem restoration projects, all based on a recommendation from the Corps of Engineers and a determination that the projects will provide significant national benefits.

The Corps has built 14,700 miles of levees that protect billions of dollars' worth of infrastructure and homes. These are referred to as high-hazard dams or high-hazard levees, and that definition means that if something happens to one, people will die. It is

not saying people will be hurt; people are going to die. We have many examples of that so the Corps projects nearly \$50 billion a year in damages. Many of these levees were built a long time ago and some have failed just recently.

Chart 4 is the Iowa River levee breach. If that doesn't tell the story, the significance of this—this is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases, levees like this one were constructed by the Army Corps of Engineers decades ago but no longer meet the Corps' post-Katrina engineering and design guidelines. WRDA 2016 will end the bureaucratic nightmare local levee districts face by allowing them to increase the level of flood protection most of the time at their own expense when the Corps is rebuilding after a flood—something they can't do now.

Let's look at the economic benefits of investing in our Nation's port and inland waterway system. We need to invest in our ports and inland waterway system to keep the cost of goods low. If we don't do that, costs will go up, and of course we want to keep creating good-paying jobs.

WRDA 2016 has a number of provisions that will ensure we grow the economy, increase our competitiveness in the global marketplace, and promote long-term prosperity. These provisions include important harbor-deepening projects, such as those in Charleston, SC; Port Everglades, FL; and Brownsville, TX.

Take Charleston as an example. They have a 45-foot harbor. Now that they have expanded the Panama Canal and we have the boats called Panamax vessels going through—those are the great big vessels, and this poster gives you an idea of what can be carried on those. The problem with the Panamax vessels is that they take up 50 to 51 feet in the harbor. What happens to Charleston, SC, if they have the big vessels coming through the Panama Canal, coming up to come into our harbors in the United States, they have to instead go into one of the harbors in the Caribbean and divide up the containers. It is very expensive. That is just one of several of the harbors we are working on.

Everyone knows the Corps' maintenance budget is stretched thin, but WRDA 2016 comes up with a solution. This is a solution that we have in the bill we will be voting on, and we will have the major vote tonight. In the WRDA bill, we will let local sponsors, such as ports, either give money to the Corps to carry out the maintenance or get in and start maintaining using their own dollars. That is something you would think they could do now, but they can't. That is in this bill. That was the major thing the ports were pushing for in this bill.

What about in communities? I mentioned that in my State of Oklahoma,

we have a lot of rural towns that don't really have the resources to do a lot of these things in the form of mandates. The bill provides Federal assistance to communities facing unaffordable EPA safe water and clean water mandates. WRDA 2016 targets these Federal dollars to those who need it the most. I know that years ago when I was the mayor of Tulsa, that was the biggest concern we had, and it is even more of a concern in these small communities. So we do it by having assistance for smaller, disadvantaged communities, with priority for underserved communities that lack basic water infrastructure; assistance for lead service line replacement, with a priority for disadvantaged communities; and assistance to address the very costly sewer overflow system.

It is worth noting that all the money in this bill is either subject to the Budget Control Act caps that govern the annual appropriations bills or is fully offset.

This is an introduction to economics. By passing this legislation and securing the appropriate funding, we can improve economic opportunities for all Americans. This is a critical moment. We must get back to regular order, passing WRDA every 2 years. We went through a period in 2007—we didn't have a WRDA bill following that until 2014. The year 2014 was the last time we did it. We decided then that if we are supposed to do it every 2 years, then starting in 2014, we are going to do it. The best evidence of that is that we are going to do it tonight.

So we will have a 2016 budget. Doing this will help us modernize the water transportation infrastructure through flood protection and environmental restoration around the country. The process we follow in this is very open. I think one of the reasons we have been successful in our committee doing the Transportation bill, the chemical bill, and now this bill, is because everybody knows what is going on and they have time to determine what is the best thing for their State.

Way back on December 9, we sent this bill from the committee to all Members of the Senate saying: We are going to do the WRDA bill, so go ahead and start working on amendments. They did that, and then, of course, for the last few weeks, we have been talking about getting amendments down to the floor, and we have done that. We brought a substitute amendment that was a result of that work to the full Senate on September 8. That amendment included over 40 provisions that were added after the committee markup.

Finally, last week I came to the floor and let all of you know that Senator BOXER and I needed to see your amendments by noon on Friday for the managers' package. By noon on Friday, we had amendments in. We considered

some 35 provisions, and we have addressed most of these—I think to some degree all of them. Now those provisions are in the Inhofe-Boxer amendment that we filed today and hope to get consent to adopt shortly after the cloture vote tonight.

This has been a very open and collegial process, and all Members have had their concerns and priorities heard. We have done our best to address Members' priorities. After cloture this evening, we will continue to do our best to clear germane amendments until final passage this week.

I am very excited that we are going to be able to get this done. A lot of people sit back and say that nothing ever gets done in Washington. I have to say that in our committee we get things done, and we are going to get this done tonight.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 4979.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4979, offered by the Senator from Kentucky, Mr. MCCONNELL, to S. 2848, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. PERDUE), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE), the Senator from Nevada (Mr. REID), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote "yea."

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 90, nays 1, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—90

Alexander	Ernst	Murphy
Ayotte	Feinstein	Murray
Baldwin	Fischer	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Peters
Blumenthal	Gillibrand	Portman
Blunt	Grassley	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Boxer	Heitkamp	Rounds
Brown	Heller	Rubio
Burr	Hirono	Sasse
Cantwell	Hoeben	Schatz
Capito	Inhofe	Schumer
Cardin	Isakson	Scott
Carper	Johnson	Sessions
Casey	King	Shaheen
Cassidy	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Cruz	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Moran	Wyden

NAYS—1

Lee

NOT VOTING—9

Coats	Murkowski	Toomey
Flake	Perdue	
Graham	Reid	
Kaine	Sanders	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 90, the nays are 1.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Wisconsin.

MORNING BUSINESS

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

STAFF SERGEANT MATTHEW VAIL THOMPSON

Mr. JOHNSON. Mr. President, I come to the floor to pay tribute to an American soldier who has given his last full measure of devotion to this Nation and to the noble pursuits of liberty and peace.

Twenty-eight-year-old SSG Matthew Vail Thompson grew up in Brookfield, WI, and was a proud member of the Army Special Forces. Tragically, on August 23, 2016, he became the second American this year to lose his life while on combat duty in Afghanistan.

Staff Sergeant Thompson was truly one of the finest among us. I had the honor of attending a memorial service for Matthew at his family's church in Brookfield, where hundreds of his friends and family members paid their final respects. They loved him, of course, but they also admired him. They told stories of a generous young man, adventurous, and always ready to make friends. His father spoke about and his pastor read us something Matthew wrote 10 years ago, a list of "all the little things" that make life sweeter. In effect, 10 rules to live by. It shows striking maturity, especially for a young man still in his teens when he and his best friend wrote the rules.

Now, the rules are actually quite deep, and there is an awful lot written, but I just want to read the 10 rules bullet points and just refer everybody to my Web site for the full rules and all he has written.

1. Never grow up.
2. Learn.
3. Never have any regrets.
4. Live for the moment.
5. Do what you love.
6. Pursue with a passion.
7. Never settle.
8. Always take time to listen and to talk.
9. Keep a positive attitude.
10. I need God and will live for Him.

His father gave an extraordinary eulogy about his son, and he asked the congregation at the very end—he hoped, the congregation would learn from what Matthew had written.

Matthew began college at Marquette University in Milwaukee. In paying tribute to Matthew, one of his fellow resident assistants said: "He was one of the best humans I ever knew." He transferred to Concordia University in California, where he earned a degree in theological studies and met his wife Rachel.

Rachel Thompson says Matthew was reluctant to date at first because of his plans to serve in the military. She said: "He knew he wanted to go into a really specialized, extremely dangerous job." His first thought was to spare her the possible pain.

That danger was real. Staff Sergeant Thompson served as a medic with America's elite forces in hazardous places. He was first deployed to Iraq and then to Afghanistan. The mission he and his unit were on was considered to be "noncombat"—advising Afghan forces on how to free their country from ongoing attacks by the Taliban, Islamic terrorists who seek to reimpose their oppressive rule. Their mission was noncombat in name only, but Staff Sergeant Thompson and his unit were patrolling "outside the wire." They

were exposed to every danger. They were patrolling on foot, looking for improvised explosive devices left by an enemy that seeks to kill indiscriminately. One of those bombs went off, killing six Afghan soldiers, wounding another American soldier, and taking the life of Matthew—a courageous young man who was defending the liberties on which this Nation was founded, liberties our Founders said are the birthright of everyone on Earth.

For 240 years, our service men and women have defended those liberties, and they have paid a very high price. Since the Revolutionary War, more than 42 million men and women have served in our military, and more than 1 million of these heroes have died in that service. Staff Sergeant Matthews' home State has done its part. Since statehood, more than 27,000 of Wisconsin's sons and daughters have died in military service. Every one of us wishes they could have lived in peace, to fulfill their hopes and dreams, to enrich this country in ways we will never know. Every one of us is grateful that when freedom demanded such sacrifice, they stood on guard for America.

A nation's gratitude can scarcely comfort those who loved Matthew Thompson and who suffer his loss. His wife Rachel, his parents Mark and Linda, and his sisters Karen and Robyn—but also his extended family, his friends, and his band of brothers and sisters in the Army. Our hearts go out to them, and I pray they will find consolation and peace in fond memories, in spite of their loss.

But a Nation's gratitude, inadequate as it may be, is what Staff Sergeant Thompson is fully due. Rachel Thompson recounted her last conversation with her husband. Because she knew he was doing dangerous work, she said:

I was crying. I was afraid. And he would just listen and tell me he loved me and that it was going to be OK.

For America it will be OK, as long as men and women of the caliber and spirit of Staff Sergeant Thompson continue to stand on our behalf and in defense of our freedom.

May God bless and comfort Staff Sergeant Thompson's loved ones. May He watch over all those who answer our Nation's call. May God bless America.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL POW/MIA RECOGNITION DAY

Mr. CRAPO. Mr. President, in honor of National POW/MIA Day, today I

wish to pay tribute to our Nation's servicemembers who have been taken as prisoners of war, POWs, and those missing in action, MIA. I also pray for resolution for the military families who await answers about their loved ones and thank those who work to ensure that all our Nation's veterans are accounted for and their service is not forgotten.

A great source of pride and comfort in being an American is knowing that if we get in harm's way, strong and resourceful Americans stand with us. Unfortunately, 10, 20, 30, 40, 50, 60 and even 70-plus years have passed since some Americans have gone unaccounted for while serving our Nation, and they have yet to be returned home.

The Defense POW/MIA Accounting Agency reports that more than 83,000 Americans remain missing from World War II, the Korean war, the Vietnam war, the Cold War, and the Gulf wars and other conflicts. This includes 333 Idahoans who have not been recovered following World War II and 25 Idahoans who remain unaccounted for who served in the Korean war. Additionally, eight Idahoans went missing while serving in the Vietnam war and remain missing: Capt. Jon K. Bodahl, Capt. Curtis R. Bohlscheid, CPT Gregg N. Hollinger, ENS Hal T. Hollingsworth, SSG William B. Hunt, 1LT William E. Lemmons, LT Roderick L. Mayer, and Warrant Officer Jon M. Sparks. Their names and service must be fixed in our national attention.

My heart hurts for the thousands of military families who have remained in limbo all these years. We can never forget their pain and the enduring service of all our service personnel who have not made it home. We must be resolute in our duty to bring them home. That is part of our responsibility as a nation to those Americans who have answered the call of duty to defend our country and its interests.

As we pay tribute to POW/MIA families and veterans, we cannot lose sight of the ongoing price they bear for our freedoms and security.

WELCOMING THE MONGOLIAN DELEGATION TO PHILADELPHIA

Mr. CASEY. Mr. President, I wish to welcome the visit of Mongolian President Tsakhiagiin Elbegdorj to Philadelphia on September 23, 2016. This is a truly historic occasion. President Elbegdorj's visit marks the beginning of an important chapter in the relationship between our two countries and between the people of Pennsylvania and the people of Mongolia. Despite the geographic distance between our countries, we have in common the pursuit of a healthy democratic system of governance and of stability and economic prosperity in the region.

I have no doubt that, during his visit, President Elbegdorj will be impressed

with the city of Philadelphia, the musical talent of the Philadelphia Orchestra, and the scholarship at the University of Pennsylvania. Philadelphia is a truly global city, and the people of Philadelphia are excellent cultural ambassadors. I am pleased to share with my colleagues that, in 2017, the Philadelphia Orchestra plans to embark on its tour of Asia, which will include an unprecedented visit to Ulaanbaatar, Mongolia.

I want to convey my gratitude and appreciation for the Philadelphia Orchestra, the University of Pennsylvania, and the Philadelphians who are making this important visit possible. I want to express my best wishes to President Elbegdorj, Foreign Minister Tsend Munkh-Orgil, Ambassador Bulgaa Altangerel, and the rest of the delegation for a successful and productive visit to Philadelphia.

REMEMBERING JOE HOSTEEN KELLWOOD

Mr. MCCAIN. Mr. President, today I wish to join the entire State of Arizona in mourning the passage of Joe Hosteen Kellwood this week. Joe, a decorated war hero, father, and grandfather, was a loyal servant and patriot of this country. It is with great respect that I commemorate the passing of this honorable man, who volunteered his life during one of the most trying times for our Nation.

Joe will be remembered as one of the legendary Navajo Code Talkers of World War II, who developed the only Allied code that the enemy was never able to decipher. Using their unique language skills, about 430 Native Americans turned the tide of battle against the Japanese, which military experts estimate shortened the war in the Pacific. Their bravery, resourcefulness, and tenacity in the line of duty remains a testament to their remarkable service.

During World War II, Joe was inspired by the brave acts of servicemen during the Battle of Guadalcanal. He then enlisted in 1942, telling his sister, "I'm going to war" to defend his nation. Shortly thereafter, he was selected for the Navajo Talkers' School at Camp Elliot in San Diego where he studied on his own at night and arduously memorized those codes. On his transport ship to Australia, where he would join the 1st Marine Regiment, Joe conducted a Navajo ritual for safe return. Although such rituals were not allowed under military rules, he secretly used a piece of gum mixed with corn pollen he had brought from home and spat the mixture into the ocean as he prayed to the Holy People. His faith gave him the confidence he needed.

Joe received numerous awards and honors including the Congressional Silver Medal, Presidential Unit Citation, Combat Action Ribbon, Naval Unit

Commendation, Good Conduct, American Campaign Medal, Asiatic-Pacific Campaign Medal, and WWII Victory Medal for his heroic service.

After returning to the Navajo reservation, Joe returned to his trade as carpenter and lived for over 60 years in his same Sunnyslope home with his loving wife, Andrena, where they watched his 5 sons, 15 grandchildren, and 20 great-grandchildren grow. He served as an inspiration for his fellow Navajo as a speaker at numerous events and sang the "Marine Corps Hymn" in his native language. Joe was a proud member of Veterans of Foreign Wars post 9400 and American Legion post 75 for many years.

We owe a debt of gratitude to the sacrifices of selfless patriots like Joe whose remarkable courage and patriotism will be long remembered by his country.

ADDITIONAL STATEMENTS

REMEMBERING GRIFFIN DALIANIS

• Ms. AYOTTE. Mr. President, today I recognize the extraordinary life of a dear friend and champion of veterans' rights, Griffin "Griff" Dalianis.

Griff served with the 1st Special Operations Group of the Strategic Air Command in the U.S. Air Force from 1961 to 1965. His service here may have influenced his work later in life—Griff was well known and loved in his community for his tireless work on behalf of his fellow veterans. After his service, Griff Dalianis earned his bachelor's degree in history and psychology from Suffolk University in Boston, followed by a master's degree of education. He then earned a certificate in advanced graduate study in counseling from Northeastern University in 1975 and earned his doctorate of philosophy from California Western University in 1982.

The next several years of Griff's life show a man who was deeply dedicated to serving others. In addition to founding Southern New Hampshire Family Counseling Associates in 1975 and serving as an instructor of psychology at Rivier College in Nashua, Griff became an active and respected member of the Nashua community. He was affiliated with numerous Nashua groups, including the Nashua Rotary Club, the Nashua Youth Council, Nashua Planning Board, and Nashua Chamber of Commerce.

Griff Dalianis's advocacy on behalf of his fellow veterans was unparalleled. In addition to serving as chairman of the State Veterans Advisory Committee, chairman of the U.S. Veterans Administration Committee on Rehabilitation, civilian aide to the Secretary of the Army, and receiving a Distinguished Service Medal, Griff worked with Harbor Homes, an organization in New

Hampshire that provides transitional housing for homeless veterans. An apartment house Griff worked to establish with Harbor Homes was named after him. As a result of his efforts, approximately 40 veterans at risk of homelessness now have homes. Griff even had a weekly column in the *Nashua Telegraph* called "Ask the Commander."

Griff leaves behind his wife, New Hampshire Supreme Court Chief Justice Linda Stewart Dalianis, daughters Deborah A. Bischoff and Cynthia E. Godfrey, sons Matthew Dalianis and Benjamin Dalianis, grandchildren Allison Bischoff and Mariah Willis, and many other family members and loved ones. We are all deeply saddened by the loss of such an influential and exemplary member of Nashua's community and dear friend to so many.

Our thoughts and prayers are with Chief Justice Linda Dalianis and her family during this difficult time. Griff's legacy of service and advocacy will live on in Nashua and across New Hampshire, and we are forever grateful that he called our great State home.●

REMEMBERING LIEUTENANT COLONEL EDWARD H. JOSEPHSON

● Ms. AYOTTE. Mr. President, today I wish to recognize the exceptional service and the extraordinary life of a dear friend and champion for veterans, Lt. Col. Edward "Ed" H. Josephson, U.S. Air Force retired.

Born in Syracuse, NY, on February 21, 1938, to Edward Josephson and Kathleen Beatrice, the family soon returned to Concord, NH, where Ed grew up. At an early age, he enjoyed hunting and fishing, his paper route, and visiting the New Hampshire Historical Building. Joining the New Hampshire Civil Air Patrol, Ed quickly encourage his love for flying, and during his senior year at Concord High School, he learned of the new U.S. Air Force Academy, which would be accepting candidates for its first graduating class.

Ed wrote a letter to Congressman Perkins Bass and, soon after, received a letter stating he had been nominated for the U.S. Air Force Academy. Not long after that, he received a telegram from the Air Force Academy saying he had been accepted. In a long and distinguished career flying transport planes for the U.S. Air Force, Ed visited all 50 States, many countries, and all 7 continents.

After his retirement from the U.S. Air Force, Ed joined AVCO, which became Textron Systems Division. Assuming many roles with many jobs and titles for Textron, he worked his way up to become vice president and ombudsman, a title and job he thoroughly enjoyed.

Ed Josephson has been a strong and effective advocate for many New

Hampshire veteran organizations, having served with great distinction as the chair of the legislative committee for the New Hampshire State Veterans Advisory Committee, and with the board of directors for the Military Officers Association of New Hampshire. Ed was proud of his work in the U.S. Air Force Academy Association, which was an important part of his life. He believed the values expressed in the Honor Code were the most important, and he lived his life by those values every day.

Lt. Col. Ed Josephson passed away on September 4 with his family at his side. He joins his daughter Karen Baker, who predeceased him on December 22, 2014, and leaves behind his wife, Judy Josephson, of 53 years, son Edward Andrew "Andy" Josephson from Charleston, SC, and granddaughter Monica Louise Josephson of Bayreuth, Germany, now living in Bucksport, ME, his brother Michael A. Josephson from Webster, NH, and many others. Our thoughts and prayers are with Judy and the family, but we are confident that they will be comforted in knowing that Ed's legacy of service and advocacy will live on across New Hampshire. We will be forever grateful that he called our great State home.●

TRIBUTE TO KRISTIN ARMSTRONG

● Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in congratulating fellow Idahoan Kristin Armstrong on winning the gold medal in cycling at the XXXI Olympic Summer Games in Rio de Janeiro, Brazil.

Kristin Armstrong, of Boise, ID, represented our State and Nation with distinction, winning an unprecedented third straight gold medal in the Olympic cycling individual time trial. This gold is another achievement in her remarkable cycling career. She also took home the gold in the 2012 Olympics in London and the 2008 Olympics in Beijing after competing in the 2004 Olympics in Athens. In addition to her Olympic and many other successes, Kristin has earned two gold, a silver, and a bronze medals in world championship competitions.

Kristin inspires countless others to push beyond the limits of what is thought possible. We join with her husband, Joe; son, Lucas; their many friends and loved ones; and fellow Idahoans and Americans in celebrating the hard work and dedication that paid off in Rio. Congratulations, Kristin, on bringing home the gold yet again. We wish you continued success in all of your future challenges.●

TRIBUTE TO DON BERNARD

● Mr. HELLER. Mr. President, today I wish to congratulate Clark County School District special education teacher Don Bernard on receiving the

Heart of Education Award. This award is truly prestigious and attained by only the most influential educators throughout our State.

The Heart of Education Award recognizes educators who have gone above and beyond for their students. The Smith Center for the Performing Arts honored 800 finalists for their exceptional service to our Nation's youth. Of those 800 finalists, 21 educators received special recognition and an outstanding commemorative Heart of Education Award for their dedication. Specifically, Mr. Bernard was recognized for his outstanding work with special education students.

Mr. Bernard began his career as an attorney, working to assist juveniles who struggled within the justice system. In 1997, he moved to Las Vegas and continued his endeavors to aid vulnerable youth as a special needs teacher. For over a decade, Mr. Bernard has been a dedicated Clark County School District educator, and he continues to better the lives of special needs children in and out of the classroom. Southern Nevada is fortunate to have someone of such dedication working on behalf of Nevada's students.

As a father of four children who attended Nevada's public schools and as the husband of a teacher, I understand the important role that educators play in enriching the lives of Nevada's youth. Mr. Bernard has worked tirelessly to help prepare students across southern Nevada to succeed in their academic endeavors, and I am grateful to have him serving as an ally to future generations of Nevadans.

I ask my colleagues and all Nevadans to join me in thanking Mr. Bernard for his dedication to enriching the lives of Nevada's students and congratulating him on receiving this award. I wish him well as he continues creating success for all students who enter the Clark County School District.●

TRIBUTE TO PATRICK AND LAURA MUNSON

● Mr. THUNE. Mr. President, today I wish to recognize Patrick and Laura Munson of Sioux Falls, SD, as my nominees for the 2016 Angels in Adoption Award. Since 1999, the Angels in Adoption Program, through the Congressional Coalition on Adoption Institute, has honored over 2,000 individuals, couples, and organizations nationwide for their work in providing children with loving, stable homes.

Patrick and Laura's adoption story began when Patrick was finishing up his medical residency in Arkansas. Patrick and Laura, along with their three children, Jadon, Will, and David, decided to foster Micah, a boy born premature and coping with special needs.

After hearing the statistics on children in foster homes, Patrick and Laura did not give a second thought;

they knew that fostering Micah would give him the best chance to succeed. Soon after, the Munsons adopted Micah.

While the Munson family will tell you that raising a child who has spent time in foster care can sometimes present its challenges, they fully and wholeheartedly embrace their life with Micah.

Each year, awardees from all 50 States, plus the District of Columbia and Puerto Rico, are invited to come together in Washington, DC, to participate in events that celebrate their heroic actions and enable them to use their personal experience to effect change on a national level.

It is important that we recognize families like the Munsons who fulfill the roles of foster and adoptive parents. They open their hearts and homes to children in need of loving families. These families have bestowed a gift onto others in an immeasurable way, and the impact of their love is profound. It brings me great pride to honor Patrick and Laura as my nominees for the 2016 Angels in Adoption Award.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2357. An act to direct the Securities and Exchange Commission to revise Form S-3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form.

H.R. 5424. An act to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2357. An act to direct the Securities and Exchange Commission to revise Form S-3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5424. An act to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3839. An act to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. CAPITO (for herself, Mr. TESTER, Mr. BOOZMAN, and Mr. COTTON):

S. 3308. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. BROWN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. WYDEN, Mr. COONS, Mr. SANDERS, Mr. MARKEY, Mr. CARDIN, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3309. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself and Mr. DAINES):

S. 3310. A bill to establish a grant program to support landscape-scale restoration and management, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SASSE (for himself, Mr. PORTMAN, Mr. COTTON, Mr. MCCAIN, and Mr. VITTER):

S. 3311. A bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty; to the Committee on Finance.

By Mr. GARDNER:

S. 3312. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. Res. 551. A resolution honoring the Maine-Endwell Little League Team of Endwell, New York, for the victory of the team in the 2016 Little League World Series; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mrs. BOXER, Mr. MURPHY, Mr. KAINE, and Mr. MENENDEZ):

S. Res. 552. A resolution commemorating the fifteenth anniversary of NATO's invocation of Article V to defend the United States following the terrorist attacks of September 11, 2001; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 311

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1566

At the request of Mr. KIRK, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1684

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1684, a bill to amend the Volunteer Protection Act of 1997 to provide for liability protection for organizations and entities.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2098

At the request of Mr. MURPHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2098, a bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. GARDNER) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2572

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2572, a bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

S. 2598

At the request of Ms. WARREN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2598, a bill to require the Secretary

of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2645

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. CARPER), the Senator from Rhode Island (Mr. REED), the Senator from Michigan (Ms. STABENOW) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2697

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2697, a bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes.

S. 2711

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2711, a bill to expand opportunity for Native American children through additional options in education, and for other purposes.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2803

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2803, a bill to require the Secretary of Health and Human Services to deposit certain funds into the general fund of the Treasury in accordance with provisions of Federal law with regard to the Patient Protection and Affordable Care Act's Transitional Reinsurance Program.

S. 2869

At the request of Mr. BURR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2869, a bill to amend the Internal Revenue Code of 1986 to improve college savings under section 529 programs, and for other purposes.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled col-

laborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 3065

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. MURPHY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3076

At the request of Mr. COTTON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3076, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes.

S. 3127

At the request of Mr. HEINRICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3127, a bill to amend title 18, United States Code, to enhance protections of Native American cultural objects, and for other purposes.

S. 3130

At the request of Mr. MARKEY, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3130, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 3132

At the request of Mrs. FISCHER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3155

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3210

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3210, a bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

S. 3244

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3244, a bill to amend title XXVII of the Public Health Service Act to clarify the treatment of pediatric dental coverage in the individual and group markets outside of Exchanges established under the Patient Protection and Affordable Care Act, and for other purposes.

S. 3279

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3279, a bill to realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that inter-country adoption to the United States becomes a viable and fully developed option for providing families for children in need, and for other purposes.

S. 3285

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. COATS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or

detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the names of the Senator from Georgia (Mr. PERDUE), the Senator from North Carolina (Mr. TILLIS), the Senator from Colorado (Mr. GARDNER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3298

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3298, a bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of any drug containing an opiate to prominently state that addiction is possible.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 199

At the request of Mr. NELSON, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

AMENDMENT NO. 4985

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 4985 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4988

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 4988 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related re-

sources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4992

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Ms. CANTWELL) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 4992 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4998

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 4998 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 551—HONORING THE MAINE-ENDWELL LITTLE LEAGUE TEAM OF ENDWELL, NEW YORK, FOR THE VICTORY OF THE TEAM IN THE 2016 LITTLE LEAGUE WORLD SERIES

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 551

Whereas on Saturday, August 27, 2016, the Maine-Endwell Little League Team won the United States championship at the Little League Baseball World Series, defeating a talented and energetic team from Goodlettsville, Tennessee, by 4 to 2;

Whereas on Sunday, August 28, 2016, the Maine-Endwell Little League Team competed against the East Seoul Little League Team of South Korea in the 70th Little League Baseball World Series championship and won 2 to 1, rounding out an amazing undefeated season in which the team won 24 games and lost none;

Whereas the Maine-Endwell Little League Team is the first United States team to win the Little League Baseball World Series title since 2011 and the first team from the State of New York to win the championship since 1964;

Whereas the Maine-Endwell Little League Team showed humility and grace both on and off the diamond, earning the 2016 Jack Losch Little League Baseball World Series Team Sportsmanship Award, and was the first team ever to win the World Series title and the sportsmanship award in the same year;

Whereas the Maine-Endwell Little League Team is comprised of Billy Dundon, Jude Abbadesse, Brody Raleigh, Michael Mancini, Jordan Owens, Conner Rush, Justin Ryan, Jack Hopko, James Fellows, Jayden Fanara, and Ryan Harlost;

Whereas the Maine-Endwell Little League Team is managed and coached by Scott Rush, Joe Mancini, and Joe Hopko, among others; and

Whereas the Maine-Endwell Little League Team has brought tremendous excitement, pride, and honor to the Southern Tier of New York, the State of New York, and the United States; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates and honors the Maine-Endwell Little League Team and their fans on the victory of the team at the 70th Little League Baseball World Series championship;

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the members, parents, families, coaches, and managers of the Maine-Endwell Little League Team; and

(3) recognizes and commends the people of the Town of Union, Broome County, and the Southern Tier of New York for their incredible dedication, loyalty, and support for the Maine-Endwell Little League Team throughout the season.

SENATE RESOLUTION 552—COMMEMORATING THE FIFTEENTH ANNIVERSARY OF NATO'S INVOCATION OF ARTICLE V TO DEFEND THE UNITED STATES FOLLOWING THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001

Mr. COONS (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mrs. BOXER, Mr. MURPHY, Mr. KAINE, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 552

Whereas the North Atlantic Treaty Organization (NATO), the world's most effective, strongest international political-military alliance, was established in 1949 by the North Atlantic Treaty;

Whereas the principle of collective defense, whereby NATO member states agree to mutual defense in response to an attack by an external party, is at the very heart of NATO's founding treaty;

Whereas NATO's commitment to collective defense is enshrined in Article V of the North Atlantic Treaty, which states that "an armed attack against one" NATO member "shall be considered an attack against them all";

Whereas, on September 11, 2001, the United States was attacked by the al Qaeda terrorist network, headed by Osama bin Laden and protected by the Taliban regime in Afghanistan;

Whereas, on September 12, 2001, less than 24 hours after the attacks, NATO invoked Article V for the first time in history;

Whereas, in October 2001, NATO launched its first ever counterterrorism operation, Operation Active Endeavor, to support the United States and safeguard all allies;

Whereas, from October 2001 to May 2002, as part of Operation Active Endeavor, NATO deployed seven NATO Airborne Warning and Control System (AWACS) Surveillance aircraft to help patrol the skies over the United States;

Whereas 830 crew members from 13 NATO countries flew more than 360 sorties to sup-

port Operation Eagle Assist to protect the United States from further attack;

Whereas NATO activities under Operation Active Endeavor also included NATO ships patrolling the Mediterranean and monitoring shipping to help deter, defend, disrupt, and protect against terrorist activity;

Whereas, from 2003 until 2014, NATO commanded the International Security Assistance Force (ISAF) in Afghanistan, tasked with conducting security operations throughout the country and helping to build the Afghan National Defense and Security Forces;

Whereas ISAF was the longest, largest, and most challenging combat mission in NATO's history and at its height comprised more than 130,000 troops from 51 NATO and partner countries, including at least 40,000 from countries other than the United States;

Whereas at least 3,519 NATO troops, including 2,383 United States troops and more than 1,000 from NATO allies and partners, have died fighting in Afghanistan;

Whereas, in January 2015, in a sign of continued solidarity, NATO launched a new mission in Afghanistan, Operation Resolute Support, to advise and assist Afghan security forces;

Whereas, as of June 2016, approximately 12,000 NATO personnel were contributing to the Resolute Support Mission, 7,000 of whom are from the United States;

Whereas, on July 8 and 9, 2016, Heads of State and Government of the 28 NATO allies met in Warsaw, Poland to "ensure that the Alliance remains an unparalleled community of freedom, peace, security, and shared values, including individual liberty, human rights, democracy, and the rule of law";

Whereas leaders at the Warsaw Summit decided to—

(1) strengthen the Alliance's military presence in Eastern Europe with four battalions in Poland, Estonia, Latvia, and Lithuania on a rotational basis starting in 2017;

(2) develop a tailored forward presence in southeastern Europe;

(3) strengthen cyber defenses;

(4) train and build capacity inside Iraq in support of the global coalition to defeat the so-called Islamic State, including by providing a NATO AWACS Surveillance plane and to expand maritime presence in the Mediterranean Sea;

(5) continue contributions to NATO's Resolute Support Mission in Afghanistan beyond 2016 and confirm funding commitments to 2020;

(6) welcome Ukraine's plans for reform and endorse a Comprehensive Assistance Package for Ukraine;

(7) welcome the vital progress made in implementing the Substantial NATO-Georgia Package and activating the Joint Training and Evaluation Center to strengthen Georgia's self-defense and resilience capabilities; and

(8) reiterate support for the territorial integrity and sovereignty of both Ukraine and Georgia within their internationally recognized borders;

Whereas the NATO alliance has served the interests of the United States and its transatlantic allies for more than seven decades;

Whereas, on April 6, 2016, NATO Secretary General Jens Stoltenberg stated, "NATO is a powerful tool in which all our nations have made great investments. For almost seventy years, NATO has brought Europe and North America together. Providing security for both sides of the Atlantic. I know that I can count on the continued leadership of the United States. I also know that the mutual

interests of Europe and the United States are best served by a strong North Atlantic Alliance. Because the security of Europe and North America is indivisible. And only by standing together will we remain safe and secure."; and

Whereas, on July 9, 2016, following the Warsaw Summit, President Barack Obama stated, "NATO is as strong, as nimble, and as ready as ever. . . Nobody should ever doubt the resolve of this Alliance to stay united and focused on the future. And just as our nations have stood together over the past hundred years, I know that we'll stay united and grow even stronger for another hundred more."; Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the fifteenth anniversary of NATO's invocation of Article V to defend the United States after the terrorist attacks of September 11, 2001;

(2) commends the contributions of our NATO allies and partners in our common fight against terrorism and in pursuit of international security;

(3) honors those men and women who have died for the cause of common defense of the North Atlantic Treaty allies;

(4) recommitments the United States to the North Atlantic Treaty, especially to common defense of Treaty allies, and affirms that the United States remains fully prepared, capable, and willing to honor its commitments under Article V;

(5) encourages all NATO allies to continue their valuable contributions to the Alliance, including by investing at least two percent of gross domestic product in national defense spending;

(6) commends the NATO Alliance for decisions taken at the July 2016 Warsaw Summit and the President for investing in the European Reassurance Initiative to enhance deterrence and project international stability beyond NATO; and

(7) reaffirms the commitment of the United States to deterring those who seek to destabilize the Euro-Atlantic area, and to maintaining an "Open Door" policy on welcoming new members, and welcomes the Alliance's invitation to Montenegro.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5008. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 5009. Mr. INHOFE (for Mr. PERDUE (for himself and Mr. ISAKSON)) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5010. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5011. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5053. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5054. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5055. Mr. REID submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5056. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5057. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5058. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5059. Mr. SASSE (for himself, Mr. COTTON, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5060. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5008. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 233, strike lines 13 through 17 and insert the following:

- “(1) \$500,000,000 for fiscal year 2017;
- “(2) \$600,000,000 for fiscal year 2018;
- “(3) \$700,000,000 for fiscal year 2019;
- “(4) \$800,000,000 for fiscal year 2020; and
- “(5) \$1,000,000,000 for fiscal year 2021.

SA 5009. Mr. INHOFE (for Mr. PERDUE (for himself and Mr. ISAKSON)) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water

and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8. WETLAND DELINEATIONS.

Notwithstanding any other provision of law, the Secretary may not reevaluate or revise any jurisdictional determination for wetland delineations for the Atlantic and Gulf Coast region that was valid as of January 1, 2008, or that has an effective approval date of January 1, 2008, through December 31, 2014.

SA 5010. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 270, strike line 18 and all that follows through page 272, line 2, and insert the following:

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

- (1) in the first sentence of subsection (a)—
- (A) by striking “\$5,000,000” and inserting “\$8,000,000”; and
- (B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(c) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law

SA 5011. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 7307(a), strike “Administrator, in conjunction with the Secretary of the Interior,” and insert “Secretary of the Interior, in conjunction with”.

SA 5012. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water

and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(1) PROJECT DEAUTHORIZATIONS.—Section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended—

(1) in the first sentence, by striking “every year after the transmittal of the list under paragraph (1)” and inserting “not later than October 1 of each fiscal year”; and

(2) by adding at the end the following: “If the Secretary fails to submit to Congress the list of projects by October 1 of any fiscal year, no Federal funds made available to the Secretary for the fiscal year shall be expended for nonessential travel expenses of employees of the Corps of Engineers, as determined by the Secretary, until the date on which the list is submitted to Congress in accordance with this paragraph.”.

SA 5013. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2011 (relating to harbor deepening).

SA 5014. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—LOW PRIORITY STUDIES AND CONSTRUCTION FUNDING

SEC. 9001. LOW PRIORITY STUDIES AND CONSTRUCTION FUNDING.

Notwithstanding any other provision of this Act, in accordance with the budget of the President for fiscal year 2017, the Secretary may use for low priority studies and construction of Corps of Engineers projects during fiscal year 2017 an amount not more than \$1,175,000,000.

SA 5015. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water

and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60. CONSTRUCTION OF NEW WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) RECOMMENDATIONS.—

“(1) IN GENERAL.—As part of the report under subsection (a), the Secretary shall include a list of projects based on the satisfaction of the criteria under paragraph (2).

“(2) CRITERIA.—A project under this subsection shall be a project for which—

“(A) a feasibility study or major decision document has been prepared—

“(i) after the date of enactment of the Water Resources Development Act of 2016; and

“(ii) prior to the date on which the report under subsection (a) is submitted to Congress; and

“(B) a report of the Chief of Engineers has been completed prior to the date on which the report under subsection (a) is submitted to Congress that determines that the project—

“(i) is in the national interest;

“(ii) results in a benefit to cost ratio of not less than 2 to 1, exclusive of any environmental restoration activities;

“(iii) complies with applicable Federal environmental law (including regulations); and

“(iv) is technically feasible.

“(3) CERTAIN PROJECTS.—The list under paragraph (1) shall also include a list of projects that, in the aggregate, have a cost of greater than twice the average amount of funds appropriated for construction for the Corps of Engineers for the previous 3 fiscal years.”.

(b) CONFORMING AMENDMENT.—Subsection (a)(2)(A) of section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) (as amended by section 1020(3)) is amended by striking “section 7001(f)” and inserting “section 7001(g)”.

SA 5016. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60. CONSTRUCTION OF NEW WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to subsections (b) and (c), once every 2-year congressional period, the Secretary may submit to the Committee on Environment and Public Works of the Senate and the Committee

on Transportation and Infrastructure of the House of Representatives a report that identifies not more than 9 new water resources project that the Secretary recommends for construction.

(b) CRITERIA.—The Secretary shall only recommend a project in the report under subsection (a) if—

(1) a feasibility study or major decision document has been prepared for the project—

(A) after the date of enactment of this Act; and

(B) prior to the date on which the report under subsection (a) is submitted to Congress; and

(2) a report of the Chief of Engineers has been completed for the project prior to the date on which the report under subsection (a) is submitted to Congress that determines that the project—

(A) is in the national interest;

(B) results in a benefit to cost ratio of not less than 2 to 1, exclusive of any environmental restoration activities;

(C) complies with applicable Federal environmental law (including regulations); and

(D) is technically feasible.

(c) LIMITATIONS.—The Secretary shall not include in the report under subsection (a)—

(1) more than 2 new construction projects that are located in any 1 division of the Corps of Engineers;

(2) any project that is the result of 2 or more combined construction projects; or

(3) any project for which a feasibility study or major decision document was completed more than 10 years prior to date on which the report under subsection (a) is submitted.

(d) CONTENTS OF REPORT.—The report under subsection (a) shall—

(1) for each project, explain the methodology used by the Secretary to determine that the project meets the criteria under subsection (b); and

(2) for each division of the Corps of Engineers, explain the methodology and criteria used by the Secretary in selecting the 1 or more projects from that division for inclusion in the report over other projects in the division that meet the criteria under subsection (b).

(e) PUBLIC PARTICIPATION.—The report under subsection (a) shall be made available to the public, including on the Internet.

(f) ADMINISTRATION.—The Secretary shall not be authorized to carry out any project included in the report under subsection (a) unless the project is explicitly authorized by an Act of Congress during the 2-year period described in subsection (a).

(g) EXEMPTIONS.—This section shall not apply to any water resources construction project that is authorized under a provision designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SA 5017. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) PROJECT DEAUTHORIZATIONS.—Section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended, in the first sentence—

(1) by inserting “(including environmental infrastructure projects)” after “list of projects”; and

(2) by striking “such list” and inserting “the list, or, in the case of environmental infrastructure projects, during the 3 full fiscal years preceding the transmittal of the list”.

SA 5018. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4. PROHIBITION ON USE OF FEDERAL FUNDS FOR BEACH NOURISHMENT ACTIVITIES.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency shall not use Federal funds for the conduct of beach nourishment activities (other than for the conduct of beach nourishment activities in areas with a high risk of flooding in which the Secretary or the Administrator of the Environmental Protection Agency determines beach nourishment activities to be necessary).

SA 5019. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, strike lines 1 through 10 and insert the following:

“(4) COST SHARING.—The non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

SA 5020. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike lines 7 through 14 and insert the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—There

SA 5021. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 80. PROTECTION OF CONGRESSIONAL OVERSIGHT.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency may not enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law.

SA 5022. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1009 and insert the following:

SEC. 1009. PROJECT COMPLETION.

(a) IN GENERAL.—For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

(b) GAO REVIEW AND REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report describing the results of the review, on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

(2) FOCUS OF REVIEW.—The review under paragraph (1) shall focus on the extent to which the projects described in that paragraph—

(A) fall within the mission of the Corps of Engineers;

(B) have been determined to meet an important national priority; and

(C) have experienced cost overruns and the reasons for any cost overruns.

SA 5023. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1007 (relating to a challenge cost-sharing program for management of recreation facilities).

SA 5024. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. MODIFICATION OF CORPS OF ENGINEERS CRITERIA TO DREDGE SMALL PORTS.

(a) MINIMUM TONNAGE REQUIREMENT.—Notwithstanding any other provision of law (including regulations), effective beginning on the date of enactment of this Act, the tonnage requirement with respect to the consideration of dredging of small ports by the Corps of Engineers shall be a minimum of 500,000 tons, as calculated in accordance with subsection (b).

(b) CALCULATION.—For purposes of subsection (a) and any other activity of the Corps of Engineers carried out on or after the date of enactment of this Act, tonnage shall be calculated by each relevant port authority and submitted to the Corps of Engineers.

SA 5025. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) or the Water Supply Act of 1958 (43 U.S.C. 390b) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), of any amounts made available to the Secretary by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114-113; 129 Stat. 2397) to carry out activities under the heading “OPERATION AND MAINTENANCE” under the heading “CORPS OF ENGINEERS—CIVIL,” that remain unobligated as of the date of enactment of this Act, \$5,000,000 is rescinded.

(2) RESTRICTION.—No amounts that have been designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)) shall be rescinded under paragraph (1).

(c) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 10 years after the date of enactment of this Act.

(d) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

SA 5026. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), of any amounts made available to the Secretary by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114-113; 129 Stat. 2397) to carry out activities under the heading “OPERATION AND MAINTENANCE” under the heading “CORPS OF ENGINEERS—CIVIL,” that remain unobligated as of the date of enactment of this Act, \$5,000,000 is rescinded.

(2) RESTRICTION.—No amounts that have been designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)) shall be rescinded under paragraph (1).

(c) TERMINATION.—The limitation under subsection (a) shall expire on the date that is

10 years after the date of enactment of this Act.

(d) **APPLICABILITY.**—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions; or

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee.

SA 5027. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. ENVIRONMENTAL REVIEW OF ENERGY EXPORT FACILITIES.

To the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities (including any permit denied by the Corps of Engineers in a letter dated May 9, 2016), the permit shall not be considered denied until each applicable Federal agency has completed all reviews required for the facility under that Act.

SA 5028. Mr. GARDNER (for himself, Mr. UDALL, Mr. BENNET, Mr. HATCH, Mr. HEINRICH, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8. GOLD KING MINE SPILL RECOVERY.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **CLAIMANT.**—The term “claimant” means a State, Indian tribe, or any person who submits a claim under subsection (c).

(3) **GOLD KING MINE SPILL.**—The term “Gold King Mine spill” means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine.

(4) **NATIONAL CONTINGENCY PLAN.**—The term “National Contingency Plan” means the Na-

tional Contingency Plan prepared and published under section 311(d) of the Federal Water Pollution Control Act (33 U.S.C. 1321(d)), as revised pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

(5) **RESPONSE.**—The term “response” has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Environmental Protection Agency should be considered liable for all injuries arising out of, or relating to, the Gold King Mine spill;

(2) any injured person, including any State or Indian tribe, may bring a claim under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”) for any injury arising out of, or relating to, the Gold King Mine spill; and

(3) the Administrator should receive, process, and facilitate payment of claims for injuries arising out of, or relating to, the Gold King Mine spill pursuant to that chapter of that title.

(c) **GOLD KING MINE SPILL CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.**—

(1) **IN GENERAL.**—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim for response costs arising out of, or related to, the Gold King Mine spill.

(2) **ELIGIBLE COSTS.**—Response costs—

(A) are eligible for payment by the Administrator under this subsection without regard to the date on which the response costs are incurred; and

(B) include any response cost incurred by a claimant that is not inconsistent with the National Contingency Plan.

(3) **PRESUMPTION.**—

(A) **IN GENERAL.**—The Administrator shall consider response costs claimed under paragraph (1) to be eligible costs, unless the Administrator presents substantial evidence that the response costs are inconsistent with the National Contingency Plan.

(B) **APPLICABLE STANDARD.**—The Administrator shall make a determination regarding whether a response cost is not inconsistent with the National Contingency Plan based on the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) **TIMING.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any response costs submitted to the Administrator before that date of enactment.

(B) **SUBSEQUENTLY FILED COSTS.**—Not later than 90 days after the date on which a response cost is submitted to the Administrator, the Administrator shall make a decision on, and pay, any response costs.

(C) **NOTIFICATION.**—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) **WATER QUALITY PROGRAM.**—

(1) **IN GENERAL.**—In response to the Gold King Mine spill, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine spill.

(2) **REQUIREMENTS.**—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the samples and data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other relevant measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities, as determined by the Administrator.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Administrator such sums as may be necessary to reimburse affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

SA 5029. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . PRELIMINARY CONCEPT DESIGN PROCESS.

(a) **PRELIMINARY CONCEPT DESIGN DOCUMENT.**—After receipt of a preliminary permit, a non-Federal entity seeking to develop hydroelectric power at a civil works project of the Corps of Engineers may submit to the Corps of Engineers a preliminary concept design that is consistent with the license application process of the Federal Energy Regulatory Commission.

(b) **INTEGRATED REVIEW.**—The heads of the district, division, and headquarters levels of the Corps of Engineers shall conduct an integrated review of any preliminary concept design submitted under subsection (a).

(c) **PRELIMINARY FINDING.**—Not later than 60 days after a non-Federal entity submits a preliminary concept design under subsection (a), the Corps of Engineers shall—

(1) complete the review under subsection (b); and

(2) provide the non-Federal entity with—

(A) preliminary findings that include an analysis and comments on the concept design, as the concept design relates to approval for use in the Corps of Engineers licensing process and the ultimate development of the project;

(B)(i) preliminary approval, denial, or request for additional information of the concept design; and

(ii) a description of any measures necessary for the Corps of Engineers to permit

the project, including engineering designs and measures necessary for permits under section 14 of the Act of March 3, 1899 (commonly known as the "Rivers and Harbors Appropriations Act of 1899") (33 U.S.C. 408); and

(C) the assignment of a project delivery coordinator or a Federal Energy Regulatory Commission coordinator, designated by the Chief of Engineers, who shall—

(i) coordinate the project within the Corps of Engineers; and

(ii) be given direct oversight over selection to the project delivery team members who have appropriate expertise during the licensing process.

(d) **PERMIT REVIEW.**—If a non-Federal entity has submitted to the Corps of Engineers a design concept under subsection (a), the applications from that non-Federal entity for permits under section 14 of the Act of March 3, 1899 (commonly known as the "Rivers and Harbors Appropriations Act of 1899") (33 U.S.C. 408) to develop hydroelectric power at the civil works project of the Corps of Engineers identified by the non-Federal entity shall be considered by the project delivery coordinator or Federal Energy Regulatory Commission coordinator designated under subsection (c)(2)(C).

(e) **NON-FEDERAL HYDROELECTRIC POWER DEVELOPMENT OMBUDSMAN.**—

(1) **DESIGNATION.**—The Chief of Engineers shall designate from within the Corps of Engineers an ombudsman, to be known as the "Ombudsman for Non-Federal Hydroelectric Power Development" (referred to in this section as the "Ombudsman").

(2) **REQUIREMENTS.**—The Ombudsman—

(A) shall not be otherwise involved in the review of any Corps of Engineers permit to develop hydroelectric power at any civil works project of the Corps of Engineers;

(B) shall be located at the headquarters of the Corps of Engineers; and

(C) shall be an employee serving with the minimum rank of Colonel.

(3) **RESPONSIBILITIES.**—With respect to the development of non-Federal hydroelectric power at any civil works project of the Corps of Engineers, the Ombudsman shall, on request made in writing by the non-Federal entity or the project delivery coordinator or Federal Energy Regulatory Commission coordinator designated under subsection (c)(2)(C)—

(A) within 60 days of the request, resolve, with respect to Corps of Engineers permits, disputes—

(i) within the Corps of Engineers; or

(ii) between the non-Federal entity and the Corps of Engineers; and

(B) ensure that the development standards and procedures are consistent in all districts of the Corps of Engineers.

SA 5030. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 14 through 19 and insert the following:

"(b) **LOCAL FLOOD PROTECTION WORKS.**—

"(1) **IN GENERAL.**—Permission under subsection (a) for alterations to a Federal levee, floodwall, or flood risk management channel project and associated features may be

granted by a District Engineer of the Department of the Army or an authorized representative.

"(2) **TIMELY APPROVAL OF PERMITS.**—On the date that is 120 days after the date on which the Secretary receives an application for a permit under subsection (a), the application shall be approved if—

"(A) the Secretary has not made a determination on the approval or disapproval of the application; and

"(B) the plans detailed in the application were prepared and certified by a professional engineer licensed by the State in which the project is located.

SA 5031. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking "**SEC. 6.** That the Secretary" and inserting the following:

"**SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.**

"(a) **IN GENERAL.**—The Secretary"; and

(2) by adding at the end the following:

"(b) **PERMANENT STORAGE AGREEMENTS.**—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement."

SA 5032. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking "**SEC. 6.** That the Secretary" and inserting the following:

"**SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.**

"(a) **IN GENERAL.**—The Secretary"; and

(2) by adding at the end the following:

"(b) **CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.**—In any case in which a

water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

"(c) **PERMANENT STORAGE AGREEMENTS.**—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement."

SA 5033. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40. PEARL RIVER BASIN, MISSISSIPPI.

The project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), is modified to authorize the Secretary to carry out the project substantially in accordance with the findings of the Integrated Feasibility and Environmental Impact Statement Record of Decision approved by the Assistant Secretary of the Army for Civil Works.

SA 5034. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40. YAZOO BASIN, MISSISSIPPI.

(a) **IN GENERAL.**—The project for flood damage reduction, bank stabilization, and sediment and erosion control known as the "Yazoo Basin, Mississippi, Mississippi Delta Headwaters Project, MS", authorized by title I of Public Law 98-8 (97 Stat. 22), and which consists of 16 watersheds located in the eastern foothills of the Yazoo River

Basin, is expanded to include an additional 16 watersheds as follows:

- (1) Arkabutla Creek.
- (2) Ascalmore Creek.
- (3) Big Sand Creek.
- (4) Camp Creek.
- (5) Indian Creek.
- (6) Johnson Creek.
- (7) Little Tallahatchie River.
- (8) Long Creek.
- (9) McIvor Creek.
- (10) Peach Creek.
- (11) Potacocowa Creek.
- (12) Skuna River.
- (13) Teoc Creek.
- (14) Tillatoba Creek.
- (15) Turkey Creek.
- (16) Yocona River.

(b) OPERATION AND MAINTENANCE.—The Secretary may operate and maintain those features of the project described in subsection (a) that are located on property on which the Federal Government retains a real property interest, including both features completed before the date of enactment of this Act and features not completed as of the date of enactment of this Act.

SA 5035. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. USE OF OPTIMAL FUNDING LEVELS.

Notwithstanding any other provision of law, in the preparation of each cost estimate and post-authorization cost adjustment for a construction project of the Corps of Engineers, the Secretary shall use the applicable optimal funding level for that project.

SA 5036. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

() NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term “New Savannah Bluff Lock and Dam” has the meaning given the term in section 348(l)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term “Project” means the project for navigation, Savannah Harbor

expansion, Georgia, authorized by section 101(b)(9) of the Water Resources Development Act of 1999 (113 Stat. 279; 117 Stat. 141).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(l)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (l); and

(ii) by redesignating subsections (m) and (n) as subsections (l) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

(C) PROJECT COSTS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out the Project, as modified by paragraph (3).

SA 5037. Mr. MCCAIN (for himself, Mr. CORNYN, Mr. COTTON, Mr. SESSIONS, Mr. BURR, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.

Section 2709 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) REQUIRED CERTIFICATION.—

“(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or his or her designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request, request information and records described in paragraph (2) of a person or entity, but not the contents of an electronic communication, if the Director (or his or her designee) certifies in writing to the wire or electronic communication service provider to which the request is made that the information and records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States.

“(2) OBTAINABLE TYPES OF INFORMATION AND RECORDS.—The information and records described in this paragraph are the following:

“(A) Name, physical address, e-mail address, telephone number, instrument number, and other similar account identifying information.

“(B) Account number, login history, length of service (including start date), types of service, and means and sources of payment for service (including any card or bank account information).

“(C) Local and long distance toll billing records.

“(D) Internet Protocol (commonly known as ‘IP’) address or other network address, including any temporarily assigned IP or network address, communication addressing, routing, or transmission information, including any network address translation information (but excluding cell tower information), and session times and durations for an electronic communication.”.

SEC. 80. PERMANENT AUTHORITY FOR INDIVIDUAL TERRORISTS TO BE TREATED AS AGENTS OF FOREIGN POWERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking subsection (b).

SA 5038. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. CONSIDERATION OF FACTORS IN DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including an assessment and inventory under section

6002 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349)), the Secretary shall consider the extent to which the applicable property has—

- (1) economic or recreational significance; or
- (2) an impact at the national, State, or local level.

SA 5039. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-cost ratios and evaluate construction projects.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

- (1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;
- (2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-cost calculations for flood risk management projects;
- (3) any recommendations for approaches to modify the metrics used to improve benefit-cost ratio results for small and rural geographic areas; and
- (4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SA 5040. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8. BEACH MONITORING.

(a) **WATER POLLUTION SOURCE IDENTIFICATION.**—

(1) **MONITORING PROTOCOLS.**—Section 406(a)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(a)(1)(A)) is amended by striking “methods for monitoring” and inserting “protocols for monitoring that are most likely to detect pathogenic contamination”.

(2) **SOURCE TRACKING.**—Section 406(b) of such Act (33 U.S.C. 1346(b)) is amended by adding at the end the following:

“(5) **CONTENTS OF MONITORING AND NOTIFICATION PROGRAMS.**—For the purposes of this section, a program for monitoring, assessment, and notification shall include, consistent with performance criteria published by the Administrator under subsection (a), monitoring, public notification, storm event testing, source tracking, and sanitary surveys, and may include prevention efforts, not already funded under this Act to address identified sources of contamination by pathogens and pathogen indicators in coastal recreation waters adjacent to beaches or similar points of access that are used by the public.”

(3) **AUTHORIZATION OF APPROPRIATIONS.**—Section 406(i) of such Act (33 U.S.C. 1346(i)) is amended by striking “2001 through 2005” and inserting “2017 through 2021”.

(b) **FUNDING FOR BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT.**—Section 8 of the Beaches Environmental Assessment and Coastal Health Act of 2000 (Public Law 106-284) is amended by striking “2005” and inserting “2019”.

(c) **STATE REPORTS.**—Section 406(b)(3)(A)(ii) of the Federal Water Pollution Control Act (33 U.S.C. 1346(b)(3)(A)(ii)) is amended by striking “public” and inserting “public and all environmental agencies of the State with authority to prevent or treat sources of pathogenic contamination in coastal recreation waters”.

(d) **USE OF RAPID TESTING METHODS.**—

(1) **CONTENTS OF STATE AND LOCAL GOVERNMENT PROGRAMS.**—Section 406(c)(4)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)(4)(A)) is amended by striking “methods” and inserting “methods, including a rapid testing method after the last day of the one-year period after the date of validation of that rapid testing method by the Administrator.”

(2) **REVISED CRITERIA.**—Section 304(a)(9)(A) of such Act (33 U.S.C. 1314(a)(9)(A)) is amended by striking “methods, as appropriate” and inserting “methods, including rapid testing methods”.

(3) **VALIDATION AND USE OF RAPID TESTING METHODS.**—

(A) **VALIDATION OF RAPID TESTING METHODS.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) shall complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators described in section 304(a)(9)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)(A)).

(B) **GUIDANCE FOR USE OF RAPID TESTING METHODS.**—

(i) **IN GENERAL.**—Not later than 180 days after completion of the validation under subparagraph (A), after providing notice and an opportunity for public comment, the Administrator shall publish guidance for the use at coastal recreation waters adjacent to beaches or similar points of access that are used by the public of a rapid testing method that will enhance the protection of public health and safety through rapid public notification

of any exceedance of applicable water quality standards for pathogens and pathogen indicators.

(ii) **PRIORITIZATION.**—In developing such guidance, the Administrator shall require the use of a rapid testing method at those beaches or similar points of access that are the most used by the public.

(4) **DEFINITION.**—Section 502 of such Act (33 U.S.C. 1362) is amended by adding at the end the following:

“(27) **RAPID TESTING METHOD.**—The term ‘rapid testing method’ means a method of testing the water quality of coastal recreation waters for which results are available as soon as practicable and not more than 4 hours after receipt of the applicable sample by the testing facility.”

(5) **REVISIONS TO RAPID TESTING METHODS.**—

(A) **IN GENERAL.**—Upon completion of the validation required under paragraph (3)(A), and every 5 years thereafter, the Administrator shall identify and review potential rapid testing methods for existing water quality criteria for pathogens and pathogen indicators for coastal recreation waters.

(B) **REVISIONS TO RAPID TESTING METHODS.**—If a rapid testing method identified under subparagraph (A) will make results available in less time and improve the accuracy and reproducibility of results when compared to the existing rapid testing method, the Administrator shall complete an evaluation and validation of the rapid testing method as expeditiously as practicable.

(C) **REPORTING REQUIREMENT.**—Upon completion of the review required under subparagraph (A), the Administrator shall publish in the Federal Register the results of the review, including information on any potential rapid testing method proposed for evaluation and validation under subparagraph (B).

(D) **DECLARATION OF GOALS FOR RAPID TESTING METHODS.**—It is a national goal that by 2019, a rapid testing method for testing water quality of coastal recreation waters be developed that can produce accurate and reproducible results in not more than 2 hours after receipt of the applicable sample.

(e) **NOTIFICATION OF FEDERAL, STATE, AND LOCAL AGENCIES.**—Section 406(c) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (5), in the matter preceding subparagraph (A), by striking “prompt communication” and inserting “communication, within 2 hours of the receipt of the results of a water quality sample,”;

(2) by striking paragraph (5)(A) and inserting the following:

“(A) in the case of—

“(i) any State in which the Administrator is administering the program under section 402, the Administrator, in such form as the Administrator determines to be appropriate; and

“(ii) any State other than a State to which clause (i) applies, all agencies of the State government with authority to require the prevention or treatment of the sources of coastal recreation water pollution; and”;

(3) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(4) by inserting after paragraph (5) the following:

“(6) measures for an annual report to the Administrator, in such form as the Administrator determines appropriate, on the occurrence, nature, location, pollutants involved, and extent of any exceedance of applicable water quality standards for pathogens and pathogen indicators.”

(f) **CONTENT OF STATE AND LOCAL PROGRAMS.**—Section 406(c) of the Federal Water

Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (7) (as redesignated by subsection (e)(3))—

(A) by striking “the posting” and inserting “the immediate posting”; and

(B) by striking “and” at the end;

(2) by striking the period at the end of paragraph (8) (as redesignated by subsection (e)(3)) and inserting a semicolon; and

(3) by adding at the end the following:

“(9) the availability of a geographic information system database that such State or local government program shall use to inform the public about coastal recreation waters and that—

“(A) is publicly accessible and searchable on the Internet;

“(B) is organized by beach or similar point of access;

“(C) identifies applicable water quality standards, monitoring protocols, sampling plans and results, and the number and cause of coastal recreation water closures and advisory days; and

“(D) is updated within 12 hours of the availability of information indicating the presence of pathogens or pathogen indicators; and

“(10) measures to ensure that closures or advisories are made or issued within 2 hours after the receipt of the results of a water quality sample that exceeds applicable water quality standards for pathogens and pathogen indicators.”.

(g) COMPLIANCE REVIEW.—Section 406(h) of the Federal Water Pollution Control Act (33 U.S.C. 1346(h)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by moving such subparagraphs 2 ems to the right;

(3) by striking “In the” and inserting the following:

“(1) IN GENERAL.—In the”; and

(4) by adding at the end the following:

“(2) COMPLIANCE REVIEW.—On or before July 31 of each calendar year beginning after the date of enactment of this paragraph, the Administrator shall—

“(A) prepare a written assessment of compliance with all statutory and regulatory requirements of this section for each State and local government and of compliance with conditions of each grant made under this section to a State or local government;

“(B) notify the State or local government of such assessment; and

“(C) make each of the assessments available to the public in a searchable database on the Internet on or before December 31 of such calendar year.

“(3) CORRECTIVE ACTION.—If a State or local government that the Administrator notifies under paragraph (2) is not in compliance with any requirement or grant condition described in paragraph (2) fails to take such action as may be necessary to comply with such requirement or condition within one year after the date of notification, any grants made under subsection (b) to the State or local government, after the last day of such one-year period and while the State or local government is not in compliance with all requirements and grant conditions described in paragraph (2), shall have a Federal share of not to exceed 50 percent.

“(4) GAO REVIEW.—Not later than December 31 of the third calendar year beginning after the date of enactment of this paragraph, the Comptroller General shall conduct a review of the activities of the Administrator under paragraphs (2) and (3) during the first and second calendar years beginning

after such date of enactment and submit to Congress a report on the results of such review.”.

(h) PUBLICATION OF COASTAL RECREATION WATERS PATHOGEN LIST.—Section 304(a)(9) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)) is amended by adding at the end the following:

“(C) PUBLICATION OF PATHOGEN AND PATHOGEN INDICATOR LIST.—Upon publication of the new or revised water quality criteria under subparagraph (A), the Administrator shall publish in the Federal Register a list of all pathogens and pathogen indicators studied under section 104(v).”.

(i) ADOPTION OF NEW OR REVISED CRITERIA AND STANDARDS.—Section 303(i) of the Federal Water Pollution Control Act (33 U.S.C. 1313(i)) is amended—

(1) in paragraph (1)(A), by striking “water quality criteria and standards” and inserting “the most protective water quality criteria and standards practicable”; and

(2) in paragraph (2)(A), by striking “paragraph (1)(A)” each place it appears and inserting “paragraph (1)”.

(j) NATIONAL LIST OF BEACHES.—Section 406(g) of the Federal Water Pollution Control Act (33 U.S.C. 1346(g)) is amended—

(1) in paragraph (1), by inserting “, regardless of the presence of a lifeguard,” after “that are used by the public”; and

(2) in paragraph (3), by striking “The Administrator” and all that follows through the period and inserting “Not later than 12 months after the date of the enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Administrator shall update the list described in paragraph (1).”.

(k) IMPACT OF CLIMATE CHANGE ON PATHOGENIC CONTAMINATION OF COASTAL RECREATION WATERS.—

(1) STUDY.—The Administrator shall conduct a study on the long-term impact of climate change on pathogenic contamination of coastal recreation waters.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under paragraph (1).

(B) INFORMATION ON POTENTIAL CONTAMINATION IMPACTS.—The report shall include information on the potential impacts of pathogenic contamination on ground and surface water resources as well as public and ecosystem health in coastal communities.

(C) FEDERAL ACTIONS.—The report shall highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate these effects in order to protect public and ecosystem health.

(D) CONSULTATION.—In developing the report, the Administrator shall work in consultation with agencies active in the development of the National Water Quality Monitoring Network and the implementation of the Ocean Research Priorities Plan and Implementation Strategy.

(l) IMPACT OF EXCESS NUTRIENTS ON COASTAL RECREATION WATERS.—

(1) STUDY.—The Administrator shall conduct a study to review the available scientific information pertaining to the impacts of excess nutrients on coastal recreation waters.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure

of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under paragraph (1).

(B) IMPACTS.—Such report shall include information on any adverse impacts of excess nutrients on coastal recreation waters, including adverse impacts caused by algal blooms resulting from excess nutrients.

(C) RECOMMENDATIONS.—Such report shall include recommendations for action to address adverse impacts of excess nutrients and algal blooms on coastal recreation waters, including the establishment and implementation of numeric water quality criteria for nutrients.

(D) CONSULTATION.—In developing such report, the Administrator shall consult with the heads of other appropriate Federal agencies (including the National Oceanic and Atmospheric Administration), States, and local government entities.

SA 5041. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the “Blackfeet Water Rights Settlement Act”.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) ALLOTTEE.—The term “allottee” means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BIRCH CREEK AGREEMENT.—The term “Birch Creek Agreement” means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) BLACKFEET IRRIGATION PROJECT.—The term “Blackfeet Irrigation Project” means

the irrigation project authorized by the matter under the heading "MONTANA" of title II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) COMPACT.—The term "Compact" means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) ENFORCEABILITY DATE.—The term "enforceability date" means the date described in section 9020(f).

(6) LAKE ELWELL.—The term "Lake Elwell" means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665).

(7) MILK RIVER BASIN.—The term "Milk River Basin" means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term "Milk River Project" means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term "Milk River Project" includes—

- (i) the St. Mary Unit;
- (ii) the Fresno Dam and Reservoir; and
- (iii) the Dodson pumping unit.

(9) MILK RIVER PROJECT WATER RIGHTS.—The term "Milk River Project water rights" means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) MILK RIVER WATER RIGHT.—The term "Milk River water right" means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) MISSOURI RIVER BASIN.—The term "Missouri River Basin" means the hydrologic basin of the Missouri River (including tributaries).

(12) MR&I SYSTEM.—The term "MR&I System" means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled "Blackfeet Regional Water System", prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) OM&R.—The term "OM&R" means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) RESERVATION.—The term "Reservation" means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) ST. MARY RIVER WATER RIGHT.—The term "St. Mary River water right" means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) ST. MARY UNIT.—

(A) IN GENERAL.—The term "St. Mary Unit" means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term "St. Mary Unit" includes—

- (i) Sherburne Dam and Reservoir;
- (ii) Swift Current Creek Dikey;
- (iii) Lower St. Mary Lake;
- (iv) St. Mary Canal Diversion Dam; and
- (v) St. Mary Canal and appurtenances.

(17) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(18) STATE.—The term "State" means the State of Montana.

(19) SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.—The term "Swiftcurrent Creek Bank Stabilization Project" means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled "Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report", prepared by DOWL HKM, and dated March 2012.

(20) TRIBAL WATER RIGHTS.—The term "Tribal water rights" means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) TRIBE.—The term "Tribe" means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) RATIFICATION.—

(1) IN GENERAL.—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) all other applicable environmental laws and regulations.

(2) EFFECT OF EXECUTION.—

(A) IN GENERAL.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) COMPLIANCE.—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) IN GENERAL.—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) WATER RIGHTS ARISING UNDER STATE LAW.—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) TRIBAL AGREEMENT.—

(1) IN GENERAL.—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) CONSIDERATIONS.—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) SECRETARIAL DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) APPROVAL.—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) DEADLINE EXTENSION.—The deadline to review the agreement described in paragraph (1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) SECRETARIAL DECISION.—

(1) IN GENERAL.—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the Fort Belknap Indian Community in the Milk River may be exercised.

(2) CONSIDERATION AS FINAL AGENCY ACTION.—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) INCORPORATION INTO DECREES.—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) EFFECTIVE DATE.—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) USE OF FUNDS.—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) TREATMENT.—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St. Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) TERMS AND CONDITIONS.—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1) that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) TREATMENT.—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) SUBCONTRACTS.—

(1) IN GENERAL.—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) COMPLIANCE WITH OTHER LAW.—All subcontracts described in paragraph (1) shall comply with—

(A) this title;

(B) the Compact;

(C) the tribal water code; and

(D) other applicable law.

(3) NO LIABILITY.—The Secretary shall not be liable to any party, including the Tribe,

for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) EFFECT OF PROVISIONS.—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) OTHER RIGHTS.—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) MILK RIVER PROJECT PURPOSES.—The purposes of the Milk River Project shall include—

(1) irrigation;

(2) flood control;

(3) the protection of fish and wildlife;

(4) recreation;

(5) the provision of municipal, rural, and industrial water supply; and

(6) hydroelectric power generation.

(b) USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) ST. MARY RIVER STUDIES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) COOPERATIVE AGREEMENT.—On request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) COSTS NONREIMBURSABLE.—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) SWIFTCURRENT CREEK BANK STABILIZATION.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

(A) a review of the final project design; and

(B) value engineering analyses.

(2) MODIFICATION OF FINAL DESIGN.—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) AGREEMENT REGARDING EXISTING USES.—The Tribe and the Secretary shall enter into an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the “Panel Determination”), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the “Interior Determination”), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) EFFECT.—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) INTERIOR DETERMINATION AS FINAL AGENCY ACTION.—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) FUNDING.—The total amount of obligations incurred by the Secretary shall not exceed—

(1) \$3,800,000 to carry out subsection (c);

(2) \$20,700,000 to carry out subsection (d); and

(3) \$3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) BUREAU OF RECLAMATION JURISDICTION.—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydro-power on the St. Mary Unit.

(b) RIGHTS OF TRIBE.—

(1) EXCLUSIVE RIGHT OF TRIBE.—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) LIMITATIONS.—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) OM&R COSTS.—Effective beginning on the date that is 10 years after the date on which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) BUREAU OF RECLAMATION COOPERATION.—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) AGREEMENT.—Before construction of a hydroelectric power generation project under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the

Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) USE OF HYDROELECTRIC POWER BY TRIBE.—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) REVENUES.—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) LIABILITY OF UNITED STATES.—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) PREFERENCE.—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) STORAGE ALLOCATION TO TRIBE.—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) REDUCTION.—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Tribe under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) AGREEMENTS BY TRIBE.—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfoot Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled “Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project”, prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled “Four Horns Dam Enlarged Appraisal Evaluation Design Report”, prepared by DOWL HKM, and dated April 2007.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.—

(1) IN GENERAL.—The scope of the rehabilitation and improvements shall be as generally described in the document entitled “Four Horns Feeder Canal Rehabilitation with Export”, prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) INCLUSIONS.—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure that the final design meets applicable industry standards.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$54,900,000, of which—

(1) \$40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) \$14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) NON-FEDERAL CONTRIBUTION.—No part of the project under subsection (d) shall be commenced until the State has made available \$20,000,000 to carry out the activities described in subsection (d)(2).

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfoot OM&R Trust Account.

(j) OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) OWNERSHIP, OPERATION, AND MAINTENANCE.—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) LIABILITY OF UNITED STATES.—The United States shall have no obligation or responsibility with respect to the facilities described in subsection (d)(2)(C).

(m) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

(n) EFFECT.—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfoot Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Regional Water System”, prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$76,200,000.

(f) NON-FEDERAL CONTRIBUTION.—

(1) CONSULTATION.—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) NEGOTIATIONS.—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) OWNERSHIP BY TRIBE.—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with

the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) MODIFICATION.—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$87,300,000.

(f) OWNERSHIP BY TRIBE.—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(h) OM&R COSTS.—The Federal Government shall have no obligation to pay for the

operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) IN GENERAL.—

(1) SCOPE.—The scope of the construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) MODIFICATION.—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

(i) similar to the proposed project; and

(ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$91,000,000.

(d) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) OWNERSHIP BY TRIBE.—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) TRIBAL EASEMENTS AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) JURISDICTION.—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) LAND ACQUIRED BY UNITED STATES OR TRIBE.—Any land acquired within the boundaries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in

trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) CONFLICT.—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the tribal water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF TRIBE.—

(1) IN GENERAL.—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to

be appurtenant to the interest in land, in accordance with the tribal water code.

(f) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) APPROVAL.—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) EXTENSION.—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing,

or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the “Blackfeet Settlement Trust Fund” (referred to in this section as the “Trust Fund”), to be managed, invested, and distributed by the Secretary and to remain available until expended, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any interest earned on those amounts, for the purpose of carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) MANAGEMENT.—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.—Notwithstanding paragraph (1), on approval pursuant to this title and the Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, \$4,800,000

shall be made available to the Tribe for the implementation of this title.

(f) **WITHDRAWALS UNDER AIFRMRA.**—

(1) **IN GENERAL.**—The Tribe may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) **REQUIREMENTS.**—

(A) **IN GENERAL.**—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) **ENFORCEMENT.**—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(g) **WITHDRAWALS UNDER EXPENDITURE PLAN.**—

(1) **IN GENERAL.**—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) **REQUIREMENTS.**—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) **INCLUSIONS.**—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) **APPROVAL.**—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) **ENFORCEMENT.**—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(h) **USES.**—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary, \$500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the

Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(i) **LIABILITY.**—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(j) **NO PER CAPITA DISTRIBUTIONS.**—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(k) **DEPOSIT OF FUNDS.**—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the “Blackfeet Water Settlement Implementation Fund” (referred to in this section as the “Implementation Fund”), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) **ACCOUNTS.**—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) **DEPOSITS.**—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) **USES.**—

(1) **MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.**—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) **BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.**—The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) **ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.**—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(e) **MANAGEMENT.**—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), \$28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), \$27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), \$27,800,000; and

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), \$91,000,000; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), \$163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), \$54,900,000, of which—

(i) \$40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) \$14,000,000 shall be made available for activities and projects under section 9010(d)(2); and

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), \$28,100,000, of which—

(i) \$27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) \$500,000 shall be used to carry out section 9005.

(b) **ADJUSTMENTS.**—

(1) **IN GENERAL.**—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated for an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) **REPETITION.**—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) **TREATMENT.**—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled “Stipulation to Address Claims by

and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park", and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) WITHDRAWAL OF OBJECTIONS.—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Tribe, acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the "Clean Water Act"); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the "Clean Water Act"); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) **TOLLING OF CLAIMS.**—

(1) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) **EFFECT OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) **EXPIRATION.**—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) **VOIDING OF WAIVERS.**—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) **TRIBAL CLAIMS.**—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) **ALLOTTEE CLAIMS.**—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) **WAIVER OF SOVEREIGN IMMUNITY.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) **LIMITATION ON LIABILITY OF UNITED STATES.**—

(1) **IN GENERAL.**—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) **INDEMNITY.**—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) **EFFECT ON CURRENT LAW.**—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to pre-enforcement review of any Federal environmental enforcement action.

(f) **EFFECT ON RECLAMATION LAWS.**—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 991).

(g) **IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.**—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) **BIRCH CREEK AGREEMENT APPROVAL.**—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) **LIMITATION ON EFFECT.**—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

SEC. 9025. OFFSETS.

If insufficient funds are appropriated to carry out this title for a fiscal year, the Secretary may use to carry out this title such amounts as are necessary from other amounts made available to the Secretary for that fiscal year that are not otherwise obligated.

SA 5042. Mr. INHOFE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I through VIII and insert the following:

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

“(e) **TECHNICAL ASSISTANCE.**—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.”.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h-1), is amended—

(1) in the first sentence—

(A) by striking “Whenever any” and inserting the following:

“(a) IN GENERAL.—Whenever any”;

(B) by striking “a flood-control project duly adopted and authorized by law” and inserting “an authorized water resources development study or project.”; and

(C) by striking “such work” and inserting “such study or project”;

(2) in the second sentence—

(A) by striking “The Secretary of the Army” and inserting the following:

“(b) REPAYMENT.—The Secretary of the Army”;

(B) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if specific appropriations are provided by Congress for such purpose”;

(3) by adding at the end the following:

“(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—

“(1) a State;

“(2) the District of Columbia;

“(3) the Commonwealth of Puerto Rico;

“(4) any other territory or possession of the United States; and

“(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

“(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

“(2) acceptance of the materials and services or funds is in the public interest.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Not later than 60 days after initiating an activity under this section,” and inserting “Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section.”; and

(B) by striking “a report” and inserting “an annual report”.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Fed-

eral interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e-2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “, at full Federal expense,” after “The Secretary may”;

(2) in subsection (b), by striking “funded” and inserting “reimbursed”.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or inter-agency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

“(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

“(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d-3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.”

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the “Rivers and Harbors Act of 1899”), is amended—

(1) by striking “That it shall not be lawful” and inserting the following:

“(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful”;

(2) by adding at the end the following:

“(b) CONCURRENT REVIEW.—

“(1) NEPA REVIEW.—

“(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review

and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

“(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

“(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

“(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

“(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

“(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

“(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

“(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.”

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the “Flood Control Act of 1936”), is amended—

(1) by striking “funds appropriated by the United States for”; and

(2) in the first proviso, by inserting after “authorized purposes of the project:” the following: “*Provided further*, That the Secretary may receive and expend funds from a State

or a political subdivision of a State and other non-Federal interests to formulate, review, or revise, consistent with authorized project purposes, operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River):”

(b) **REPORT.**—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

“(b) **REPORT.**—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

“(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘Flood Control Act of 1936’); and

“(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).”

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) **IN GENERAL.**—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) **SPECIAL RULE.**—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) **IN GENERAL.**—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) **PROPOSALS INCLUDED.**—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) **EXCLUSIONS.**—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) **OTHER FEDERAL PROJECTS.**—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) **REVIEW PROCESS.**—

(1) **NOTICE.**—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) **PUBLIC PARTICIPATION.**—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) **AUTHORITIES.**—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Act of 1899”) (33 U.S.C. 408).

(g) **LIMITATIONS.**—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) **COST SHARE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), 100 percent of the cost of de-

veloping, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) **PLANNING ASSISTANCE TO STATES.**—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) **OPERATION AND MAINTENANCE COSTS.**—

(A) **IN GENERAL.**—Except as provided in subparagraphs (B) and (C), the operation and maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) **CERTAIN WATER SUPPLY STORAGE PROJECTS.**—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) **VOLUNTARY CONTRIBUTIONS.**—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) **CONTRIBUTED FUNDS.**—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) **ASSISTANCE.**—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) **EXCLUSION.**—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

(l) **EFFECT OF SECTION.**—Nothing in this section affects or modifies any authority of the Secretary to review or modify reservoirs.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) **IN GENERAL.**—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) **REQUIREMENT.**—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101

of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

“(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

“(1) the types and number of restoration activities to be conducted;

“(2) the physical action to be undertaken to achieve the restoration objectives of the project;

“(3) the functions and values that will result from the restoration plan; and

“(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

“(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).”

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and

(2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) include measures to protect or restore habitat connectivity”;

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(C) by striking paragraph (11) and inserting the following:

“(11) EFFECT.—Nothing in this subsection—

“(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

“(B) affects the mitigation responsibilities of the Secretary under any other provision of law.”; and

(2) by adding at the end the following:

“(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

“(k) MEASURES.—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.”

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”; and

(2) by striking “project, or separable element thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”; and

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) DISCRETE SEGMENT.—The term ‘discrete segment’, with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

“(2) WATER RESOURCES DEVELOPMENT PROJECT.—The”;

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “project, or separable element thereof” and inserting “project, separable element, or discrete segment of a project”; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking “project” and inserting “project, separable element, or discrete segment”; and

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “project, or a separable element of a water resources development project,” and inserting “project, separable element, or discrete segment of a project”; and

(C) by adding at the end the following:

“(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.”

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(C) RAIL CARRIER.—The term ‘rail carrier’ has the meaning given the term in section 10102 of title 49, United States Code.”;

(2) in paragraph (2), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(3) in paragraph (3), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(4) in paragraph (5), by striking “and natural gas companies” and inserting “, natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws”.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

“(2) INCLUSIONS.—Activities under paragraph (1) may include—

“(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

“(B) research, development, training, and other forms of technology transfer and exchange; and

“(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources

projects if the costs for assistance will be recovered under the terms of each project.”.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

“(4) MITIGATION BANKS.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration in water resources development feasibility studies of the entire amount of potential in-kind credits available at mitigation banks and in-lieu fee programs with an approved service area that includes the projected impacts of the water resource development project.

“(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits that meet the criteria under subparagraph (A) shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

“(i) has an approved mitigation banking instrument; and

“(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.

“(C) EFFECT.—Nothing in this paragraph modifies or alters any requirement for a water resources project to comply with applicable laws or regulations, including section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283).”.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

“(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.”.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking “\$1,000,000” and inserting “\$5,000,000”;

(2) by striking “accumulated snags and other debris” and inserting “accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel”; and

(3) by striking “or flood control” and inserting “, flood control, or recreation”.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting “remove existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortia of States” after “working with a State”; and

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “restore or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Development Act of 2016”; and

(ii) in subparagraph (A)(ii), by striking “that—” and all that follows through “(II)” and inserting “that”; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “For” and inserting the following:

“(1) IN GENERAL.—For”; and

(D) by adding at the end the following:

“(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure

of the House of Representatives a report that contains—

“(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

“(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

“(ii) that meet the criteria described in paragraph (1); and

“(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.”.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including a study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)), the Secretary shall consider the extent to which the property has economic or recreational significance or impacts at the national, State, or local level.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through “Subject to subsection (b)” and inserting the following:

“(a) APPLICATION OF CREDIT.—

“(1) IN GENERAL.—Subject to subsection (b)”; and

(B) by adding at the end the following:

“(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at

reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1254) is amended by adding at the end the following:

“(5) TIME LIMIT.—

“(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

“(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

“(i) an identification of any outstanding information that is needed to make a final decision;

“(ii) the date by which the information referred to in clause (i) shall be obtained; and

“(iii) the date by which the Secretary will make a final decision on the request.”.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 1035. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATER-SHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

“(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.”.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows

through “The Secretary” and inserting the following:

“(A) REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary”; and

(2) by adding at the end the following:

“(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first \$100,000 of the feasibility study shall be a Federal expense”.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end “, except that the first \$100,000 of the assessment shall be a Federal expense”.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking “measures” and all that follows through “project” and inserting “measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project”; and

(2) by adding at the end the following:

“(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).”.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the Secretary” and all that follows through “projects” and inserting “the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources.”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “(2) MATTERS TO BE STUDIED.—A study” and inserting the following:

“(2) AUTHORIZED ACTIVITIES.—Any activity”; and

(C) by adding at the end the following:

“(3) FEASIBILITY STUDY AND REPORTS.—

“(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

“(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a

specific water resources development project.

“(C) FUNDING.—The first \$100,000 of a study under this paragraph shall be at full Federal expense.

“(4) DESIGN AND CONSTRUCTION.—

“(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than \$10,000,000.

“(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described in subparagraph (A) is more than \$10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “studies” and inserting “any activity”; and

(B) in paragraph (2)(B), by striking “carrying out projects studied” and inserting “any activity conducted”;

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking “a study” and inserting “any activity conducted”; and

(B) by striking paragraph (2) and inserting the following:

“(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

“(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

“(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

“(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

“(6) WATER-RELATED PLANNING ACTIVITIES.—

“(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.”; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking “**TERRITORIES**” and inserting “**TERRITORIES AND INDIAN TRIBES**”; and

(2) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall waive local cost-sharing requirements up to \$200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a))—

“(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

“(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).”.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking “that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) before the date of enactment of this Act” and inserting “for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as it existed before the repeal made by section 1014(c)(3))”; and

(2) in subsection (b), by striking “share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies” and inserting “non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest”.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) **DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.**—In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) **NO CONSIDERATION FOR EASEMENTS.**—The Secretary may not collect consideration for an easement across water resources de-

velopment project land for the electric, telephone, or broadband service facilities of non-profit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) **ADMINISTRATIVE EXPENSES.**—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United States Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) **DEFINITION OF INNOVATIVE MATERIAL.**—In this section, the term “innovative material”, with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) **CONTENTS.**—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) **PUBLIC COMMENT.**—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) **CONSULTATION.**—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

SEC. 1047. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) **IN GENERAL.**—Section 6001(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b(c)) is amended by adding at the end the following:

“(5) **DEFINITION OF CONSTRUCTION.**—In this subsection, the term ‘construction’ includes

the obligation or expenditure of non-Federal funds for construction of elements integral to the authorized project, whether or not the activity takes place pursuant to any agreement with, expenditure by, or obligation from the Secretary.”.

(b) **NOTICES OF CORRECTION.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of correction removing from the lists under subsections (c) and (d) of section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) any project that was listed even though construction (as defined in subsection (c)(5) of that section) took place.

SEC. 1048. REVIEW OF RESERVOIR OPERATIONS.

(a) **DEFINITIONS.**—In this section:

(1) **RESERVED WORKS.**—The term “reserved works” means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) **TRANSFERRED WORKS.**—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity under the provisions of a formal operation and maintenance transfer contract.

(3) **TRANSFERRED WORKS OPERATING ENTITY.**—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) **APPLICABILITY.**—

(1) **IN GENERAL.**—This section applies to reservoirs that are subject to regulation by the Secretary under section 7 of the Act of December 22, 1944 (33 U.S.C. 709) located in a State in which a Bureau of Reclamation project is located.

(2) **EXCLUSIONS.**—This section shall not apply to—

(A) any project authorized by the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the initial units of the Colorado River Storage Project, as authorized by the first section of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620);

(C) any dam or reservoir operated by the Bureau of Reclamation as reserved works, unless all non-Federal project sponsors of the reserved works jointly provide to the Secretary a written request for application of this section to the project;

(D) any dam or reservoir owned and operated by the Corps of Engineers; or

(E) any Bureau of Reclamation transferred works, unless the transferred works operating entity provides to the Secretary a written request for application of this section to the project.

(c) **REVIEW.**—

(1) **IN GENERAL.**—In accordance with the authorities of the Secretary in effect on the day before the date of enactment of this Act, at the reservoirs described in paragraph (2), the Secretary may—

(A) review any flood control rule curves developed by the Secretary; and

(B) determine, based on the best available science (including improved weather forecasts and forecast-informed operations, new watershed data, or structural improvements) whether an update to the flood control rule curves and associated changes to the water operations manuals is appropriate.

(2) **DESCRIPTION OF RESERVOIRS.**—The reservoirs referred to in paragraph (1) are reservoirs—

(A)(i) located in areas with prolonged drought conditions; or

(ii) for which no review has occurred during the 10-year period preceding the date of enactment of this Act; and

(B) for which individuals or entities, including the individuals or entities responsible for operations and maintenance costs or that have storage entitlements or contracts at a reservoir, a unit of local government, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, have submitted to the Secretary a written request to carry out the review described in paragraph (1).

(3) REQUIRED CONSULTATION.—In carrying out a review under paragraph (1) and prior to updating any flood control rule curves and manuals under subsection (e), the Secretary shall comply with all applicable public participation and agency review requirements, including consultation with—

(A) affected States, Indian tribes, and other Federal and State agencies with jurisdiction over a portion of or all of the project or the operations of the project;

(B) the applicable power marketing administration, in the case of reservoirs with Federal hydropower projects;

(C) any non-Federal entity responsible for operation and maintenance costs;

(D) any entity that has a contractual right to withdraw water from, or use storage at, the project;

(E) any entity that the State determines holds rights under State law to the use of water from the project; and

(F) any unit of local government with flood risk reduction responsibilities downstream of the project.

(d) AGREEMENT.—Before carrying out an activity under this section, the Secretary shall enter into a cooperative agreement, memorandum of understanding, or other agreement with an affected State, any owner or operator of the reservoir, and, on request, any non-Federal entities responsible for operation and maintenance costs at the reservoir, that describes the scope and goals of the activity and the coordination among the parties.

(e) UPDATES.—If the Secretary determines under subsection (c) that an update to a flood control rule curve and associated changes to a water operations manual is appropriate, the Secretary may update the flood control rule curve and manual in accordance with the authorities in effect on the day before the date of enactment of this Act.

(f) FUNDING.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may accept and expend amounts from the entities described in paragraph (2) to fund all or part of the cost of carrying out a review under subsection (c) or an update under subsection (e), including any associated environmental documentation.

(2) DESCRIPTION OF ENTITIES.—The entities referred to in paragraph (1) are—

(A) non-Federal entities responsible for operations and maintenance costs at the affected reservoir;

(B) individuals and non-Federal entities with storage entitlements at the affected reservoir;

(C) a Federal power marketing agency that markets power produced by the affected reservoir;

(D) units of local government;

(E) public or private entities holding contracts with the Federal Government for water storage or water supply at the affected reservoir; and

(F) a nonprofit entity, with the consent of the affected unit of local government.

(3) IN-KIND CONTRIBUTIONS.—The Secretary may—

(A) accept and use materials and services contributed by an entity described in paragraph (2) under this subsection; and

(B) credit the value of the contributed materials and services toward the cost of carrying out a review or revision of operational documents under this section.

(g) PROTECTION OF EXISTING RIGHTS.—The Secretary shall not issue an updated flood control rule curve or operations manual under subsection (e) that—

(1) interferes with an authorized purpose of the project or the existing purposes of a non-Federal project regulated for flood control by the Secretary;

(2) reduces the ability to meet contractual rights to water or storage at the reservoir;

(3) adversely impacts legal rights to water under State law;

(4) fails to address appropriate credit for the appropriate power marketing agency, if applicable; or

(5) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section, unless the modification is submitted to and authorized by Congress.

(h) EFFECT OF SECTION.—Nothing in this section—

(1) authorizes the Secretary to take any action not otherwise authorized as of the date of enactment of this Act;

(2) affects or modifies any obligation of the Secretary under Federal or State law; or

(3) affects or modifies any other authority of the Secretary to review or modify reservoir operations.

SEC. 1049. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

Section 221(a)(3) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(3)) is amended by striking “State legislature, the agreement may reflect” and inserting “State legislature, on the request of the State, body politic, or entity, the agreement shall reflect”.

SEC. 1050. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) in subsection (a)(2)(A), by striking “indexes” and inserting “indexes, including actual appreciation in relevant real estate markets”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h)” and inserting the following:

“(1) IN GENERAL.—Notwithstanding subsection (a)”; and

(B) in paragraph (1) (as so designated)—

(i) by striking “funds” the first place it appears and inserting “funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas”; and

(ii) by striking “such funds” each place it appears and inserting “the contributions”; and

(C) by adding at the end the following:

“(2) LIMITATION.—Funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas provided under this subsection are not eligible for credit or repayment and shall not be included in calculating the total cost of the project.”.

SEC. 1051. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking “SEC. 6. That the Secretary” and inserting the following:

“SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

“(a) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(b) CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

“(c) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.”.

SEC. 1052. AUTHORIZED FUNDING FOR INTER-AGENCY AND INTERNATIONAL SUPPORT.

Section 234(d)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)(1)) is amended by striking “\$1,000,000” and inserting “\$5,000,000”.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

“(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

“(A) the non-Federal share of future operation and maintenance under this subsection; or

“(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121).”.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The target total” and inserting “Except as provided in subsection (c), the target total”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

“(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

“(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.”.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 158) (referred to in this section as the “Site”) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

(1) in subsection (a)(1)—

(A) by striking “For sediment” and inserting the following:

“(A) IN GENERAL.—For sediment”; and

(B) by adding at the end the following:

“(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.”; and

(2) in subsection (d), by adding at the end the following:

“(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

“(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).”.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking “for each of fiscal years 2015 through 2022” and inserting “for each fiscal year”.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

“(2) DISCRETIONARY CARGO.—The term ‘discretionary cargo’ means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.”;

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”; and

(iii) by adding at the end the following:

“(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.”;

(D) in paragraph (5)(A) (as redesignated), by striking “Code of Federal Regulation” and inserting “Code of Federal Regulations”; and

(E) by adding at the end the following:

“(8) MEDIUM-SIZED DONOR PORT.—The term ‘medium-sized donor port’ means a port—

“(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(B) at which the total amount of harbor maintenance taxes collected comprise annually more than \$5,000,000 but less than \$15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

“(C) that received less than 25 percent of the total amount of harbor maintenance

taxes collected at that port in the previous 5 fiscal years; and

“(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “donor ports” and inserting “donor ports, medium-sized donor ports.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

“(C) for donor ports and medium-sized donor ports—

“(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

“(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.”;

(3) in subsection (c), in the matter preceding paragraph (1), by striking “donor port” and inserting “donor port, a medium-sized donor port.”;

(4) by striking subsection (d) and inserting the following:

“(d) ADMINISTRATION OF PAYMENTS.—

“(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

“(A) shipped through respective eligible ports; and

“(B) most at risk of diversion to seaports outside of the United States.

“(2) REQUIREMENT.—The Secretary, in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.”; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section \$50,000,000 from the Harbor Maintenance Trust Fund.”;

(B) by striking paragraph (2) and inserting the following:

“(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

“(A) donor ports and medium-sized donor ports; and

“(B) energy transfer ports.”; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193)”;

(2) in subparagraph (B), by striking “45 feet” and inserting “50 feet”; and

(3) in subparagraph (C), by striking “45 feet” and inserting “50 feet”.

(b) **DEFINITION OF DEEP-DRAFT HARBOR.**—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking “45 feet” and inserting “50 feet”.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) **DEFINITIONS.**—In this section:

(1) **INLAND MISSISSIPPI RIVER.**—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) **SHALLOW DRAFT.**—The term “shallow draft” means a project that has a depth of less than 14 feet.

(b) **DREDGING ACTIVITIES.**—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1273) is amended by adding at the end the following:

“(d) **GUIDANCE.**—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.”.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting “in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project” after “community”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or of a community that is located in the region to be served by the project and that will rely on the project” after “community”; and

(B) in paragraph (4), by striking “local population” and inserting “regional population to be served by the project”; and

(C) in paragraph (5), by striking “community” and inserting “local community or to a community that is located in the region to be served by the project and that will rely on the project”.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) **IN GENERAL.**—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) **COST LIMITATIONS.**—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a

non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) **AGREEMENT.**—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) **PROVISION OF EQUIPMENT.**—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

(e) **REIMBURSEMENT ELIGIBILITY LIMITATIONS.**—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) **AUDIT.**—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) **TERMINATION OF AUTHORITY.**—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) **ADDITIONAL REQUIREMENT.**—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”.

SEC. 2017. DREDGED MATERIAL.

(a) **IN GENERAL.**—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or
(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) **ADDITIONAL COSTS.**—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

SEC. 2018. GREAT LAKES NAVIGATION SYSTEM.

Section 210(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”.

SEC. 2019. HARBOR MAINTENANCE TRUST FUND.

Notwithstanding section 102 of division D of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 129 Stat. 2402), the Secretary shall allocate funding made available to the Secretary from the Harbor Maintenance Trust Fund, established under section 9505 of the Internal Revenue Code of 1986, in accordance with section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) **IN GENERAL.**—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

“(3) **DEFINITION OF NONSTRUCTURAL ALTERNATIVES.**—In this subsection, ‘nonstructural alternatives’ includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.”; and

(2) by adding at the end the following:

“(d) **INCREASED LEVEL OF PROTECTION.**—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

“(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

“(A) the authority under this section has been used more than once at the same location;

“(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

“(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

“(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of

achieving the higher level of protection or capacity sought by the non-Federal sponsor.

“(e) NOTICE.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).”

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

(1) IN GENERAL.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking “if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified”;

(2) in subsection (b)—

(A) by striking “This section” and inserting the following:

“(1) IN GENERAL.—This section”; and

(B) by adding at the end the following:

“(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).”;

(3) in subsection (c)(1), by striking “The non-Federal” and inserting “Notwithstanding subsection (b)(2), the non-Federal”; and

(4) by adding at the end the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000.”.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary has assumed, as of the date of enactment of this Act, responsibility for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

“(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

“(A) IN GENERAL.—The term ‘eligible high hazard potential dam’ means a non-Federal dam that—

“(i) is located in a State with a State dam safety program;

“(ii) is classified as ‘high hazard potential’ by the State dam safety agency in the State in which the dam is located;

“(iii) has an emergency action plan approved by the relevant State dam safety agency; and

“(iv) the State in which the dam is located determines—

“(I) fails to meet minimum dam safety standards of the State; and

“(II) poses an unacceptable risk to the public.

“(B) EXCLUSION.—The term ‘eligible high hazard potential dam’ does not include—

“(i) a licensed hydroelectric dam; or

“(ii) a dam built under the authority of the Secretary of Agriculture.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) NON-FEDERAL SPONSOR.—The term ‘non-Federal sponsor’, in the case of a project receiving assistance under section 8A, includes—

“(A) a governmental organization; and

“(B) a nonprofit organization.” and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) REHABILITATION.—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

“(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

“(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

“(1) repair;

“(2) removal; or

“(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

“(c) AWARD OF GRANTS.—

“(1) APPLICATION.—

“(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

“(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

“(2) GRANT.—

“(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

“(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant

agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

“(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

“(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

“(i) 12.5 percent of the total amount of funds made available to carry out this section; or

“(ii) \$7,500,000.

“(d) REQUIREMENTS.—

“(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

“(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

“(A) participate in, and comply with, all applicable Federal flood insurance programs;

“(B) have in place a hazard mitigation plan that—

“(i) includes all dam risks; and

“(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

“(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

“(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

“(i) acts in accordance with the State dam safety program; and

“(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

“(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

“(e) FLOODPLAIN MANAGEMENT PLANS.—

“(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

“(A) is in place; or

“(B) will be—

“(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

“(ii) implemented not later than 1 year after the date of completion of construction of the project.

“(2) INCLUSIONS.—A plan under paragraph (1) shall address—

“(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

“(B) plans for flood fighting and evacuation; and

“(C) public education and awareness of flood risks.

“(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of flood-plain management plans prepared under this subsection.

“(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

“(g) FUNDING.—

“(1) COST SHARING.—

“(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

“(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

“(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

“(A) EQUAL DISTRIBUTION.— $\frac{1}{3}$ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

“(B) NEED-BASED.— $\frac{2}{3}$ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

“(i) the number of eligible high hazard potential dams in the State; bears to

“(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

“(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

“(1) to rehabilitate a Federal dam;

“(2) to perform routine operation or maintenance of a dam;

“(3) to modify a dam to produce hydroelectric power;

“(4) to increase water supply storage capacity; or

“(5) to make any other modification to a dam that does not also improve the safety of the dam.

“(i) CONTRACTUAL REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than \$1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

“(A) chapter 11 of title 40, United States Code; or

“(B) an equivalent qualifications-based requirement prescribed by the relevant State.

“(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$10,000,000 for fiscal years 2017 and 2018;

“(2) \$25,000,000 for fiscal year 2019;

“(3) \$40,000,000 for fiscal year 2020; and

“(4) \$60,000,000 for each of fiscal years 2021 through 2026.”

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113-121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104-03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108-7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

(a) IN GENERAL.—Costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

(b) APPLICATION.—Subsection (a) shall apply only to repairs for projects for which construction has not begun and appropriations have not been made as of the date of enactment of this Act.

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term “dam” has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term “dam” includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term “Fund” means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term “high hazard potential dam” means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW HAZARD POTENTIAL DAM.—The term “low hazard potential dam” means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “High-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$22,750,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “Low-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$10,000,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(C) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use

or transfer to the Bureau of Indian Affairs not less than \$22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than \$10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be non-reimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the “Committee”).

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plains Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that re-

ceived for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, \$1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the “program”) to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) **TERMINATION.**—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) **FUNDING.**—Of the amounts authorized to be expended from either Fund, \$250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) **DEFINITION OF GULF STATES.**—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) **GULF COAST OYSTER BED RECOVERY PLAN.**—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

- (1) Hurricane Katrina in 2005;
- (2) the Deep Water Horizon oil spill in 2010; and
- (3) floods in 2011 and 2016.

(c) **INCLUSION.**—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) **SUBMISSION.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, PLATTE RIVER, AND ARKANSAS RIVER.

(a) **ECOSYSTEM RESTORATION.**—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) **WATERCRAFT INSPECTION STATIONS.**—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There are authorized to be appropriated such sums as are necessary, but not more than \$65,000,000, to carry out this section for each fiscal year, of which—

“(A) \$20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

“(B) \$25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

“(2) **ALLOCATION.**—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

“(A) the urgency and need of each area; and

“(B) the availability of local funds.”; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

“(1) **ESTABLISHMENT, OPERATION, AND MAINTENANCE.**—

“(A) **IN GENERAL.**—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

“(i) the Columbia River Basin;

“(ii) the Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

“(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

“(B) **LOCATION.**—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.”; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) the Governor of each State in which a station is established under paragraph (1);”.

(c) **TRIBAL HOUSING.**—

(1) **DEFINITION OF REPORT.**—In this subsection, the term “report” means the final report for the Portland District, Corps of Engineers, entitled “Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing” and dated November 19, 2013.

(2) **ASSISTANCE AUTHORIZED.**—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100-581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) **STUDY.**—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) **COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) **RESERVOIR SEDIMENT MANAGEMENT.**—

(1) **DEFINITION OF SEDIMENT MANAGEMENT PLAN.**—In this subsection, the term “sediment management plan” means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) **UPPER MISSOURI RIVER BASIN PILOT PROGRAM.**—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) **PLAN ELEMENTS.**—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) **COST SHARE.**—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) **CONTRIBUTED FUNDS.**—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) **GUIDANCE.**—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) **PARTNERSHIP WITH SECRETARY OF THE INTERIOR.**—

(A) **IN GENERAL.**—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) **LEAD AGENCY.**—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) **OTHER AUTHORITIES NOT AFFECTED.**—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) **SNOWPACK AND DROUGHT MONITORING.**—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(5) **LEAD AGENCY.**—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) **IN GENERAL.**—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) **INCLUSION.**—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) **PILOT PROGRAM.**—

(1) **AUTHORIZATION.**—In addition to the funding authorized under section 205 of the

Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend \$30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) **PRIORITY.**—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) **SUNSET.**—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking “\$60,000,000” and inserting “\$100,000,000”.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking “conduct a study to determine the feasibility of carrying out projects” and inserting “develop a comprehensive assessment and management plan at Federal expense”;

(2) in subsection (b), by striking the subsection designation and heading and all that follows through “In carrying out the study” and inserting the following:

“(b) **ASSESSMENT AND MANAGEMENT PLAN.**—In developing the comprehensive assessment and management plan”;

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “identified in the study pursuant to subsection (a)” and inserting “identified in the comprehensive assessment and management plan under this section”.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) **IN GENERAL.**—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) **PURPOSE.**—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) **STUDY COMPONENTS.**—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) **BASIS FOR RECOMMENDATIONS.**—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1113) is amended—

(1) in the section heading, by inserting “PROGRAM” after “RESTORATION”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “PILOT PROJECTS” and inserting “PROGRAM”;

(B) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B) (as redesignated) the following:

“(A) **ESTABLISHMENT.**—The Secretary shall carry out a program to implement projects to restore the Salton Sea in accordance with this section.”;

(iii) in subparagraph (B) (as redesignated by clause (i)), by striking “the pilot”;

(iv) in subparagraph (C) (as redesignated by clause (i))—

(I) in clause (i), in the matter preceding subclause (I), by striking “the pilot projects referred to in subparagraph (A)” and inserting “the projects referred to in subparagraph (B)”;

(II) in subclause (I), by inserting “, Salton Sea Authority, or other non-Federal interest” before the semicolon at the end; and

(III) in subclause (II), by striking “pilot”;

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “pilot”;

and

(D) in paragraph (3)—

(i) by striking “pilot” each place it appears; and

(ii) by inserting “, Salton Sea Authority, or other non-Federal interest” after “State”;

and

(3) in subsection (c), by striking “pilot”.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102–580; 113 Stat. 336) is amended—

(1) by inserting “Berkeley” before “Calhoun”;

(2) by striking “Orangeberg, and Sumter” and inserting “and Orangeberg”.

SEC. 4013. COASTAL RESILIENCY.

(a) **IN GENERAL.**—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting “Indian tribes,” after “nonprofit organizations,”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

“(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials.”;

(b) **INTERAGENCY COORDINATION ON COASTAL RESILIENCY.**—

(1) **IN GENERAL.**—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) **CONSULTATION.**—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCY.

(a) **REGIONAL ASSESSMENTS.**—

(1) **IN GENERAL.**—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) **COOPERATION.**—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) **STREAMLINING.**—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) **REPORTS.**—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) **IN GENERAL.**—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) **REQUIREMENTS.**—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) **CONSULTATION.**—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) **REPORT.**—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) **DEFINITIONS.**—In this section:

(1) **NATURAL FEATURE.**—The term “natural feature” means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) **NATURE-BASED FEATURE.**—The term “nature-based feature” means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) **REQUIREMENT.**—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) **CONTENTS.**—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) **FINDINGS.**—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) **DEFINITIONS.**—In this section:

(1) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) **RESILIENT WATERFRONT COMMUNITY.**—The term “resilient waterfront community” means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) **DESIGNATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) **COLLABORATION.**—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) **RESILIENT WATERFRONT COMMUNITY PLAN.**—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or

(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;

(ii) utilities; and

(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) **COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.**—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;

(II) water-oriented commerce; and

(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;

(II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;

(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;

(iii) engineering and design;

(iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;

(v) updates to zoning codes;

(vi) construction of—

(I) public waterfront or boating amenities; and

(II) public spaces;

(vii) infrastructure upgrades to improve coastal resiliency;

(viii) economic and community development marketing and outreach; and

(ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(1) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

(I) a nonprofit organization;

(II) a public utility;

(III) a private entity;

(IV) an institution of higher education;

(V) a State government; or

(VI) a regional organization.

(2) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(3) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

(i) 1 or more units of local or tribal government;

(ii) a State government;

(iii) a nonprofit organization;

(iv) a private entity;

(v) a foundation;

(vi) a public utility; or

(vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

(1) the Secretary of Transportation;

(2) the Secretary of Agriculture;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the Federal Emergency Management Agency;

(5) the Assistant Secretary of the Army for Civil Works;

(6) the Secretary of the Interior; and

(7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each of fiscal years 2017 through 2021.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$800,000, to remain available until expended.

SEC. 4019. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) OVERSIGHT COMMITTEE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the “Committee”).

(2) PURPOSES.—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) MEMBERSHIP.—Membership in the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) STUDY.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of the new permit fee structure based on the findings of the study described in subparagraph (A).

SEC. 4020. PEARL RIVER BASIN, MISSISSIPPI.

The Secretary shall expedite review and decision on the recommendation for the project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), submitted to the Secretary under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as in effect on the day before the date of enactment of the Water Resources Reform and Development Act of 2014).

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86" N., by long. 93°46'16.82" W., and ends at lat. 32°31'22.79" N., by long. 93°45'2.47" W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled "Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky" and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(1) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(2) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

(g) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81–516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

(h) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(i) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbors Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(j) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that

has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89-789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946

(60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by December 31, 2016, \$31,233,401 as payment in full of amounts owed to the United States, including any ac-

rued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63-76-C-0106 as of the date of enactment of this Act.

(e) WEBER BASIN PROJECT, UTAH.—

(1) IN GENERAL.—The Secretary of the Interior shall allow for the prepayment of repayment obligations under the repayment contract numbered 14-06-400-33 between the United States and the Weber Basin Water Conservancy District (referred to in this subsection as the “District”), dated December 12, 1952, and supplemented and amended on June 30, 1961, on April 15, 1966, on September 20, 1968, and on May 9, 1985, including any other amendments and all related applicable contracts to the repayment contract, providing for repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the repayment contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102-575; 106 Stat. 4624) for prepayment of Central

Utah Project, Bonneville Unit repayment obligations.

(2) AUTHORIZATIONS AND REQUIREMENTS.—The prepayment authorized under paragraph (1) —

(A) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(B) may be provided in several installments;

(C) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(D) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: \$116,116,000 Non-Federal: \$135,836,000 Total: \$251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: \$16,700,000 Non-Federal: \$0 Total: \$16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
5. FL	Port Everglades	June 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
6. AK	Little Diomedes	August 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000
9. PA	Upper Ohio River, Allegheny and Beaver Counties	September 12, 2016	Federal: \$1,324,235,500 Non-Federal: \$1,324,235,500 Total: \$2,648,471,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: \$2,011,279,000 Non-Federal: \$1,082,997,000 Total: \$3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$35,322,350 Total: \$100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b))” each place it appears and inserting “(25 U.S.C. 5304)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))”; and

(2) by adding at the end the following:

“(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protec-

tion and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPELLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106-53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of

the Flood Control Act of 1965 (Public Law 89-298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(c) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99-662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of \$30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recre-

ation components, considered together, are feasible.

(u) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the “Flood Control Act of 1936”), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and Research of the University of North Texas entitled “Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas” and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89-298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled “Final Supplemental No. 1” is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed \$520,000,000, of which not more than \$5,500,000 may be expended to carry out recreation features of the project.

(z) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the “Assateague Island National Seashore Act”) for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects, in accordance with section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

(4) The project for navigation, Mobile Harbor, Alabama.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1374) is amended by striking “2018” and inserting “2020”.

SEC. 6006. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the

Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-to-cost ratios and evaluate construction projects.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-to-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-to-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SEC. 6007. INVENTORY ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349).

SEC. 6008. SAINT LAWRENCE SEAWAY MODERNIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **GREAT LAKES REGION.**—The term “Great Lakes region” means the region comprised of the Great Lakes States.

(2) **GREAT LAKES STATES.**—The term “Great Lakes States” means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(3) **SEAWAY.**—The term “Seaway” means the Saint Lawrence Seaway.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Comptroller General, in cooperation with appropriate Federal, State, and local authorities, shall conduct a study to—

(A) assess the condition of the Seaway; and

(B) evaluate options available in the 21st century for modernizing the Seaway as a globally significant transportation corridor.

(2) **SCOPE OF STUDY.**—In conducting the study under paragraph (1), the Comptroller General shall—

(A) assess the condition of the Seaway and the capacity of the Seaway to drive commerce and other economic activity in the Great Lakes region;

(B) detail the importance of the Seaway to the functioning of the United States economy, with an emphasis on the domestic manufacturing sector, including the domestic steel manufacturing industry;

(C) evaluate options—

(i) to modernize physical navigation infrastructure, facilities, and related assets not operated or maintained by the Secretary along the corridor of the Seaway, including an assessment of alternative means for the Great Lakes region to finance large-scale initiatives;

(ii) to increase exports of domestically produced goods and study the trade balance and regional economic impact of the possible in-

crease in imports of agricultural products, steel, aggregates, and other goods commonly transported through the Seaway;

(iii) increase economic activity and development in the Great Lakes region by advancing the multimodal transportation and economic network in the region;

(iv) ensure the competitiveness of the Seaway as a transportation corridor in an increasingly integrated global transportation network; and

(v) attract tourists to the Great Lakes region by improving attractions and removing barriers to tourism and travel throughout the Seaway; and

(D) evaluate the existing and potential financing authorities of the Seaway as compared to other Federal agencies and instrumentalities with development responsibilities.

(3) **DEADLINE.**—The Comptroller General shall complete the study under paragraph (1) as soon as practicable and not later than 2 years after the date of enactment of this Act.

(4) **COORDINATION.**—The Comptroller General shall conduct the study under paragraph (1) with input from representatives of the Saint Lawrence Seaway Development Corporation, the Economic Development Administration, the Coast Guard, the Corps of Engineers, the Department of Homeland Security, and State and local entities (including port authorities throughout the Seaway).

(5) **REPORT.**—The Comptroller General shall submit to Congress a report on the results of the study under paragraph (1) not later than the earlier of—

(A) the date that is 180 days after the date on which the study is completed; or

(B) the date that is 30 months after the date of enactment of this Act.

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwaters Project, MS”, authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited by language in reports accompanying appropriations bills.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) **SENSE OF THE SENATE.**—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) **FINDINGS.**—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns \$0.21 to the general fund of the

Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns \$0.93 in Federal tax revenue.

(B) A combined \$34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate \$7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in \$32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every \$1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 566,000 jobs.

(3) An increase in economic output:

(A) Every \$1,000,000 in State revolving loan fund spending results in \$2,950,000 in output for the economy of the United States.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate \$102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking “(not)” and inserting “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not)”;

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

“(C) **SALE OF BONDS.**—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.”.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

“(A) **DEFINITION OF RESTRUCTURING.**—In this paragraph, the term ‘restructuring’ means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

“(B) **PRIORITY SYSTEM.**—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

“(i) address the most serious risk to human health;

“(ii) are necessary to ensure compliance with this title (including requirements for filtration);

“(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

“(iv) improve the sustainability of systems.

“(C) **WEIGHT GIVEN TO APPLICATIONS.**—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

“(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

“(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

“(II) a schedule for replacement of assets;

“(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

“(IV) a review of options for restructuring the public water system;

“(ii) demonstration of consistency with State, regional, and municipal watershed plans;

“(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

“(iv) approaches to improve the sustainability of the system, including—

“(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

“(II) use of reclaimed water;

“(III) actions to increase energy efficiency; and

“(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking “periodically” and inserting “at least biennially”.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking “up to 4 percent of the funds allotted to the State under this section” and inserting “, for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of \$400,000, ½ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year.”; and

(2) by striking “1419,” and all that follows through “1993,” and inserting “1419.”.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: “and the implementation of plans to protect source water identified in a source water assessment under section 1453”; and

(2) in paragraph (2)(E), by inserting after “wellhead protection programs” the following: “and implement plans to protect source water identified in a source water assessment under section 1453”.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

“(s) **NEGOTIATION OF CONTRACTS.**—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for

program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

“(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

“(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).”.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

“(a) **DEFINITION OF UNDERSERVED COMMUNITY.**—In this section:

“(1) **IN GENERAL.**—The term ‘underserved community’ means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

“(2) **INCLUSIONS.**—The term ‘underserved community’ includes a local political subdivision that either, as determined by the Administrator—

“(A) does not have household drinking water or wastewater services; or

“(B) has a drinking water system that fails to meet health-based standards under this Act, including—

“(i) a maximum contaminant level for a primary drinking water contaminant;

“(ii) a treatment technique violation; and

“(iii) an action level exceedance.

“(b) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

“(2) **INCLUSIONS.**—Projects and activities under paragraph (1) include—

“(A) infrastructure investments necessary to comply with the requirements of this Act,

“(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

“(C) programs to provide household water quality testing, including testing for unregulated contaminants.

“(c) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section—

“(1) is—

“(A) a public water system as defined in section 1401;

“(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

“(C) a State, on behalf of an underserved community; and

“(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

“(A) to be a disadvantaged community;

“(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

“(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

“(d) **PRIORITY.**—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

“(e) **LOCAL PARTICIPATION.**—In prioritizing projects for implementation under this sec-

tion, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

“(f) **TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.**—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

“(g) **COST SHARING.**—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

“(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

“(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

“(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

“(h) **WAIVER.**—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) \$230,000,000 for fiscal year 2017; and

“(2) \$300,000,000 for each of fiscal years 2018 through 2021.”.

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

“SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a community water system;

“(B) a system located in an area governed by an Indian Tribe;

“(C) a nontransient noncommunity water system;

“(D) a qualified nonprofit organization, as determined by the Administrator; and

“(E) a municipality or State, interstate, or intermunicipal agency.

“(2) **LEAD REDUCTION PROJECT.**—

“(A) **IN GENERAL.**—The term ‘lead reduction project’ means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

“(i) replacement of publicly owned lead service lines;

“(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

“(iii) assistance to low-income homeowners to replace privately owned service

lines, pipes, fittings, or fixtures that contain lead; and

“(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

“(B) LIMITATION.—The term ‘lead reduction project’ does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

“(3) LOW-INCOME.—The term ‘low-income’, with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

“(4) MUNICIPALITY.—The term ‘municipality’ means—

“(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(b) GRANT PROGRAM.—

“(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

“(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

“(A) the source of lead in water for human consumption; and

“(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

“(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

“(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

“(B) proposes to—

“(i) carry out a lead reduction project at a public water system or nontransient non-community water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

“(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

“(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

“(4) COST SHARING.—

“(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

“(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

“(5) LOW-INCOME ASSISTANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

“(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under

this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

“(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

“(A) notify customers of the replacement of any publicly owned portion of the lead service line;

“(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

“(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

“(i) the cost of replacement; and

“(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

“(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

“(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2017 through 2021.”

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking “Administrator or” and inserting “Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,”; and

(II) by inserting “and the appropriate State and county health agencies” after “1413”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.

“(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.”; and

(5) by adding at the end the following:

“(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.”.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g-3) is amended by adding at the end the following:

“(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

“(1) IN GENERAL.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

“(A) by public water systems (or a certified laboratory on behalf of a public water system)—

“(i) to the Administrator; or

“(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

“(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

“(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

“(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

“(B) information system compatibility;

“(C) the size of the public water system; and

“(D) the size of the community served by the public water system.”.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended by striking subsection (d) and inserting the following:

“(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHILD CARE PROGRAM.—The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(B) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ means—

“(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

“(iii) an operator of a child care program facility licensed under State law.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

“(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

“(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

“(ii) any direct implementation area.

“(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

“(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this sub-

section, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

“(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

“(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

“(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2017 through 2021.”.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j-25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

“PART G—ADDITIONAL PROVISIONS

“SEC. 1471. WATERSENSE PROGRAM.

“(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

“(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

“(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

“(1) establish—

“(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

“(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

“(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

“(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.”.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately \$384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at \$64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

- (1) individual wells;
- (2) shared wells; and
- (3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking “appropriated” and all that follows through “2003” and inserting “made available for each of fiscal years 2016 through 2021”.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300f(14)) is amended by striking “section 1452” and inserting “sections 1452, 1459A, and 1459B”.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking “Tribes” and inserting “tribes, including grants to provide training and operator certification services under section 1452(i)(5)”.

(b) INDIAN TRIBES.—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking “Tribes and Alaska Native villages” and inserting “tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations”; and

(2) by adding at the end the following:

“(5) TRAINING AND OPERATOR CERTIFICATION.—

“(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

“(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

“(i) is the most qualified to provide training and technical assistance to Indian tribes; and

“(ii) Indian tribes determine to be the most beneficial and effective.”.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

“(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

“(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term ‘iron and steel products’ means the following products made, in part, of iron or steel:

- “(i) Lined or unlined pipe and fittings.
- “(ii) Manhole covers and other municipal castings.
- “(iii) Hydrants.
- “(iv) Tanks.
- “(v) Flanges.
- “(vi) Pipe clamps and restraints.
- “(vii) Valves.
- “(viii) Structural steel.
- “(ix) Reinforced precast concrete.
- “(x) Construction materials.

“(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or re-

pair of a public water system unless all the iron and steel products used in the project are produced in the United States.

“(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

“(i) applying subparagraph (B) would be inconsistent with the public interest;

“(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

“(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

“(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

“(I) make available to the public on an informal basis, including on the public website of the Administrator—

“(aa) a copy of the request; and

“(bb) any information available to the Administrator regarding the request; and

“(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

“(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

“(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

“(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.”.

Subtitle B—Clean Water**SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.**

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through “subject to subsection (g), the Administrator may” in paragraph (2) and inserting the following:

“(a) AUTHORITY.—The Administrator may—

“(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

“(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

“(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

“(2) subject to subsection (g),”;

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “; or”;

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

“(e) ADMINISTRATIVE REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water

pollution control revolving fund established pursuant to title VI.

“(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

“(1) \$250,000,000 for fiscal year 2017;

“(2) \$300,000,000 for fiscal year 2018;

“(3) \$350,000,000 for fiscal year 2019;

“(4) \$400,000,000 for fiscal year 2020; and

“(5) \$500,000,000 for fiscal year 2021.

“(g) ALLOCATION OF FUNDS.—

“(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

“(A) in accordance with the priority criteria described in subsection (b); and

“(B) with additional priority given to proposed projects that involve the use of—

“(i) nonstructural, low-impact development;

“(ii) water conservation, efficiency, or reuse; or

“(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

“(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

“(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

“(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

“(i) conducted under section 210; and

“(ii) included in a report required under section 516(b)(1)(B).”; and

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

“(a) DEFINITIONS.—In this section:

“(1) MEDIUM TREATMENT WORKS.—The term ‘medium treatment works’ means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.

“(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit medium treatment works technical assistance provider’ means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of me-

dium treatment works, which may include State agencies.

“(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit small treatment works technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(4) SMALL TREATMENT WORKS.—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) for grants for small treatment works technical assistance, \$15,000,000 for each of fiscal years 2017 through 2021; and

“(2) for grants for medium treatment works technical assistance, \$10,000,000 for each of fiscal years 2017 through 2021.”.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.”.

(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) INTEGRATED PLAN PERMITS.—

“(1) DEFINITIONS.—In this subsection:

“(A) GREEN INFRASTRUCTURE.—The term ‘green infrastructure’ means the range of

measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

“(B) INTEGRATED PLAN.—The term ‘integrated plan’ has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

“(C) MUNICIPAL DISCHARGE.—

“(i) IN GENERAL.—The term ‘municipal discharge’ means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).

“(ii) INCLUSION.—The term ‘municipal discharge’ includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

“(2) INTEGRATED PLAN.—

“(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

“(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

“(i) a combined sewer overflow;

“(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

“(iii) a municipal stormwater discharge;

“(iv) a municipal wastewater discharge; and

“(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

“(3) COMPLIANCE SCHEDULES.—

“(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

“(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

“(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

“(4) EXISTING AUTHORITIES RETAINED.—

“(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

“(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

“(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

“(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets

the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(5) CLARIFICATION OF STATE AUTHORITY.—

“(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

“(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.”.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

“(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

“(1) IN GENERAL.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

“(2) MODIFICATION.—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.”.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the “Integrated Municipal Stormwater and Wastewater Planning Approach Framework” issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

“SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

“(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

“(b) DUTIES.—The Administrator shall ensure that the Office of Water—

“(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

“(2) coordinates efforts to increase the use of green infrastructure with—

“(A) other Federal departments and agencies;

“(B) State, tribal, and local governments; and

“(C) the private sector.

“(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

“(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

“(2) the incorporation of green infrastructure into permitting and other regulatory

programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

“(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

“(1) reducing water pollution;

“(2) protecting water resources;

“(3) complying with regulatory requirements; and

“(4) achieving other environmental, public health, and community goals.”.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term “affordability” means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term “financial capability” means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term “guidance” means the guidance published by the Administrator entitled “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled “Financial Capability Assessment Framework” and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) REVISED GUIDANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) USE OF GUIDANCE.—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate

structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) PUBLICATION AND SUBMISSION.—

(1) IN GENERAL.—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) EXPLANATION.—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) EFFECT.—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

There is authorized to be appropriated to the Administrator for the Chesapeake Bay Grass Survey \$150,000 for fiscal year 2017 and each fiscal year thereafter.

SEC. 7207. GREAT LAKES HARMFUL ALGAL BLOOM COORDINATOR.

The Administrator, acting as the chair of the Great Lakes Interagency Task Force, shall appoint a coordinator to work with appropriate Federal agencies and State, local, tribal, and foreign governments to coordinate efforts to address the issue of harmful algal blooms in the Great Lakes.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended by striking “Any activity undertaken under this section is authorized only to the extent” and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(ii) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”;

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

“(7) A project to prevent, reduce, or mitigate the effects of drought, including

projects that enhance the resilience of drought-stricken watersheds.”; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking “or (7)” and inserting “(7), or (8)”.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking “and (8)” and inserting “(7), and (9)”;

(ii) in paragraph (3), by striking “paragraph (7) or (9)” and inserting “paragraph (8) or (10)”.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking “section 5026(7)” and inserting “section 5026(8)”.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking “section 5026(9)” and inserting “section 5026(10)”;

(II) by striking “section 5026(8)” and inserting “section 5026(9)”;

(ii) in subsection (b)(3), by striking “section 5026(8)” and inserting “section 5026(9)”.

(c) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 5028(b)(2)(F) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(b)(2)(F)) is amended—

(1) in clause (i), by striking “or” at the end; and

(2) by striking clause (ii) and inserting the following:

“(ii) helps maintain or protect the environment;

“(iii) resists hazards due to a natural disaster;

“(iv) continues to serve the primary function of the water resources infrastructure project following a natural disaster;

“(v) reduces the magnitude or duration of a disruptive event to a water resources infrastructure project; or

“(vi) has the absorptive, adaptive, and recoverable capacities to withstand a potentially disruptive event.”.

(d) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

(e) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

“Subtitle C—Innovative Financing Projects”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.”.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

“Subtitle C—Innovative Financing Projects”.; and

(B) by striking the item relating to section 5034 and inserting the following:

“Sec. 5034. Reports on program implementation.”.

(f) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund” (referred to in this section as the “Fund”), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the “Secretary”) shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization

grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources;

(N) address treatment byproduct and brine disposal alternatives; or

(O) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be \$5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section \$10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking “and” at the end; and

(3) by inserting after paragraph (6) the following:

“(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

“(A) nonstructural alternatives;

“(B) decentralized approaches;

“(C) water use efficiency and conservation; and

“(D) actions to reduce energy consumption or extract energy from wastewater;”.

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(B) in subparagraph (D), by striking the period at the end and inserting “; and”;

(2) in subsection (c)—

(A) by striking “From the” and inserting the following:

“(1) IN GENERAL.—From the”; and

(B) by adding at the end the following:

“(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”;

(3) by striking subsection (e) and inserting the following:

“(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”;

(4) in subsection (f)(1), by striking “\$12,000,000 for each of fiscal years 2007 through 2011” and inserting “\$7,500,000 for each of fiscal years 2017 through 2021”; and

(5) in subsection (g)(1), in the first sentence, by striking “\$6,000,000 for each of fiscal years 2007 through 2011” and inserting “\$1,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

“(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.”; and

(2) by adding at the end the following:

“(e) **PRIORITIZATION.**—In carrying out this section, the Secretary shall prioritize funding for research—

“(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

“(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

“(3) to improve existing reverse osmosis and membrane technology;

“(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

“(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

“(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.”.

(b) **DESALINATION DEMONSTRATION AND DEVELOPMENT.**—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(c) **PRIORITIZATION.**—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

“(1) for the benefit of drought-stricken States and communities;

“(2) for the benefit of States that have authorized funding for research and development of desalination technologies and projects;

“(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.”.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking “\$5,000,000” and inserting “\$8,000,000”; and

(B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(d) **CONSULTATION.**—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) by striking the section designation and heading and all that follows through “In carrying out” in the first sentence and inserting the following:

“**SEC. 9. CONSULTATION AND COORDINATION.**

“(a) **CONSULTATION.**—In carrying out”;

(2) in the second sentence, by striking “The authorization” and inserting the following:

“(c) **OTHER DESALINATION PROGRAMS.**—The authorization”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) **COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.**—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

“(1) establishes priorities for future Federal investments in desalination;

“(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

“(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

“(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) **IN GENERAL.**—The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Administrator, and other appropriate Federal agency heads along with State, local, and tribal governments, shall jointly develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers, in a manner consistent with the Presidential Memorandum entitled “Building National Capabilities for Long-Term Drought Resilience” (81 Fed. Reg. 16053 (March 21, 2016)).

(b) **CONSULTATION.**—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) **CONTENTS.**—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;

(ii) municipal and industrial water supply;

(iii) agricultural water supply;

(iv) water quality;

(v) ecosystem health; and

(vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

(ii) water recycling;

(iii) groundwater clean-up and storage;

(iv) new technologies, such as behavioral water efficiency; and

(v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

(A) the establishment of planning goals;

(B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) **IN GENERAL.**—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking “or” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) **INNOVATIVE WATER TECHNOLOGIES.**—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

“(k) **TECHNICAL ASSISTANCE.**—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

“(l) **REPORT.**—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting “**ADDITIONAL ASSISTANCE.**—”;

(B) in paragraph (1)—

(i) by striking “Notwithstanding” and inserting the following:

“(A) **IN GENERAL.**—Notwithstanding”; and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)—

(i) by striking “For each fiscal year” and inserting the following:

“(A) IN GENERAL.—For each fiscal year”;

and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”; and

(D) in paragraph (3), in the first sentence, by inserting “, or portion of a service area,” after “service area”; and

(2) by adding at the end the following:

“(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

“(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State

may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of \$100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes pre-application information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least \$700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), \$20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate,

conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) **CONSULTATIONS.**—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means a city exposed to lead contamination in the local drinking water system.

(2) **COMMITTEE.**—The term “Committee” means the Advisory Committee established under subsection (c).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(b) **LEAD EXPOSURE REGISTRY.**—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) **ADVISORY COMMITTEE.**—

(1) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

- (i) an epidemiologist;
- (ii) a toxicologist;
- (iii) a mental health professional;
- (iv) a pediatrician;
- (v) an early childhood education expert;
- (vi) a special education expert;
- (vii) a dietician; and
- (viii) an environmental health expert.

(B) **REQUIREMENTS.**—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) **CHAIR.**—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) **TERMS.**—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) **APPLICATION OF FACA.**—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) **RESPONSIBILITIES.**—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) **REPORT.**—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) **MANDATORY FUNDING.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) \$17,500,000 to carry out subsection (b); and

(B) \$2,500,000 to carry out subsection (c).

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) **CHILDHOOD LEAD POISONING PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

(2) **RECEIPT AND ACCEPTANCE.**—The Director of the Centers for Disease Control and Pre-

vention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1) the funds transferred under paragraph (1), without further appropriation.

(b) **HEALTHY HOMES PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) **RECEIPT AND ACCEPTANCE.**—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) **HEALTHY START PROGRAM.**—

(1) **IN GENERAL.**—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

(2) **RECEIPT AND ACCEPTANCE.**—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) **REVIEW.**—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) **CONTENTS OF REPORT.**—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) **COMPREHENSIVE STRATEGY.**—The term “comprehensive strategy” means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) **GROUNDWATER.**—The term “groundwater” means water in a saturated zone or stratum beneath the surface of land or water.

(3) **PLUME.**—The term “plume” means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) **SITE.**—The term “site” means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) **GREAT LAKES RESTORATION INITIATIVE.**—

“(A) **ESTABLISHMENT.**—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the ‘Initiative’) to carry out programs and projects for Great Lakes protection and restoration.

“(B) **FOCUS AREAS.**—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) **PROJECTS.**—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

“(ii) the feasibility of—

“(I) prompt implementation;

“(II) timely achievement of results; and

“(III) resource leveraging; and

“(iii) the opportunity to improve inter-agency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(D) **IMPLEMENTATION OF PROJECTS.**—

“(i) **IN GENERAL.**—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects; and

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

“(ii) **TRANSFER OF FUNDS.**—With amounts made available for the Initiative each fiscal year, the Administrator may—

“(I) transfer not more than \$300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

“(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

“(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

“(E) **SCOPE.**—

“(i) **IN GENERAL.**—Projects shall be carried out under the Initiative on multiple levels, including—

“(I) Great Lakes-wide; and

“(II) Great Lakes basin-wide.

“(ii) **LIMITATION.**—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

“(I) a State water pollution control revolving fund established under title VI; or

“(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

“(F) **ACTIVITIES BY OTHER FEDERAL AGENCIES.**—Each relevant Federal department or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that depart-

ment or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

“(G) **FUNDING.**—

“(i) **IN GENERAL.**—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) **LIMITATION.**—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”.

SEC. 7612. AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) **REFERENCES.**—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) **FINDINGS.**—The Act is amended by striking section 1002 and inserting the following:

“SEC. 1002. FINDINGS.

“Congress finds that—

“(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

“(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

“(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

“(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

“(5) as of the date of enactment of this Act, actions are not funded that are considered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

“(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.”.

(c) **IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.**—

(1) **REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.**—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking “and” at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

“(viii) each applicable State wildlife action plan.”.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking “Great Lakes Coordinator of the”.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal” and inserting the following:

“(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project”; and

(ii) by adding at the end the following:

“(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

“(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

“(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

“(ii) as described in subparagraph (C), the costs associated with—

“(I) land acquisition or securing a conservation easement; and

“(II) restoration or enhancement of that land or conservation easement.

“(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

“(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

“(I) meets the requirements of subsection (b)(2);

“(II) is acquired before the end of the grant period of the proposal or regional project;

“(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

“(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

“(V) is appraised in accordance with clause (ii).

“(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

“(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

“(II) the appraisal shall—

“(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

“(bb) be completed by a Federal- or State-certified appraiser.

“(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

“(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

“(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

“(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).”.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”; and

(2) in subsection (c)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”; and

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2011” and inserting “2021”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2020”; and

(B) in paragraph (5), by inserting “the Great Lakes Restoration Initiative Action Plan based on” after “in support of”; and

(3) by striking subsection (c) and inserting the following:

“(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

“(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

“(2) may reassess and update, as necessary, the findings and recommendations of the Report.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2021”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “\$14,000,000” and inserting “\$6,000,000”; and

(B) in subparagraph (A), by striking “\$4,600,000” and inserting “\$2,000,000”; and

(C) in subparagraph (B), by striking “\$700,000” and inserting “\$300,000”; and

(3) in paragraph (2), by striking “the activities of” and all that follows through “section 1007” and inserting “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007”.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restora-

tion Act of 2006 (16 U.S.C. 941 note; Public Law 109-326) is repealed.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds that—

“(1) Lake Tahoe—

“(A) is one of the largest, deepest, and clearest lakes in the world;

“(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

“(C) is recognized nationally and worldwide as a natural resource of special significance;

“(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

“(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

“(B) contributes significantly to the economies of California, Nevada, and the United States;

“(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

“(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

“(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

“(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

“(A) high tree density and mortality;

“(B) the loss of biological diversity; and

“(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

“(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

“(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

“(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

“(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

“(A) congressional consent to the establishment of the Planning Agency with—

“(i) the enactment in 1969 of Public Law 91-148 (83 Stat. 360); and

“(ii) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

“(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

“(C) the enactment of Public Law 96-586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

“(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

“(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

“(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

“(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

“(A) stream and wetland restoration; and

“(B) programmatic technical assistance;

“(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

“(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

“(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

“(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

“(A) renewed their commitment to Lake Tahoe; and

“(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

“(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,955,500,000 to the Lake Tahoe Basin, including—

“(A) \$635,400,000 from the Federal Government;

“(B) \$758,600,000 from the State of California;

“(C) \$123,700,000 from the State of Nevada;

“(D) \$98,900,000 from units of local government; and

“(E) \$338,900,000 from private interests;

“(16) significant additional investment from Federal, State, local, and private sources is necessary—

“(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

“(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

“(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

“(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency

and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

“(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

“(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

“(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

“(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

“(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.”.

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of the Army for Civil Works.

“(3) CHAIR.—The term ‘Chair’ means the Chair of the Federal Partnership.

“(4) COMPACT.—The term ‘Compact’ means the Tahoe Regional Planning Compact included in the first section of Public Law 96-551 (94 Stat. 3233).

“(5) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the United States Fish and Wildlife Service; and

“(B) the Director of the United States Geological Survey.

“(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means—

“(A) the Environmental Improvement Program adopted by the Planning Agency; and

“(B) any amendments to the Program.

“(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term ‘environmental threshold carrying capacity’ has the meaning given the term in Article II of the Compact.

“(8) FEDERAL PARTNERSHIP.—The term ‘Federal Partnership’ means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

“(9) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ includes—

“(A) prescribed burning for ecosystem health and hazardous fuels reduction;

“(B) mechanical and minimum tool treatment;

“(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

“(D) nonnative invasive species management; and

“(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

“(10) MAPS.—The term ‘Maps’ means the maps—

“(A) entitled—

“(i) ‘LTRA USFS-CA Land Exchange/North Shore’;

“(ii) ‘LTRA USFS-CA Land Exchange/West Shore’; and

“(iii) ‘LTRA USFS-CA Land Exchange/South Shore’; and

“(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

“(i) the Forest Service;

“(ii) the California Tahoe Conservancy; and

“(iii) the California Department of Parks and Recreation.

“(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

“(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

“(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

“(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

“(12) PLANNING AGENCY.—The term ‘Planning Agency’ means the Tahoe Regional Planning Agency established under Public Law 91-148 (83 Stat. 360) and Public Law 96-551 (94 Stat. 3233).

“(13) PRIORITY LIST.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(15) STREAM ENVIRONMENT ZONE.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

“(16) TOTAL MAXIMUM DAILY LOAD.—The term ‘total maximum daily load’ means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

“(17) WATERCRAFT.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.”.

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking “basin” and inserting “Basin”; and

(2) by adding at the end the following:

“(c) FOREST MANAGEMENT ACTIVITIES.—

“(1) COORDINATION.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

“(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

“(2) MULTIPLE BENEFITS.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

“(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

“(I) reducing forest fuels;

“(II) maintaining biological diversity;
 “(III) improving wetland and water quality, including in Stream Environment Zones; and

“(IV) increasing resilience to changing water temperature and precipitation; and

“(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

“(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

“(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

“(B) provide for monitoring to ascertain the attainment of the post-program conditions.

“(d) WITHDRAWAL OF FEDERAL LAND.—

“(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

“(A) all forms of entry, appropriation, or disposal under the public land laws;

“(B) location, entry, and patent under the mining laws; and

“(C) disposition under all laws relating to mineral and geothermal leasing.

“(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

“(A) this Act; or

“(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

“(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

“(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.”

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

“SEC. 5. AUTHORIZED PROGRAMS.

“(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

“(1) is described in subsection (d);

“(2) is included in the Priority List under subsection (b); and

“(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

“(b) PRIORITY LIST.—

“(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

“(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

“(A) The 4-year threshold carrying capacity evaluation.

“(B) The ability to measure progress or success of the program.

“(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

“(D) The ability of a program to provide multiple benefits.

“(E) The ability of a program to leverage non-Federal contributions.

“(F) Stakeholder support for the program.

“(G) The justification of Federal interest.

“(H) Agency priority.

“(I) Agency capacity.

“(J) Cost-effectiveness.

“(K) Federal funding history.

“(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

“(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

“(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

“(d) DESCRIPTION OF ACTIVITIES.—

“(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

“(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

“(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

“(iii) Biomass programs, including feasibility assessments.

“(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

“(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

“(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

“(vii) Development of updated community wildfire protection plans by local fire districts.

“(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

“(ix) Stewardship end result contracting projects carried out under section 604 of the

Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

“(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least \$100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

“(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

“(D) COST-SHARING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

“(ii) FORM OF NON-FEDERAL SHARE.—

“(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

“(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

“(III) DOCUMENTATION.—Communities and local fire districts shall—

“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) INVASIVE SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

“(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

“(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall

apply to all watercraft to be launched on water within the Lake Tahoe region.

“(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

“(G) CIVIL PENALTIES.—

“(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

“(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

“(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

“(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

“(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

“(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), \$113,000,000 shall be made available—

“(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

“(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

“(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

“(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

“(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.”.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than \$5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(A) the program scope;

“(B) the budget for the program; and

“(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

“(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

“(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

“(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.”.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “, Director, or Administrator” after “Secretary”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96-551; 94 Stat. 3240) is amended in the third sentence by inserting “and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce” after “maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting “and 25 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “65,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

“(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts $\frac{3}{4}$ of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) erosion control programs under section 2 of Public Law 96-586 (94 Stat. 3381).

“(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96-586 (94 Stat. 3384) (commonly known as the “Santini-Burton Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) ADMINISTRATION OF ACQUIRED LAND.—

“(1) IN GENERAL.—Land”; and

(2) by adding at the end the following:

“(2) CALIFORNIA CONVEYANCES.—

“(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

“(i) may accept the offer; and

“(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

“(B) DESCRIPTION OF LAND.—

“(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

“(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Tahoe Conservancy to the USFS’; and

“(II) the approximately 183 acres of land administered by California State Parks and identified on the Maps as ‘Total USFS to California’.

“(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies; and

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restric-

tions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(3) NEVADA CONVEYANCES.—

“(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

“(i) the approximately 38.68 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Van Sick-le Unit USFS Inholding’; and

“(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies; and

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

“(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

“(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

“(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A)

shall be retained by the Secretary of Agriculture and used for—

“(i) purchasing inholdings throughout the Lake Tahoe Basin; or

“(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

“(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

“(5) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(6) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351), \$2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).”.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through “The Office shall” and inserting the following:

“(b) OFFICE.—

“(1) ESTABLISHMENT.—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) ADMINISTRATION AND STAFFING.—The Office shall”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Management Conference of the Long Island Sound Study” and inserting “conference study”;

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(J) environmental impacts on the Long Island Sound watershed, including—

“(i) the identification and assessment of vulnerabilities in the watershed;

“(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

“(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

“(K) planning initiatives for Long Island Sound that identify the areas that are most

suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;";

(C) by striking paragraph (4) and inserting the following:

"(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;";

(D) in paragraph (5), by inserting "study" after "conference";

(E) in paragraph (6)—

(i) by inserting "(including on the Internet)" after "the public"; and

(ii) by inserting "study" after "conference"; and

(F) by striking paragraph (7) and inserting the following:

"(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and";

(3) in subsection (d)(3), in the second sentence, by striking "50 per centum" and inserting "60 percent";

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

"(f) REPORT.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

"(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

"(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

"(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

"(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

"(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

"(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

"(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

"(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government sub-

mitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

"(1) an interagency crosscut budget that displays for each department and agency—

"(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

"(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

"(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

"(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

"(h) FEDERAL ENTITIES.—

"(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

"(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

"(A) enter into interagency agreements; and

"(B) make intergovernmental personnel appointments.

"(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

"(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans)."

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) in subsection (g), by striking "2011" and inserting "2021"; and

(B) by adding at the end the following:

"(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

"(1) the Advisory Committee; or

"(2) any board, committee, or other group established under this Act."

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended in the matter preceding subparagraph (A) by striking "2011" and inserting "2021".

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking "under this section each" and inserting "to carry out this Act for a".

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) \$40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) \$25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes \$25,000,000,000 annually in economic activity, provides \$21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with \$10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly \$4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and

proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over \$21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware

River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) **Basin**.—The term “Basin” means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) **Basin State**.—The term “Basin State” means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) **Director**.—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **Foundation**.—The term “Foundation” means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) **Grant Program**.—The term “grant program” means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) **Program**.—The term “program” means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) **Restoration and Protection**.—The term “restoration and protection” means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) **Secretary**.—The term “Secretary” means the Secretary of the Interior, acting through the Director.

(9) **Service**.—The term “Service” means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) **Establishment**.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the “Delaware River Basin restoration program”.

(b) **Duties**.—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) **COORDINATION**.—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) **PURPOSES**.—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) **DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM**.—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the “Delaware River Basin Restoration Grant Program” to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) **CRITERIA**.—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the

Basinwide strategy adopted under section 7643(b)(2).

(c) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) **FUNDING.**—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) **REQUIREMENTS.**—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out this part \$5,000,000 for each of fiscal years 2017 through 2022.

(b) **USE.**—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

PART V—COLUMBIA RIVER BASIN RESTORATION

SEC. 7651. COLUMBIA RIVER BASIN RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

“(a) DEFINITIONS.—

“(1) **COLUMBIA RIVER BASIN.**—The term ‘Columbia River Basin’ means the entire United States portion of the Columbia River watershed.

“(2) **ESTUARY PARTNERSHIP.**—The term ‘Estuary Partnership’ means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

“(3) **ESTUARY PLAN.**—

“(A) **IN GENERAL.**—The term ‘Estuary Plan’ means the Estuary Partnership Comprehensive Conservation and Management Plan

adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

“(B) **INCLUSION.**—The term ‘Estuary Plan’ includes any amendments to the plan.

“(4) **LOWER COLUMBIA RIVER ESTUARY.**—The term ‘Lower Columbia River Estuary’ means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

“(5) **MIDDLE AND UPPER COLUMBIA RIVER BASIN.**—The term ‘Middle and Upper Columbia River Basin’ means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

“(6) **PROGRAM.**—The term ‘Program’ means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

“(b) **COLUMBIA RIVER BASIN RESTORATION PROGRAM.**—

“(1) **ESTABLISHMENT.**—

“(A) **IN GENERAL.**—The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

“(B) **EFFECT.**—

“(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

“(ii) This section does not create any new regulatory authority.

“(2) **SCOPE OF PROGRAM.**—The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

“(3) **DUTIES.**—The Administrator shall—

“(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

“(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

“(C) provide grants in accordance with subsection (d) for projects that assist in—

“(i) eliminating or reducing pollution;

“(ii) cleaning up contaminated sites;

“(iii) improving water quality;

“(iv) monitoring to evaluate trends;

“(v) reducing runoff;

“(vi) protecting habitat; or

“(vii) promoting citizen engagement or knowledge.

“(c) **STAKEHOLDER WORKING GROUP.**—

“(1) **ESTABLISHMENT.**—The Administrator shall establish a Columbia River Basin Restoration Working Group (referred to in this subsection as the ‘Working Group’).

“(2) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

“(B) **INVITED REPRESENTATIVES.**—The Administrator shall invite, at a minimum, representatives of—

“(i) each State located in whole or in part within the Columbia River Basin;

“(ii) the Governors of each State located in whole or in part with the Columbia River Basin;

“(iii) each federally recognized Indian tribe in the Columbia River Basin;

“(iv) local governments located in the Columbia River Basin;

“(v) industries operating in the Columbia River Basin that affect or could affect water quality;

“(vi) electric, water, and wastewater utilities operating in the Columbia River Basin;

“(vii) private landowners in the Columbia River Basin;

“(viii) soil and water conservation districts in the Columbia River Basin;

“(ix) nongovernmental organizations that have a presence in the Columbia River Basin;

“(x) the general public in the Columbia River Basin; and

“(xi) the Estuary Partnership.

“(3) **GEOGRAPHIC REPRESENTATION.**—The Working Group shall include representatives from—

“(A) each State; and

“(B) each of the Lower, Middle, and Upper Basins of the Columbia River.

“(4) **DUTIES AND RESPONSIBILITIES.**—The Working Group shall—

“(A) recommend and prioritize projects and actions; and

“(B) review the progress and effectiveness of projects and actions implemented.

“(5) **LOWER COLUMBIA RIVER ESTUARY.**—

“(A) **ESTUARY PARTNERSHIP.**—The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 320.

“(B) **DESIGNATION.**—If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 320, the Administrator may designate the new management conference to assume the duties and responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

“(C) **INCORPORATION.**—If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this Act shall be incorporated into the duties of the Working Group.

“(d) **GRANTS.**—

“(1) **IN GENERAL.**—The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

“(2) **FEDERAL SHARE.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

“(i) shall not exceed 75 percent of the total cost of the project or activity; and

“(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

“(B) **EXCEPTIONS.**—With respect to cost-sharing for a grant provided under this subsection—

“(i) a tribal government may use Federal funds for the non-Federal share; and

“(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

“(3) ALLOCATION.—In making grants using funds appropriated to carry out this section, the Administrator shall—

“(A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;

“(B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, which includes the Snake River Basin; and

“(C) retain for Environmental Protection Agency not more than 5 percent of the funds for purposes of implementing this section.

“(4) REPORTING.—

“(A) IN GENERAL.—Each grant recipient under this subsection shall submit to the Administrator reports on progress being made in achieving the purposes of this section.

“(B) REQUIREMENTS.—The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

“(5) RELATIONSHIP TO OTHER FUNDING.—

“(A) IN GENERAL.—Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

“(B) LIMITATION.—None of the funds made available under this subsection may be used for the administration of a management conference under section 320.

“(e) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

“(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

“(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

“(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.”

Subtitle G—Innovative Water Infrastructure Workforce Development

SEC. 7701. INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Administrator shall establish a competitive grant program to assist the development of innovative activities relating to workforce development in the water utility sector.

(b) SELECTION OF GRANT RECIPIENTS.—In awarding grants under subsection (a), the Administrator shall, to the maximum extent practicable, select water utilities that—

(1) are geographically diverse;

(2) address the workforce and human resources needs of large and small public water and wastewater utilities;

(3) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(4) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(5)(A) have a high retiring workforce rate; or

(B) are located in areas with a high unemployment rate.

(c) USE OF FUNDS.—Grants awarded under subsection (a) may be used for activities such as—

(1) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

(A) on-the-job training;

(B) soft and hard skills development;

(C) test preparation for skilled trade apprenticeships; or

(D) other support services to facilitate post-secondary success;

(2) kindergarten through 12th grade and young adult education programs that—

(A) educate young people about the role of water and wastewater utilities in the communities of the young people;

(B) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(C) connect young people to post-secondary career pathways related to water utilities;

(3) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

(A) water utilities employers;

(B) educational and training institutions;

(C) local community-based organizations;

(D) public workforce agencies; and

(E) other related stakeholders;

(4) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(A) hands-on, contextualized learning opportunities;

(B) dual enrollment credit for post-secondary education and training programs; and

(C) direct connection to industry employers; and

(5) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

Subtitle H—Offset

SEC. 7801. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS **SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.**

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

“(d) STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.—

“(1) APPROVAL BY ADMINISTRATOR.—

“(A) IN GENERAL.—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State

in lieu of a Federal program under this subsection.

“(B) REQUIREMENT.—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

“(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

“(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

“(C) PERMIT REQUIREMENTS.—The Administrator may approve under subparagraph (B)(ii) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

“(D) WITHDRAWAL OF APPROVAL.—

“(i) PROGRAM REVIEW.—The Administrator shall review programs or other systems approved under subparagraph (B)—

“(I) from time to time, but not less frequently than once every 5 years; or

“(II) on request of any State.

“(ii) NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

“(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

“(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located in the State to ensure compliance with the requirements of subparagraph (B); or

“(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

“(iii) WITHDRAWAL.—

“(I) IN GENERAL.—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

“(II) REINSTATEMENT OF STATE APPROVAL.—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

“(2) NONPARTICIPATING STATES.—

“(A) DEFINITION OF NONPARTICIPATING STATE.—In this paragraph, the term ‘non-participating State’ means a State—

“(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

“(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

“(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

“(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

“(B) PERMIT PROGRAM.—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(3) APPLICABILITY OF CRITERIA.—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

“(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

“(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

“(4) PROHIBITION ON OPEN DUMPING.—

“(A) IN GENERAL.—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open dumping contained in subsection (a) with respect to a coal combustion residual unit.

“(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

“(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

“(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

“(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

“(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or

commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

“(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

“(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

“(A) the requirements established pursuant to a program for which an approval is provided by—

“(i) the State in accordance with a program or system approved under paragraph (1)(B); or

“(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

“(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

“(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.”.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term “1974 storage contract” means the contract approved by the Secretary on April 9, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term “2010 agreement” means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term “administrative set-aside subcontracts” means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by section 4 of the amended storage contract.

(4) ALLOTMENT.—The term “allotment” means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term “allottee” means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term “amended permit application” means the permit application of the City to the OWRB, No. 2007-17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT.—The terms “amended storage contract transfer agreement” and “amended storage contract” mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term “Atoka and Sardis Conservation Projects Fund” means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term “City” means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term “City permit” means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term “conservation storage capacity” means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term “future use storage” means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized

for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term “Nations” means, collectively, the Choctaw Nation of Oklahoma (“Choctaw Nation”) and the Chickasaw Nation.

(15) OWRB.—The term “OWRB” means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term “Sardis Lake” means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term “Settlement Agreement” means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term “settlement area” means—

- (A) the area lying between—
 - (i) the South Canadian River and Arkansas River to the north;
 - (ii) the Oklahoma–Texas State line to the south;
 - (iii) the Oklahoma–Arkansas State line to the east; and
 - (iv) the 98th Meridian to the west; and
- (B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

- (i) Atoka.
- (ii) Bryan.
- (iii) Carter.
- (iv) Choctaw.
- (v) Coal.
- (vi) Garvin.
- (vii) Grady.
- (viii) McClain.
- (ix) Murray.
- (x) Haskell.
- (xi) Hughes.
- (xii) Jefferson.
- (xiii) Johnston.
- (xiv) Latimer.
- (xv) LeFlore.
- (xvi) Love.
- (xvii) Marshall.
- (xviii) McCurtain.
- (xix) Pittsburgh.
- (xx) Pontotoc.
- (xxi) Pushmataha.
- (xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term “settlement area waters” means the waters located—

- (A) within the settlement area; and
- (B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

- (i) Beaver Creek (24, 25, and 26).
- (ii) Blue (11 and 12).
- (iii) Clear Boggy (9).
- (iv) Kiamichi (5 and 6).
- (v) Lower Arkansas (46 and 47).
- (vi) Lower Canadian (48, 56, 57, and 58).
- (vii) Lower Little (2).
- (viii) Lower Washita (14).
- (ix) Mountain Fork (4).
- (x) Middle Washita (15 and 16).
- (xi) Mud Creek (23).
- (xii) Muddy Boggy (7 and 8).
- (xiii) Poteau (44 and 45).

(xiv) Red River Mainstem (1, 10, 13, and 21)

(xv) Upper Little (3).

(xvi) Walnut Bayou (22).

(20) STATE.—The term “State” means the State of Oklahoma.

(21) TRUST.—

(A) IN GENERAL.—The term “Trust” means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority, a public trust established pursuant to State law with the City as the beneficiary.

(B) REFERENCES.—A reference in this section to “Trust” shall refer to the Oklahoma City Water Utilities Trust, acting severally.

(C) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(D) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98–00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation

storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if by January 1, 2050, the right to future use storage is not activated by the withdrawal or release of water from future use storage for an authorized consumptive use of water.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(i) are deemed consistent with the authorized purposes for Sardis Lake as described in section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187) and do not affect the authorized purposes for which the project was authorized, surveyed, planned, and constructed; and

(ii) shall not constitute a reallocation of storage.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)).

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an al-

lottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent

with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority

over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in *Chickasaw Nation, Choctaw Nation v. Fallin et al.*, CIV 11-927 (W.D. Ok.), *OWRB v. United States, et al.* CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 of the City for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract; and

(H) all claims for damages, losses, or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of rights pursuant to the amended storage contract.

(2) WAIVERS AND RELEASES OF CLAIMS BY THE NATIONS AGAINST THE UNITED STATES.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations are authorized to execute a waiver and release of all claims against the United States (including any agency or employee of the United States) relating to—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed by the United States as a trustee during the period ending on the enforceability date, including *Chickasaw Nation, Choctaw Nation v. Fallin et al.*, CIV 11-9272 (W.D. Ok.) or *OWRB v. United States, et al.* CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in *Chickasaw Nation, Choctaw Nation v. Fallin et al.*, CIV 11-927 (W.D. Ok.), *OWRB v. United States, et al.* CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims

for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract;

(H) all claims relating to litigation brought by the United States prior to the enforceability date of the water rights of the Nations in the State; and

(I) all claims relating to the negotiation, execution, or adoption of the Settlement Agreement (including exhibits) or this section.

(3) RETENTION AND RESERVATION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(A) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraphs (1) and (2), the Nations and the United States, acting as trustee, shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v) or paragraph (2)(A)(v), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in items (aa) through (cc);

(iv) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(B) AGREEMENT.—

(i) **IN GENERAL.**—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(ii) **APPLICATION.**—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under clause (i), in accordance with applicable Federal law.

(iii) **RECORDING.**—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(iv) **CONSIDERATION.**—In exchange for conveyance of the easement under clause (i), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(4) **EFFECTIVE DATE OF WAIVER AND RELEASES.**—The waivers and releases under this subsection take effect on the enforceability date.

(5) **TOLLING OF CLAIMS.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled during the period beginning on the date of enactment of this Act and ending on the earlier of the enforceability date or the expiration date under subsection (i)(2).

(i) ENFORCEABILITY DATE.—

(1) **IN GENERAL.**—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98-C-521-E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ. 11-297 (W.D. Ok.) and OWRB v. United States, et al. Civ. 12-275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) **EXPIRATION DATE.**—If the Secretary of the Interior fails to publish a statement of

findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007-017 without having waived the original application priority date and appropriate quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) **NO PREJUDICE.**—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007-017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007-017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) **EXTENSION.**—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(j) **JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—**

(1) **JURISDICTION.—**

(A) **IN GENERAL.—**

(i) **EXCLUSIVE JURISDICTION.**—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) **RIGHT TO BRING ACTION.**—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall

each have the right to bring an action pursuant to this section.

(iii) **NO ACTION IN OTHER COURTS.**—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) **NO MONETARY JUDGMENT.**—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) **NOTICE AND CONFERENCE.**—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) **LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—**

(A) **IN GENERAL.**—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) **UNITED STATES IMMUNITY.**—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) **CHICKASAW NATION IMMUNITY.**—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) **CHOCTAW NATION IMMUNITY.**—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action

brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(k) **DISCLAIMER.**—

(1) **IN GENERAL.**—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) **NO PRECEDENT.**—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SEC. 8003. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(a) **TRANSFER.**—

(1) **IN GENERAL.**—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) **CONDITIONS.**—The land transfer under this subsection shall be subject to the following conditions:

(A) **The transfer.**—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) **LAND DESCRIPTION.**—

(1) **IN GENERAL.**—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as “USACE” on the map entitled “Muscogee (Creek) Nation Proposed Land Acquisition” and dated October 16, 2014.

(2) **SURVEY.**—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) **CONSIDERATION.**—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 8004. REAUTHORIZATION OF DENALI COMMISSION.

(a) **ADMINISTRATION.**—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) **TERM OF FEDERAL COCHAIRPERSON.**—The Federal Cochairperson”;

(B) in the second sentence, by striking “All other members” and inserting the following:

“(3) **TERM OF ALL OTHER MEMBERS.**—All other members”;

(C) in the third sentence, by striking “Any vacancy” and inserting the following:

“(4) **VACANCIES.**—Except as provided in paragraph (2), any vacancy”;

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

“(2) **INTERIM FEDERAL COCHAIRPERSON.**—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2).”;

(2) by adding at the end the following:

“(f) **NO FEDERAL EMPLOYEE STATUS.**—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

“(g) **CONFLICTS OF INTEREST.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a ‘member’) shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

“(A) The member.

“(B) The spouse, minor child, or partner of the member.

“(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

“(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

“(2) **DISCLOSURE.**—Paragraph (1) shall not apply if the member—

“(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

“(3) **ANNUAL DISCLOSURES.**—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

“(4) **TRAINING.**—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

“(5) **VIOLATION.**—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned for not more than 2 years, or both.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is amended, in subsection (a), by striking “under section 4 under this Act” and all that follows through “2008” and inserting “under section 304, \$20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.”.

(2) **CLERICAL AMENDMENT.**—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is redesignated as section 312.

SEC. 8005. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h-1) the following:

“SEC. 9b. RECREATIONAL ACCESS.

“(a) **DEFINITION OF FLOATING CABIN.**—In this section, the term ‘floating cabin’ means a watercraft or other floating structure—

“(1) primarily designed and used for human habitation or occupation; and

“(2) not primarily designed or used for navigation or transportation on water.

“(b) **RECREATIONAL ACCESS.**—The Board may allow the use of a floating cabin if—

“(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;

“(2) the Corporation has authorized the use of recreational vessels on the waters; and

“(3) the floating cabin was located on waters under the jurisdiction of the Corporation as of the date of enactment of this section.

“(c) **FEES.**—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

“(d) **CONTINUED RECREATIONAL USE.**—

“(1) **IN GENERAL.**—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

“(A) may not require the removal of the floating cabin—

“(i) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

“(ii) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

“(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

“(i) the floating cabin meets the requirements of subsection (b); and

“(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

“(2) SAVINGS PROVISIONS.—

“(A) Nothing in this subsection restricts the ability of the Corporation to enforce health, safety, or environmental standards.

“(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

“(e) NEW CONSTRUCTION.—The Corporation may establish regulations to prevent the construction of new floating cabins.”.

SEC. 8006. REGULATION OF ABOVEGROUND STORAGE AT FARMS.

Section 1049(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113-121) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking the subsection designation and heading and all that follows through “subsection (b).” and inserting the following:

“(c) REGULATION OF ABOVEGROUND STORAGE AT FARMS.—

“(1) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b).”;

(3) by adding at the end the following:

“(2) CERTAIN FARM CONTAINERS.—Part 112 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to the following containers located at a farm:

“(A) Containers on a separate parcel that have—

“(i) an individual capacity of not greater than 1,000 gallons; and

“(ii) an aggregate capacity of not greater than 2,000 gallons.

“(B) A container holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.”.

SEC. 8007. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—In the case of an application for a permit for the mechanized removal of salt cedar from an area that consists of not more than 500 acres—

(1) any review by the Secretary under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 403), and any review by the Director of the United States Fish and Wildlife Service (referred to in this section as the “Director”) under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), shall, to the maximum extent practicable, occur concurrently;

(2) all participating and cooperating agencies shall, to the maximum extent practicable, adopt and use any environmental document prepared by the lead agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

(A) that Act; and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations); and

(3) the review of the application shall, to the maximum extent practicable, be completed not later than the date on which the Secretary, in consultation with, and with the concurrence of, the Director, establishes.

(b) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds received from non-Federal public or private entities to conduct a review referred to in subsection (a).

(c) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

SEC. 8008. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, pursuant to the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006 (referred to in this section as the “Agreement”), an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona (referred to in this section as the “City”), should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the Agreement and the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), the City shall have no obligation to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the Agreement and subject to subsection (d), the United States Section of the International Boundary and Water Commission shall reimburse the City for, and shall not charge the City after the date of enactment of this Act for, operations and maintenance costs in excess of an equitable proportion of the costs, as described in subsection (a).

(d) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed \$4,000,000.

SEC. 8009. PECHANGA BAND OF LUISEÑO MISSION INDIANS WATER RIGHTS SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights and certain claims for injuries to water rights in the Santa Margarita River Watershed for—

(A) the Band; and

(B) the United States, acting in its capacity as trustee for the Band and Allottees;

(2) to achieve a fair, equitable, and final settlement of certain claims by the Band and Allottees against the United States;

(3) to authorize, ratify, and confirm the Pechanga Settlement Agreement to be entered into by the Band, RCWD, and the United States;

(4) to authorize and direct the Secretary—

(A) to execute the Pechanga Settlement Agreement; and

(B) to take any other action necessary to carry out the Pechanga Settlement Agreement in accordance with this section; and

(5) to authorize the appropriation of amounts necessary for the implementation of the Pechanga Settlement Agreement and this section.

(b) DEFINITIONS.—In this section:

(1) ADJUDICATION COURT.—The term “Adjudication Court” means the United States District Court for the Southern District of California, which exercises continuing jurisdiction over the Adjudication Proceeding.

(2) ADJUDICATION PROCEEDING.—The term “Adjudication Proceeding” means litigation initiated by the United States regarding relative water rights in the Santa Margarita River Watershed in United States v. Fallbrook Public Utility District et al., Civ. No. 3:51-cv-01247 (S.D.C.A.), including any litigation initiated to interpret or enforce the relative water rights in the Santa Margarita River Watershed pursuant to the continuing jurisdiction of the Adjudication Court over the Fallbrook Decree.

(3) ALLOTTEE.—The term “Allottee” means an individual who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(4) BAND.—The term “Band” means Pechanga Band of Luiseño Mission Indians, a federally recognized sovereign Indian tribe that functions as a custom and tradition Indian tribe, acting on behalf of itself and its members, but not acting on behalf of members in their capacities as Allottees.

(5) CLAIMS.—The term “claims” means rights, claims, demands, actions, compensation, or causes of action, whether known or unknown.

(6) EMWD.—The term “EMWD” means Eastern Municipal Water District, a municipal water district organized and existing in accordance with the Municipal Water District Law of 1911, Division 20 of the Water Code of the State of California, as amended.

(7) EMWD CONNECTION FEE.—The term “EMWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(8) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary publishes in the Federal Register the statement of findings described in subsection (f)(5).

(9) ESAA CAPACITY AGREEMENT.—The term “ESAA Capacity Agreement” means the “Agreement to Provide Capacity for Delivery of ESAA Water”, among the Band, RCWD and the United States.

(10) ESAA WATER.—The term “ESAA Water” means imported potable water that the Band receives from EMWD and MWD pursuant to the Extension of Service Area Agreement and delivered by RCWD pursuant to the ESAA Water Delivery Agreement.

(11) ESAA WATER DELIVERY AGREEMENT.—The term “ESAA Water Delivery Agreement” means the agreement among EMWD, RCWD, and the Band, establishing the terms and conditions of water service to the Band.

(12) EXTENSION OF SERVICE AREA AGREEMENT.—The term “Extension of Service Area Agreement” means the “Agreement for Extension of Existing Service Area”, among the Band, EMWD, and MWD, for the provision of water service by EMWD to a designated portion of the Reservation using water supplied by MWD.

(13) FALLBROOK DECREE.—

(A) IN GENERAL.—The term “Fallbrook Decree” means the “Modified Final Judgment And Decree”, entered in the Adjudication Proceeding on April 6, 1966.

(B) INCLUSIONS.—The term “Fallbrook Decree” includes all court orders, interlocutory judgments, and decisions supplemental to the “Modified Final Judgment And Decree”, including Interlocutory Judgment No. 30, Interlocutory Judgment No. 35, and Interlocutory Judgment No. 41.

(14) FUND.—The term “Fund” means the Pechanga Settlement Fund established by subsection (h).

(15) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in

section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) INJURY TO WATER RIGHTS.—The term “injury to water rights” means an interference with, diminution of, or deprivation of water rights under Federal or State law.

(17) INTERIM CAPACITY.—The term “Interim Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(18) INTERIM CAPACITY NOTICE.—The term “Interim Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(19) INTERLOCUTORY JUDGMENT NO. 41.—The term “Interlocutory Judgment No. 41” means Interlocutory Judgment No. 41 issued in the Adjudication Proceeding on November 8, 1962, including all court orders, judgments and decisions supplemental to that interlocutory judgment.

(20) MWD.—The term “MWD” means the Metropolitan Water District of Southern California, a metropolitan water district organized and incorporated under the Metropolitan Water District Act of the State of California (Stats. 1969, Chapter 209, as amended).

(21) MWD CONNECTION FEE.—The term “MWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(22) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The term “Pechanga ESAA Delivery Capacity account” means the account established by subsection (h)(3)(B).

(23) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The term “Pechanga Recycled Water Infrastructure account” means the account established by subsection (h)(3)(A).

(24) PECHANGA SETTLEMENT AGREEMENT.—The term “Pechanga Settlement Agreement” means the Pechanga Settlement Agreement, dated June 17, 2014, together with the exhibits to that agreement, entered into by the Band, the United States on behalf of the Band, its members and Allottees, MWD, EMWD, and RCWD, including—

(A) the Extension of Service Area Agreement;

(B) the ESAA Capacity Agreement; and

(C) the ESAA Water Delivery Agreement.

(25) PECHANGA WATER CODE.—The term “Pechanga Water Code” means a water code to be adopted by the Band in accordance with subsection (d)(6).

(26) PECHANGA WATER FUND ACCOUNT.—The term “Pechanga Water Fund account” means the account established by subsection (h)(3)(C).

(27) PECHANGA WATER QUALITY ACCOUNT.—The term “Pechanga Water Quality account” means the account established by subsection (h)(3)(D).

(28) PERMANENT CAPACITY.—The term “Permanent Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(29) PERMANENT CAPACITY NOTICE.—The term “Permanent Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(30) RCWD.—

(A) IN GENERAL.—The term “RCWD” means the Rancho California Water District organized pursuant to section 34000 et seq. of the California Water Code.

(B) INCLUSIONS.—The term “RCWD” includes all real property owners for whom RCWD acts as an agent pursuant to an agency agreement.

(31) RECYCLED WATER INFRASTRUCTURE AGREEMENT.—The term “Recycled Water Infrastructure Agreement” means the “Agreement for Recycled Water Infrastructure”

among the Band, RCWD, and the United States.

(32) RECYCLED WATER TRANSFER AGREEMENT.—The term “Recycled Water Transfer Agreement” means the “Recycled Water Transfer Agreement” between the Band and RCWD.

(33) RESERVATION.—

(A) IN GENERAL.—The term “Reservation” means the land depicted on the map attached to the Pechanga Settlement Agreement as Exhibit I.

(B) APPLICABILITY OF TERM.—The term “Reservation” shall be used solely for the purposes of the Pechanga Settlement Agreement, this section, and any judgment or decree issued by the Adjudication Court approving the Pechanga Settlement Agreement.

(34) SANTA MARGARITA RIVER WATERSHED.—The term “Santa Margarita River Watershed” means the watershed that is the subject of the Adjudication Proceeding and the Fallbrook Decree.

(35) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(36) STATE.—The term “State” means the State of California.

(37) STORAGE POND.—The term “Storage Pond” has the meaning set forth in the Recycled Water Infrastructure Agreement.

(38) TRIBAL WATER RIGHT.—The term “Tribal Water Right” means the water rights ratified, confirmed, and declared to be valid for the benefit of the Band and Allottees, as set forth and described in subsection (d).

(C) APPROVAL OF THE PECHANGA SETTLEMENT AGREEMENT.—

(1) RATIFICATION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—Except as modified by this section, and to the extent that the Pechanga Settlement Agreement does not conflict with this section, the Pechanga Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—Any amendment to the Pechanga Settlement Agreement is authorized, ratified, and confirmed, to the extent that the amendment is executed to make the Pechanga Settlement Agreement consistent with this section.

(2) EXECUTION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent that the Pechanga Settlement Agreement does not conflict with this section, the Secretary is directed to and promptly shall execute—

(i) the Pechanga Settlement Agreement (including any exhibit to the Pechanga Settlement Agreement requiring the signature of the Secretary); and

(ii) any amendment to the Pechanga Settlement Agreement necessary to make the Pechanga Settlement Agreement consistent with this section.

(B) MODIFICATIONS.—Nothing in this section precludes the Secretary from approving modifications to exhibits to the Pechanga Settlement Agreement not inconsistent with this section, to the extent those modifications do not otherwise require congressional approval pursuant to section 2116 of the Revised Statutes (25 U.S.C. 177) or other applicable Federal law.

(3) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—In implementing the Pechanga Settlement Agreement, the Secretary shall promptly comply with all applicable requirements of—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(iii) all other applicable Federal environmental laws; and

(iv) all regulations promulgated under the laws described in clauses (i) through (iii).

(B) EXECUTION OF THE PECHANGA SETTLEMENT AGREEMENT.—

(i) IN GENERAL.—Execution of the Pechanga Settlement Agreement by the Secretary under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) COMPLIANCE.—The Secretary is directed to carry out all Federal compliance necessary to implement the Pechanga Settlement Agreement.

(C) LEAD AGENCY.—The Bureau of Reclamation shall be designated as the lead agency with respect to environmental compliance.

(D) TRIBAL WATER RIGHT.—

(1) INTENT OF CONGRESS.—It is the intent of Congress to provide to each Allottee benefits that are equal to or exceed the benefits Allottees possess as of the date of enactment of this section, taking into consideration—

(A) the potential risks, cost, and time delay associated with litigation that would be resolved by the Pechanga Settlement Agreement and this section;

(B) the availability of funding under this section;

(C) the availability of water from the Tribal Water Right and other water sources as set forth in the Pechanga Settlement Agreement; and

(D) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this section to protect the interests of Allottees.

(2) CONFIRMATION OF TRIBAL WATER RIGHT.—

(A) IN GENERAL.—A Tribal Water Right of up to 4,994 acre-feet of water per year that, under natural conditions, is physically available on the Reservation is confirmed in accordance with the Findings of Fact and Conclusions of Law set forth in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree.

(B) USE.—Subject to the terms of the Pechanga Settlement Agreement, this section, the Fallbrook Decree and applicable Federal law, the Band may use the Tribal Water Right for any purpose on the Reservation.

(3) HOLDING IN TRUST.—The Tribal Water Right, as set forth in paragraph (2), shall—

(A) be held in trust by the United States on behalf of the Band and the Allottees in accordance with this subsection;

(B) include the priority dates described in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree; and

(C) not be subject to forfeiture or abandonment.

(4) ALLOTTEES.—

(A) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal Water Right.

(B) ENTITLEMENT TO WATER.—Any entitlement to water of allotted land located within the exterior boundaries of the Reservation under Federal law shall be satisfied from the Tribal Water Right.

(C) ALLOCATIONS.—Allotted land located within the exterior boundaries of the Reservation shall be entitled to a just and equitable allocation of water for irrigation and domestic purposes from the Tribal Water Right.

(D) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law,

an Allottee shall exhaust remedies available under the Pechanga Water Code or other applicable tribal law.

(E) CLAIMS.—Following exhaustion of remedies available under the Pechanga Water Code or other applicable tribal law, an Allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(F) AUTHORITY.—The Secretary shall have the authority to protect the rights of Allottees as specified in this subsection.

(5) AUTHORITY OF BAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Band shall have authority to use, allocate, distribute, and lease the Tribal Water Right on the Reservation in accordance with—

(i) the Pechanga Settlement Agreement; and

(ii) applicable Federal law.

(B) LEASES BY ALLOTTEES.—

(i) IN GENERAL.—An Allottee may lease any interest in land held by the Allottee, together with any water right determined to be appurtenant to that interest in land.

(ii) WATER RIGHT APPURTENANT.—Any water right determined to be appurtenant to an interest in land leased by an Allottee shall be used on the Reservation.

(6) PECHANGA WATER CODE.—

(A) IN GENERAL.—Not later than 18 months after the enforceability date, the Band shall enact a Pechanga Water Code, that provides for—

(i) the management, regulation, and governance of all uses of the Tribal Water Right in accordance with the Pechanga Settlement Agreement; and

(ii) establishment by the Band of conditions, permit requirements, and other limitations relating to the storage, recovery, and use of the Tribal Water Right in accordance with the Pechanga Settlement Agreement.

(B) INCLUSIONS.—The Pechanga Water Code shall provide—

(i) that allocations of water to Allottees shall be satisfied with water from the Tribal Water Right;

(ii) that charges for delivery of water for irrigation purposes for Allottees shall be assessed in accordance with section 7 of the Act of February 8, 1887 (25 U.S.C. 381);

(iii) a process by which an Allottee (or any successor in interest to an Allottee) may request that the Band provide water for irrigation or domestic purposes in accordance with this section;

(iv) a due process system for the consideration and determination by the Band of any request by an Allottee (or any successor in interest to an Allottee) for an allocation of such water for irrigation or domestic purposes on allotted land, including a process for—

(I) appeal and adjudication of any denied or disputed distribution of water; and

(II) resolution of any contested administrative decision; and

(v) a requirement that any Allottee (or any successor in interest to an Allottee) with a claim relating to the enforcement of rights of the Allottee (or any successor in interest to an Allottee) under the Pechanga Water Code or relating to the amount of water allocated to land of the Allottee must first exhaust remedies available to the Allottee under tribal law and the Pechanga Water Code before initiating an action against the United States or petitioning the Secretary pursuant to paragraph (4)(D).

(C) ACTION BY SECRETARY.—

(i) IN GENERAL.—The Secretary shall administer the Tribal Water Right until the

Pechanga Water Code is enacted and approved under this subsection.

(ii) APPROVAL.—Any provision of the Pechanga Water Code and any amendment to the Pechanga Water Code that affects the rights of Allottees—

(I) shall be subject to the approval of the Secretary; and

(II) shall not be valid until approved by the Secretary.

(iii) APPROVAL PERIOD.—The Secretary shall approve or disapprove the Pechanga Water Code within a reasonable period of time after the date on which the Band submits the Pechanga Water Code to the Secretary for approval.

(7) EFFECT.—Except as otherwise specifically provided in this section, nothing in this section—

(A) authorizes any action by an Allottee (or any successor in interest to an Allottee) against any individual or entity, or against the Band, under Federal, State, tribal, or local law; or

(B) alters or affects the status of any action pursuant to section 1491(a) of title 28, United States Code.

(e) SATISFACTION OF CLAIMS.—

(1) IN GENERAL.—The benefits provided to the Band under the Pechanga Settlement Agreement and this Act shall be in complete replacement of, complete substitution for, and full satisfaction of all claims of the Band against the United States that are waived and released pursuant to subsection (f).

(2) ALLOTTEE CLAIMS.—The benefits realized by the Allottees under this section shall be in complete replacement of, complete substitution for, and full satisfaction of—

(A) all claims that are waived and released pursuant to subsection (f); and

(B) any claims of the Allottees against the United States that the Allottees have or could have asserted that are similar in nature to any claim described in subsection (f).

(3) NO RECOGNITION OF WATER RIGHTS.—Except as provided in subsection (d)(4), nothing in this section recognizes or establishes any right of a member of the Band or an Allottee to water within the Reservation.

(4) CLAIMS RELATING TO DEVELOPMENT OF WATER FOR RESERVATION.—

(A) IN GENERAL.—The amounts authorized to be appropriated pursuant to subsection (j) shall be used to satisfy any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation.

(B) SATISFACTION OF CLAIMS.—Upon the complete appropriation of amounts authorized pursuant to subsection (j), any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation shall be deemed to have been satisfied.

(f) WAIVER OF CLAIMS.—

(1) IN GENERAL.—

(A) WAIVER OF CLAIMS BY THE BAND AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE BAND.—

(i) IN GENERAL.—Subject to the retention of rights set forth in paragraph (3), in return for recognition of the Tribal Water Right and other benefits as set forth in the Pechanga Settlement Agreement and this section, the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), and the United States, acting as trustee for the Band, are authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the Band, or the United States acting as trustee for the Band,

asserted or could have asserted in any proceeding, including the Adjudication Proceeding, except to the extent that such rights are recognized in the Pechanga Settlement Agreement and this section.

(ii) CLAIMS AGAINST RCWD.—Subject to the retention of rights set forth in paragraph (3) and notwithstanding any provisions to the contrary in the Pechanga Settlement Agreement, the Band and the United States, on behalf of the Band and Allottees, fully release, acquit, and discharge RCWD from—

(I) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(II) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time after June 30, 2009, resulting from the diversion or use of water in a manner not in violation of the Pechanga Settlement Agreement or this section;

(III) claims for subsidence damage to land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(IV) claims for subsidence damage arising or occurring after June 30, 2009, to land located within the Reservation resulting from the diversion of underground water in a manner consistent with the Pechanga Settlement Agreement or this section; and

(V) claims arising out of, or relating in any manner to, the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(B) CLAIMS BY THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR ALLOTTEES.—Subject to the retention of claims set forth in paragraph (3), in return for recognition of the water rights of the Band and other benefits as set forth in the Pechanga Settlement Agreement and this section, the United States, acting as trustee for Allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the United States, acting as trustee for the Allottees, asserted or could have asserted in any proceeding, including the Adjudication Proceeding.

(C) CLAIMS BY THE BAND AGAINST THE UNITED STATES.—Subject to the retention of rights set forth in paragraph (3), the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), is authorized to execute a waiver and release of—

(i) all claims against the United States (including the agencies and employees of the United States) relating to claims for water rights in, or water of, the Santa Margarita River Watershed that the United States, acting in its capacity as trustee for the Band, asserted, or could have asserted, in any proceeding, including the Adjudication Proceeding, except to the extent that those rights are recognized in the Pechanga Settlement Agreement and this section;

(ii) all claims against the United States (including the agencies and employees of the United States) relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water or water rights, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) in the Santa

Margarita River Watershed that first accrued at any time up to and including the enforceability date;

(iii) all claims against the United States (including the agencies and employees of the United States) relating to the pending litigation of claims relating to the water rights of the Band in the Adjudication Proceeding; and

(iv) all claims against the United States (including the agencies and employees of the United States) relating to the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(2) **EFFECTIVENESS OF WAIVERS AND RELEASES.**—The waivers under paragraph (1) shall take effect on the enforceability date.

(3) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases authorized in this section, the Band, on behalf of itself and the members of the Band, and the United States, acting in its capacity as trustee for the Band and Allottees, retain—

(A) all claims for enforcement of the Pechanga Settlement Agreement and this section;

(B) all claims against any person or entity other than the United States and RCWD, including claims for monetary damages;

(C) all claims for water rights that are outside the jurisdiction of the Adjudication Court;

(D) all rights to use and protect water rights acquired on or after the enforceability date; and

(E) all remedies, privileges, immunities, powers, and claims, including claims for water rights, not specifically waived and released pursuant to this section and the Pechanga Settlement Agreement.

(4) **EFFECT OF PECHANGA SETTLEMENT AGREEMENT AND ACT.**—Nothing in the Pechanga Settlement Agreement or this section—

(A) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(B) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or an Allottee of any other Indian tribe;

(C) confers jurisdiction on any State court—

(i) to interpret Federal law regarding health, safety, or the environment;

(ii) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(iii) to conduct judicial review of Federal agency action;

(D) waives any claim of a member of the Band in an individual capacity that does not derive from a right of the Band;

(E) limits any funding that RCWD would otherwise be authorized to receive under any Federal law, including, the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) as that Act applies to permanent facilities for water recycling, demineralization, and desalina-

tion, and distribution of nonpotable water supplies in Southern Riverside County, California;

(F) characterizes any amounts received by RCWD under the Pechanga Settlement Agreement or this section as Federal for purposes of section 1649 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-32); or

(G) affects the requirement of any party to the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the California Environmental Quality Act (Cal. Pub. Res. Code 21000 et seq.) prior to performing the respective obligations of that party under the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement.

(5) **ENFORCEABILITY DATE.**—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) the Adjudication Court has approved and entered a judgment and decree approving the Pechanga Settlement Agreement in substantially the same form as Appendix 2 to the Pechanga Settlement Agreement;

(B) all amounts authorized by this section have been deposited in the Fund;

(C) the waivers and releases authorized in paragraph (1) have been executed by the Band and the Secretary;

(D) the Extension of Service Area Agreement—

(i) has been approved and executed by all the parties to the Extension of Service Area Agreement; and

(ii) is effective and enforceable in accordance with the terms of the Extension of Service Area Agreement; and

(E) the ESAA Water Delivery Agreement—

(i) has been approved and executed by all the parties to the ESAA Water Delivery Agreement; and

(ii) is effective and enforceable in accordance with the terms of the ESAA Water Delivery Agreement.

(6) **TOLLING OF CLAIMS.**—

(A) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the earlier of—

(i) April 30, 2030, or such alternate date after April 30, 2030, as is agreed to by the Band and the Secretary; or

(ii) the enforceability date.

(B) **EFFECTS OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(C) **LIMITATION.**—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(7) **TERMINATION.**—

(A) **IN GENERAL.**—If all of the amounts authorized to be appropriated to the Secretary pursuant to this section have not been made available to the Secretary by April 30, 2030—

(i) the waivers authorized by this subsection shall expire and have no force or effect; and

(ii) all statutes of limitations applicable to any claim otherwise waived under this subsection shall be tolled until April 30, 2030.

(B) **VOIDING OF WAIVERS.**—If a waiver authorized by this subsection is void under subparagraph (A)—

(i) the approval of the United States of the Pechanga Settlement Agreement under sub-

section (c) shall be void and have no further force or effect;

(ii) any unexpended Federal amounts appropriated or made available to carry out this section, together with any interest earned on those amounts, and any water rights or contracts to use water and title to other property acquired or constructed with Federal amounts appropriated or made available to carry out this section shall be returned to the Federal Government, unless otherwise agreed to by the Band and the United States and approved by Congress; and

(iii) except for Federal amounts used to acquire or develop property that is returned to the Federal Government under clause (ii), the United States shall be entitled to set off any Federal amounts appropriated or made available to carry out this section that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights asserted by the Band or Allottees in any future settlement of the water rights of the Band or Allottees.

(g) **WATER FACILITIES.**—

(1) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the designated accounts of the Fund, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement and the ESAA Capacity Agreement, in an amount not to exceed the amounts deposited in the designated accounts for such purposes plus any interest accrued on such amounts from the date of deposit in the Fund to the date of disbursement from the Fund, in accordance with this section and the terms and conditions of those agreements.

(2) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this subsection shall be nonreimbursable.

(3) **RECYCLED WATER INFRASTRUCTURE.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga Recycled Water Infrastructure account, provide amounts for the Storage Pond in accordance with this paragraph.

(B) **STORAGE POND.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement for the design and construction of the Storage Pond, in an amount not to exceed \$2,656,374.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this paragraph shall be as set forth in the Recycled Water Infrastructure Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this paragraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Storage Pond.

(4) **ESAA DELIVERY CAPACITY.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga ESAA Delivery Capacity account, provide amounts for Interim Capacity and Permanent Capacity in accordance with this paragraph.

(B) **INTERIM CAPACITY.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Interim Capacity to the Band in an amount not to exceed \$1,000,000.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Interim Capacity to be provided by RCWD.

(v) **TRANSFER TO BAND.**—If RCWD does not provide the Interim Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 60 days after the date required under the ESAA Capacity Agreement, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Interim Capacity and Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative interim capacity in a manner that is similar to the Interim Capacity and Permanent Capacity that the Band would have received had RCWD provided such Interim Capacity and Permanent Capacity.

(C) **PERMANENT CAPACITY.**—

(i) **IN GENERAL.**—On receipt of the Permanent Capacity Notice pursuant to section 5(b) of the ESAA Capacity Agreement, the Secretary, acting through the Bureau of Reclamation, shall enter into negotiations with RCWD and the Band to establish an agreement that will allow for the disbursement of amounts from the Pechanga ESAA Delivery Capacity account in accordance with clause (ii).

(ii) **SCHEDULE OF DISBURSEMENT.**—Subject to the availability of amounts under subsection (h)(5), on execution of the ESAA Capacity Agreement, the Secretary shall, subject to the availability of appropriations and using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Permanent Capacity to the Band in an amount not to exceed the amount available in the ESAA Delivery Capacity account as of the date on which the ESAA Capacity Agreement is executed.

(iii) **PROCEDURE.**—The procedure for the Secretary to provide funds pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iv) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(v) **LIABILITY.**—The United States shall have no responsibility or liability for the Permanent Capacity to be provided by RCWD.

(vi) **TRANSFER TO BAND.**—If RCWD does not provide the Permanent Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 5 years after the enforceability date, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative permanent capacity in a manner that is similar to the Permanent Capacity that the Band would have received had RCWD provided such Permanent Capacity.

(h) **PECHANGA SETTLEMENT FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Pechanga Settlement Fund”, to be managed, invested, and distributed by the Secretary and to be available

until expended, and, together with any interest earned on those amounts, to be used solely for the purpose of carrying out this section.

(2) **TRANSFERS TO FUND.**—The Fund shall consist of such amounts as are deposited in the Fund under subsection (j), together with any interest earned on those amounts, which shall be available in accordance with paragraph (5).

(3) **ACCOUNTS OF PECHANGA SETTLEMENT FUND.**—The Secretary shall establish in the Fund the following accounts:

(A) Pechanga Recycled Water Infrastructure account, consisting of amounts authorized pursuant to subsection (j)(1).

(B) Pechanga ESAA Delivery Capacity account, consisting of amounts authorized pursuant to subsection (j)(2).

(C) Pechanga Water Fund account, consisting of amounts authorized pursuant to subsection (j)(3).

(D) Pechanga Water Quality account, consisting of amounts authorized pursuant to subsection (j)(4).

(4) **MANAGEMENT OF FUND.**—The Secretary shall manage, invest, and distribute all amounts in the Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(5) **AVAILABILITY OF AMOUNTS.**—Amounts appropriated to, and deposited in, the Fund, including any investment earnings accrued from the date of deposit in the Fund through the date of disbursement from the Fund, shall be made available to the Band by the Secretary beginning on the enforceability date.

(6) **WITHDRAWALS BY BAND PURSUANT TO THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT.**—

(A) **IN GENERAL.**—The Band may withdraw all or part of the amounts in the Fund on approval by the Secretary of a tribal management plan submitted by the Band in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) **REQUIREMENTS.**—

(i) **IN GENERAL.**—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under subparagraph (A) shall require that the Band shall spend all amounts withdrawn from the Fund in accordance with this section.

(ii) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Band from the Fund under this paragraph are used in accordance with this section.

(7) **WITHDRAWALS BY BAND PURSUANT TO AN EXPENDITURE PLAN.**—

(A) **IN GENERAL.**—The Band may submit an expenditure plan for approval by the Secretary requesting that all or part of the amounts in the Fund be disbursed in accordance with the plan.

(B) **REQUIREMENTS.**—The expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be disbursed from the Fund will be used, in accordance with paragraph (8).

(C) **APPROVAL.**—If the Secretary determines that an expenditure plan submitted under this subsection is consistent with the purposes of this section, the Secretary shall approve the plan.

(D) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this section.

(8) **USES.**—Amounts from the Fund shall be used by the Band for the following purposes:

(A) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—The Pechanga Recycled Water Infrastructure account shall be used for expenditures by the Band in accordance with subsection (g)(3).

(B) **PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.**—The Pechanga ESAA Delivery Capacity account shall be used for expenditures by the Band in accordance with subsection (g)(4).

(C) **PECHANGA WATER FUND ACCOUNT.**—The Pechanga Water Fund account shall be used for—

(i) payment of the EMWD Connection Fee; (ii) payment of the MWD Connection Fee; and

(iii) any expenses, charges, or fees incurred by the Band in connection with the delivery or use of water pursuant to the Pechanga Settlement Agreement.

(D) **PECHANGA WATER QUALITY ACCOUNT.**—The Pechanga Water Quality account shall be used by the Band to fund groundwater desalination activities within the Wolf Valley Basin.

(9) **LIABILITY.**—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure of, or the investment of any amounts withdrawn from, the Fund by the Band under paragraph (6) or (7).

(10) **NO PER CAPITA DISTRIBUTIONS.**—No portion of the Fund shall be distributed on a per capita basis to any member of the Band.

(i) **MISCELLANEOUS PROVISIONS.**—

(1) **WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this section waives the sovereign immunity of the United States.

(2) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this section quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Band.

(3) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to Indian land within the Reservation—

(A) the United States shall not submit against any Indian-owned land located within the Reservation any claim for reimbursement of the cost to the United States of carrying out this section and the Pechanga Settlement Agreement; and

(B) no assessment of any Indian-owned land located within the Reservation shall be made regarding that cost.

(4) **EFFECT ON CURRENT LAW.**—Nothing in this subsection affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—There is authorized to be appropriated \$2,656,374, for deposit in the Pechanga Recycled Water Infrastructure account, to carry out the activities described in subsection (g)(3).

(2) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—There is authorized to be appropriated \$17,900,000, for deposit in the Pechanga ESAA Delivery Capacity account, which amount shall be adjusted for changes in construction costs since June 30, 2009, as is indicated by ENR Construction Cost Index, 20-City Average, as applicable to the types of construction required for the Band to provide the infrastructure necessary for the Band to provide the Interim Capacity and Permanent Capacity in the event that RCWD elects not to provide the Interim Capacity or Permanent Capacity as set forth in the ESAA Capacity Agreement and contemplated in subparagraphs (B)(v) and (C)(vi) of subsection (g)(4), with such adjustment ending on the date on which funds authorized to be appropriated under this subsection have been deposited in the Fund.

(3) PECHANGA WATER FUND ACCOUNT.—There is authorized to be appropriated \$5,483,653, for deposit in the Pechanga Water Fund account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(C).

(4) PECHANGA WATER QUALITY ACCOUNT.—There is authorized to be appropriated \$2,460,000, for deposit in the Pechanga Water Quality account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(D).

(k) REPEAL ON FAILURE OF ENFORCEABILITY DATE.—If the Secretary does not publish a statement of findings under subsection (f)(5) by April 30, 2021, or such alternative later date as is agreed to by the Band and the Secretary, as applicable—

(1) this section is repealed effective on the later of May 1, 2021, or the day after the alternative date agreed to by the Band and the Secretary;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this section shall be void;

(3) any amounts appropriated under subsection (j), together with any interest on those amounts, shall immediately revert to the general fund of the Treasury; and

(4) any amounts made available under subsection (j) that remain unexpended shall immediately revert to the general fund of the Treasury.

(1) ANTIDEFICIENCY.—

(1) IN GENERAL.—Notwithstanding any authorization of appropriations to carry out this section, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this section shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) LIABILITY.—The Department of the Interior shall not be liable for the failure to carry out any obligation or activity authorized by this section if adequate appropriations are not provided to carry out this section.

SEC. 8010. GOLD KING MINE SPILL RECOVERY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) CLAIMANT.—The term “claimant” means a State, Indian tribe, or local government that submits a claim under subsection (c).

(3) GOLD KING MINE RELEASE.—The term “Gold King Mine release” means the dis-

charge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine to assess mine conditions.

(4) NATIONAL CONTINGENCY PLAN.—The term “National Contingency Plan” means the National Contingency Plan prepared and published under part 300 of title 40, Code of Federal Regulations (or successor regulations).

(5) RESPONSE.—The term “response” has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should receive and process, as expeditiously as possible, claims under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”) for any injury arising out of the Gold King Mine release.

(c) GOLD KING MINE RELEASE CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.—

(1) IN GENERAL.—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim made by a State, Indian tribe, or local government for eligible response costs relating to the Gold King Mine release.

(2) ELIGIBLE RESPONSE COSTS.—

(A) IN GENERAL.—Response costs incurred between August 5, 2015, and September 9, 2016, are eligible for payment by the Administrator under this subsection, without prior approval by the Administrator, if the response costs are not inconsistent with the National Contingency Plan.

(B) PRIOR APPROVAL REQUIRED.—Response costs incurred after September 9, 2016, are eligible for payment by the Administrator under this subsection if—

(i) the Administrator approves the response costs under section 111(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9611(a)(2)); and

(ii) the response costs are not inconsistent with the National Contingency Plan.

(3) PRESUMPTION.—

(A) IN GENERAL.—The Administrator shall consider response costs claimed under paragraph (1) to be eligible response costs if a reasonable basis exists to establish that the response costs are not inconsistent with the National Contingency Plan.

(B) APPLICABLE STANDARD.—In determining whether a response cost is not inconsistent with the National Contingency Plan, the Administrator shall apply the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) TIMING.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any eligible response costs submitted to the Administrator before that date of enactment.

(B) SUBSEQUENTLY FILED CLAIMS.—Not later than 90 days after the date on which a claim

is submitted to the Administrator, the Administrator shall make a decision on, and pay, any eligible response costs.

(C) DEADLINE.—All claims under this subsection shall be submitted to the Administrator not later than 180 days after the date of enactment of this Act.

(D) NOTIFICATION.—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) WATER QUALITY PROGRAM.—

(1) IN GENERAL.—In response to the Gold King Mine release, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall, subject to the availability of appropriations, develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine release.

(2) REQUIREMENTS.—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the water quality sample results and sediment data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other reasonable measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities related to long-term water quality monitoring that the Administrator determines to be necessary.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection, including the reimbursement of affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

(e) EXISTING STATE AND TRIBAL LAW.—Nothing in this section affects the jurisdiction or authority of any department, agency, or officer of any State government or any Indian tribe.

(f) SAVINGS CLAUSE.—Nothing in this section affects any right of any State, Indian tribe, or other person to bring a claim against the United States for response costs or natural resources damages pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SA 5043. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, strike line 6 and insert the following:

affected by lead in a public water system.

“(7) SHORT-TERM REMEDY FOR LEAD IN DRINKING WATER.—In the case of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued

under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice under paragraph (3), not later than 7 days after the date on which notice is provided to the public under paragraph (3), the State that has primary enforcement responsibility under section 1413 shall identify short-term remedies, including bottled water or a water filtration system, for affected households.”.

SA 5044. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

It is the sense of Congress that—

1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

3) Disputes between states related to the disposal of dredged material and the protection of water quality should be resolved between the states in accordance with regional plans and involving regional bodies.

SA 5045. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 80. EXEMPTION OF RURAL WATER PROJECTS FROM CERTAIN RENTAL FEES.

Section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)) is amended in the eighth sentence by inserting “and for any rural water project serving fewer than 3,300 individuals that is federally financed (including a project that receives Federal funds under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12)) (referred to in this subsection as a ‘covered project’), subject to the requirement that the total amount of rental fees that may be exempted with respect to covered projects shall not exceed \$50,000 in any 1 year” after “such facilities”.

SA 5046. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr.

MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4018, add the following:

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$50,000,000 for each fiscal year.

SA 5047. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following

SEC. 71. SCHOOL TESTING AND NOTIFICATION; GRANT PROGRAM.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C.300j-24) is amended by adding at the end the following:

“(e) TESTING AND NOTIFICATION REQUIREMENTS FOR PUBLIC WATER SYSTEMS THAT SERVE SCHOOLS.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall promulgate a regulation that—

“(1) requires—

“(A) each public water system that serves a school or licensed childcare facility determined by the Administrator to have a risk of lead in the drinking water at a level that meets or exceeds the lead action level established by the Administrator under section 1412(b) to offer to the local educational agency that operates the school assistance in sampling for lead in the drinking water of the school;

“(B) in the case of a local educational agency that accepts assistance in sampling for lead in the drinking water of the school, the public water system to sample for lead; and

“(2) requires a public water system that provides assistance under paragraph (1) and obtains the sampling results for a school to provide the sampling results to the local educational agency that has jurisdiction over the school and the head of the State agency that has primary responsibility to carry out this title in the State not later than 5 business days after the date on which the public water system receives the sampling results.

“(f) SCHOOL LEAD TESTING AND REMEDIATION GRANT PROGRAM.—

“(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—

“(A) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(B) a public water system that provides assistance to a local education agency under subsection (e)(1); or

“(C) a State agency that administers a statewide program to test for, or remediate, lead contamination in drinking water.

“(2) GRANTS AUTHORIZED.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall establish a grant program to make grants available to eligible entities to test for, or remediate, lead contamination in school drinking water.

“(3) USE OF FUNDS.—An eligible entity that receives a grant under this subsection may use grant funds—

“(A) to recover the costs incurred by the eligible entity for testing for lead contamination in school drinking water conducted by the eligible entity or another entity approved by the Administrator or the State to conduct the testing; or

“(B) to replace lead pipes and short-term measures, pipe fittings, plumbing fittings, and fixtures of any school with drinking water that contains a level of lead that exceeds the action level established by the Administrator under section 1412(b) with lead free (as defined in section 1417) pipes, pipe fittings, plumbing fittings, and fixtures.

“(4) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, an eligible entity shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding the reduction of lead in drinking water in schools that is consistent with the guidance referred to in clause (i), as determined by the Administrator;

“(B) make publicly available, including, to the maximum extent practicable, on the Internet website of the eligible entity, a copy of the results of any testing for lead contamination in school drinking water that is carried out with funds under this subsection; and

“(C) notify parent, teacher, and employee organizations of the availability of the results described in subparagraph (B).”.

SA 5048. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 7118. CAPACITY DEVELOPMENT.

Section 1420 of the Safe Drinking Water Act (42 U.S.C. 300g-9) is amended—

(1) in subsection (b), by adding at the end the following:

“(4) HISTORICAL SIGNIFICANT NONCOMPLIERS.—

“(A) IN GENERAL.—The head of the State agency that has primary responsibility to carry out this title in the State shall provide written notice to a public water system that the Administrator has determined the public water system to be a historical significant noncomplier of this part.

“(B) RETURN TO COMPLIANCE ASSESSMENT.—Not later than 180 days after the date on

which a public water system receives a notice under subparagraph (A), the public water system shall carry out, and submit to the head of the State agency that has primary responsibility to carry out this title in the State for review, a return to compliance assessment that may include consideration of partnership options (as described in subsection (d)(3)(A)).

“(C) NO ENFORCEMENT ACTION.—

“(i) IN GENERAL.—Except as provided in clause (ii), neither the Administrator nor a State shall take any action against a historical significant noncomplier of this part during the time period described in subparagraph (B) if the historical significant noncomplier is pursuing a partnership actively and in good faith.

“(ii) EXCEPTION.—Notwithstanding clause (i), the Administrator or a State may take an action against a historical significant noncomplier during the time period described in subparagraph (B) to address an imminent or acute public health risk.”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (C)(ii), by inserting “that are determined to be historical significant noncompliers and public water systems that are not determined to be historical significant noncompliers” after “public water systems”;

(ii) in subparagraph (D), by striking “and” after the semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(F) a description of—

“(i) the efforts of the head of the State agency that has primary responsibility to carry out this title in the State to promote partnerships; and

“(ii) how many partnerships the head of the State agency that has primary responsibility to carry out this title in the State expects to be successful.”; and

(B) in paragraph (3), by inserting “, efforts to promote partnerships, number of successful partnerships,” after “efficacy of the strategy”;

(3) in subsection (d)—

(A) by redesignating paragraph (3) and (4) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) PARTNERSHIPS.—

“(A) IN GENERAL.—A partnership described in this paragraph includes—

“(i) a change in the ownership or the financial, technical, and operational management structure of a water system determined by the Administrator to be a historical significant noncomplier of this part;

“(ii) a partnership between a water system determined by the Administrator to be a historical significant noncomplier of this part and a water system that is not determined by the Administrator to be a historical significant noncomplier of this part; and

“(iii) a partnership between 2 or more water systems determined by the Administrator to be historical significant noncompliers of this part.

“(B) DEADLINE FOR RETURN TO COMPLIANCE.—A water system determined by the Administrator to be a historical significant noncomplier of this part that enters into a partnership agreement shall return to compliance—

“(i) in the case of an approved State plan, as soon as practicable but not later than 3 years after the date on which the water system enters into the partnership agreement; or

“(ii) in the case of an enforceable agreement approved by the State and the Administrator, not later than 6 years after the date on which the water system enters into the partnership agreement.

“(C) STATE REVOLVING LOAN FUNDS.—The Administrator may not withhold from a State funds under section 1452 or reduce any State allotment or set-aside under that section based on the action or inaction of a State with respect to new partnerships under this section.

“(4) PARTNERSHIP INCENTIVES.—The Administrator shall—

“(A) establish incentives for public water systems to enter into a partnership described in paragraph (3)(A), including allowing a State to award grant and loan funds to a public water system that is determined by the Administrator to be a historical significant noncomplier of this part—

“(i) to assess partnership options; and

“(ii) to engage in peer-to-peer assistance; and

“(B) provide other technical assistance as necessary to achieve compliance with this section.

“(5) SAFE HARBOR.—

“(A) IN GENERAL.—A public water system that enters into a partnership described in clause (i) or (ii) of paragraph (3)(A) and acquires ownership or control of a water system determined by the Administrator to be a historical significant noncomplier of this part shall be held harmless from any fines or penalties associated with violations of Federal law by the historical significant noncomplier that occurred on a date that is before the change in ownership or control of that public water system if the public water system discloses the violations to the State and the Administrator under such notice requirements as the Administrator may establish.

“(B) PARTNERSHIP BETWEEN 2 OR MORE HISTORICAL SIGNIFICANT NONCOMPLIERS.—Subparagraph (A) shall not apply to a partnership described in clause (iii) of paragraph (3)(A).

“(6) VOLUNTARY COMPLIANCE AUDITS.—The Administrator shall establish incentives for public water systems to assess compliance with this title, including the use of Federal or State audit and self-disclosure policies that include an assessment of the completeness and accuracy of monitoring and data reported to the head of the State agency that has primary responsibility to carry out this title in the State to determine compliance.

“(7) GUIDANCE; COFUNDING.—

“(A) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the Administrator, in coordination with the Secretary of Agriculture and the Secretary of Housing and Urban Development, shall develop guidance on the use of all available Federal grants and loan funds for public water systems that enter into a partnership agreement.

“(B) COFUNDING.—The Administrator shall maximize flexibility for the use of cofunding for public water systems that enter into a partnership agreement.

“(8) RECIPROCITY.—The Administrator shall develop incentives to encourage reciprocity among States to provide greater mobility of certified operators, with a focus on rural and disadvantaged communities.”; and

(4) in subsection (g)(2)—

(A) in the first sentence, by striking “The Administrator” and inserting the following:

“(1) IN GENERAL.—The Administrator”;

(B) in the second sentence, by striking “The Administrator” and inserting the following:

“(2) NO DUPLICATION.—The Administrator”;

and

(C) by adding at the end the following:

“(3) BEST PRACTICES DATABASE.—

“(A) IN GENERAL.—The Administrator, in coordination with the States, shall establish a best practices database to share examples of practices involving operational, technical, and financial capacity under this part.

“(B) GRANTS AUTHORIZED.—The Administrator may make grants available to an appropriate nonprofit organization to develop and maintain the database described in subparagraph (A).”.

SA 5049. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 6004, add the following:

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

SA 5050. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8. WATER INFRASTRUCTURE AND

WORKFORCE INVESTMENT.

(a) FINDINGS.—Congress finds that—

(1) utilities and local governments invest significant resources in planning, designing, constructing, operating, and maintaining water, wastewater, and stormwater systems—

(A) to ensure a safe and reliable water supply for customers; and

(B) to maintain public health, safety, and environmental quality;

(2) during the 10-year period beginning on the date of enactment of this Act, 30 of the largest water and wastewater utilities in the United States will—

(A) invest \$233,000,000,000 in operating and capital spending; and

(B) support 290,000 jobs annually;

(3) every \$1,000,000,000 in Federal investment in water and wastewater infrastructure creates an estimated 26,000 jobs;

(4) jobs in the water and wastewater sector, including apprenticeship positions, typically pay more than 3 times the minimum wage;

(5) the median age of water sector workers is 48 years old, which is 6 years older than the national median age of workers;

(6) water and wastewater utilities anticipate unprecedented workforce replacement needs over the 10-year period described in paragraph (2) because 37 percent of water

utility workers and 31 percent of wastewater utility workers will retire during that period;

(7) during the period described in paragraph (6), workforce replacement needs in the water sector will exceed the 23-percent nationwide replacement need of the total workforce; and

(8) water infrastructure projects and permanent water utility jobs can offer access to stable, high-quality jobs with competitive wages and benefits.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) water and wastewater utilities provide a unique opportunity for access to stable, high-quality careers;

(2) as water and wastewater utilities make critical investments in infrastructure, water and wastewater utilities can invest in the development of local workers and local small businesses to strengthen communities and ensure a strong pipeline of skilled and diverse workers for today and tomorrow; and

(3) to further the goal of ensuring a strong pipeline of skilled and diverse workers in the water and wastewater utilities sector, Congress urges—

(A) increased collaboration among Federal, State, and local governments; and

(B) institutions of higher education, apprentice programs, high schools, and other community-based organizations to align workforce training programs and community resources with water and wastewater utilities to accelerate career pipelines and provide access to workforce opportunities.

(c) INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.—

(1) GRANTS AUTHORIZED.—The Administrator of the Environmental Protection Agency and the Secretary shall establish a competitive grant program to assist the development of innovative activities relating to workforce development in the water utility sector.

(2) SELECTION OF GRANT RECIPIENTS.—In awarding grants under paragraph (1), the Administrator or the Secretary, as applicable, shall, to the maximum extent practicable, select water utilities that—

(A) are geographically diverse;

(B) address the workforce and human resources needs of large and small public water and wastewater utilities;

(C) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(D) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(E)(i) have a high retiring workforce rate; or

(ii) are located in areas with a high unemployment rate.

(3) USE OF FUNDS.—Grants awarded under paragraph (1) may be used for activities such as—

(A) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

(i) on-the-job training;

(ii) soft and hard skills development;

(iii) test preparation for skilled trade apprenticeships; or

(iv) other support services to facilitate post-secondary success;

(B) kindergarten through 12th grade and young adult education programs that—

(i) educate young people about the role of water and wastewater utilities in the communities of the young people;

(ii) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(iii) connect young people to post-secondary career pathways related to water utilities;

(C) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

(i) water utilities employers;

(ii) educational and training institutions;

(iii) local community-based organizations;

(iv) public workforce agencies; and

(v) other related stakeholders;

(D) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(i) hands-on, contextualized learning opportunities;

(ii) dual enrollment credit for post-secondary education and training programs; and

(iii) direct connection to industry employers; and

(E) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

SA 5051. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, strike lines 22 through 25 and insert the following:

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (9), (10), (12), (14), (15), (16), and (17), respectively;

On page 81, strike lines 3 through 5 and insert the following:

(3) by inserting after paragraph (7) (as redesignated by paragraph (1)) the following:

“(8) FISH PASSAGE.—The term ‘fish passage’ means any activity or structure that improves the movement of native fish or other native aquatic species by reconnecting upstream and downstream habitats.”;

(4) by inserting after paragraph (10) (as redesignated by paragraph (1)) the following:

“(11) NON-FEDERAL SPONSOR.—The term

On page 81, strike lines 9 through 15 and insert the following:

“(B) a nonprofit organization.”; and

(5) by inserting after paragraph (12) (as redesignated by paragraph (1)) the following:

“(13) REHABILITATION.—

“(A) IN GENERAL.—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.

“(B) INCLUSION.—The term ‘rehabilitation’ includes the construction or restoration of a structure that effectively accomplishes fish passage.”.

On page 82, strike lines 7 through 9 and insert the following:

“(3) the restoration of fish passage.

SA 5052. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. CHESAPEAKE BAY GRASS SURVEY.

There is authorized to be appropriated to the Administrator of the Environmental Protection Agency for the Chesapeake Bay Grass Survey \$150,000 for fiscal year 2017 and each fiscal year thereafter.

SA 5053. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, line 24, insert “with a generating capacity of more than 6 megawatts” after “dam”.

SA 5054. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10. FLOOD CONTROL RESERVOIRS.

Notwithstanding any other provision of law, the Secretary may study, design, and construct a control gate, spillway, or dam safety improvement for a flood control reservoir—

(1) that was constructed, in whole or in part, by the Corps of Engineers;

(2) for which the construction was completed before 1940; and

(3) that is operated by a non-Federal entity.

SA 5055. Mr. REID submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr.

MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 30. MODIFICATION OF COST ALLOCATION FOR BOCA RESERVOIR DAM, CALIFORNIA.

Section 4(c)(1) of the Reclamation of Safe-ty of Dams Act of 1978 (43 U.S.C. 508(c)(1)) is amended—

(1) by striking the period at the end and in-serting “; and”;

(2) by striking “case of” and inserting “case of—”;

(3) by striking “Jackson Lake Dam” and inserting the following:

“(A) Jackson Lake Dam”; and

(4) by adding at the end the following:

“(B) Boca Reservoir Dam, Truckee River Storage Project, California, such costs shall be allocated—

“(i) in accordance with the authorized pur-poses of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101-618; 104 Stat. 3294); and

“(ii) in proportion to the beneficial use of waters, as determined by the Truckee River Operating Agreement Administrator.”.

SA 5056. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for him-self and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and de-velopment of water and related re-sources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other pur-poses; which was ordered to lie on the table; as follows:

At end of subtitle A of title VII, add the following:

SEC. 71. REPLACEMENT OF LEAD SERVICE LINES.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)) (as amend-ed by section 7101) is amended by adding at the end the following:

“(G) LEAD SERVICE LINE REPLACEMENT.—Funds may be used to provide assistance for complete service line replacement, regard-less of pipe material and ownership of the property, if—

“(i) the assistance is provided to an entity that is eligible to receive assistance under this section; and

“(ii) the project complies with all other re-quirements under this section.”.

SA 5057. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for him-self and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and de-velopment of water and related re-sources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other pur-poses; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. SHELLFISH FARMS.

Notwithstanding any other provision of law, any verification letter or other permit coverage issued to a new or existing shellfish farm in the State of Washington by the Sec-retary under 2012 Nationwide Permit 48 (de-scribed in the final notice entitled “Reissuance of Nationwide Permits” (77 Fed. Reg. 10184 (February 21, 2012))), and before the effective date of the 2017 Nationwide Per-mit 48 (described in the notice of proposed rulemaking entitled “Proposal to Reissue and Modify Nationwide Permits” (81 Fed. Reg. 35186 (June 1, 2016))), shall be in effect during the period beginning on the date of issuance of the permit and ending on the date that is 5 years after the effective date of the 2017 Nationwide Permit 48.

SA 5058. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amend-ment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for him-self and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and de-velopment of water and related re-sources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other pur-poses; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40. COLUMBIA RIVER FLOOD RISK.

(a) IN GENERAL.—The Secretary shall pre-pare a report that includes a cost estimate and a proposed scope and schedule for assess-ing the appropriate level of flood risk in the Columbia River basin to ensure resiliency and continuation of the multiple-purpose benefits and economic viability provided by the existing system of dams, reservoirs, and levees in the region.

(b) CONSULTATION.—In preparing the report under subsection (a), the Secretary—

(1) shall consult with—

(A) the heads of Federal agencies with re-sponsibilities in the Columbia River basin;

(B) the Governors of the States of Wash-ington, Oregon, Idaho, and Montana; and

(C) the heads of affected Columbia Basin Indian tribes in the region; and

(2) is encouraged to solicit input from the public and other interested parties regarding the proposed scope and schedule.

(c) LIMITATIONS.—

(1) IN GENERAL.—In preparing the report under subsection (a), the Secretary shall not expend more than \$3,000,000.

(2) COST SHARE.—The report under sub-section (a) shall be prepared at full Federal expense.

(d) DEADLINE.—The report under sub-section (a) shall be completed—

(1) not earlier than 2 years after the date of enactment of this Act; and

(2) not later than 3 years after the date of enactment of this Act.

SA 5059. Mr. SASSE (for himself, Mr. COTTON, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to author-ize the Secretary of the Army to con-struct various projects for improve-ments to rivers and harbors of the United States, and for other purposes;

which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. 8003. EXEMPTION FROM INDIVIDUAL MAN-DATE PENALTY OF PARTICIPANTS IN TERMINATED PLANS UNDER CON-SUMER OPERATED AND ORIENTED PLAN PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 5000A of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) PARTICIPANTS IN CERTAIN TERMINATED CONSUMER OPERATED AND ORIENTED PLAN PRO-GRAM PLANS.—Any applicable individual, if—

“(A) the individual was enrolled in a quali-fied health plan offered by a qualified non-profit health insurance issuer (as defined in subsection (c) of section 1322 of the Patient Protection and Affordable Care Act) receiv-ing funds through the Consumer Operated and Oriented Plan program established under such section for such plan, and

“(B) during any month while the indi-vidual was so enrolled, such issuer termi-nated or otherwise discontinued providing all plans of the issuer in the area in which the individual resides,

for such month and any subsequent month.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months in taxable years beginning after December 31, 2013.

SA 5060. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for him-self and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and de-velopment of water and related re-sources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other pur-poses; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

It is the sense of Congress that—

1) State water quality standards that im-pact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

3) Where practicable, the preference is for disputes between states related to the dis-posal of dredged material and the protection of water quality to be resolved between the states in accordance with regional plans and involving regional bodies.

AUTHORITY FOR COMMITTEES TO MEET

Mr. INHOFE. Mr. President, I have one request for a committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Sen-ate, the following committee is author-ized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the ses-sion of the Senate on September 12,

2016, at 5 p.m., to hold a classified briefing entitled “The Failed Coup in Turkey and the Future of U.S.-Turkish Cooperation.”

SIGNING AUTHORITY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the junior Senator from North Carolina and the senior Senator from Texas be granted signing authority for Monday, September 12, 2016.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR TUESDAY, SEPTEMBER 13, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2848; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess or adjournment of the Senate count postcloture on amendment No. 4979.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, September 13, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

DAVID J. ARROYO, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022. (REAPPOINTMENT)

POSTAL REGULATORY COMMISSION

ROBERT G. TAUB, OF NEW YORK, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2022. (REAPPOINTMENT)

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

MATTHEW LEE WIENER, OF VIRGINIA, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR THE TERM OF FIVE YEARS, VICE PAUL R. VERKUIL, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. CHRISTOPHER W. GRADY

DISCHARGED NOMINATIONS

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*SUSAN S. GIBSON, OF VIRGINIA, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*PEGGY E. GUSTAFSON, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF COMMERCE.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 12, 2016 withdrawing from further Senate consideration the following nomination:

BRODI L. FONTENOT, OF LOUISIANA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY, VICE DANIEL M. TANGHERLINI, RESIGNED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 12, 2015.

HOUSE OF REPRESENTATIVES—Monday, September 12, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 12, 2016.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

EPA'S REGULATIONS NEGATIVELY AFFECT JOBS AND THE RURAL COMMUNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CONAWAY) for 5 minutes.

Mr. CONAWAY. Mr. Speaker, farmers, ranchers, and foresters take great pride in the stewardship of the land. They are the original conservationists. While it may be popular among some to blame farmers and ranchers for any and every environmental concern that crops up, I know that nobody cares more for the environment than those who work the land every day. When a farm family's livelihood depends on caring for natural resources, there is an undeniable economic incentive to adopt practices to enhance the land's long-term viability.

Unfortunately, the Obama administration has pursued an agenda seemingly absent of any recognition of the consequences for rural America and production agriculture. Obama's EPA is creating regulations that are burdensome, overreaching, and negatively affecting jobs and the rural economy.

Perhaps the most poignant example is the EPA and Army Corps of Engi-

neers' recent power grab with the waters of the U.S. rule or, as the EPA calls it, the clean water rule. I will be frank, this rule is not about clean water. Everybody wants and deserves clean water. This rule simply embodies EPA's insatiable appetite for power. When EPA Administrator Gina McCarthy testified before the House Committee on Agriculture in February, members of the committee brought forth many concerns with the WOTUS rule. Numerous times Administrator McCarthy simply brushed off their concerns with statements that were intended to assure us that farmers would have the same longstanding farming exemptions that were originally included in the Clean Water Act.

These verbal assurances give little comfort to farmers and ranchers who will face steep civil fines for any violation. While the Administrator was telling the farming community that they have nothing to fear with the new WOTUS rule, a California farmer was being prosecuted by the Justice Department for simply plowing his field.

The lawsuit brought against this producer claims that by plowing a field, which every farmer I know considers a normal farming practice, this farmer has created, get this, "mini mountain ranges" in his field. These mountain ranges are furrows from normal farming. The suit also claims that this producer discharged a pollutant into the waters of the U.S. This so-called pollutant was the soil he was plowing. These perceived violations only came to light when an overzealous court bureaucrat just happened to be driving by the property and discovered perceived WOTUS violations on the land.

Regardless of the degree to which some deem government regulation justifiable, all regulations must be developed in a manner that is based on science and mindful of the economic consequences. This rule clearly was not. Farmers, ranchers, and foresters believe the EPA is attacking them, and it is easy to understand why.

Instead of using the EPA and Corps' preferred strategy of fear and intimidation, coupled with punitive enforcement and overreaching regulatory authority, we should be building on the successful approach taken in the 2014 farm bill and previous farm bills to protect our natural resources through voluntary incentive-based conservation programs.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

In this year of post-9/11, we pray that the children of this generation and their children's children may never have to experience another day like the one that flooded our TV screens so many years ago.

Protect and guide this Nation to a new security, built upon human integrity and communal solidarity with all who love freedom and human dignity, while respecting the lives and beliefs of others.

Empower the Members of Congress and governments around the world to establish just laws and seek the common good that will lead to ways of equity and peace.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ZIKA FUNDING AND ACCURATE INFORMATION ARE PARAMOUNT TO PROTECT AMERICANS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I come to Congress this week with expectations that perhaps this is the week when, as elected officials, we will do the right thing for south Florida families and Americans across our Nation. Perhaps this is the week in which the Senate will finally pass the long-awaited Zika funding bill and then for the House to act, finally.

South Floridians are correctly pushing Congress to leave politics aside and to do our job to protect the public. We are already way late in doing so, Mr. Speaker.

I look forward to Governor Scott's meeting with our south Florida congressional delegation later this week, because the facts and figures related to how big a problem Zika is appear not to have been accurately reflected in the summaries provided by the Florida Department of Health, according to a report in the Miami Herald. Detailed, timely, and accurate information is needed to protect our communities from this epidemic.

Mr. Speaker, let's pass the Federal funding needed to fight Zika and ensure that State agencies are providing thorough and accurate reporting of local Zika infections.

GUN VIOLENCE

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, by the end of today, 90 people in America will have died from gun violence. That is beyond tragic. That is heartbreaking. That is 90 too many.

While House Republicans shamefully stand idle, I am proud to say that, in my district in the Silicon Valley, my hometown community hereby says: enough.

Several years ago, the city of Sunnyvale overwhelmingly passed critical, courageous, and commonsense gun violence prevention measures. Today, the city of San Jose is on the verge of adopting similar measures. I am proud that Silicon Valley is leading by example. It is time now for Congress to act.

Mr. Speaker, we cannot allow one more day to go by, and 90 people to die, without doing all that we can to end the epidemic of gun violence. Enough is enough. Give us a vote, Mr. Speaker. Give America a vote.

JEFF HENDERSON OLYMPIC GOLD

(Mr. HILL asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to recognize Jeff Henderson, who won a gold medal in the long jump during this summer's Rio Games.

A native of McAlmont, the Mac Side, Arkansas, Jeff has been pushing himself to succeed since the humble beginnings of his athletic career. After graduating from Sylvan Hills High School in 2007, where he played football and ran track, Jeff surprised himself and his peers as he tore through the competition in both collegiate and professional track and field. His perseverance would not dwindle in Rio, and Jeff promised his mother, who is battling Alzheimer's, that he would bring home the gold.

After trailing other athletes during the majority of the event, on August 13, 2016, Jeff leapt his way to gold on the final jump, edging past the silver medalist by just 1 centimeter.

Our Olympic athletes in Arkansas and throughout the country made our Nation proud this summer, and I am honored to recognize today this Mac Side star, Jeff Henderson, for his historic accomplishment.

UNFINISHED BUSINESS IN CONGRESS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last week, Vice President JOE BIDEN said, "We are facing a simple reality; we are not doing the people's most urgent business." He is right. It is long past time that we take up this staggering list of unfinished business in this House.

The people in my hometown of Flint still can't drink the water that comes out of their tap, yet House Republicans have pushed off any meaningful action that would send help to this community in its moment of greatest need. Further, the CDC will run out of resources to fight Zika, with almost 17,000 Americans, including 1,600 pregnant women, infected.

Republicans in Congress continue to put their own partisan messaging agenda ahead of fighting Zika, helping the kids of Flint, and even with the opioid epidemic killing 78 people a day. We lose 78 young people a day. No action.

We have bipartisan approaches to all of these problems. This body is called together to do the people's work. We should take up this legislation, and we should do it now, Mr. Speaker.

MEDIA SHOWS THEIR BIAS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the media's credibility is at a new low,

and it is self-inflicted. That is because they have set out on a maniacal mission to destroy anyone who doesn't bow to their political views. Why? Clearly, one person poses a threat to the media's liberal views. He wants to secure the borders; they want mass amnesty for illegal immigrants. He wants to reduce government regulations; they favor more government control. He opposes political correctness; they support speech police.

The liberal media think they know better than the American people what is good for them. Let's hope the voters won't let the liberal media tell them what to think or how to vote. The future of our democracy depends on a fair, balanced, and unbiased media.

FUND ZIKA

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, I just returned after a weekend in south Florida where people wanted to talk about two things: remembering 9/11 and wondering why Congress can't figure out how to find the necessary funding for Zika.

This morning, Dr. Fauci of the NIH said that if we don't act, we are at risk of halting the investigation into coming up with a vaccine that can help prevent people from getting Zika.

After 9/11, everyone in this country was able to come together as one. We all remember how that felt. My colleague, ILEANA ROS-LEHTINEN, stood on the floor just now and talked about the bipartisan support for funding research and a response to Zika. In this partisan body, let's remember how that felt to stand together, and let's stand together for the people of south Florida and the people in this country and do the right thing and pass a clean Zika funding bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE LIFE AND WORK OF ELIE WIESEL

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 810) expressing the sense of the House of Representatives regarding the life and work of

Elie Wiesel in promoting human rights, peace, and Holocaust remembrance, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 810

Whereas Elie Wiesel was born in Sighet, Romania, on September 30, 1928, to Sarah Feig and Shlomo Wiesel;

Whereas in 1944, the Wiesel family was deported to the Auschwitz concentration camp in German-occupied Poland;

Whereas in 1945, Wiesel was moved to the Buchenwald concentration camp in Germany, where he was eventually liberated;

Whereas Wiesel's mother and younger sister, Tzipora, died in the gas chamber at Auschwitz and his father died at Buchenwald;

Whereas Wiesel and his two older sisters, Beatrice and Hilda, survived the horrors of the Holocaust;

Whereas after World War II Wiesel studied in France, worked as a journalist, and subsequently became a United States citizen in 1963;

Whereas Wiesel's first book "Night", published in 1958, told the story of his family's deportation to Nazi concentration camps during the Holocaust and has been translated into more than 30 languages and reached millions across the globe;

Whereas Wiesel would go on to author more than 60 books, plays, and essays imparting much knowledge and lessons of history on his readers;

Whereas in 1978, Wiesel was appointed to chair the President's Commission on the Holocaust, which was tasked with submitting a report regarding a suitable means by which to remember the Holocaust and those who perished;

Whereas in 1979, the Commission submitted its report and included a recommendation for the creation of a Holocaust Memorial/Museum, education foundation, and Committee on Conscience;

Whereas in 1980, Wiesel became the Founding Chairman of the United States Holocaust Memorial Council and helped lead the effort for the United States Holocaust Memorial Museum to open its doors in 1993;

Whereas in 1986, Wiesel and his wife, Marion, created The Elie Wiesel Foundation for Humanity in order to fight indifference, intolerance, and injustice;

Whereas Wiesel, dedicated to teaching, served as a Visiting Scholar at Yale University from 1972 to 1976, professor at the City University of New York from 1972 to 1976, and Boston University from 1976 until his passing;

Whereas Wiesel has received several awards for his work to promote human rights, peace, and Holocaust remembrance, including the Nobel Peace Prize, Presidential Medal of Freedom, the United States Congressional Gold Medal, the National Humanities Medal, the Medal of Liberty, the rank of Grand-Croix in the French Legion of Honor, and the United States Holocaust Memorial Museum Award; and

Whereas, on July 2, 2016, at the age of 87, Elie Wiesel passed away, leaving behind a legacy of ensuring a voice for the voiceless, promotion of peace and tolerance, and combating indifference, intolerance, and genocide: Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends its deepest sympathies to the members of the family of Elie Wiesel in their bereavement; and

(2) urges the continuation of the monumental work and legacy of Elie Wiesel to preserve the memory of those individuals who perished and prevent the recurrence of another Holocaust, to combat hate and intolerance in any manifestation, and to never forget and to learn from the lessons of history.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when Elie Wiesel passed away this past July, the world lost one of its greatest champions of human rights and a tireless and powerful force against tyranny, hate, and intolerance.

This resolution honors Elie Wiesel's life, work, and legacy; extends our deepest sympathies to his family; and reaffirms his efforts to learn from the lessons of the past in order to prevent another Holocaust.

I want to thank my good friend, my colleague, STEVE ISRAEL, as well as PATRICK MEEHAN and my Florida colleague, TED DEUTCH, for their leadership in bringing this resolution forward, as well as Chairman ROYCE and Ranking Member ENGEL for their leadership in shepherding it through the Foreign Affairs Committee and now here to the House floor.

I was proud to work with Elie Wiesel on a number of issues over the years, including raising awareness about the Holocaust and the rise of anti-Semitism, as well as other human rights issues, and I was honored to present the Congressional Gold Medal to the Dalai Lama alongside Mr. Wiesel in the year 2007. Elie Wiesel had himself been awarded the Gold Medal in 1984, as well as the Presidential Medal of Freedom, the Nobel Peace Prize, and many other awards and honorary degrees.

A survivor of Auschwitz and Buchenwald, Elie Wiesel helped reveal the ugly truth about the atrocities that took place at Nazi concentration camps, detailing his experiences in one of his best-read books, entitled, "Night."

In that book, Elie Wiesel explained why he dedicated his life to Holocaust awareness, saying that to forget

"would be not only dangerous but offensive; to forget the dead would be akin to killing them a second time."

Mr. Wiesel warned about what happens when the world is silent in the face of evil, saying that "we must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere."

Elie Wiesel was never afraid to interfere, raising his voice when others were silent in order to remind us, again and again, that human suffering, wherever and whenever it occurs, cannot and must not be ignored.

□ 1415

Whether it was genocide in Sudan, the plight of Tibetans suffering under the Communist regime in Beijing, or warning against the mullahs in Iran who continue to say that Israel should be wiped off the face of the Earth, Elie Wiesel was always there to speak out against tyranny. He was committed to ensuring that the oppressed and the suffering knew that they are not alone, that those without freedom, that those without human rights are not being ignored and are not forgotten by the outside world.

Elie Wiesel's legacy will endure as a reminder that people must never be ignored, that we must learn from the past, and that we must never be silent. I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, it is my honor to yield 5 minutes to the gentleman from New York (Mr. ISRAEL), my friend and the author of this resolution.

Mr. ISRAEL. Mr. Speaker, I thank my very good friend from Florida (Mr. DEUTCH), who was an original cosponsor of this resolution.

Mr. Speaker, I want to also thank Ms. ROS-LEHTINEN for her leadership and her support of this resolution, as well as the chairman of the committee, Mr. ROYCE, for holding a markup on this and ensuring that it received a vote on the floor of the House. Finally, Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. MEEHAN) for being the lead original cosponsor of this bipartisan resolution.

Mr. Speaker, I introduced this resolution shortly after Elie Wiesel's passing because I wanted to ensure that my colleagues, my constituents, and citizens around the world would never forget the horrors of the Holocaust and the very special and unique legacy of Elie Wiesel.

Mr. Wiesel's tremendous impact has reached millions across the globe, and I believe he truly is one of the most influential and important figures of our time, perhaps of all time.

After surviving one of the darkest moments in history, he spoke up and offered a voice to the voiceless. He offered hope to people without hope. He

spoke for the millions that we lost in the Holocaust, but also those who survived. He helped educate the entire world on the atrocities committed during the Holocaust, and he ensured, Mr. Speaker, that we would never forget.

He was born on September 30, 1928, and in 1944 was deported, along with his family, to Auschwitz. In 1945, he was moved to Buchenwald, where he was eventually liberated.

Unfortunately, tragically, many members of his family did not survive. His mother and younger sister died in the gas chamber in Auschwitz. His father passed away in Buchenwald. Only Wiesel and his two older sisters survived.

He went on to become a journalist. He published his first book, "Night," in 1958. I have read it many times. Through the book, he tells the story of his family's deportation to the concentration camps, and he illuminated the unthinkable atrocities committed by the Nazis.

He wrote the book not to reflect on the past, but to warn us about the future, to call out violations of human rights wherever and whenever they occur. And he didn't stop there. He published so many more books and plays and essays, and he helped all of us have a better understanding and learn from history.

Mr. Speaker, he also helped found the U.S. Holocaust Memorial Museum and, along with his wife, Marion, created the Elie Wiesel Foundation for Humanity. Elie Wiesel was a true humanitarian, fighting against intolerance and injustice and leaving behind a legacy like no other.

I met him personally several years ago. I will never forget that meeting. None of us should ever forget his meaning in the world.

I am honored to have introduced this resolution in the House, and I know that my colleagues will support this measure in order to honor the life, work, and legacy of Elie Wiesel.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), our esteemed chairman of the House Foreign Affairs Committee.

Mr. ROYCE. Mr. Speaker, I would begin by saying I appreciate the efforts of the gentleman from New York (Mr. ISRAEL). I appreciate his work here for authoring this resolution.

I think it, again, has been said, but his life's work, Elie Wiesel's life's work, cannot possibly be overstated. I think that for those who have called for us to remember, who have called for us to take action, no time is more probably important than today, when we see the anti-Semitism, when we saw the attacks in Paris, when we see these attitudes. People say never forget. That is correct.

Here are some of the words that he spoke when he was awarded the Nobel

Prize in 1986. He said: "I remember: it happened yesterday or eternities ago. A young Jewish boy discovered the kingdom of night."

I think he was 15 at the time that he was held in the Nazi death camps of Auschwitz and later Buchenwald, 15 years of age.

He said: "I remember his bewilderment," speaking of himself. He said: "I remember the anguish. It all happened so fast. The ghetto. The deportation. The sealed cattle car. The fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed."

"I remember," and he asked his father, "'Can this be true?' This is the 20th century, not the Middle Ages. Who would allow such crimes to be committed? How could the world remain silent?"

"And now the boy is turning to me," he said later in life as he reflected on this. "'Tell me,'" he asks. 'What have you done with my future? What have you done with your life?'"

"And I tell him that I have tried. That I have tried to keep the memory alive, that I have tried to fight those who would forget. Because if we forget, we are guilty." If we forget, then "we are accomplices."

So today, we honor his memory by committing to continue his work, to preserve the memory of those who perished in the Holocaust, to protect oppressed minorities that face other genocidal campaigns, and to promote the eternal values of peace, of tolerance, and of understanding for future generations. By passing this resolution, the House will commit to uphold Elie Wiesel's pledge to never forget.

I thank the gentlewoman from Florida for her work on this resolution with Mr. STEVE ISRAEL.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL for moving this bill swiftly through the committee to the floor.

I am proud and appreciative to have introduced this bill with my friends Congressman ISRAEL and Congressman MEEHAN, my colleagues on the U.S. Holocaust Memorial Museum Council. It is a testament to Elie Wiesel's inspirational reach across our country that 158 of our colleagues from both sides of the aisle joined us as original cosponsors.

In particular, I am grateful to my friend and colleague, Representative ROS-LEHTINEN, for her commitment to all of the ideals that Elie Wiesel lived out.

H. Res. 810 recognizes the incredible life of accomplishments of Elie Wiesel. Elie Wiesel was a legend, the kind of influential figure that changes people around him and leaves the world in a much better place. His story is taught in classrooms, his work is read by mil-

lions in dozens of languages, and his accomplishments are recalled in halls of governments around the world.

He lived through one of history's darkest moments. He survived Auschwitz and Buchenwald, scenes of some of the manifestations of the worst evil of humankind in modern history, and he went on to become an acclaimed writer, human rights activist, and Nobel laureate.

This giant of a man refused to stay silent as other atrocities took place around the world in the years following the Holocaust. From Rwanda to Kosovo, from Cambodia to Sudan, Elie Wiesel always spoke out because, as he put it, "I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

The last sentence reverberates loudly around the world today: "Silence encourages the tormentor, never the tormented."

Mr. Speaker, this resolution is the least we can do to respect and to honor Elie Wiesel's memory, so let's do more. Over 70 years after the Holocaust, bigotry and prejudice continue to plague societies around the world.

Anti-Semitism, the millennia-old hatred of Jews that spawned Hitler's Final Solution, can still be found today; anti-Semitism from Paris to Buenos Aires, from Malmö to Marseilles, to London, and anti-Semitism on the streets, online, and on college campuses.

Time after time, Jewish communities around the world are forced to make a decision: Is it safe for me to send my children to a Jewish school? Can we walk to synagogue without fear of the heckling? And might it be time for me and for my family to move from our neighborhood, our community, or even our country because of the antagonism and hatred and violence that forces us to flee, like other times in Jewish history?

I am proud of the bipartisanship that this topic receives from my colleagues and the widespread membership of the Bipartisan Taskforce for Combating Anti-Semitism, and I know that we will continue to use our platforms and our tools to keep Jewish communities safe.

But the intolerance that Wiesel spoke out against wasn't limited to anti-Semitism. His life's experiences compelled him to focus our attention on any part of the world where innocent people are being targeted.

Five and a half years into the Syrian conflict, over 400,000 people have lost their lives; millions of others are displaced. Thousands of Syrian children born in the last 5 years now know only the life of living in a refugee camp or makeshift residences.

I am hopeful that the recently announced ceasefire will hold; but there have been some egregious injustices done to innocent Syrians by both the Assad regime and radical terrorist groups like ISIS. We cannot allow these violations to go unpunished, and we must pay attention to these atrocities every day, not only on the days when painful images of young children dominate social media, whether a refugee washed ashore or a bloodstained boy from Aleppo who has known only war.

Whether it is war in Syria, turmoil in South Sudan, systemic human rights violations in Venezuela or in Iran, or attacks on women and girls in too many places in the world, it is our duty to keep the attention and pressure on human rights violators and do everything we can to protect innocent civilians.

We must commit ourselves to promoting tolerance, speaking out against injustice, taking action against bigotry in all its forms, and upholding and living out the principle that comes from the Holocaust: "Never Again."

Elie Wiesel did his part and changed our world. Let's elevate Elie Wiesel's memory and continue his work. Silence encourages the tormentor. Today we speak out.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Affairs Committee.

Mr. ENGEL. Mr. Speaker, I thank my friend from Florida for yielding to me. I rise in support of his resolution.

Let me start by thanking my colleague and friend from New York (STEVE ISRAEL) for his hard work on this measure.

Mr. Speaker, on July 2, a light went out of this world. Elie Wiesel was a champion of human rights, peace, and Holocaust remembrance. And though he is gone, his life and work and message are seared on our collective conscience.

Born in Romania in 1928, he survived the Sighet ghetto, Auschwitz, and Buchenwald. He was inmate number A-7713, and his number was tattooed on his arm. His mother and sister died in death camps.

When I was a little boy growing up in the Bronx, we had many people who were Holocaust survivors, and they had tattoos all over their arms, on the other side of their wrists. I remember that very, very vividly, and it is something that has been seared into my memory through the years.

When Wiesel was liberated by the United States in 1945, he moved to France and then immigrated to America.

□ 1430

In 1955, while living in France, he wrote "Night," the story of his experience with his father in the Nazi death camps, and this book became the foundation of Holocaust literature. I would advise everyone to read this book. He was one of the first to put pen to paper to chronicle his own view of the darkest chapter in human history.

He won the Nobel Peace Prize in 1986. Upon giving him the prize, the Nobel Committee announced, "Wiesel is a messenger to mankind; his message is one of peace, atonement and human dignity . . . Wiesel's commitment, which originated in the sufferings of the Jewish people, has been widened to embrace all repressed peoples and races."

Wiesel's advocacy for victims of oppression around the world was his most recent legacy. He championed the cause of saving Darfur. He defended the Tamil people in Sri Lanka. He was outspoken against the Iranian nuclear program, and he spoke out for people around the world who were being mistreated.

Most recently, he dedicated himself to stopping the massacres of the Syrian people. He called for an international criminal trial against Assad, charging him with crimes against humanity. We on the Foreign Affairs Committee have seen documentations of those crimes against humanity of what Assad has been doing to his own people. Wiesel said that the public response to Assad's use of gas against the Syrian people was inadequate. I certainly agree.

Elie Wiesel constantly reminded us that indifference to the suffering of others is what allows evil to take hold. We must all take it upon ourselves to live Wiesel's legacy.

As was mentioned by my colleague before, anti-Semitism, once again, is rearing its ugly head around the world, and we have to speak out and condemn it and condemn all other kinds of discrimination as well. So never again—not to Jews, not to Syrians, not to African Americans, not to anyone.

This resolution honors the legacy of Elie Wiesel and reflects our commitment to carry his work and his message forward. It is important that we come together on this.

I remember when we had our annual Holocaust Remembrance services right in the Capitol discussing things with Elie Wiesel. We took a few pictures together. It is certainly something that I will cherish for the rest of my life.

So, Mr. Speaker, I'm glad to support this measure. I ask everyone to vote for it.

Mr. DEUTCH. Mr. Speaker, through his writing, his work, and his life, Elie Wiesel helped the world know what transpired when Hitler tried to annihilate the Jews; and he lifted up the world in committing himself, and now

all of us, to doing everything we can to ensure that nothing like that ever transpires again.

I am so grateful to my friend, Mr. ISRAEL, and to the other Members who coauthored this resolution. Mr. Speaker, I urge its passage.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we have heard from every eloquent speaker before us, Elie Wiesel represented the best of humanity. He was someone who refused to allow human suffering to continue without protest, no matter the race, the religion, or the political views of the suffering. There you would always find Elie Wiesel's voice. He said: "There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest."

Elie Wiesel dedicated his life to ensuring that we learn the lessons of the past, that we remember atrocities like the Holocaust, and that we refuse to allow indifference to condemn the oppressed to a life without the world's assistance or solidarity.

As we move to pass this resolution here today, Mr. Speaker, we reaffirm our commitment to Elie Wiesel's legacy to combating hate, to fighting against intolerance in all of its forms, and ensuring that we will never forget the consequences of indifference.

Mr. Speaker, I urge passage of this important resolution, but I also urge my colleagues to take a moment to reflect upon Elie Wiesel's lifelong message and his mission. It is fitting that the House is acting today on this resolution honoring the life of this great man, Elie Wiesel, but later today will also be considering a resolution recognizing the plight of Holocaust survivors.

The United States has a responsibility and, indeed, a moral obligation to fulfill this legacy. For too long we have allowed human rights to merely be an afterthought rather than a driving force in our foreign policy. We can do better, and we must do better. Let's do so with Elie Wiesel in mind.

Mr. Speaker, I would like to include the following remarks from Elie Wiesel:

I remember: On April 18th, 1944 on a house to house operation destined to rob all Jewish families of their fortunes, a policeman and an elegantly dressed Hungarian lieutenant entered our home in Sighet and asked for all our valuables: he confiscated: 431 Pengös, our entire cash, 1 camera, my fountain pen, 1 pair of seemingly gold earrings, 1 golden ring, 1 silver ring, 3 ancient silver coins, 1 military gas mask, 1 sewing machine and 3 batteries for flashlights.

They dutifully signed a document, which I have in my possession, and left for my grandmother Nissel's home, two houses away.

She was a war widow. Her husband, my grandfather whose name Eliezer I try to wear with pride, fell in battle as a medic.

In mourning, a profoundly pious woman, she wore black clothes, rarely spoke and read Psalms uninterruptedly.

A similar official document listed HER valuables . . .

One Pengö, two coins, three smaller coins. And two pieces of 21-cm tall solid brass candlesticks. That's all she possessed.

Bureaucracy was supreme and eternal even then: whether official murder or robbery, not fearing embarrassment or retribution, everything had to be recorded.

Why the Hungarian and German armies needed was her pitiful life's savings and her Shabbat candlesticks to win their war is beyond me. At times I am overcome with anger thinking of the red coat my little 8-year old sister Tsipuka had received for our last holiday: she wore it in Birkenau walking, walking hand in hand with my mother and grandmother towards . . . A daughter of an SS must have received it as a birthday present.

Just measure the added ugliness of their hideous crimes: they stole not only the wealth of wealthy but also the poverty of the poor.

The first transport left our ghetto one month later.

Only later did I realize that what we so poorly call the Holocaust deals not only with political dictatorship, racist ideology and military conquest; but also with . . . financial gain. State-organized robbery, or just money.

Yes, The Final solution was ALSO meant to remove from Jewish hands all their buildings, belongings, acquisitions, possessions, valuable objects and properties . . . Industries, art work, bank accounts . . . And simple everyday objects . . . Remember: before being shot by Einsatzkommandos, or before pushed into the gas-chambers, victims were made to undress . . . Six millions shirts, undershirts, suits, scarfs, pairs of shoes, coats, belts, hats . . . countless watches, pens, rings, knives, glasses, children's toys, walking sticks . . . Take any object and multiplied it by six million . . . All were appropriated by the Third Reich. It was all usefully calculated, almost scientifically thought through, programmed, industrialized . . . Jews were made to be deprived of their identity, and also of their reality . . . In their nakedness, with names and title and relations worthless, deprived of their self esteem of being the sum total of their lives both comprised all that had accumulated in knowledge and in visible categories . . .

When the war ended, what was the first response to its unspeakable tragedy? For us individual Jews, the obsession was not vengeance but the need to find lost family members. Collectively, in all DP camps, a powerful movement was created to help build a Jewish State in Palestine.

In occupied Germany itself, the response moved to the judiciary. The Nüremberg Trials, the SS trials, the Doctors trials. Wiedergutmachung, restitution, compensation: were not on the agenda. The immensity of the suffering and the accompanying melancholy defied any expression in material terms.

In liberated countries, in Eastern Europe, surviving Jews who were lucky to return to their homes and/or stores were shamelessly and brutally thrown out by their new occupants. Some were killed in instantaneous pogroms. Who had the strength to turn their attention to restitution?

Then came the Goldmann-Adenauer agreement on Wiedergutmachung. The first Israel-German conference took place early 1953 in Vassenaar, Holland. Israeli officials and wealthy Jews from America and England allegedly spoke on behalf of survivors, none of whom was present. I covered the pro-

ceedings for Israel's Yedioth Ahronoth. I disliked what I witnessed. I worried it might lead to precarious reconciliation. It did. The icy mood of the first meetings quickly developed in friendly conversations at the bar. Then also, deep down, I opposed the very idea of 'Shilumim'. I felt that money and memory are irreconcilable. The Holocaust has ontological implications; in its shadow monetary matters seem quasi frivolous. In the name of Israel's national interest, David Ben Gurion's attitude was, on the other hand, quoting the prophet's accusation of David, 'Haratzachta vegam yarashta': should the killer be his victim's heir? Logic was on his side, emotion was on mine.

In the beginning we spoke about millions, at the end the number reached billions. International accords with governments, insurance companies, private and official institutions in Germany, Switzerland and various countries. In Israel, local industry benefitted from the endeavor. As did needy individual survivors elsewhere too, including Europe and America.

Throughout those years, chroniclers, memorialists, psychologists, educators and historians discovered the Holocaust as their new field of enquiry. Some felt inadequate and even unworthy to loon into mystics would call forbidden ground. Having written enough pages on the subject, I confess that am not satisfied with my own words. The reason: there are no words. We forever remain on the threshold of language itself. We know what happened and how it happened; but not WHY it happened. First, because it could have been prevented. Second, the why is a metaphysical question. It has no answer.

As for the topic before us this morning. I am aware of the debate that was going on within various Jewish groups on the use to be made of the monies requested and received: who should get how much: institutions or persons? The immediate answer is: both.

However, it is with pained sincerity that I must declare my conviction that living survivors of poor health or financial means, deserve first priority. They suffered enough. And enough people benefitted FROM their suffering. Why not do everything possible and draw from all available funds to help them live their last years with a sense of security, in dignity and serenity. All other parties can and must wait. Do not tell me that it ought to be the natural task of local Jewish communities; let's not discharge our responsibilities by placing them on their shoulders. WE have the funds. Let's use them for those survivors in our midst who are on the threshold of despair.

Whenever we deal with this Tragedy, we better recall the saying of a great Hasidic Master: You wish to find the spark, look for it in the ashes.

(Prague restitution: unedited draft)

ELIE WIESEL.

ELIE WIESEL REMARKS, USHMM NATIONAL TRIBUTE DINNER, MAY 16, 2011

I've always believed that a human being can be defined by his or her openness to gratitude. For someone who has none, something is wrong with that person. I believe in gratitude, as a Jew, because in our tradition the first thing we do in the morning when we get up is recite a prayer of gratitude to God for making us realize that we are still alive.

Listening tonight to all you said about my work, I wonder whether words of gratitude are enough. Maybe I should compose a poem, or sing a song. It is more than rewarding.

Often my wife, the love of my life, and I discuss when I have to travel somewhere.

"Look," she says, "you are getting older." She doesn't say "old." "Maybe you should stop, it's enough." Then I try to make her realize that it's never enough.

And now, a story. And a poem. The poem was written by a very great Israeli author called Uri Zvi Greenberg and the poem, in Hebrew, is about Sipur al Na'ar Yerushalmi. This is the story about a Jerusalemite boy who one day turned to his mother and said, "Mother, I want to go to Rome." And the mother says "What? You are in Jerusalem! Why do you want to go to Rome?" "Mother, I want to learn something about Roman culture." In the beginning she refused. Then she gave in, but she said to him, "Look my son, you go to Rome. Do you know anybody there?" "No." "What will you do in the evening?" He said, "I don't know . . . I will go into the field and lie down and sleep." And she said, "Okay, but one thing I want you to take from me: a pillow, and when you lie down to sleep you will at least have a pillow under your head." He did, and every day, he left Rome, went into the fields, went to sleep, on his pillow.

One night, the pillow caught fire. That night, the temple of Jerusalem went up in flames. Can we live like that? That an event which takes place thousands of miles away has such an effect on us? That, I believe, is what the memory of the fire is doing to all of us. It makes us aware of all those who need us, all those who need maybe our words and occasionally our silence—but I mean silence in the mystical sense, not in a pragmatic situation when silence is forbidden.

What can we do with our memories unless these memories help others in their lives, in their endeavors? There is so much to remember. Sometimes it's not easy. Hegel spoke of the excess of knowledge. We have another problem: the excess of memory. It is simply too much, too heavy. We have here a man whose name should be remembered: Mark Talisman. He was vice chairman when I was chairman. I remember we spoke about it in our meetings: whom are we to remember? Naturally, first the Jews: they were the first victims, six million Jews. But we must limit that memory, which means what? I came up with an idea: that not all victims were Jewish, but all Jews were victims. So that means, as Jews, because we remember our Jewish tragedy, we make it more universal. That is the definition almost of our Jewishness: the more Jewish the Jew, the more universal the message.

And we worked on it here, and then we said okay, we remember the suffering, we remember the fire, but what about the next step? What did those who survived do with their survival? Their message is not a message of despair. It is a message of hope. We taught the world how to build on the ruins. Therefore, among the priorities that we had for this project was actually to give the survivors their place of honor in our society however we could, always for survivors first, not only because what they could say no one else had the authority to say, but also because they as human beings, as fathers, grandfathers, had something to say again, and it is almost impossible not to listen to them. And by the way, what Mark tells me now: there are survivors . . . Now of course many have done very well, and the fact is, what they have done among you, what they have done here in the Museum—the role of the survivors not only morally but also financially—is extraordinary. But there are survivors today who are still living in poverty, and I believe that we in this Museum should pay attention to that and do whatever we can to help them. And naturally,

more than anyone else, we must feel empathy with those who suffer today, in Rwanda, in Darfur, in Cambodia . . .

I addressed the General Assembly, some ten years ago or more. I gave my address, entitled "Will the World Ever Learn?" and I came out with a very sad answer: "no." Because it hasn't learned yet. Had the world learned, there would have been no Rwanda, and no Darfur, and no genocide, and no mass murder. It hasn't learned, otherwise there would be no antisemitism today. Antisemitism is the most irrational, absurd emotion that one can encounter. Somewhere, anywhere, there is someone who hates me, although he or she never met me. He or she hated me before I was born, and here it is, still practiced in certain places.

But then because of our experience we must feel—and we have felt—those who suffer today from all kinds of diseases. Take children. What you said about my little sister is true: I cannot speak about her without shedding tears. Because of her, my major preoccupation are the children of the world. Whenever I espouse a human rights cause it always has to do with children. Every minute that we spend here tonight, somewhere on this planet a child dies of hunger, of disease, of violence, or of indifference.

Life is not made of years. Life is made of moments. Sara, you called them "formative moments." I simply say moments. At the end of my life, when I come to heaven, and there will be a scale, my good deeds, my other deeds, it's not my years that will be on the scale, but the moments. Some are good, glorious. Others are less so. Nothing of my life in this project—most of that experience was as rewarding. Every moment has its weight, has its meaning, and has left its legacy here in this extraordinary experience which the Museum is for anyone who enters it.

I remember during the inauguration, what President Clinton mentioned. I turned to him and I said he must do something about Sarajevo, about the tragedy in Bosnia. It was Clinton who later on, on television, spoke about the role of the citizen. And he simply said, "you want to know what a simple citizen can do? A simple citizen can change America's policy in the Balkans." He turned to me and said, "He did it."

What we can do with memory is of incommensurable importance. We really can change the world. And so, for these moments and for your kindness and for all the commitment to remembrance which is the noblest endeavor a human being can undertake: simply to remember the dead. To forget the dead would mean not only to betray them but to give them a second death, to kill them again. We couldn't prevent the first death, but the second one we can, and therefore we must.

And so, whenever we deal with memory, you should think that the pillow under your head is burning.

Thank you.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR THE GOAL OF ENSURING THAT ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY IN THEIR REMAINING YEARS

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 46) expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 46

Whereas the annihilation of 6,000,000 Jews during the Holocaust and the murder of millions of others by the Nazi German state constitutes one of the most tragic and heinous crimes in human history;

Whereas hundreds of thousands of Jews survived persecution by the Nazi regime despite being imprisoned, subjected to slave labor, moved into ghettos, forced to live in hiding or under false identity or curfew, or required to wear the "yellow star";

Whereas in fear of the oncoming Nazi Einsatzgruppen, or "Nazi Killing Squads", and the likelihood of extermination, hundreds of thousands of Jewish Nazi victims fled for their lives;

Whereas whatever type of persecution suffered by Jews during the Holocaust, the common thread that binds Holocaust victims is that they were targeted for extermination and they lived with a constant fear for their lives and the lives of their loved ones;

Whereas Holocaust victims immigrated to the United States from Europe, the Middle East, North Africa, and the former Soviet Union between 1933 and the date of adoption of this resolution;

Whereas it is estimated that there are at least 100,000 Holocaust victims living in the United States and approximately 500,000 Holocaust victims living around the world, including child survivors of the Holocaust;

Whereas tens of thousands of Holocaust victims are at least 80 years old, and the number of surviving Holocaust victims is diminishing;

Whereas at least 50 percent of Holocaust victims alive today will pass away within the next decade, and those living victims are becoming frailer and have increasing health and welfare needs;

Whereas Holocaust victims throughout the world continue to suffer from permanent physical and psychological injuries and disabilities and live with the emotional scars of a systematic genocide against the Jewish people;

Whereas many of the emotional and psychological scars of Holocaust victims are exacerbated in the old age of the Holocaust victims;

Whereas the past haunts and overwhelms many aspects of the lives of Holocaust victims when their health fails them;

Whereas Holocaust victims suffer particular trauma when their emotional and

physical circumstances force them to leave the security of their homes and enter institutional or other group living residential facilities;

Whereas tens of thousands of Holocaust victims live in poverty and cannot afford, and do not receive, sufficient medical care, home care, mental health care, medicine, food, transportation, and other vital life-sustaining services that allow individuals to live their final years with comfort and dignity;

Whereas Holocaust victims often lack family support networks and require social worker-supported case management in order to manage their daily lives and access government-funded services;

Whereas in response to a letter sent by Members of Congress to the Minister of Finance of Germany in December 2015 relating to increased funding for Holocaust victims, German officials acknowledged that "recent experience has shown that the care financed by the German Government to date is insufficient" and that "it is imperative to expand these assistance measures quickly given the advanced age of many of the affected persons";

Whereas German Chancellor Konrad Adenauer acknowledged, in 1951, the responsibility of Germany to provide moral and financial compensation to Holocaust victims worldwide;

Whereas every successive German Chancellor has reaffirmed that acknowledgment, including Chancellor Angela Merkel, who, in 2007, reaffirmed that "only by fully accepting its enduring responsibility for this most appalling period and for the cruelest crimes in its history, can Germany shape the future";

Whereas, in 2015, the spokesperson of Chancellor Angela Merkel confirmed that "all Germans know the history of the murderous race mania of the Nazis that led to the break with civilization that was the Holocaust . . . we know the responsibility for this crime against humanity is German and very much our own"; and

Whereas Congress believes it is the moral and historical responsibility of Germany to comprehensively, permanently, and urgently provide resources for the medical, mental health, and long-term care needs of all Holocaust victims: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) acknowledges the financial and moral commitment of the Federal Republic of Germany over the past seven decades to provide a measure of justice for Holocaust victims; and

(2) supports the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I would like to start by thanking Senator NELSON for advancing this measure through the other body. I would also like to recognize the good work of Chairman Emeritus ROS-LEHTINEN as well as Congressman DEUTCH for their companion resolution which passed this body in June with the unanimous support of our colleagues.

The horrors wrought by the Nazi regime did not end when the prisoners finally walked out from behind the barbed wire fences in 1945. The aftereffects of Hitler's death camps still haunt the lives of those who remain.

Tens of thousands of Holocaust survivors throughout the world live in poverty. The problem is staggering. There are 195,000 survivors and their families, according to the Registry of Holocaust Survivors, that remain. Most of those survivors, original survivors, are in their eighties today. The world loses 1,000 of those survivors every month.

But today, more than one in four lack sufficient access to or funds for necessary medical, home care, mental health care, medicine, and transportation—essential tools which would allow them to live their final years in comfort and in dignity.

For decades, Germany has instituted and funded a number of aid programs in recognition of its moral obligation to guarantee for those survivors—to guarantee—a chance at such a life. However, as they age, Holocaust victims' health and assistance needs—already more demanding than those of their peers—evolve and intensify. German evaluations of government programs this year exposed gaps in home care, in mental health programs, and in long-term medical care, and this must be remedied.

Chancellor Merkel has acknowledged Germany's responsibility to those who survived Hitler's terror. The government has also affirmed that more must be done. A high-level working group was recently established to develop proposals for more extensive assistance for home care and for social welfare needs, but the negotiations for these changes, these program changes, under German law have stalled.

Time is of the essence. Every day that decisions are stalled, we lose another survivor, we lose another story, and we lose another chance to show our respect for those individuals who have already endured what no one should. That is why our ranking member, ELIOT ENGEL, and I are supportive of this measure and would urge all Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution.

I want to thank the chairman, as always, for being so cooperative and important in passing this legislation. I want to thank my friends from Florida, Ms. ROS-LEHTINEN and Mr. DEUTCH, who introduced the House companion to this resolution, which I was proud to cosponsor and which passed the House in June.

Mr. Speaker, there are roughly a half million survivors of the Holocaust alive today—many people think it is not much, but it is, a half million—all over the world. Many of these men and women are now reaching their eighties and nineties, and some even older.

These individuals, of course, lived through the darkest chapter in human history. They endured unspeakable horrors, and many still suffer the physical and emotional trauma stemming from that experience. So it is absolutely tragic that so many survivors today are forced to live in poverty with inadequate health care, food, and access to transportation. It is unconscionable that, at the end of their lives, these people find themselves without adequate support.

Now, the Government of Germany accepts responsibility to support these survivors and, over the decades, has done a great deal, but even their officials acknowledge that more needs to be done. This resolution calls on the authorities in Germany to make sure every Holocaust survivor has the support and resources they need to live in dignity.

We know it is never easy for a government to dig deeper, but in the case of this generation of survivors, there should not be any question that they should be able to live out their lives without worrying over how to pay the medical bills or the grocery bills. It is important that we do this. I am glad to support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend, our wonderful chairman of the Foreign Affairs Committee, for the time, and I thank the ranking member as well. What a joy it has been to work with my Florida colleague, TED DEUTCH, on this important bill.

Mr. Speaker, we have before us a concurrent resolution introduced by our wonderful Florida Senator, BILL NELSON. This measure follows a similar bipartisan resolution that my south Florida friend, TED DEUTCH, and I introduced earlier this year, which this body passed unanimously in June. The vote was 363-0.

I want to thank Senator NELSON as well as Senator COLLINS for taking the

lead on this initiative in the Senate and for the Senate taking action, passing this important resolution, and bringing it back to us. I want to thank Chairman ROYCE and Ranking Member ENGEL for their support on this measure and helping it get to the floor today.

This bipartisan resolution, Mr. Speaker, is simple, but it is so important. It calls on Germany to honor its moral and historical obligations to all Holocaust survivors and to provide for their unmet needs immediately and comprehensively. That is something that is going to happen thanks to all of the good men and women here.

For TED, for Senator NELSON, and for me, this issue hits very close to home, Mr. Speaker. As Members of Congress from the State of Florida, we represent thousands of Holocaust survivors. Some 15,000 are estimated to be living in south Florida alone.

But it hits even closer to home today. Why? Because, when I spoke on this floor in June in support of the version that Mr. DEUTCH and I introduced in the House, I mentioned several of the Holocaust survivors whom TED and I have been honored to call our dear friends. Among them was a remarkable and incomparable gentleman named Jack Rubin. Sadly, Jack passed away July 11, at the age of 88.

□ 1445

Jack and his two sisters survived the unimaginable, Mr. Speaker—the atrocities of humanity's darkest period. Jack managed to survive the nightmares of Auschwitz and three other death camps, four in total, until he was, as he testified in Congress in 2008, "liberated on May 1, 1945, from hell, by the U.S. Army."

Once Jack came to the United States, he served in the U.S. Army. That is how much he loved his new country.

For all that Jack had witnessed, for all that Jack had lived through, somehow he drew strength from his trials and tribulations and became a leading force in the fight for justice and dignity for all Holocaust survivors. And on this issue that we have before us today, Mr. Speaker, Jack was an unwavering voice and a force for justice. He led the call for Germany to honor its commitments to provide for all of the survivors' medical, mental, and home care needs.

Thankfully, Jack lived to see the House pass our resolution. He even lived to see the Claims Conference in Germany announce an alleged major expansion in home care for Holocaust survivors.

But, Mr. Speaker, I think that if Jack were here today, he would say: But we must do more.

You see, as part of the heralded announcement by the Claims Conference in Germany, Germany was supposed to

lift the home care caps for all concentration camp and ghetto survivors.

Yet, the sad truth is, Mr. Speaker, according to the reports that we have seen, this claim is just not true, and many survivors are still subjected to arbitrary caps on home care hours, some even having their weekly hours reduced.

What has happened?

To make matters worse, the Claims Conference in Germany's recent negotiations did not even address the horrendous shortfalls in funding for emergency services such as medicine, medical care, dental care, hearing aids, and other vital services for survivors. This omission is inexcusable, Mr. Speaker. It will cause further needless suffering and deaths among survivors in need of help.

Germany has an obligation to do better than that, and I am optimistic that it will. We have an obligation to Holocaust survivors to do better to ensure that they live out their days in the dignity and comfort that they deserve.

What does this mean, Mr. Speaker?

It means full funding for all health and welfare needs for all survivors. That is why this resolution before us today is so timely and so important.

My friend, Jack Rubin—and I know that he was Mr. DEUTCH's friend as well—dedicated his life to justice for all Holocaust survivors. It is up to us to keep fighting for all the Jack Rubins of the world to continue Jack's legacy until justice is finally won. I will keep fighting for Jack's legacy and for all survivors.

I urge my colleagues to do the right thing and to support this resolution. We must urge our German friends to do more, to do the right thing for all Holocaust survivors. Passing this resolution will send a strong message that we believe the job is not yet done and that more must be done.

Those of us—like Mr. DEUTCH, like Mr. ROYCE, and like Mr. ENGEL—who have been in the forefront—Senators NELSON and COLLINS—of the fight for Holocaust survivors' rights, needs, and interests are grateful for the unanimous support of our colleagues in the House and in the Senate for these resolutions.

Mr. Speaker, it has been over 70 years since humanity's darkest period, yet many survivors today still face lingering injustices of the Holocaust. We have had opportunities to address these injustices and, indeed, we have had an obligation to address them and to try to fix the wrongs of the past.

Germany has acknowledged its responsibility and its obligations to Holocaust survivors. Congress has acknowledged that we have a moral obligation to survivors—many of whom are American citizens, many of whom are our constituents, and many of whom live today at or below the poverty line.

We must acknowledge that too many Holocaust survivors are forced, even

today, over 70 years later, to continue to suffer the injustices of the past and the indifference of the present. But for the survivors who remain and for all whom we have lost, we must—and we are here today—take a stand. We hope Chancellor Merkel of Germany and the German Government will hear our pleas for action and take them to heart so that the remaining survivors may live out their lives in the comfort and the dignity that they deserve.

In closing, Mr. Speaker, I would say that if we are going to stand for justice for all survivors, then we must also acknowledge the other still unresolved injustices being inflicted on Holocaust survivors in our time—specifically, the act of being denied their day in court. It is simply unconscionable that insurance companies such as Allianz and Generali have managed to dishonor tens of thousands of insurance policies they sold to Jews in Europe before the Holocaust, and continue to deny Holocaust survivors and their families these paid-for obligations. To this day, they refuse to acknowledge this.

The obligations of the insurers are moral and financial. I believe it is imperative that this Congress rectify the unfortunate reality that makes Holocaust survivors second-class citizens by denying them access to U.S. courts to attempt to reclaim these family legacies.

It is quite simply a right they have been denied far too long. We cannot bring them back, we cannot correct the problems that happened in the past, but we can correct them now, Mr. Speaker. We can correct them for the heirs who deserve justice. It is within our power to do so.

Mr. Speaker, I applaud my colleagues in Congress for supporting this resolution. I thank them for lending their voices to the cause of justice for all Holocaust survivors. This is just one step—it is an important step—in the long road to justice. I implore my friends and colleagues to continue to do more in support for all Holocaust survivors.

I thank my good friend, the chairman of our committee, for this time.

Mr. ENGEL. Mr. Speaker, I want to first congratulate my colleague from south Florida for her outstanding statement and her outstanding work.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. DEUTCH), a valued member of the Foreign Affairs Committee and an author of the House companion to this resolution.

Mr. DEUTCH. Mr. Speaker, I thank my friends, Ranking Member ENGEL and Chairman ROYCE, for their efforts. A sincere thanks to my dear friend, Chairman ILEANA ROS-LEHTINEN, for her partnership on this effort, her unyielding commitment to seeing that there is justice. She has been a tireless advocate for Holocaust survivors and the entire community. I also want to

thank our Florida colleague, Senator BILL NELSON, and Senator COLLINS, for spearheading this effort in the Senate. We share a deep commitment to ensuring that every survivor can live out his or her life with dignity. It is a commitment that was inspired each and every day by those in our own communities. But for me, especially, it was a commitment inspired every day by our great friend and Holocaust survivor, my constituent, Jack Rubin.

Jack survived Auschwitz and three other death camps before he was liberated at age 16. He was the only member of his family to survive.

For decades, Jack fought for the needs of the survivor community. He fought for the right to seek justice. He was a voice for so many of those who had no one to speak for them. He traveled to Washington, D.C., many times at his own expense, well into his eighties. He testified in front of Congress. For me, Jack was a friend and a mentor. He was a cheerleader, he was an eternal optimist. He believed that it wasn't too late, it was never too late, to make a real difference in the lives of those who had suffered history's greatest tragedy.

When the House version of this resolution passed back in June, Jack was watching from his home in Boynton Beach, Florida. When I returned to my office from speaking on the floor, I had a message from Jack telling me that he had tears in his eyes as he watched the House vote and that it was the best birthday present he could have asked for.

Jack Rubin passed away in July, just days before the Senate passed this resolution. His wife, Shirley, his children, and especially his grandchildren, understood the commitment that he made throughout his lifetime to help those in need, especially in the survivor community. And while significant progress has been made on survivor care, Jack did not, unfortunately, live to see the day when every Holocaust survivor has his or her medical and mental health care needs met. So we continue this fight. We will press on, and passing this resolution today is the first step in continuing the legacy of my friend, Jack Rubin.

When the House passed a version of this resolution in June, we were awaiting the results of a special round of negotiations between the German Government and the Claims Conference. In December 2015, the Government of Germany acknowledged the significant gap in funding for survivor care. As a result, Germany agreed to a new, high-level working group that would conduct additional negotiations aimed to close the gap for funding of home care needs.

In an effort to make clear the severity of the needs and the critical importance of these negotiations, Chairman ROS-LEHTINEN and I introduced the

House companion to this resolution. The introduction and passage of that resolution, which urged the German Government to fulfill its moral and financial obligations to victims of the Holocaust, sent a very clear message to our German friends that the U.S. Congress was watching these negotiations. As we watched, a significant increase in home care funding was announced for 2016 and 2017, and a new agreement reached for 2018. Arbitrary caps placed on the number of home care hours allowed were also lifted. This is a commendable step forward, but there are still so many unmet needs.

I am deeply appreciative of the decades-long commitment of the German Government to caring for survivors. I have spoken directly to Chancellor Merkel about this commitment, and I know that it is personal for her. I want our German friends to understand that this isn't about getting to a specific dollar figure. This is about continuing to meet all needs for a very small, very fragile part of the population that is rapidly aging.

This is the last chance to make sure that those who suffered through the most horrific crimes against humanity are cared for. Survivors are in their eighties, nineties, and into their one hundreds. There is a finite amount of time left. This is not an indefinite commitment on the part of Germany.

The resolution before us today continues to support the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years.

No amount of money can ever erase the tragedies of the past. No amount of money is ever a substitute for justice. But the day-to-day suffering of this very vulnerable population can be eased. The needs of elderly survivors are exacerbated by their physical and mental experiences during the Holocaust. Leaving their own homes for institutionalized care is often not an option. The tragic loss of many family members at the hands of Nazis means that many survivors rely on social services for meal deliveries or rides to doctor appointments. These are the most basic of human needs, and they deserve to have them met.

I want to thank my friend, Chairman ROS-LEHTINEN, and I want to thank Ranking Member ENGEL and Chairman ROYCE for their support, and Senator NELSON and Senator COLLINS for their efforts in the Senate.

I want to urge my colleagues to join us in urging Germany to ensure basic dignity and comfort for survivors.

When you look into the eyes of survivors in my district, as I do quite often, they worry about others. They say: Never again.

But we should worry about them. For their remaining time on this Earth, they deserve peace through living out

their lives with dignity. Germany can help make sure that they do. Jack Rubin knew and fought for that literally until his last breath, and this resolution commits Congress to that fight for dignity.

□ 1500

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Our colleagues have been very eloquent this afternoon, and I agree with everything that has been said here, along with what the chairman has said.

Mr. Speaker, every year we lose more and more of those who lived through the Holocaust, and it is unthinkable that many spend their last days in poverty with no support network. Nobody wants that.

With this resolution, we are simply saying that this should not be the case. We are saying that these survivors should never go without assistance and resources and that it is time for the Government of Germany to work with its partners and correct this problem.

So for all the reasons that were mentioned, I support this measure. I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself the balance of my time.

So I think, for the Members here, we all understand that we have to commit to do all we can to honor and to support those survivors who are still with us. Their stories serve as testaments to the consequences of doing nothing in the face of evil.

Within these victims' lifetimes, we have already seen the minimization and the outright denial of the nightmares visited personally upon them during the Holocaust. We have already seen those who deny the existence of the Holocaust, as Iran did in May of this year again when it hosted yet another denial of the Holocaust and Holocaust cartoon contest.

We owe it to those who suffered through Hitler's genocide to empower them to live the remainder of their lives in dignity and to hold to Elie Wiesel's pledge: that we shall never forget.

I urge every Member's support for this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 46.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

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A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR A NEW MEMORANDUM OF UNDERSTANDING ON MILITARY ASSISTANCE TO ISRAEL

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 729) expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 729

Whereas in April 1998 the United States designated Israel as a "major non-NATO ally";

Whereas, on August 16, 2007, the United States and Israel signed a 10-year Memorandum of Understanding (MoU) on United States military assistance to Israel, the total assistance over the course of this understanding would equal \$30,000,000,000;

Whereas since the signing of the 2007 Memorandum of Understanding, intelligence and defense cooperation has continued to grow;

Whereas, on October 15, 2008, the Naval Vessel Transfer Act of 2008 was signed into law (Public Law 110-429) and defined Israel's qualitative military edge (QME) as "the ability to counter and defeat any credible conventional military threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damage and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition of states or non-state actors";

Whereas, on July 27, 2012, the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150) declared it to be the policy of the United States "to help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation";

Whereas Israel faces immediate threats to its security from the United States designated Foreign Terrorist Organization, Hezbollah, and its missile and rocket stockpile estimated to number around 150,000, and from the United States designated Foreign Terrorist Organization, Hamas, that continues to attempt to rebuild its tunnel network to infiltrate Israel and restock its own missile and rocket stockpiles;

Whereas Israel also faces immediate threats to its security from the ongoing regional instability in the Middle East, especially from the ongoing conflict in Syria and from militant groups in the Sinai;

Whereas Iran remains a threat to Israel, as demonstrated by Iran's continued bellicosity, including several illegal tests of ballistic missiles capable of carrying nuclear warheads, even reportedly marking several of these weapons with Hebrew words declaring "Israel must be wiped out";

Whereas the National Defense Authorization Act for Fiscal Year 2016 authorized funds to be appropriated for Israeli cooperative missile defense program codevelopment and coproduction, including funds to be provided to the Government of Israel to procure the David's Sling weapon system as well as the Arrow 3 Upper Tier Interceptor Program; and

Whereas, on December 19, 2014, the President signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296) which stated the sense of Congress that Israel is a major strategic partner of the United States and declared it to be the policy of the United States "to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System": Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms that Israel is a major strategic partner of the United States;

(2) reaffirms that it is the policy and law of the United States to ensure that Israel maintains its qualitative military edge and has the capacity and capability to defend itself from all threats;

(3) reaffirms United States support of a robust Israeli tiered missile defense program;

(4) supports continued discussions between the Government of the United States and the Government of Israel for a robust and long-term Memorandum of Understanding on United States military assistance to Israel;

(5) urges the expeditious finalization of a new Memorandum of Understanding between the Government of the United States and the Government of Israel; and

(6) supports a robust and long-term Memorandum of Understanding negotiated between the United States and Israel regarding military assistance which increases the amount of aid from previous agreements and significantly enhances Israel's military capabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my good friends, the gentlewoman and gentleman from Florida, Ms. ROS-LEHTINEN and Mr. DEUTCH, who are chair and ranking member of the Middle East and North Africa Subcommittee, for their hard work and leadership in bringing this important measure to the floor today. And I also thank the ranking member, Mr. ELIOT ENGEL from New York, for his work on the resolution as well.

Israel is one of America's closest friends, and Israel is facing growing threats. Today Iran's leading terrorist

proxy, Hezbollah, has thousands of missiles and rockets and mortars that are aimed at Israel—over 100,000. And the threat from Iran's Revolutionary Guard Corps is even worse, as we hear from those chants: "Death to Israel."

The United States must stand with Israel to help promote security and stability in the volatile Middle East. And next year, the current memorandum of understanding signed with Israel in 2007 that guaranteed Israel \$3.1 billion per year in foreign military financing will expire.

The administration and Israel are currently negotiating the terms of a new package for the next 10 years, ensuring that Israel will maintain its qualitative military edge in the region. That is the goal of Mr. ELIOT ENGEL. That is my goal. That is the goal of our subcommittee chairman and ranking member.

This new agreement will guide our security cooperation: from Iron Dome and David's Sling, defending Israel from the air, to cooperative initiatives aimed at tunnel detection, defending Israel from below.

This relationship has real benefits for the United States. The two countries share intelligence on terrorism, on nuclear proliferation, on regional instability. Israel's military experiences have shaped the United States' approach to counterterrorism and our approach to homeland security. The two governments work together to develop sophisticated military technology for defense, such as the missile and subterranean detection systems that I have mentioned. These systems developed jointly may soon be ready for export to other U.S. allies.

In part because of this security partnership, U.S. and Israeli companies partner in technological innovations that are helping the United States maintain its advantage in a range of military and nonmilitary security challenges.

So I urge my colleagues to strongly support this resolution, urging the expeditious finalization of a new memorandum of understanding between the Government of the United States and the Government of Israel so that Israel maintains its qualitative military edge and has the capacity to work with us to defend itself from all threats.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise in support of this resolution. I am proud to cosponsor this resolution, which calls for the expeditious consideration and finalization of a new, robust, and long-term memorandum of understanding on military assistance to Israel. The bond between United States and Israel is unbreakable. We share common values and goals, including democracy, rule of law, minority rights, and basic human freedom.

In 2008, the George W. Bush administration negotiated a memorandum of understanding with Israel that guaranteed \$3.1 billion in annual security assistance. Since then, the Obama administration has delivered on this commitment and has provided additional funds for missile defense, including the 2014 emergency supplemental for Iron Dome, which we passed in this House.

Since that agreement, Israel has faced some of the most urgent threats in history: rockets and tunnels from Gaza and Lebanon, nuclear threats from Syria and Iran, and the spread of ISIS throughout the region. And the United States has been there by Israel's side throughout this dangerous time.

These threats are only becoming more complex. ISIS has grown in the Sinai. Israel's neighbors are facing new burdens from refugees, leading to instability. And Iran's behavior in the region has, unfortunately, become even more dangerous.

So yesterday's insurance policy has become today's lifeline. As Israel confronts new threats, the United States must step up to defend our ally. Part of this will be through a new, negotiated MOU, or memorandum of understanding, to reflect the changing times and evolving threats in the Middle East.

Israel will need its American partner; but, make no mistake, the United States needs Israel as well. This relationship isn't a one-way street. Our security cooperation and intelligence sharing with Israel has never been closer. Israel helps develop new technology that the United States uses in our own security efforts. And the military hardware we are providing to help Israel defend itself will be spent here in the United States, saving or creating thousands of American jobs.

This resolution and its robust support here in the House, in both parties, demonstrates the true nature of the relationship between the United States and Israel. The support is bipartisan. Neither Democrats nor Republicans have a monopoly on support for Israel. Democrats and Republicans stand together, united with Israel. The American people stand with Israel.

The next MOU will be the next chapter in this friendship. It shows that no matter who the next President will be, Israel has America's promise of support. As Israel faces uncertainties throughout its region, at least it can count on American support, and Congress should work to make that happen. Israel has never asked for American troops or soldiers or for anyone to defend them except themselves, and we ought to continue to help them do that.

I ask all Members to support this resolution.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield such time as she may consume to the

gentlewoman from Florida (Ms. ROS-LEHTINEN), who chairs the Foreign Affairs Subcommittee on the Middle East and North Africa and is the author of this measure.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend, the chairman of our wonderful committee, the gentleman from California (Mr. ROYCE).

Mr. Speaker, I cannot emphasize enough just how important it is that the United States and Israel finalize a new, long-term, and robust memorandum of understanding on U.S. military assistance to Israel. And an overwhelming majority of our colleagues in Congress agree.

This bipartisan resolution, Mr. Speaker, H. Res. 729, that I introduced alongside my friend and colleague, the gentleman from south Florida (Mr. DEUTCH), the ranking member of our Middle East and North Africa Subcommittee, has over 275 cosponsors. This is the kind of support we don't see very often, but it underscores the level of commitment and support that the United States Congress has for our closest friend and ally, the democratic, Jewish State of Israel.

It is absolutely imperative, Mr. Speaker, that the administration finalize and sign a new memorandum of understanding with Israel as soon as possible because the threats to Israel aren't going away anytime soon.

Just last week, it was reported that the Israeli military had assessed that it expects ISIS attacks on its southern border within 6 months. This is extremely alarming and, if true, all the more reason to finalize a new MOU with Israel.

We know that Egypt has been fighting ISIS in the Sinai for quite some time now; but if ISIS is able to continue moving north toward Israel, it would leave Israel vulnerable on almost every border, except the border that it shares with Jordan, where the King and the Jordanians have been so important in the fight against ISIS.

As if the thought of ISIS surrounding the Jewish state was not daunting enough, as a result of the Iran nuclear deal, the threats to Israel have only increased in magnitude and severity. Iran has shown that it has no intention of slowing down its ballistic missile program, which it uses to repeatedly threaten Israel. We have recently learned that the nuclear deal is full of secret concessions and exemptions to Iran which allow Iran to exceed limits that are set forth in the deal. And these are just the ones that we know of now. There are likely a lot more.

We just heard testimony last week that the administration may have sent Iran up to \$33.6 billion in cash payments, including \$1.7 billion in ransom payments. Administration officials have said that there is no way of tracing the money or of telling if that money will be used to support terror;

but Iran had said that it needed hard currency, so we sent it because that is a great idea: to give a state sponsor of terror an infusion of billions of dollars of cold, hard cash. That makes a lot of sense.

So now Iran has as much as \$33.6 billion in cash; and, no doubt, it will be used to support terror. There is no doubt. It will be used to shore up Hezbollah's weapons supply. It will be used to increase the missile stockpile of Hezbollah. It will be used for many nefarious activities. And with Iran's stated intention to wipe Israel off the map, there should be no time wasted in ensuring that the Jewish state has the capability, has the capacity to defend itself and her people from every threat.

With all of the concessions that the administration has made to Iran, we need to make sure that this memorandum of understanding goes above and beyond.

As my former chief of staff of the Foreign Affairs Committee, Dr. Yleem Poblete, wrote in a piece for the Gatestone Institute a couple of months ago:

"The terms of any U.S.-Israel agreement must withstand comparison to the concessions offered Iran in the JCPOA and show unequivocally that Israel, a trusted ally and major strategic partner, fared better in negotiations than an unconstrained enemy."

This is why the administration must conclude this MOU with Israel. It would send a strong message to the people of Israel that the United States continues to stand by them and support them. But, Mr. Speaker, it would send an even stronger message to those who seek to harm Israel by signifying that the United States is committing to fully support Israel's defense and security needs.

So I urge my colleagues to support this measure. I call upon the administration to put the politicking aside, get this agreement done, secure Israel's safety and our own interests.

We are going to hear a lot of support for this resolution. We have heard about the many threats facing Israel.

□ 1515

And I spoke about the nuclear threat and how it has placed Israel in greater jeopardy. But what we don't hear too much about, Mr. Speaker, is how the nuclear deal has threatened Israel's qualitative military edge, the QME, that, by U.S. law, we are supposed to ensure.

When the administration signed that weak and dangerous nuclear deal with Iran, it had to sell it to the international community. How did it do that? Well, in order to sell the deal to our allies in the Gulf, the administration had to promise them that we would provide them with advanced weapon sales.

The administration likes to say that the Iran deal will make the world safer.

But if that is true, then why are we going to increase so much the militarization of the Gulf countries?

Mr. Speaker, I expect that Gulf states sales of military jets to Bahrain, to Qatar, and to Kuwait will be approved by the administration as early as this month. We are about to open the spigot of cash that Iran can then use to build up its ballistic missiles, its military, and its terror activities. So we need to make sure that Israel understands that we are there to support her.

It makes no sense, Mr. Speaker, that we should be concentrating on stopping Iran, not assisting the regime, to further carrying out its nefarious activities and certainly not helping to build up its conventional nuclear arms race in the region. Not to mention that by doing this we are undermining the distinct advantage that Israel has militarily over its neighbors.

Even though Israel and our other partners in the region may have better relations now than ever before—and that is true, and that is wonderful—because they have an Iran, a mutual enemy that they understand is their greatest threat, history tells that it is better to be safe than sorry. So that is another important reason why we need to conclude this MOU with the Jewish state and ensure its qualitative military edge.

We have an ever increasingly dangerous Iran, a heavily militarized Middle East with advanced weaponry, ISIS becoming an even greater threat to Israel, Hezbollah on the Golan Heights and in Lebanon, and, of course, Hamas in Gaza. That is a daunting task to ask of even the largest country, Mr. Speaker, let alone the tiny Jewish state.

So I urge my colleagues to support this resolution. I urge them to call upon the administration to uphold longstanding U.S. policy toward our closest friend and ally, the democratic Jewish state of Israel.

I thank the gentleman for the time.

Mr. ENGEL. Mr. Speaker, I now yield 3 minutes to the gentleman from Florida (Mr. DEUTCH), an author of this resolution and a very valued member of the Foreign Affairs Committee.

Mr. DEUTCH. Mr. Speaker, I thank Ranking Member ENGEL for his support of this resolution and his outspoken and unwavering support for the U.S.-Israel relationship. I also thank Chairman ROYCE for his support of this as well. And to my friend and partner, Representative ROS-LEHTINEN, I thank her as well. It is wonderful working with her on so many issues, but in particular our work on the committee to strengthen the U.S.-Israel relationship. Thanks as well to Representatives GRANGER and LOWEY for their efforts.

Mr. Speaker, reports indicate that the United States and Israel are very close to signing a new memorandum of understanding, a 10-year MOU on security systems.

This resolution before us today is very straightforward. It urges the conclusion of those negotiations. It doesn't prescribe terms of the MOU. It says that we need to get the MOU finished. This resolution has the overwhelming bipartisan support of over 275 Members of this House who are co-sponsors.

Now, the MOU is the backbone of our security relationship with Israel. The assistance provided has ensured and will continue to ensure that Israel is able to defend herself against any and all threats.

The threats that Israel faces increase every day. Every day the threat of rocket attacks from Hamas, Islamic Jihad, or Hezbollah looms. Every day Hezbollah adds more advanced rockets to its arsenal of over 150,000 capable of reaching every corner of Israel. Every day Iran transfers advanced technology and weapons to its terror proxies who target Israel. And every day Hamas is attempting to re-dig tunnels farther and farther into Israel.

ISIS militants edge closer to Israel's border in the Sinai, and the fighting in Syria creeps closer and closer into the Golan Heights. Terrorist groups now have unprecedented, sophisticated capabilities, and many of these pose a strategic threat to the broader region.

Mr. Speaker, Israel must have the resources that it needs to protect the safety and security of its territory and its people and, in turn, to preserve our own security and interests in the region.

Throughout these negotiations, the administration has said that it is prepared to conclude the largest ever aid package to Israel. Now, these funds, coupled with our enduring commitment to preserving Israel's qualitative military edge, will help Israel remain strong and secure. And as the only democracy in the region, Israel stands as a beacon of hope for those around the world who recognize the global threat of terrorism and for those who value opportunity, equality, and freedom.

When this Congress speaks with one voice, Israel is stronger and safer. By passing this resolution, this Congress is sending a message to the world that we stand united in support of a new MOU, in support of Israel's right to self-defense, and in strong support of the U.S.-Israel relationship.

I urge my colleagues to support this resolution.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. YOH), a member of the Committee on Foreign Affairs.

Mr. YOH. Mr. Speaker, I would like to thank my colleague. I stand in support of Representative ROS-LEHTINEN's H. Res. 729.

It is imperative that the United States finalize a new MOU with Israel on military assistance that provides for a robust defense posture of Israel

while ensuring congressional oversight and scrutiny in the years to come.

Israel continues to face a growing threat from not only state sponsors of terrorism like Iran, but also from terrorist organizations like Hezbollah and Hamas. Both Iran and those terrorist organizations are determined to destroy Israel.

Israel, one of the United States' greatest allies in the region, is under constant threat; and the United States must stand strong and support her.

Hezbollah has an estimated stockpile of 150,000 rockets and missiles. Let me repeat that. It has over 150,000 rockets and missiles, which Iran has made a commitment to add smart bomb technology. This constant threat is growing and needs to be countered by the passage of a robust, long-term MOU. This will ensure Israel's defense and military capabilities are able to meet these growing threats.

I urge my colleagues to support H. Res. 729 and support the continued defense cooperation with Israel.

Mr. ENGEL. Mr. Speaker, may I ask if there are any more speakers on the Republican side?

Mr. ROYCE. Mr. Speaker, there are no further speakers other than myself to close.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the sponsors of this resolution, Ms. ROS-LEHTINEN and Mr. DEUTCH, for their hard work in crafting such a timely resolution. I thank, once again, Chairman ROYCE for working with me and the sponsors of this resolution to move this forward expeditiously.

Mr. Speaker, one of the things I always say is that the relationship between the United States and Israel is bigger than any of the personalities involved. Presidents come and go, Prime Ministers come and go, Members of Congress come and go, members of the Knesset come and go, but the relationship between the U.S. and Israel endures and endures strongly.

The success of the last MOU between the United States and Israel is a great illustration of that fact. I think this resolution and the next memorandum of understanding, which we are expecting any day now, are more indications that, regardless of party, regardless of personalities, the U.S.-Israel alliance is serious business and a major foreign policy concern.

Those that try to denigrate Israel overlook the fact that Israel is the only democracy in the Middle East and overlook the fact that we have no better ally in the United States than the people of Israel.

I am glad to support this measure. I urge all Members to do the same. Again, the U.S.-Israel alliance is serious business, a major foreign policy concern, and the right thing to do, not only for Israel but for the United

States as well. So I support this measure, and I urge all our colleagues to do the same.

I yield back the balance of my time. Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, as this resolution notes, Israel faces a growing number of threats, and I think I would just speak for a moment about the nature of those threats. I appreciate Representative ILEANA ROS-LEHTINEN bringing this resolution before us.

Representative ELIOT ENGEL and I had a rather unique opportunity of seeing how these threats keep evolving. We were near the border in Israel and had an invitation on the Gaza border to go into one of these tunnels that had been discovered. Imagine the shock when we found out the intentions of why this tunnel was dug. It ended up coming up underneath an elementary school.

Now, imagine for a minute the situation Israel is in when you have an adversary, Hamas in this case, who wishes to tunnel underneath an elementary school in order to capture children, take them back into Gaza, and force the IDF, as you and I knew they would do, to fight block by block by block to try to free those children. That was the strategy. Now, luckily the tunnels were discovered before they could carry this out.

I was in Israel also in 2006, back during the second Lebanon war. The Hezbollah rockets came down across northern Israel every day. And in Haifa, every day there were victims that were brought into that trauma hospital.

Back then, Hezbollah had a collection of about 10,000 rockets and missiles. That is what they had left in the inventory. They had shot off about half of their inventory. And in each of those, there were probably 90,000 ball bearings. And when they shot those rockets, they aimed at the city center in Haifa.

Today is 10 years later. Hezbollah, as Mr. YOH shared with you, has a nasty collection today of over 100,000 of these rockets and missiles. Now, if you were to take the United States out of the equation with respect to NATO, and you were to take a look at the NATO arsenal without us in it, Hezbollah, which is now equipped by Iran, has a larger number of weapons, rockets and missiles, than all of NATO combined without us.

Included in that class are 700 long-range, high-payload rockets that have now been provided to Hezbollah, and these new rockets that carry these huge payloads are capable of taking out a city block and just creating havoc.

And while the threat from Hezbollah is bad, let's talk about the threat from its sponsor for a minute. Let's reflect on the threat from Iran itself. If you

wonder whether Iran intends what they say, think about their continued aggression in the region, and think about their testing of ballistic missiles capable of carrying nuclear warheads.

In case there is any mistake about how we might interpret it, they put on the side of these missiles, in Arabic, in Farsi, and in Hebrew, the words, "Israel must be wiped out." That is the action of the Iran Revolutionary Guard Corps. That is what it puts on its missiles.

Of course, under the administration's Iran deal, Tehran will keep much of its nuclear infrastructure and continue to develop advanced centrifuges faster and faster. They can continue to work on this, thus gaining the ability to produce nuclear fuel on an industrial scale. The ayatollah won't even have to cheat to be just steps away from a nuclear weapon 10 years from now when that agreement is phased out and expires. And that is about the same time that the next MOU will expire.

So for those who are wondering why we are passionate about this memorandum of understanding with Israel, it is because we have seen the threats. Mr. ELIOT ENGEL and I, in our trips to Israel to the border, have seen those threats.

□ 1530

Given that, and given that Israel faces, not just from the proxies like Iran, not just from Hamas that are funded, but also from Iran itself Israel faces this threat, we need to ensure that the security package currently being negotiated is as robust as possible. I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 729.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SUPPORTING HUMAN RIGHTS, DEMOCRACY, AND THE RULE OF LAW IN CAMBODIA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 728) supporting human rights, democracy, and the rule of law in Cambodia, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 728

Whereas since the Paris Peace Accords in 1991, Cambodia has undergone a gradual, partial, and unsteady transition to democracy, including elections and multiparty government;

Whereas Prime Minister Hun Sen has been in power in Cambodia uninterrupted since 1985 and is the longest-serving leader in Southeast Asia;

Whereas Freedom House rated Cambodia as "Not Free" in its "Freedom in the World 2015" report, noting that "political opposition is restricted", "harassment or threats against opposition supporters are not uncommon", "freedom of speech is not fully protected", and "the government's tolerance for freedoms of association and assembly has declined in recent years";

Whereas Cambodia held a general election on July 28, 2013, though widespread reports of irregularities largely related to the voter lists bring into question the integrity of the election;

Whereas a coalition of election monitors, including the National Democratic Institute (NDI), Transparency International Cambodia, and other domestic and international organizations, in a joint report on the 2013 election found "significant challenges that undermined the credibility of the process";

Whereas Transparency International Cambodia, a nonprofit, nonpartisan organization, conducted a survey during the 2013 election that found at 60 percent of polling stations, citizens with proper identification were not allowed to vote;

Whereas the Cambodian National Election Committee (NEC) was accused of lack of independence and pro-government bias during its oversight of the 2013 election;

Whereas the composition of the NEC was changed after the 2013 election to include equal membership from both political parties, and the NEC's continued independence is essential to free and fair elections;

Whereas the United States Congress has taken steps to protect democracy and human rights in Cambodia, making certain 2014 foreign aid funds intended to Cambodia conditioned upon the Government of Cambodia conducting an independent and credible investigation into the irregularities associated with the July 28, 2013, parliamentary elections and reforming the NEC or when all parties have agreed to join the National Assembly to conduct business;

Whereas United States aid to Cambodia has funded work in areas including development assistance, civil society, global health, and the Khmer Rouge Tribunal, largely via nongovernmental organizations (NGOs);

Whereas both NDI and the International Republican Institute (IRI) operate in Cambodia, engaging local partners and building capacity for civil society, democracy, and good governance;

Whereas the Government of Cambodia has acted to restrict the right to freely assemble and protest, including the following instances;

Whereas, on January 3, 2014, Cambodian security forces violently cracked down on protests of garment workers, killing 4 people in Phnom Penh;

Whereas, on March 31, 2014, Cambodian police beat protestors with batons and clubs during a protest calling for a license for the independent Beehive Radio to establish a television channel;

Whereas in August 2015, the Government of Cambodia passed the "Law on Associations

and Non-Governmental Organizations" which threatens to restrict the development of civil society by requiring registration and government approval of both domestic and international NGOs;

Whereas, on October 26, 2015, 2 opposition lawmakers, including dual United States citizen Nhay Chamreoun, were violently attacked by pro-government protestors in front of the National Assembly;

Whereas, on November 16, 2015, the standing committee of the National Assembly expelled leader of the parliamentary opposition and President of the Cambodian National Rescue Party (CNRP) Sam Rainsy and revoked his parliamentary immunity;

Whereas Mr. Rainsy is the subject of a Government of Cambodia investigation of 7-year-old defamation charges against him which is widely believed to be politically motivated;

Whereas the United States Embassy in Cambodia has publicly called on the Government of Cambodia to revoke the arrest warrant issued against Mr. Rainsy, allow all opposition lawmakers to "return to Cambodia without fear of arrest and persecution", and "to take immediate steps to guarantee a political space free from threats or intimidation in Cambodia";

Whereas political advocate and anti-corruption activist Kem Ley was shot and killed in Phnom Penh on July 10, 2016;

Whereas the Government of Cambodia continues efforts to prosecute CNRP leaders on politically-motivated charges, bringing Mr. Sokha's case to trial in Phnom Penh; and

Whereas national elections in 2018 will be closely watched to ensure openness and fairness, and to monitor whether all political parties and civil society are allowed to freely participate: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the commitment of the United States to promoting democracy, human rights, and the rule of law in Cambodia;

(2) condemns all forms of political violence in Cambodia and urges the cessation of ongoing human rights violations;

(3) calls on the Government of Cambodia to respect freedom of the press and the rights of its citizens to freely assemble, protest, and speak out against the government;

(4) supports electoral reform efforts in Cambodia and free and fair elections in 2018 monitored by international observers; and

(5) urges Prime Minister Hun Sen and the Cambodian People's Party to—

(A) end all harassment and intimidation of Cambodia's opposition;

(B) drop all politically motivated charges against opposition lawmakers;

(C) allow them to return to Cambodia and freely participate in the political process; and

(D) foster an environment where democracy can thrive and flourish.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am rising here in strong support for H. Res. 728, supporting human rights and democracy and the rule of law in Cambodia.

We have all seen the consequences of land grabbing and the destruction of human liberty in that country. I want to thank the gentleman from California (Mr. LOWENTHAL), my colleague, for introducing this resolution. I want to thank him for his advocacy for the people of Cambodia.

Mr. Speaker, since Cambodia held its deeply flawed elections in 2013, we have seen significant attacks on those Cambodians peacefully opposing their government. Hun Sen's thuggish regime continues to crack down on the political opposition and on activists, and they continue to arrest and beat those who point out violations of freedom of speech, violations, frankly, of a stolen election.

As noted in this resolution, Freedom House's most recent report card rated Cambodia as not free, noting restrictions on and the harassment of the government's political opposition. And that is putting it mildly. Last year opposition lawmaker and American citizen Nhay Chamroeun was severely and brutally attacked by plainclothes bodyguards who repeatedly kicked and stomped him. He was hospitalized for months.

We have all seen the pictures of opposition figures who have been beaten and stomped and put in the hospital there. Several months later, Kem Ley, a popular Cambodian political commentator, was murdered in broad daylight for his outspoken protest of the regime. So much for freedom of speech in Cambodia.

Then just last week, Hun Sen took yet another step to consolidate his grip on power, to make it impossible for people to run against him. He sentenced the de facto leader of the Cambodia National Rescue Party, Kem Sokha, to 5 months in prison on the spurious charge of refusing to appear for questioning in a politically motivated case that was brought against him. Although his sentence is short, the repercussions are dire, as convicted criminals are prohibited from holding office; and that, again, was what this was about: intimidation and trying to force a system where the opposition party leader already in exile would then be in a position where they couldn't run somebody against Hun Sen.

Mr. Speaker, these attacks on the opposition must stop. This systemic persecution of the government's opposition completely undermines the legitimacy of upcoming local elections as

well as the country's 2018 national elections.

Without the full and free participation of the CNRP, future elections will be deeply flawed and cannot be accepted. Hun Sen's continued attack on his political opponents is something we cannot accept, and for the sake of the Cambodian people, I urge my colleagues to adopt this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I also rise in support of this resolution.

Let me, first of all, thank Mr. LOWENTHAL, a valued member of the Committee on Foreign Affairs, for his hard work on this measure; and let me just thank the chairman of the committee, as well, for always cooperating with us on bipartisan resolutions and things that are for the good of the country. That is the way we try to conduct ourselves here.

Mr. Speaker, for the last three decades, the people of Cambodia have hoped to see their country move toward a freer, more democratic system, but that progress has been halting and the results are incomplete. Hun Sen, that country's Prime Minister, has held on to power since 1985, making him currently the longest serving leader in Southeast Asia. Though elections are scheduled for 2018, it seems likely that the opposition party will endure the same sort of intimidation and harassment that it has for years.

This lack of progress and accountability on the part of the Hun Sen government has meant that Cambodia remains one of the poorest and most corrupt countries in the region. Cambodia leans on China for imports and economic assistance and has adopted some of China's most draconian laws and practices as well.

Despite these obstacles, the people of Cambodia remain remarkably resilient and entrepreneurial. For years the United States has provided development assistance to improve Cambodian human rights protections, bolster civil society, and improve health, education, and opportunity. These investments are paying dividends in the form of a new generation of bright, thoughtful Cambodian leaders who seek more for themselves and their fellow citizens. These young leaders, along with many reformers and activists, deserve to have their voices heard.

I have been to Cambodia a few times, and it is especially poignant when you think of the terrible events, the killings there decades ago—practically genocide—it is just intolerable, unthinkable, and unacceptable that Cambodia would still have these difficulties with all the things that the people of Cambodia have suffered.

This resolution calls on the Government of Cambodia to push ahead with

real and meaningful reform that will advance democracy. It calls for changes to the electoral system that would allow for truly free and fair elections. It calls on the Hun Sen government to act now so that the 2018 elections are transparent and credible, and it calls for the end of politically motivated harassment and violence against the people of Cambodia.

Mr. Speaker, the people of Cambodia want and deserve real democracy for their country. They want to chart the course for their own future and live the lives they choose for themselves. This measure sends a strong message that the United States stands with them and wants to see them realize the democratic aspirations.

Mr. Speaker, I am glad to support this measure.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LOWENTHAL), a valued member of our Committee on Foreign Affairs and the author of this resolution.

Mr. LOWENTHAL. Mr. Speaker, I thank Ranking Member ENGEL for yielding.

First, I want to acknowledge the great work and the collaboration from my colleagues on both sides of the aisle to bring this resolution to the floor today. Chairman ROYCE has long been a champion on Cambodian issues, and this resolution would not have been possible without his support.

I would also like to thank the Republican lead on this resolution, the chairman of the Subcommittee on Asia and the Pacific, Chairman MATT SALMON; and also I would like to thank the gentleman from Ohio (Mr. CHABOT), who joined with me in founding the Congressional Cambodia Caucus. I also, obviously, want to thank Ranking Member ENGEL for his support of the resolution.

Recently, the Cambodian Government, as has been pointed out, presided over by Prime Minister Hun Sen for the past 31 years, has severely cracked down on political opposition and all forms of dissent in Cambodia.

As we know, national elections in Cambodia in 2013 prolonged Hun Sen's grip on power, but they were marred by allegations of voting irregularities. After the election, Hun Sen's party and the opposition party agreed to a series of electoral reforms and power-sharing compromises.

However, since that time, the Cambodian Government has undertaken a comprehensive campaign to undermine the political opposition. Last year, the Cambodian Government revived a 7-year-old defamation charge against the opposition leader, Mr. Sam Rainsy, expelling him from the Parliament and forcing him into self-imposed exile.

The deputy leader, Kem Sokha, who is acting as the opposition's leader, has

been under effective house arrest at the party's headquarters in Phnom Penh, where he was facing charges that are similarly politically motivated, and recently he was convicted in court and is now serving time in jail.

When I spoke to the deputy leader, he told me that he not only fears this arrest by the government, which has just taken place, but he truly fears for his life. And his fears are well founded. In July, as was pointed out, prominent political activist and outspoken critic of the government Kem Ley was brutally murdered in broad daylight in Phnom Penh.

The passage of this resolution could not come at a more urgent time. The Cambodian Government has renewed its efforts to seek out, to harass, and to intimidate the leaders of the opposition. As I pointed out, last week Kem Sokha was tried and sentenced to 5 months in jail. In the lead-up to the trial, the government deployed security forces in the vicinity of the opposition party's headquarters.

Hun Sen's strategy could not be more clear: intimidate and threaten arrest to silence the opposition in advance of local elections next year and national elections the following year.

As long as these politically motivated charges remain outstanding, the current political climate in Cambodia is not one that will allow for free and fair elections. That is why it is so important for us to pass this resolution and show that the United States stands with the people of Cambodia. We will send an important signal to the Cambodian Government that political violence of any kind will not be tolerated and that the Cambodian people must be able to enjoy the freedom to choose their own leaders. Only under these conditions can elections in Cambodia be considered free and fair by the international community.

Again, I want to thank all the Members who worked so closely with me to bring this resolution to the floor. I urge passage of this resolution to send a strong message that the United States supports human rights and supports democracy and the rule of law in Cambodia.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Let me again repeat: we all have high hopes for the future of democracy in Cambodia. We want to see the people there exercise real rights and determine the future for their country. We know that real democracy is the key to helping countries prosper. Real democracy makes governments more transparent and accountable. When citizens are allowed to fully participate in their political systems, governments become more responsive and do a better job at providing services and opportunity; countries become better equipped as partners on the global stage and centers of regional stability.

□ 1545

We know that Cambodia has this potential just waiting to be unleashed. So today, with this resolution, we are saying that we look forward to the day when democracy in Cambodia is allowed to flourish, and we hope that day comes soon. It is important to focus on Cambodia. We want to see that country make a change for the benefit of all its people.

So I support this measure, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I mentioned in my opening remarks, Hun Sen and the Cambodian People's Party took yet another authoritarian step last week when they arrested and tried opposition leader Kem Sokha. In their attempts to consolidate power, they have utterly obliterated the opposition.

Mr. Speaker, the long-suffering people of Cambodia deserve the opportunity to elect a government of their choosing. By attempting to disqualify and harassing all the political opposition, Hun Sen is denying the people this opportunity.

By passing this resolution, Congress is sending a message to Hun Sen that the United States is watching and will not accept his brutality. It will send an important signal of support, I believe, to all Cambodians who wish to live under a government that respects the rights of the Cambodian people.

I urge passage of the resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 728, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

STATE SPONSORS OF TERRORISM REVIEW ENHANCEMENT ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5484) to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State Sponsors of Terrorism Review Enhancement Act".

SEC. 2. MODIFICATIONS OF AUTHORITIES THAT PROVIDE FOR RESCISSION OF DETERMINATIONS OF COUNTRIES AS STATE SPONSORS OF TERRORISM.

(a) FOREIGN ASSISTANCE ACT OF 1961.—Section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is amended—

(1) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A), by striking "45 days" and inserting "90 days"; and

(B) in subparagraph (A), by striking "6-month period" and inserting "24-month period";

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

"(d) DISAPPROVAL OF RESCISSION.—No rescission under subsection (c)(2) of a determination under subsection (a) with respect to the government of a country may be made if the Congress, within 90 days after receipt of a report under subsection (c)(2), enacts a joint resolution described in subsection (f)(2) of section 40 of the Arms Export Control Act with respect to a rescission under subsection (f)(1) of such section of a determination under subsection (d) of such section with respect to the government of such country.";

(4) in subsection (e) (as redesignated), in the matter preceding paragraph (1), by striking "may be" and inserting "may, on a case-by-case basis, be"; and

(5) by adding at the end the following new subsection:

"(f) NOTIFICATION AND BRIEFING.—Not later than—

"(1) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in subsection (c)(2)(A), the President, acting through the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

"(2) 20 days after the notification described in paragraph (1), the President, acting through the Secretary of State, shall brief such committees on the status of such review."

(b) ARMS EXPORT CONTROL ACT.—Section 40 of the Arms Export Control Act (22 U.S.C. 2780) is amended—

(1) in subsection (f)—

(A) in paragraph (1)(B)—

(i) in the matter preceding clause (i), by striking "45 days" and inserting "90 days"; and

(ii) in clause (i), by striking "6-month period" and inserting "24-month period"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "45 days" and inserting "90 days"; and

(ii) in subparagraph (B), by striking "45-day period" and inserting "90-day period";

(2) in subsection (g), in the matter preceding paragraph (1), by striking "may waive" and inserting "may, on a case-by-case basis, waive";

(3) by redesignating subsection (l) as subsection (m); and

(4) by inserting after subsection (k) the following new subsection:

"(l) NOTIFICATION AND BRIEFING.—Not later than—

"(1) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in subsection (f)(1)(B)(i), the President, acting through the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

“(2) 20 days after the notification described in paragraph (1), the President, acting through the Secretary of State, shall brief such committees on the status of such review.”

(c) EXPORT ADMINISTRATION ACT OF 1979.—

(1) IN GENERAL.—Section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)), as continued in effect under the International Emergency Economic Powers Act, is amended—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking “45 days” and inserting “90 days”; and

(ii) in clause (i), by striking “6-month period” and inserting “24-month period”;

(B) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

“(5) DISAPPROVAL OF RESCISSION.—No rescission under paragraph (4)(B) of a determination under paragraph (1)(A) with respect to the government of a country may be made if the Congress, within 90 days after receipt of a report under paragraph (4)(B), enacts a joint resolution described in subsection (f)(2) of section 40 of the Arms Export Control Act with respect to a rescission under subsection (f)(1) of such section of a determination under subsection (d) of such section with respect to the government of such country.

“(6) NOTIFICATION AND BRIEFING.—Not later than—

“(A) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in paragraph (4)(B)(i), the President, acting through the Secretary and the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

“(B) 20 days after the notification described in paragraph (1), the President, acting through the Secretary and the Secretary of State, shall brief such committees on the status of such review.”

(2) REGULATIONS.—The President shall amend the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, to the extent necessary and appropriate to carry out the amendment made by paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. YOHIO), for his leadership in authoring this critical legislation.

The designation of a foreign government as a state sponsor of terrorism is

one of our government's most powerful statements. In addition to imposing sanctions and other restrictions, the designation itself earns a state pariah status internationally, and that is deserved. After all, these are countries whose governments back the killing of innocents as a matter of policy.

To be added to the list, the Secretary of State must determine that the government of such country has repeatedly provided support for acts of international terrorism. The designation then triggers unilateral sanctions by the United States. These sanctions include a ban on exports of weapons. It also includes limits on financing and economic assistance and restrictions on exports that can be used by that country to enhance its military capability or, of course, its ability to support terrorism.

These are important tools. They are powerful tools. Yet, under current law, to delist a state sponsor of terrorism, the administration only needs to certify that the country has refrained from supporting terrorism for a mere 6 months.

Administrations from both parties have abused this process. In 2008, North Korea's designation was rescinded following commitments it made to dismantle its nuclear weapons program. North Korea, of course, was delisted prematurely, but it kept its nuclear program, as evidenced by its fifth nuclear test last week.

Likewise, Cuba continues to harbor terrorists, both foreign and domestic terrorists. It continues to meddle in Venezuela. It continues its support for Iran's designs on Latin America. Just last month, Cuba hosted the Iranian foreign minister, as Tehran seeks to expand its presence in the hemisphere.

This legislation is an important check against administration overreach, increasing the period of time a country must refrain from supporting terrorism from 6 months to 2 years before it is eligible for being delisted. The bill also increases the period of time that Congress has to review any such proposed action by the President from 45 days to 90 days. So the bill strengthens congressional oversight of the process.

I strongly urge my colleagues to support the legislation authored by Mr. TED YOHIO. I think it is critical.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this measure. I want to thank Chairman ROYCE and Mr. YOHIO of Florida for their hard work on the bill.

Mr. Speaker, under current law, there are only two ways off the State Sponsors of Terrorism list. The first is a fundamental change in the leadership and policies of a country's government. The other is if the President certifies

to Congress that a government has not provided any support for international terrorism for at least 6 months, and that the country has provided assurances that it will not support international terrorism in the future. This legislation would stretch that 6-month period to 2 years. It would also double the length of time Congress has to review such a certification, from 45 days to 90 days.

Now, Mr. Speaker, I don't think we are going to find ourselves in a situation in which any of the countries currently on that list would need to be rushed off, particularly Syria and Iran. But our job as legislators is not just to look at what is in front of us as we draft a law, but to consider what unintended consequences we might face down the road.

As I said when we marked up this bill in June at the committee, I do think we need to carefully consider the implications of extending the waiting period so dramatically. No one wants a terrorist state to come off the list before circumstances justify, but unlikely as it may seem today, we could encounter diplomatic opportunities where the flexibility to act quickly might be in our own national security interests. We just can't envision what kind of challenges we will face years down the road.

So I support the measure, but I do have some trepidation that the 2-year waiting period could potentially hamstring our government's ability to respond strategically to rapidly changing events. I hope that, as we monitor this, Members will keep an open mind with respect to the waiting period as the legislative process goes forward. Again, I support the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the Foreign Affairs Committee.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman and Dr. YOHIO for putting forth this wonderful bill. The State Sponsors of Terrorism Review Enhancement Act is the work of our Florida colleague, TED YOHIO. I thank Dr. YOHIO for his leadership on this bill, as well as Chairman ROYCE and Ranking Member ENGEL for their leadership in getting it to the House floor.

This bill is an important and necessary legislative fix to a broken process: the manner in which nations are delisted as state sponsors of terrorism.

Over the years, through three different statutes, Congress developed the State Sponsors of Terrorism list and the consequences for being on the list. The three laws—the Foreign Assistance Act, the Arms Export Control Act, and the Export Administration Act—work to prevent state sponsors of terrorism from receiving assistance, goods, and

technology that could help support terrorism.

In past decades, administrations from both sides of the aisle have mistakenly and prematurely delisted states, for example, including taking North Korea off the list in 2008, as the chairman pointed out, and removing Cuba, as the chairman pointed out, last year. North Korea has armed and supported organizations like Hezbollah and Hamas and has reportedly assisted the regime in Syria and in Iran in developing their nuclear weapons program.

Other examples of North Korea's provocations and destructive behavior are prolific, including continued illegal nuclear weapons tests like the one that we just saw last week; missiles launches; cyberattacks, sinking a South Korean naval vessel; and shipping weapons systems like those that were intercepted out of Cuba in the year 2013.

Cuba has links to North Korea and state sponsors of terrorism Iran and Syria. It provides safe haven to terror groups like the Colombian FARC and Spanish ETA, and harbors fugitives, as the chairman pointed out, from American justice, like convicted cop killer JoAnne Chesimard.

As we saw in the cases of Cuba and North Korea, the process in which Congress is able to weigh in on whether a nation should or should not be delisted as a state sponsor of terrorism is a broken process, and only one of three laws provides a legislative mechanism to stop it. Only one.

This bill aims to fix that, extending the amount of time that Congress has to review an administration's proposal to delist a country and providing Congress with a mechanism, under each law, to block its removal by enacting a joint resolution of disapproval.

It is a simple legislative fix, Mr. Speaker, that allows Congress to fulfill its oversight responsibility, determine whether these countries are still supporting terrorism, and prevent them from being delisted should there not be enough evidence for their removal.

Congress needs to have the ability that it always had and that we thought it had to weigh in on attempts to remove countries from the list and to ensure that countries that are still supporting terrorism remain sanctioned, restricted from any material that they might be receiving that could aid in their terrorism, and remain on the State Sponsors of Terrorism list where they belong.

So it makes a change to the law, the review process that should have been made a long time ago. I thank Dr. YOHO for doing this. It allows Congress to execute its proper oversight responsibilities and prevent the executive branch from delisting countries as state sponsors of terrorism prematurely.

We have seen in cases of both North Korea and Cuba, delisted by Republican and Democratic administrations respectively, that giving these nations these concessions only emboldens the rogue regimes and undermines our national security.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. YOHO), the author of this important antiterrorism legislation.

Mr. YOHO. Mr. Speaker, I thank Chairman ROYCE, Ranking Member ENGEL, and my colleague, Ms. ROS-LEHTINEN, for the kind words and for pointing out that, just 2 years ago, Cuba was caught shipping armaments to North Korea.

I stand in support, obviously, of the bill, H.R. 5484, the State Sponsors of Terrorism Review Enhancement Act. This designation of a foreign government, as Mr. ROYCE has already pointed out, as a state sponsor of terrorism, is one of the United States' most powerful statements as a nation that we can stamp on another country.

Besides imposing sanctions, the stamp of state sponsor of terrorism labels a state untouchable to the international community. This pariah status, as pointed out, is much deserved, as these are states that support the killing of innocent people as a matter of policy.

However, under current law, in order for a state to be delisted, the President of the United States only needs to certify that the country being considered for delisting has not engaged in supporting terrorism for a paltry 6 months. As Ms. ROS-LEHTINEN pointed out, just 2 years ago, Cuba sent missiles to North Korea.

Considering the heinous acts of violence these countries have supported in the past, we should not be allowing them to be delisted for political purposes or whatever reasons after only 6 months. This increases the oversight of one of Congress' oldest committees, the Foreign Affairs Committee, and adds another layer of protection not just for America, but for the world community.

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To address this, my legislation will quadruple the time a designated country must refrain from sponsoring terrorism before the President can remove it from the sponsor list from 6 months to 24 months; it increases congressional oversight by doubling the time Congress has to review the President's proposed removal from 45 to 90 days; it establishes a uniform process through which Congress can disapprove of the President's decision to remove a country from the list; and it requires the administration to notify and brief Congress—and I think this is probably one of the most important things—upon initiating a review of a designated country's potential removal from that list.

This legislation will assert congressional scrutiny and oversight and, hopefully, bring to an end politically motivated delistings. Successive administrations, as was pointed out, both Republicans and Democrats alike, delisted countries based on their Precedency's legacy rather than the facts. H.R. 5484 will stop absurd delistings like that of North Korea in 2008.

As we have already talked about, North Korea was delisted in exchange for their promise of dismantling their nuclear program. However, 8 years and five nuclear tests later, as the gentleman pointed out, they remain off the list and threatening America with their videos and their acts of irresponsibility, North Korea, supporting terrorism abroad.

By increasing the amount of time for a state to not be engaged in terrorism and increasing congressional oversight and scrutiny, H.R. 5484, hopefully, will not allow mistakes such as the delisting of North Korea to take place.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I thank the chairman again, and thank Mr. YOHO for his hard work and commitment on this.

Obviously, the handful of countries on the State Sponsors of Terrorism list are some of the worst actors in the world: Sudan, Syria, and Iran. We need policies that are tough, and any changes to that list must be preceded by real, permanent changes in the way those governments do business. And, of course, I believe Congress has an important oversight role to play on such matters.

I have voiced my concerns about parts of this legislation, namely, that multiplying the waiting period by a factor of four might have unintended consequences. Perhaps it should have been a little less than that. But I trust that if we do run into trouble down the road, we will do whatever it takes to make sure that our government has the tools needed to act in America's best interests.

So I support this measure and, again, I thank Mr. YOHO for his hard work.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 6 months to get off of that list for a terrorist country, that is an odd situation. We should not be giving terrorist regimes a clean bill of health in such a short time in that, by definition, these are regimes that kill innocents as a matter of policy. That is what terrorism is. And given that this process has been abused, in the case of North Korea, what is to prevent another White House from removing countries from the list to advance their own flawed agendas?

Congress, I think, has a responsibility to prevent that from happening;

and, ultimately, these regimes must understand that the only way to be delisted is to actually change their behavior and discontinue their support for terrorism, not simply press for their status to be reversed as a condition of a separate negotiation. That is what North Korea did some years ago. That is what concerns us here.

Again, I would like to recognize Mr. YOHIO for his excellent work on this legislation, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5484.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WEST LOS ANGELES LEASING ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5936) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with certain health care providers to furnish health care to veterans, to authorize the Secretary to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5936

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “West Los Angeles Leasing Act of 2016”.

SEC. 2. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the “Campus”).

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as “The Regents”), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans that are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or non-use of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committees on Veterans’ Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) VETERANS AND COMMUNITY OVERSIGHT AND ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Veterans and Community Oversight and Engagement Board (in this subsection referred to as the “Board”) for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community and veteran partnership;

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members; and

(C) provide advice and recommendations on the implementation of the draft master plan approved by the Secretary on January

28, 2016, and on the creation and implementation of any successor master plans.

(2) **MEMBERS.**—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, real estate professionals familiar with housing development projects, or stakeholders.

(3) **COMMUNITY INPUT.**—In carrying out paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, implementation of the draft master plan and any subsequent plans, benefits, and memorial services at the Campus.

(j) **NOTIFICATION AND REPORTS.**—

(1) **CONGRESSIONAL NOTIFICATION.**—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) **INSPECTOR GENERAL REPORT.**—

(A) **IN GENERAL.**—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) **CONSIDERATION OF ANNUAL REPORT.**—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limita-

tion on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) **PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.**—In this section the term “principally benefit veterans and their families”, with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) **CONFORMING AMENDMENTS.**—

(1) **PROHIBITION ON DISPOSAL OF PROPERTY.**—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking “The Secretary of Veterans Affairs” and inserting “Except as authorized under the Los Angeles Homeless Veterans Leasing Act of 2016, the Secretary of Veterans Affairs”.

(2) **ENHANCED-USE LEASES.**—Section 8162(c) of title 38, United States Code, is amended by inserting “, other than an enhanced-use lease under the Los Angeles Homeless Veterans Leasing Act of 2016,” before “shall be considered”.

SEC. 3. IMPROVEMENTS TO ENHANCED-USE LEASE AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **PROHIBITION ON WAIVER OF OBLIGATION OF LESSEE.**—Paragraph (3) of section 8162(b) of title 38, United States Code, is amended by adding at the following new subparagraph:

“(D) The Secretary may not waive or postpone the obligation of a lessee to pay any consideration under an enhanced-use lease, including monthly rent.”.

(b) **CLARIFICATION OF LIABILITY OF FEDERAL GOVERNMENT TO THIRD PARTIES.**—Section 8162 of such title is amended by adding at the end the following new subsection:

“(d)(1) Nothing in this subchapter authorizes the Secretary to enter into an enhanced-use lease that provides for, is contingent upon, or otherwise authorizes the Federal Government to guarantee a loan made by a third party to a lessee for purposes of the enhanced-use lease.

“(2) Nothing in this subchapter shall be construed to abrogate or constitute a waiver of the sovereign immunity of the United States with respect to any loan, financing, or other financial agreement entered into by the lessee and a third party relating to an enhanced-use lease.”.

(c) **TRANSPARENCY.**—

(1) **NOTICE.**—Section 8163(c)(1) of such title is amended—

(A) by inserting “, the Committees on Appropriations of the House of Representatives and the Senate, and the Committees on the Budget of the House of Representatives and the Senate” after “congressional veterans' affairs committees”;

(B) by striking “and shall publish” and inserting “, shall publish”;

(C) by inserting before the period at the end the following: “, and shall submit to the congressional veterans' affairs committees a copy of the proposed lease”; and

(D) by adding at the end the following new sentence: “With respect to a major enhanced-use lease, upon the request of the congressional veterans' affairs committees, not later than 30 days after the date of such notice, the Secretary shall testify before the committees on the major enhanced-use lease, including with respect to the status of the lease, the cost, and the plans to carry out the activities under the lease. The Secretary may not delegate such testifying below the level of the head of the Office of Asset Enterprise Management of the Department or any successor to such office.”.

(2) **ANNUAL REPORTS.**—Section 8168 of such title is amended—

(A) by striking “to Congress” each place it appears and inserting “to the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate, and the Committees on the Budget of the House of Representatives and the Senate”;

(B) in subsection (a)—

(i) by striking “Not later” and inserting “(1) Not later”;

(ii) by striking “a report” and all that follows through the period at the end and inserting “a report on enhanced-use leases.”; and

(iii) by adding at the end the following new paragraph:

“(2) Each report under paragraph (1) shall include the following:

“(A) Identification of the actions taken by the Secretary to implement and administer enhanced-use leases.

“(B) For the most recent fiscal year covered by the report, the amounts deposited into the Medical Care Collection Fund account that were derived from enhanced-use leases.

“(C) Identification of the actions taken by the Secretary using the amounts described in subparagraph (B).

“(D) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (C).”; and

(C) in subsection (b)—

(i) by striking “Each year” and inserting “(1) Each year”;

(ii) by striking “this subchapter,” and all that follows through the period at the end and inserting “this subchapter.”; and

(iii) by adding at the end the following new paragraph:

“(2) Each report under paragraph (1) shall include the following with respect to each enhanced-use lease covered by the report:

“(A) An overview of how the Secretary is using consideration received by the Secretary under the lease to support veterans.

“(B) The amount of consideration received by the Secretary under the lease.

“(C) The amount of any revenues collected by the Secretary relating to the lease not covered by subparagraph (B), including a description of any in-kind assistance or services provided by the lessee to the Secretary or to veterans under an agreement entered into by the Secretary pursuant to any provision of law.

“(D) The costs to the Secretary of carrying out the lease.

“(E) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (D).”.

(d) **ADDITIONAL DEFINITIONS.**—Section 8161 of such title is amended by adding at the end the following new paragraphs:

“(4) The term ‘lessee’ means the party with whom the Secretary has entered into an enhanced-use lease under this subchapter.

“(5) The term ‘major enhanced-use lease’ means an enhanced-use lease that includes

consideration consisting of an average annual rent of more than \$10,000,000.”.

(e) COMPTROLLER GENERAL AUDIT.—

(1) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report containing an audit of the enhanced-use lease program of the Department of Veterans Affairs under subchapter V of chapter 81 of title 38, United States Code.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The financial impact of the enhanced-use lease authority on the Department of Veterans Affairs and whether the revenue realized from such authority and other financial benefits would have been realized without such authority.

(B) The use by the Secretary of such authority and whether the arrangements made under such authority would have been made without such authority.

(C) An identification of the controls that are in place to ensure accountability and transparency and to protect the Federal Government.

(D) An overall assessment of the activities of the Secretary under such authority to ensure procurement cost avoidance, negotiated cost avoidance, in-contract cost avoidance, and rate reductions.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committees on Veterans’ Affairs of the House of Representatives and the Senate;

(B) the Committees on Appropriations of the House of Representatives and the Senate; and

(C) the Committees on the Budget of the House of Representatives and the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and provide any extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5936, as amended, the West Los Angeles Leasing Act of 2016.

I would like to express my appreciation to Dr. PRICE for his tireless efforts in working with our committee on scoring that was associated with this particular piece of legislation. Without his cooperation, we would not be poised to pass this bill today.

This bill would authorize VA to carry out certain leases on the VA Greater Los Angeles Healthcare System West L.A. Medical Center Campus in Los Angeles, California, in accordance with the draft master plan.

Leases that would be considered allowable under this language include: an enhanced-use lease for the purpose of providing supportive housing, any lease lasting less than 50 years to a third party to provide services that benefit veterans and their families, or a lease lasting less than 10 years to the University of California if the lease is consistent with the master plan and the University’s activities are principally focused on providing services to veterans.

Any land-sharing agreements that fail to provide additional healthcare resources or to benefit veterans and their families in ways other than generating additional revenue would be prohibited, and any funds received from leases credited to the West L.A. VA Medical facility would be required to be used exclusively for renovation and maintenance.

The bill also includes numerous reporting requirements to ensure that the VA is fully transparent with Congress and the American people regarding the management use and operations of the campus.

I was honored to visit West L.A. and their medical center campus earlier this year and witness firsthand the enormous promise it holds for our veterans, especially our homeless veterans.

This historic site has suffered from many years of neglect, misuse, and mismanagement; but, with passage of H.R. 5936, as amended, today, I am confident that it will finally be on the path to preservation, revitalization, and the fulfillment of its mission to serve and to provide for veterans in need throughout the Greater Los Angeles area.

I am grateful to my friend and colleague, Congressman TED LIEU, from California, for joining me in sponsoring this legislation, and I urge all of my colleagues to join us in supporting this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5936. This legislation would provide a model for how VA campuses can provide services to homeless veterans and those at risk of homelessness.

It would authorize VA to carry out certain leases on the VA Greater Los Angeles Healthcare System West L.A. Medical Center Campus, and would prohibit VA from entering into any land-sharing agreements unless the agreements provide additional healthcare resources and also benefit veterans and their families in ways other than generating additional revenue.

Mr. Speaker, there is a long history here with the West L.A. Campus. Without going into too much detail, this provision would ensure that the VA West L.A. Campus is used for the bet-

terment of veterans, the original intent of the legacy when the land was donated decades ago. It is an important step forward for the veterans community in southern California.

I would like to thank the chairman for introducing this bill and Representative TED LIEU of California for his hard work.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I have no other speakers at this time, so we are prepared to close.

I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I strongly support this legislation, and I urge my colleagues to vote “yes” on H.R. 5936, as amended. And I want to express, again, my deep appreciation in working with the majority to get this bill done. It is really important to those of us in southern California, and I cannot overstate how much this means to the veterans community in California.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I urge all Members to support this piece of legislation.

I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, today, the House will consider H.R. 5936, the Veterans Care Agreement and West Los Angeles Leasing Act of 2016. H.R. 5936 authorizes the Department of Veterans Affairs (VA) to lease underused Federal property at the Department’s medical campus in Los Angeles to developers who would construct supportive housing and rehabilitation facilities for homeless veterans.

Congressional Budget Office [CBO] estimates of the budgetary effects of VA’s enhanced-use leases have evolved over time. Dating back to the first VA enhanced-use lease in 1999, CBO believed that VA enhanced-use leasing arrangements were a quid pro quo exchange of equal value which would not have any scoring implications. As CBO continued to gather more information on these leases, in addition to monitoring and evaluating VA’s behavior regarding these lease agreements, it changed its scoring practices and today scores enhanced-use leases with an upfront, direct spending cost. The evolution of CBO’s VA enhanced-use lease scoring came about from agreements and contracts that assured non-Federal lessees would be able to recover their capital costs invested in leased facilities through guaranteed payments from the Federal Government.

CBO estimates that enacting H.R. 5936 would provide borrowing authority of \$44 million over fiscal years 2017 through 2026, which would result in new direct spending. Notwithstanding CBO’s conclusion, the House Committee on the Budget believes new mandatory spending will not be provided by H.R. 5936 as amended. The Committee, working closely with the House Committee on Veterans’ Affairs, has included section 4 in H.R. 5936 that would do the following: (1) ensure the Department of Veterans Affairs and third-

party enhanced-use leasing agreements do not include either an explicit or implicit Federal Government loan guarantee; (2) prevent the Federal government from abrogating its sovereign immunity with respect to any loan, or other financial agreement; and, (3) require greater transparency, accountability, and congressional oversight of VA's enhanced-use lease program. If the Department of Veterans Affairs fails to faithfully execute the requirements in H.R. 5936, the House Committee on the Budget will revisit this issue in the context of future requests for enhanced-use leasing authority.

With these fiscal protections in place, I support H.R. 5936, the Veterans Care Agreement and West Los Angeles Leasing Act of 2016, which ensures America's homeless veterans are provided quality access to care and services, and brings our Nation one step closer to ending veteran homelessness.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 5936, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes."

A motion to reconsider was laid on the table.

VETERANS MOBILITY SAFETY ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3471) to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Mobility Safety Act of 2016".

SEC. 2. PERSONAL SELECTIONS OF AUTOMOBILES AND ADAPTIVE EQUIPMENT.

Section 3903(b) of title 38, United States Code, is amended—

(1) by striking "Except" and inserting "(1) Except"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary shall ensure that to the extent practicable an eligible person who is provided an automobile or other conveyance under this chapter is given the opportunity to make

personal selections relating to such automobile or other conveyance."

SEC. 3. COMPREHENSIVE POLICY FOR THE AUTOMOBILES ADAPTIVE EQUIPMENT PROGRAM.

(a) **COMPREHENSIVE POLICY.**—The Secretary of Veterans Affairs shall develop a comprehensive policy regarding quality standards for providers who provide modification services to veterans under the automobile adaptive equipment program.

(b) **SCOPE.**—The policy developed under subsection (a) shall cover each of the following:

(1) The Department of Veterans Affairs-wide management of the automobile adaptive equipment program.

(2) The development of standards for safety and quality of equipment and installation of equipment through the automobile adaptive equipment program, including with respect to the defined differentiations in levels of modification complexity.

(3) The consistent application of standards for safety and quality of both equipment and installation throughout the Department.

(4) The certification of a provider by a third party organization or manufacturer if the Secretary designates the quality standards of such organization or manufacturer as meeting or exceeding the standards developed under this section.

(5) The education and training of personnel of the Department who administer the automobile adaptive equipment program.

(6) The compliance of the provider with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) when furnishing automobile adaptive equipment at the facility of the provider.

(7) The allowance, where technically appropriate, for veterans to receive modifications at their residence or location of choice.

(c) **UPDATES.**—Not later than one year after the date of the enactment of this Act, the Secretary shall update Veterans Health Administration Handbook 1173.4, or any successor handbook or directive, in accordance with the policy developed under subsection (a). Not less frequently than once every six years thereafter, the Secretary shall update such handbook, or any successor handbook or directive.

(d) **CONSULTATION.**—The Secretary shall develop the policy under subsection (a), and revise such policy under subsection (c), in consultation with veterans service organizations, the National Highway Transportation Administration, industry representatives, manufacturers of automobile adaptive equipment, and other entities with expertise in installing, repairing, replacing, or manufacturing mobility equipment or developing mobility accreditation standards for automobile adaptive equipment.

(e) **CONFLICTS.**—In developing and implementing the policy under subsection (a), the Secretary shall—

(1) minimize the possibility of conflicts of interest, to the extent practicable; and

(2) establish procedures that ensure against the use of a certifying entity referred to in subsection (b)(4) that has a financial conflict of interest regarding the certification of an eligible provider.

(f) **BIENNIAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date on which the Secretary updates Veterans Health Administration Handbook 1173.4, or any successor handbook or directive, under subsection (c), and biennially thereafter through 2022, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the implementation and facility compliance with the policy developed under subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the implementation plan for the policy developed under subsection (a) and any revisions to such policy under subsection (c).

(B) A description of the performance measures used to determine the effectiveness of such policy in ensuring the safety of veterans enrolled in the automobile adaptive equipment program.

(C) An assessment of safety issues due to improper installations based on a survey of recipients of adaptive equipment from the Department.

(D) An assessment of the adequacy of the adaptive equipment services of the Department based on a survey of recipients of adaptive equipment from the Department.

(E) An assessment of the training provided to the personnel of the Department with respect to administering the program.

(F) An assessment of the certified providers of the Department of adaptive equipment with respect to meeting the minimum standards developed under subsection (b)(2).

(g) **DEFINITIONS.**—In this section:

(1) The term "automobile adaptive equipment program" means the program administered by the Secretary of Veterans Affairs pursuant to chapter 39 of title 38, United States Code.

(2) The term "veterans service organization" means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 4. APPOINTMENT OF LICENSED HEARING AID SPECIALISTS IN VETERANS HEALTH ADMINISTRATION.

(a) **LICENSED HEARING AID SPECIALISTS.**—

(1) **APPOINTMENT.**—Section 7401(3) of title 38, United States Code, is amended by inserting "licensed hearing aid specialists," after "Audiologists,".

(2) **QUALIFICATIONS.**—Section 7402(b)(14) of such title is amended by inserting " , hearing aid specialist" after "dental technologist".

(b) **REQUIREMENTS.**—With respect to appointing hearing aid specialists under sections 7401 and 7402 of title 38, United States Code, as amended by subsection (a), and providing services furnished by such specialists, the Secretary shall ensure that—

(1) a hearing aid specialist may only perform hearing services consistent with the hearing aid specialist's State license related to the practice of fitting and dispensing hearing aids without excluding other qualified professionals, including audiologists, from rendering services in overlapping practice areas;

(2) services provided to veterans by hearing aid specialists shall be provided as part of the non-medical treatment plan developed by an audiologist; and

(3) the medical facilities of the Department of Veterans Affairs provide to veterans access to the full range of professional services provided by an audiologist.

(c) **CONSULTATION.**—In determining the qualifications required for hearing aid specialists and in carrying out subsection (b), the Secretary shall consult with veterans service organizations, audiologists, otolaryngologists, hearing aid specialists, and other stakeholder and industry groups as the Secretary determines appropriate.

(d) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter during the five-year period beginning on the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the following:

(A) Timely access of veterans to hearing health services through the Department of Veterans Affairs.

(B) Contracting policies of the Department with respect to providing hearing health services

to veterans in facilities that are not facilities of the Department.

(2) **TIMELY ACCESS TO SERVICES.**—Each report shall, with respect to the matter specified in paragraph (1)(A) for the one-year period preceding the submittal of such report, include the following:

(A) The staffing levels of audiologists, hearing aid specialists, and health technicians in audiology in the Veterans Health Administration.

(B) A description of the metrics used by the Secretary in measuring performance with respect to appointments and care relating to hearing health.

(C) The average time that a veteran waits to receive an appointment, beginning on the date on which the veteran makes the request, for the following:

(i) A disability rating evaluation for a hearing-related disability.

(ii) A hearing aid evaluation.

(iii) Dispensing of hearing aids.

(iv) Any follow-up hearing health appointment.

(D) The percentage of veterans whose total wait time for appointments described in subparagraph (C), including an initial and follow-up appointment, if applicable, is more than 30 days.

(3) **CONTRACTING POLICIES.**—Each report shall, with respect to the matter specified in paragraph (1)(B) for the one-year period preceding the submittal of such report, include the following:

(A) The number of veterans that the Secretary refers to non-Department audiologists for hearing health care appointments.

(B) The number of veterans that the Secretary refers to non-Department hearing aid specialists for follow-up appointments for a hearing aid evaluation, the dispensing of hearing aids, or any other purpose relating to hearing health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3471, as amended, the Veterans Mobility Safety Act of 2016.

This bill is sponsored by my friend and committee member, Congresswoman JACKIE WALORSKI from Indiana, and includes a provision from H.R. 353, the Veterans' Access to Hearing Health Act of 2015, which is sponsored by Congressman SEAN DUFFY from Wisconsin. I am very grateful to both of them for their efforts.

H.R. 3471, as amended, would direct the Department of Veterans Affairs to develop a comprehensive policy regarding quality standards for providers who dispense modification services to vet-

erans under the Automobile Adaptive Equipment program.

VA's current handbook governing the Automobile Adaptive Equipment program has not been updated since it was released in 2000, despite being scheduled for recertification in 2005. Allowing the handbook for this important program to get so outdated is troublesome to me, given that improperly installed automobile adaptive equipment carries risks for our disabled veterans and for all those sharing America's roads.

The bill would also authorize VA to hire and prescribe qualified qualifications for hiring hearing aid specialists. One of my highest priorities as chairman has been ensuring that our Nation's veterans receive timely access to quality care.

That is why I was so frustrated by an audit issued by the VA inspector general in 2014 which found that VA took 17 to 24 days to complete hearing aid repair services and that, nationally, 30 percent of veterans waited more than 30 days from the estimated date that the VA medical facility had received the hearing aid from a vendor to the date the medical facility actually issued the hearing aid to the veteran themselves.

Too many veterans relying on hearing aids cannot wait for weeks or months for VA to make repairs, and I am hopeful that, by authorizing VA to hire hearing aid specialists to assist with basic hearing aid repairs, they will no longer have to wait.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation.

I reserve the balance of my time.

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Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this legislation brought forward by my colleague, Representative WALORSKI.

This bill directs VA to ensure that an eligible disabled veteran who has been provided with an automobile is given the opportunity to make personal selections relating to the automobile. The provider of any adaptive equipment modification services must be certified by a certification organization or the manufacturer of the adaptive equipment.

In addition, the provider of the automobile or adaptive equipment or the provider of the modification services must adhere to specific requirements under the Americans with Disabilities Act of 1990 and the National Highway Traffic Safety Administration Federal Motor Vehicle Safety Standards.

Mr. Speaker, I think these are important protections for those veterans who need to personalize the vehicles they drive.

Mr. Speaker, I urge support for this legislation.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield such time as she may consume to the gentlewoman from Indiana (Mrs. WALORSKI). She represents the Second Congressional District of Indiana, "Gin Town."

Mrs. WALORSKI. Mr. Speaker, I rise today to urge my colleagues to support the Veterans Mobility Safety Act. This legislation will improve veterans' care and ensure the quality of the automobile adaptive equipment and hearing aids disabled veterans depend on.

Automotive mobility plays a vital role in helping our disabled veterans live a normal life after being wounded on the battlefield. The VA's Automobile Adaptive Equipment, or AAE, program provides eligible disabled veterans with an automobile or modification, such as wheelchair lifts and reduced-effort steering and braking, to existing vehicles to improve their quality of life.

Under the current AAE program, local VA facilities operate based upon their own interpretations of VA procedures that haven't been updated since 2000. It lacks quality standards for providers as well. As you can imagine, this fragmented and outdated system has resulted in cases of improperly installed equipment that caused serious safety issues for both the veteran and the driving public.

My legislation requires the VA to develop a comprehensive policy regarding quality standards for providers that participate in the AAE program in close consultation with a host of stakeholders, including veterans service organizations, the National Highway Transportation Safety Administration, and industry representatives. The result will be a veteran-centric policy that ensures access to safe, quality equipment. Lastly, it would require VA to update the AAE program handbook to reflect the new policy, along with biennial reports on implementation and compliance.

This legislation also includes Congressman DUFFY's bill that would allow the VA to utilize hearing aid specialists to help fill the need for certain hearing aid services. This legislation will decrease audiologists' workload and allow them to focus on special cases and complex conditions while also decreasing the wait time for a veteran who just needs a quick tweak to their hearing aid.

I want to thank the chairman for all his work on veterans' issues. I want to also thank Representatives BROWNLEY and RUIZ for their work on this legislation. Lastly, I want to thank Paralyzed Veterans of America for all of their help and all other veterans service organizations for all of their hard work advocating for veterans.

Mr. Speaker, I urge my colleagues to support this commonsense bill.

Mr. TAKANO. Mr. Speaker, I have no further speakers. I urge my colleagues

to join me in passing H.R. 3471, as amended.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again, I urge my colleagues to join us in supporting this piece of legislation.

I yield back the balance of my time.

Ms. DUCKWORTH. Mr. Speaker, I strongly support the Veterans Mobility Safety Act of 2015.

As a Veteran with a service-connected disability, I have personally participated in the Automobile Adaptive Equipment Program (AAEP) and I know how valuable this program is to Veterans across the country.

As a mother of a toddler, I care about the safety of my car more than ever. I am committed to making the best choices for my daughter and strive to keep her out of danger.

My story is not unique. There are so many Veterans out there that depend on the AAEP to provide transportation for their families.

Safety and the quality of services provided to our wounded Veterans should be a top priority.

Last Congress, I wrote a letter to the U.S. Department of Veterans Affairs (VA) urging them to reevaluate the AAEP because it does not require vendors to meet any standards of quality, performance and safety.

I am extremely concerned that this obvious lack of guidelines exposes our most vulnerable Veterans to vendors who manufacture and install subpar, low quality and dangerous equipment.

It can also lead to higher maintenance costs and wastes taxpayer money.

Unfortunately, this gap in the statute allows improper and unsafe installations for our Veterans and also puts the general driving public in harm's way.

The fix here is simple—we must have high quality and certification standards for those who provide automobile adaptive equipment, installations and maintenance for disabled Veterans.

Veterans with disabilities have earned the right to be able to have safe, quality adaptive equipment in their cars that meets their needs and allows them to live full, independent lives.

I urge my Colleagues to support this measure, and to remedy the VA's lack of minimum standards for the AAE program in order to hold vendors accountable, increase quality of VA healthcare and ensure safe driving conditions for Veterans, their families and civilians.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3471, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE AMERICAN BATTLE MONUMENTS COMMISSION TO ACQUIRE, OPERATE, AND MAINTAIN THE LAFAYETTE ESCADRILLE MEMORIAL

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5937) to amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY OF THE AMERICAN BATTLE MONUMENTS COMMISSION TO ACQUIRE, OPERATE, AND MAINTAIN THE LAFAYETTE ESCADRILLE MEMORIAL.

(a) IN GENERAL.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

“§2115. Acquisition, operation, and maintenance of Lafayette Escadrille Memorial.

“The American Battle Monuments Commission may enter into an agreement with the Lafayette Escadrille Memorial Foundation to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France. Under such an agreement, the Commission shall make necessary arrangements to ensure the ongoing maintenance of the memorial, including the cemetery at the memorial that contains the remains of 49 aviators of the United States who died during World War I.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of such title is amended by adding at the end of the following new item:

“2115. Acquisition, operation, and maintenance of Lafayette Escadrille Memorial.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and add extraneous materials to H.R. 5937, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5937, as amended. I want to thank Chairman ED ROYCE of the Foreign Affairs Committee and his staff for their assistance in expeditiously scheduling this bill.

My bill would ensure that the Lafayette Escadrille Memorial located out-

side of Paris, France, will continue to be cared for in a manner that honors America's servicemembers who fought in World War I.

Before the United States entered World War I, 269 brave American volunteers flew in combat missions in the French Air Service. These Americans were referred to as the Lafayette Escadrille after Marquis de Lafayette, the Frenchman who was instrumental to America's victory during the Revolutionary War. Unfortunately, 68 members of the Lafayette Escadrille lost their lives during the war, and the Lafayette Escadrille Memorial contains a crypt that serves as the final resting place for 49 of these brave Americans who made the ultimate sacrifice.

Since 1928, the Lafayette Escadrille Memorial has been operated by the Lafayette Escadrille Memorial Foundation. The foundation is running out of funds that are needed to maintain the memorial.

H.R. 5937, as amended, would authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial, which would guarantee that the memorial receives the care it deserves as a final resting place for Americans.

The ABMC, a Federal agency, currently operates numerous American military cemeteries and memorials in foreign countries. The ABMC is well equipped to ensure that the Lafayette Escadrille Memorial continues to stand as a reminder that Americans fought all around the world in the name of freedom. So I would urge my colleagues to support H.R. 5937, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of Chairman MILLER's bill that would authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France.

This request was brought to us directly from the American Battle Monuments Commission in order to ensure that this memorial that honors the service and sacrifice of the Lafayette Flying Corps is properly maintained.

The Lafayette Flying Corps was a small group of American aviators who volunteered to serve in the Lafayette Escadrille prior to the United States entering World War I. Forty-nine members of the Lafayette Flying Corps lost their lives in the war and are interred in the crypts below the memorial.

This incredible group included “Lucky” Herschel McKee, who became their youngest ace with 12 kills, and Eugene James Bullard, the first African American military pilot who was subsequently made a knight of the Legion of Honor, France's most coveted

award established by Napoleon Bonaparte.

This important effort will incur no additional costs as the ABMC has indicated that they can maintain this important memorial within their existing appropriations.

I encourage my colleagues to join me in support of passage of this important legislation that honors the services and sacrifice of our men and women that defend our great Nation.

Mr. Speaker, I urge my colleagues to support this important legislation, H.R. 5937, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I too would urge all colleagues to support this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill (H.R. 5937), as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ENSURING ACCESS TO PACIFIC FISHERIES ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4576) to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ensuring Access to Pacific Fisheries Act".

TITLE I—NORTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION

SEC. 101. DEFINITIONS.

In this title:

(1) **COMMISSION.**—The term "Commission" means the North Pacific Fisheries Commission established in accordance with the North Pacific Fisheries Convention.

(2) **COMMISSIONER.**—The term "Commissioner" means a United States Commissioner appointed under section 102(a).

(3) **CONVENTION AREA.**—The term "Convention Area" means the area to which the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean applies under Article 4 of such Convention.

(4) **COUNCIL.**—The term "Council" means the North Pacific Fishery Management Council, the Pacific Fishery Management Council, or the Western Pacific Fishery Management Council

established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852), as the context requires.

(5) **EXCLUSIVE ECONOMIC ZONE.**—The term "exclusive economic zone" means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note); and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country, consistent with international law.

(6) **FISHERIES RESOURCES.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term "fisheries resources" means all fish, mollusks, crustaceans, and other marine species caught by a fishing vessel within the Convention Area, as well as any products thereof.

(B) **EXCLUSIONS.**—The term "fisheries resources" does not include—

(i) sedentary species insofar as they are subject to the sovereign rights of coastal nations consistent with Article 77, paragraph 4 of the 1982 Convention and indicator species of vulnerable marine ecosystems as listed in, or adopted pursuant to, Article 13, paragraph 5 of the North Pacific Fisheries Convention;

(ii) catadromous species;

(iii) marine mammals, marine reptiles, or seabirds; or

(iv) other marine species already covered by preexisting international fisheries management instruments within the area of competence of such instruments.

(7) **FISHING ACTIVITIES.**—

(A) **IN GENERAL.**—The term "fishing activities" means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fisheries resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fisheries resources for any purpose;

(iii) the processing of fisheries resources at sea;

(iv) the transshipment of fisheries resources at sea or in port; or

(v) any operation at sea in direct support of, or in preparation for, any activity described in clauses (i) through (iv), including transshipment.

(B) **EXCLUSIONS.**—The term "fishing activities" does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(8) **FISHING VESSEL.**—The term "fishing vessel" means any vessel used or intended for use for the purpose of engaging in fishing activities, including a processing vessel, a support ship, a carrier vessel, or any other vessel directly engaged in such fishing activities.

(9) **HIGH SEAS.**—The term "high seas" does not include an area that is within the exclusive economic zone of the United States or of any other country.

(10) **NORTH PACIFIC FISHERIES CONVENTION.**—The term "North Pacific Fisheries Convention" means the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force) for the United States, which was adopted at Tokyo on February 24, 2012.

(11) **PERSON.**—The term "person" means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government or any entity of such government.

(12) **SECRETARY.**—Except as otherwise specifically provided, the term "Secretary" means the Secretary of Commerce.

(13) **STATE.**—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(14) **STRADDLING STOCK.**—The term "straddling stock" means a stock of fisheries resources that migrates between, or occurs in, the economic exclusion zone of one or more parties to the Convention and the Convention Area.

(15) **TRANSHIPMENT.**—The term "transshipment" means the unloading of any fisheries resources taken in the Convention Area from one fishing vessel to another fishing vessel either at sea or in port.

(16) **1982 CONVENTION.**—The term "1982 Convention" means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 102. UNITED STATES PARTICIPATION IN THE NORTH PACIFIC FISHERIES CONVENTION.

(a) **UNITED STATES COMMISSIONERS.**—

(1) **NUMBER OF COMMISSIONERS.**—The United States shall be represented on the Commission by 5 United States Commissioners.

(2) **SELECTION OF COMMISSIONERS.**—The Commissioners shall be as follows:

(A) **APPOINTMENT BY THE PRESIDENT.**—

(i) **IN GENERAL.**—Two of the Commissioners shall be appointed by the President and shall be an officer or employee of—

(I) the Department of Commerce;

(II) the Department of State; or

(III) the Coast Guard.

(ii) **SELECTION CRITERIA.**—In making each appointment under clause (i), the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fisheries resources in the North Pacific Ocean.

(B) **NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairman of the North Pacific Fishery Management Council or a designee of such chairman.

(C) **PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairman of the Pacific Fishery Management Council or a designee of such chairperson.

(D) **WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.**—One Commissioner shall be the chairman of the Western Pacific Fishery Management Council or a designee of such chairperson.

(b) **ALTERNATE COMMISSIONERS.**—In the event of a vacancy in a position as a Commissioner appointed under subsection (a), the Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a), and shall serve the remainder of the term of the absent Commissioner for which designated.

(c) **ADMINISTRATIVE MATTERS.**—

(1) **EMPLOYMENT STATUS.**—An individual serving as a Commissioner, or an alternative Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) **COMPENSATION.**—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

SEC. 103. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to another appropriate authority, any communication received pursuant to paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the Convention, object to the decisions of the Commission; and

(4) request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments or agencies, or international intergovernmental organizations, in the conduct of scientific research and other programs under this title.

SEC. 104. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, may promulgate such regulations as may be necessary to carry out the United States international obligations under the North Pacific Fisheries Convention and this title, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—In the implementation of a measure adopted by the Commission that would govern a straddling stock under the authority of a Council, any regulation promulgated by the Secretary to implement such measure within the exclusive economic zone shall be approved by such Council.

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention under this title.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or nonreimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this title;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the North Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the North Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) the issuance of permits to owners and operators of United States vessels to engage in fishing activities in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid; and

(5) if recommended by the United States Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fisheries resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States to carry out the functions of the Secretary under this title.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108-219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567) and the amendments made by that Act, and Public Law 100-629 (102 Stat. 3286).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 105. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this title and any regulations issued under this title; and

(2) may request and utilize on a reimbursed or nonreimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title.

(b) SECRETARIAL ACTIONS.—The Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this title with respect to fishing activities or the conservation of fisheries resources in the Convention Area in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this title. Any person that violates this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this title.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have jurisdiction over any case or controversy arising under this title, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense is deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted to the Secretary in compliance with any requirement under this title, and information submitted under any requirement of this title that may be necessary to implement the Convention, including information submitted before the date of the enactment of this Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this title;

(B) to the Commission, in accordance with requirements in the North Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to State, Council, or marine fisheries commission employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this title.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information submitted under this title.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this title if the information is in any aggregate or summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this title.

SEC. 106. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate this title or any regulation or permit issued under this title;

(2) to use any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit issued pursuant to this title;

(3) to refuse to permit any officer authorized to enforce this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title or any regulation, permit, or the North Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or any regulation, permit, or the North Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fisheries resources taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States), regarding any matter that the Secretary is considering in the course of carrying out this title;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this title, or any data collector employed by or under contract to any person to carry out responsibilities under this title;

(10) to engage in fishing activities in violation of any regulation adopted pursuant to this title;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by regulations adopted pursuant to this title to be made, kept, or furnished;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation adopted pursuant to this title, any fisheries resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fisheries resources in any form not under regulation but under investigation by the Commission, during the period such fisheries resources have been denied entry in accordance with this title;

(14) to make or submit any false record, account, or label for, or any false identification of, any fisheries resources that have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 107. COOPERATION IN CARRYING OUT CONVENTION.

(a) **FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.**—The Secretary may cooperate with any Federal agency, any public or private institution or organization within the United States or abroad, and, through the Secretary of State, a duly authorized official of the government of any party to the North Pacific Fisheries Convention, in carrying out responsibilities under this title.

(b) **SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.**—Each Federal agency may, upon the request of the Secretary, cooperate in the conduct of scientific and other programs and furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the North Pacific Fisheries Convention.

(c) **SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.**—Nothing in this title, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the North Pacific Fisheries Convention.

(d) **STATE JURISDICTION NOT AFFECTED.**—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 108. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam to the extent allowed under United States law.

SEC. 109. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

TITLE II—IMPLEMENTATION OF THE CONVENTION ON THE CONSERVATION AND MANAGEMENT OF HIGH SEAS FISHERY RESOURCES IN THE SOUTH PACIFIC OCEAN

SEC. 201. DEFINITIONS.

In this title:

(1) **1982 CONVENTION.**—The term “1982 Convention” means the United Nations Convention on the Law of the Sea of 10 December 1982.

(2) **COMMISSION.**—The term “Commission” means the Commission of the South Pacific Regional Fisheries Management Organization established in accordance with the South Pacific Fishery Resources Convention.

(3) **CONVENTION AREA.**—The term “Convention Area” means the area to which the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean applies under Article 5 of such Convention.

(4) **COUNCIL.**—The term “Council” means the Western Pacific Regional Fishery Management Council.

(5) **EXCLUSIVE ECONOMIC ZONE.**—The term “exclusive economic zone” means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note); and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country, consistent with international law.

(6) **FISHERY RESOURCES.**—The term “fishery resources” means all fish, mollusks, crustaceans, and other marine species, and any products thereof, caught by a fishing vessel within the Convention Area, but excluding—

(A) sedentary species insofar as they are subject to the national jurisdiction of coastal States

pursuant to Article 77 paragraph 4 of the 1982 Convention;

(B) highly migratory species listed in Annex I of the 1982 Convention;

(C) anadromous and catadromous species; and

(D) marine mammals, marine reptiles and sea birds.

(7) **FISHING.**—The term “fishing”—

(A) except as provided in subparagraph (B), means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fishery resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose;

(iii) transshipment and any operation at sea, in support of, or in preparation for, any activity described in this subparagraph; and

(iv) the use of any vessel, vehicle, aircraft, or hovercraft in relation to any activity described in this subparagraph; and

(B) does not include any operation related to emergencies involving the health and safety of crew members or the safety of a fishing vessel.

(8) **FISHING VESSEL.**—The term “fishing vessel” means any vessel used or intended to be used for fishing, including any fish processing vessel support ship, carrier vessel, or any other vessel directly engaged in fishing operations.

(9) **PERSON.**—The term “person” means any individual (whether or not a citizen or national of the United States); any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State); and any Federal, State, local, or foreign government or any entity of any such government.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(11) **SOUTH PACIFIC FISHERY RESOURCES CONVENTION.**—The term “South Pacific Fishery Resources Convention” means the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force, for the United States), which was adopted at Auckland, New Zealand, on November 14, 2009, by the International Consultations on the Proposed South Pacific Regional Fisheries Management Organization.

(12) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

SEC. 202. APPOINTMENT OR DESIGNATION OF UNITED STATES COMMISSIONERS.

(a) **APPOINTMENT.**—

(1) **IN GENERAL.**—The United States shall be represented on the Commission by not more than 3 Commissioners. In making each appointment, the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fishery resources in the South Pacific Ocean.

(2) **REPRESENTATION.**—At least one of the Commissioners shall be—

(A) serving at the pleasure of the President, an officer or employee of—

(i) the Department of Commerce;

(ii) the Department of State; or

(iii) the Coast Guard; and

(B) the chairperson or designee of the Council.

(b) **ALTERNATE COMMISSIONERS.**—The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and

duties of a Commissioner in the absence of a Commissioner appointed under subsection (a).

(c) **ADMINISTRATIVE MATTERS.**—

(1) **EMPLOYMENT STATUS.**—An individual serving as a Commissioner, or as an alternate Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) **COMPENSATION.**—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) **TRAVEL EXPENSES.**—

(A) **IN GENERAL.**—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) **REIMBURSEMENT.**—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

SEC. 203. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication pursuant to paragraph (1); and

(3) with the concurrence of the Secretary, and in accordance with the South Pacific Fishery Resources Convention, object to decisions of the Commission.

SEC. 204. RESPONSIBILITY OF THE SECRETARY AND RULEMAKING AUTHORITY.

(a) **RESPONSIBILITIES.**—The Secretary may—

(1) administer this title and any regulations issued under this title, except to the extent otherwise provided for in this title;

(2) issue permits to vessels subject to the jurisdiction of the United States, and to owners and operators of such vessels, to fish in the Convention Area, under such terms and conditions as the Secretary may prescribe; and

(3) if recommended by the United States Commissioners, assess and collect fees, not to exceed 3 percent of the ex-vessel value of fisheries resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States to carry out the functions of the Secretary under this title.

(b) **PROMULGATION OF REGULATIONS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, may promulgate such regulations as may be necessary and appropriate to carry out the international obligations of the United States under the South Pacific Fishery Resources Convention and this title, including decisions adopted by the Commission.

(2) **APPLICABILITY.**—Regulations promulgated under this subsection shall be applicable only to a person or fishing vessel that is or has engaged in fishing, and fishery resources covered by the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean under this title.

(c) **CONSISTENCY WITH OTHER LAWS.**—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnu-

son-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108-219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567) and the amendments made by that Act, and Public Law 100-629 (102 Stat. 3286).

(d) **JUDICIAL REVIEW OF REGULATIONS.**—

(1) **IN GENERAL.**—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated or the action is published in the Federal Register, as applicable.

(2) **RESPONSES.**—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1) not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) **COPIES OF ADMINISTRATIVE RECORD.**—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) **EXPEDITED HEARINGS.**—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 205. ENFORCEMENT.

(a) **RESPONSIBILITY.**—This title, and any regulations or permits issued under this title, shall be enforced by the Secretary and the Secretary of the department in which the Coast Guard is operating. Such Secretaries shall, and the head of any Federal or State agency that has entered into an agreement with either such Secretary under this section may (if the agreement so provides), authorize officers to enforce this title or any regulation promulgated under this title. Any officer so authorized may enforce this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though section 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861) were incorporated into and made a part of this title.

(b) **ADMINISTRATION AND ENFORCEMENT.**—The Secretary shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of this title. Any person that violates this title shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner and by the same means as though sections 308 through 311 of that Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of this title.

(c) **DISTRICT COURT JURISDICTION.**—The district courts of the United States shall have jurisdiction over any actions arising under this section. Notwithstanding subsection (b), for the purpose of this section, for Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that in the case of Guam and Wake Is-

land, the appropriate court is the United States District Court for the District of Guam, and except that in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands. Each violation shall be a separate offense and the offense is deemed to have been committed not only in the district where the violation first occurred, but also in any other district as authorized by law. Any offenses not committed in any district are subject to the venue provisions of section 3238 of title 18, United States Code.

SEC. 206. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this title or of any regulation promulgated or permit issued under this title;

(2) to use any fishing vessel to engage in fishing without a valid permit or after the revocation, or during the period of suspension, of an applicable permit pursuant to this title;

(3) to refuse to permit any officer authorized to enforce this title to board a fishing vessel subject to such person's control for the purposes of conducting any investigation or inspection in connection with the enforcement of this title;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or any regulation promulgated or permit issued under this title;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fishery resources taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this title;

(8) to submit to the Secretary false information, regarding any matter that the Secretary is considering in the course of carrying out this title;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel pursuant to the requirements of this title, or any data collector employed by the National Oceanic and Atmospheric Administration or under contract to any person to carry out responsibilities under this title;

(10) to fail to make, keep, or furnish any catch returns, statistical records, or other reports as are required by regulations adopted pursuant to this title to be made, kept, or furnished;

(11) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(12) to import, in violation of any regulation promulgated under this title, any fishery resources in any form of those species subject to regulation pursuant to a decision of the Commission;

(13) to make or submit any false record, account, or label for, or any false identification of, any fishery resources that have been or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(14) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 207. COOPERATION IN CARRYING OUT THE CONVENTION.

(a) **FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.**—The Secretary may cooperate with agencies of the

United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fishery Resources Convention, in carrying out responsibilities under this title.

(b) **SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.**—All Federal agencies may, upon the request of the Secretary, cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fishery Resources Convention.

(c) **SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.**—Nothing in this title, or in the laws or regulations of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fishery Resources Convention.

(d) **STATE JURISDICTION NOT AFFECTED.**—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 208. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the extent allowed under United States law.

SEC. 209. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, before or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

TITLE III—WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION

SEC. 301. RECOMMENDATIONS FOR AGENDA OF ANNUAL MEETINGS OF WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION.

(a) **IN GENERAL.**—The Western and Central Pacific Fisheries Convention Implementation Act is amended—

(1) in section 503 (16 U.S.C. 6902)—

(A) in subsection (a), by inserting “and commercial fishing” after “fish stocks”; and

(B) in subsection (d)(1), by adding at the end the following:

“(E) **AGENDA RECOMMENDATIONS.**—No later than 30 days before each annual meeting of the Commission, the Advisory Committee shall transmit to the United States Commissioners recommendations relating to the agenda of the annual meeting. The recommendations must be agreed to by a majority of the Advisory Committee members. The United States Commissioners shall consider such recommendations, along with additional views transmitted by Advisory Committee members, in the formulation of the United States position for the Commission meeting and during the negotiations at that meeting.”; and

(2) by redesignating section 511 (16 U.S.C. 6910) as section 512, and inserting after section 510 the following:

“SEC. 511. UNITED STATES CONSERVATION, MANAGEMENT, AND ENFORCEMENT OBJECTIVES.

“The Secretary, in consultation with the Secretary of State, in the course of negotiations, shall seek to—

“(1) minimize any disadvantage to United States fishermen in relation to other members of the Commission;

“(2) maximize the opportunities for fishing vessels of the United States to harvest fish stocks on the high seas in the Convention area, recognizing that such harvests may be restricted if the Commission, based on the best available scientific information provided by the Scientific Committee, determines it is necessary to achieve the conservation objective set forth in Article 2 of the Convention;

“(3) prevent any requirement for the transfer to other nations or foreign entities of the fishing capacity, fishing capacity rights, or fishing vessels of the United States or its territories, unless any such requirement is voluntary and market-based; and

“(4) ensure that conservation and management measures take into consideration traditional fishing patterns of fishing vessels of the United States and the operating requirements of the fisheries covered by the Western and Central Pacific Convention.”.

(b) **CONFORMING AMENDMENT.**—Section 1(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 is amended in the table of contents by striking the item relating to section 511 (121 Stat. 3576) and inserting the following:

“Sec. 511. United States conservation, management, and enforcement objectives.

“Sec. 512. Authorization of appropriations.”.

TITLE IV—ILLEGAL, UNREGULATED, AND UNREPORTED FISHING

SEC. 401. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

(a) **APPLICATION OF ACT.**—Section 606(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g(b)) is amended by striking “and” at the end of paragraph (7), striking the period at the end of paragraph (8) and inserting “; and”, and by adding at the end the following:

“(9) the Ensuring Access to Pacific Fisheries Act.”.

(b) **BIENNIAL REPORTS.**—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended by inserting “on June 1 of that year” after “every 2 years thereafter.”.

(c) **IDENTIFICATION OF VESSELS.**—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended by striking “fishing vessels of that nation are engaged, or have” and inserting “any fishing vessel of that nation is engaged, or has”.

(d) **IDENTIFICATION OF NATIONS.**—Section 610(a)(2)(A) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k) is amended by striking “calendar year” and inserting “3 years”.

TITLE V—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

SEC. 501. SHORT TITLE; REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) **SHORT TITLE.**—This title may be cited as the “Northwest Atlantic Fisheries Convention Amendments Act”.

(b) **REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.**—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other pro-

vision of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.).

SEC. 502. REPRESENTATION OF THE UNITED STATES UNDER CONVENTION.

Section 202 (16 U.S.C. 5601) is amended—

(1) in subsection (a)(1), by striking “General Council and the Fisheries”;;

(2) in subsection (b)(1), by striking “at a meeting of the General Council or the Fisheries Commission”;

(3) in subsection (b)(2), by striking “, at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated”;

(4) in subsection (d)(1), by striking “at a meeting of the Scientific Council”;

(5) in subsection (d)(2), by striking “, at any meeting of the Scientific Council for which the Alternate Representative is designated”; and

(6) in subsection (f)(1)(A), by striking “Magnuson Act” and inserting “Magnuson-Stevens Fishery Conservation and Management Act”.

SEC. 503. REQUESTS FOR SCIENTIFIC ADVICE.

Section 203 (16 U.S.C. 5602) is amended—

(1) in subsection (a)—

(A) by striking “The Representatives may” and inserting “A Representative may”;

(B) by striking “described in subsection (b)(1) or (2)” and inserting “described in paragraph (1) or (2) of subsection (b)”;

(C) by striking “the Representatives have” and inserting “the Representative has”;

(2) by striking “VII(1)” each place it appears and inserting “VII(10)(b)”;

(3) in subsection (b)(2), by striking “VIII(2)” and inserting “VII(11)”.

SEC. 504. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

Section 204 (16 U.S.C. 5603) is amended by striking “Fisheries Commission” each place it appears and inserting “Commission consistent with the procedures detailed in Articles XIV and XV of the Convention”.

SEC. 505. INTERAGENCY COOPERATION.

Section 205(a) (16 U.S.C. 5604(a)) is amended to read as follows:

“(a) **AUTHORITIES OF THE SECRETARY.**—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with—

“(1) any department, agency, or instrumentality of the United States;

“(2) a State;

“(3) a Council; or

“(4) a private institution or an organization.”.

SEC. 506. PROHIBITED ACTS AND PENALTIES.

Section 207(a)(5) (16 U.S.C. 5606(a)(5)) is amended by striking “fish” and inserting “fishery resources”.

SEC. 507. CONSULTATIVE COMMITTEE.

Section 208 (16 U.S.C. 5607) is amended—

(1) in subsection (b)(2), by striking “two” and inserting “2”; and

(2) in subsection (c), by striking “General Council or the Fisheries” each place it appears.

SEC. 508. DEFINITIONS.

Section 210 (16 U.S.C. 5609) is amended to read as follows:

“SEC. 210. DEFINITIONS.

“In this title:

“(1) **1982 CONVENTION.**—The term ‘1982 Convention’ means the United Nations Convention on the Law of the Sea of 10 December 1982.

“(2) **AUTHORIZED ENFORCEMENT OFFICER.**—The term ‘authorized enforcement officer’ means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

“(3) **COMMISSION.**—The term ‘Commission’ means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

“(4) COMMISSIONER.—The term ‘Commissioner’ means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202.

“(5) CONVENTION.—The term ‘Convention’ means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

“(6) CONVENTION AREA.—The term ‘Convention Area’ means the waters of the Northwest Atlantic Ocean north of 35°00′ N and west of a line extending due north from 35°00′ N and 42°00′ W to 59°00′ N, thence due west to 44°00′ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10′ N.

“(7) COUNCIL.—The term ‘Council’ means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

“(8) FISHERY RESOURCES.—

“(A) IN GENERAL.—The term ‘fishery resources’ means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

“(B) EXCLUSIONS.—The term ‘fishery resources’ does not include—

“(i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or

“(ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

“(9) FISHING ACTIVITIES.—

“(A) IN GENERAL.—The term ‘fishing activities’ means harvesting or processing fishery resources, or transshipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

“(B) INCLUSIONS.—The term ‘fishing activities’ includes—

“(i) the actual or attempted searching for or catching or taking of fishery resources;

“(ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

“(iii) any operation at sea in support of, or in preparation for, any activity described in this paragraph.

“(C) EXCLUSIONS.—The term ‘fishing activities’ does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel.

“(10) FISHING VESSEL.—

“(A) IN GENERAL.—The term ‘fishing vessel’ means a vessel that is or has been engaged in fishing activities.

“(B) INCLUSIONS.—The term ‘fishing vessel’ includes a fish processing vessel or a vessel engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities.

“(11) ORGANIZATION.—The term ‘Organization’ means the Northwest Atlantic Fisheries Organization provided for by Article V of the Convention.

“(12) PERSON.—The term ‘person’ means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

“(13) REPRESENTATIVE.—The term ‘Representative’ means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202.

“(14) SCIENTIFIC COUNCIL.—The term ‘Scientific Council’ means the Scientific Council provided for by Articles V, VI, and VII of the Convention.

“(15) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

“(16) STATE.—The term ‘State’ means each of the several States of the United States, the District of Columbia, and any other commonwealth, territory, or possession of the United States.

“(17) TRANSHIPMENT.—The term ‘transshipment’ means the unloading of all or any of the fishery resources on board a fishing vessel to another fishing vessel either at sea or in port.”.

SEC. 509. QUOTA ALLOCATION PRACTICE.

Section 213 (16 U.S.C. 5612) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in American Samoa, there are no issues that carry more weight to the people who I represent than those of our fisheries, which comprise over 80 percent of the island’s revenue generation. It is for that reason I introduced the Ensuring Access to Pacific Fisheries Act with my colleague from Alaska, Congressman DON YOUNG.

Our bill ensures that our fishermen can operate on a level playing field with foreign nation vessels. Specifically, the bill implements U.S. participation in two new international fishery management agreements to which the United States helped negotiate: the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean and the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean. The bill also includes the Northwest Atlantic Fisheries Convention Act which was adopted from the Senate bill, among other provisions.

I am proud to say that this bill does exactly what the title suggests. It ensures our fishermen’s access to fisheries in international waters where we set the example for the rest of the world on how to best manage and conserve the ocean’s resources.

Based on the administration’s proposal, this bill makes necessary additions to ensure that our fishermen are properly represented in these international forums. Specifically, the first two titles of this bill ensure participation of the relevant regional fishery management councils and territories in the international negotiations of the North and South Pacific Commissions.

However, it is the third title of this bill that matters most to the people of American Samoa and our other fishing communities. Title III makes critical amendments to the Western and Central Pacific Fisheries Convention Implementation Act to minimize the disadvantage and maximize opportunities for our fishing fleets, especially those targeting migratory tuna stocks in the Pacific, which are essential to the stability of the American Samoa economy.

Our committee heard firsthand during the hearing on this bill last March that science has taken a back seat to geopolitics in these negotiations, and our fishermen are bearing the burden, especially those in the area of fishing for bigeye tuna.

In an effort to remain fair and true to the fishermen in American Samoa, title III also ensures access to traditional fishing grounds, which our people have utilized for centuries and long before any relationship with the United States, by requiring such grounds to be considered in any formal stance taken by United States commissioners at the WCPFC.

These are necessary measures due to the pressures facing the industry from all sides, from the closing off of large swaths of the ocean, which the American Samoan people have utilized for centuries, to irresponsible federally mandated wage hikes which aim to put our remote and economically isolated islands on the same level as the States.

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It is clear that we must ensure that those who are negotiating on behalf of our interests are doing just that, if we are to have any sort of viable fishing industry at all.

I want to thank the minority side for working with us in a bipartisan fashion on this bill. Their input and suggestions were very helpful in crafting this bill and allowing it to pass by unanimous consent. I would also like to thank the executive directors of the North Pacific and Western Pacific Councils for working with us as well. It is always helpful when drafting a bill to make sure that those affected by it have some input in the process.

Mr. Speaker, I thank Chairman KEVIN BRADY of the Ways and Means Committee for agreeing to help expedite consideration of this bill today. This bill, particularly title III, is of the utmost importance to the people of American Samoa.

I respectfully urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, August 3, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably

reported as amended H.R. 4576, the Ensuring Access to Pacific Fisheries Act, by unanimous consent. My staff has shared the reported text of the bill with your staff.

The reported bill contains provisions regarding fishery exports and imports, a matter within the jurisdiction of the Committee on Ways and Means. I ask that the Committee on Ways and Means not seek a sequential referral of the bill so that it may be scheduled by the Majority Leader when the House returns from the August District Work Period. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record to document this agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, August 3, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN BISHOP: Thank you for your letter concerning H.R. 4576, the "Ensuring Access to Pacific Fisheries Act." As you note, the bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

I appreciate your willingness to work with my Committee on this legislation. In order to allow H.R. 4576 to move expeditiously to the House floor, I will not seek a sequential referral on this bill. The Committee on Ways and Means takes this action with our mutual understanding that by foregoing formal consideration of H.R. 4576, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. SABLON. Mr. Chairman, I yield myself such time as I may consume.

This bill implements two important fisheries treaties: the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean and the Convention on the Conservation and Management of High Seas Fisheries Resources in the South Pacific Ocean. These treaties cover bottom- and mid-water fisheries in the Pacific Ocean's international waters, and implementing

them will give the United States a seat at the table to ensure access for our fishermen and sound management of the resource.

H.R. 4576 also updates the Northwest Atlantic Fisheries Convention Act and amends the Western and Central Pacific Fisheries Convention Act, and makes important changes to the High Seas Driftnet Fishing Moratorium Protection Act. This set of changes will enhance our ability to combat illegal, unreported, and unregulated fishing and give greater protection to sharks.

I applaud the efforts of the gentlewoman from American Samoa (Mrs. RADEWAGEN) to bring this bill to the floor in its current form.

I urge my colleagues to join me in supporting it.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 4576, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REAUTHORIZING THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 295) to reauthorize the Historically Black Colleges and Universities Historic Preservation program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM REAUTHORIZED.

Section 507(d)(2) of the Omnibus Parks and Public Lands Management Act of 1996 (54 U.S.C. 302101 note) is amended by striking the period at the end and inserting "and each of fiscal years 2017 through 2023."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to re-

visé and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 295, introduced by Congressman CLYBURN of South Carolina, reauthorizes the Historically Black Colleges and Universities Historic Preservation program. Since 1988, this program has allowed historically Black colleges and universities to document, preserve, and stabilize historic structures on their campuses. Over \$60 million has been awarded to these colleges and universities for this program, ensuring that their rich history remains preserved for future generations.

I urge my colleagues to adopt this important measure.

I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. CLYBURN), the sponsor of the bill.

Mr. CLYBURN. Mr. Speaker, I rise in support of H.R. 295, my bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program. This bill has been cosponsored by my colleagues in the Congressional Black Caucus and is broadly supported by all of our colleagues. It received a unanimous vote in the House Natural Resources Committee earlier this year, and I thank Mrs. RADEWAGEN and Mr. SABLON and all of our colleagues for their support.

As a former high school history teacher, I have worked during my tenure in Congress to preserve and protect our Nation's historic treasures. Historically Black colleges and universities, commonly called HBCUs, are some of the most important historic educational institutions in our country. Many of them have buildings and sites on their campuses that have existed for over a century. Unfortunately, many of the historic buildings and sites on these campuses have deteriorated over the years and are at risk of being lost completely if not preserved and protected.

In 1998, at the request of the Congressional Black Caucus, the United States Government Accountability Office surveyed 103 HBCU campuses to identify the historically significant sites on these campuses and project the cost of restoring and preserving these properties. The GAO identified 712 historic buildings and sites and projected a cost of \$755 million to restore and preserve them. Each of these sites has national significance to American history, and I believe we have an obligation to be stewards of these cultural treasures.

Congress first authorized grants to HBCUs for historic preservation in

1996. In 2003, working with our former colleague, the gentleman from Utah, Jim Hansen, and our current colleague, and my friend, the gentleman from Tennessee, JIMMY DUNCAN, Congress expanded the program that was originally championed by our former colleague, the gentleman from Tennessee, Bob Clement. Ten million dollars was authorized annually for 5 years.

The bill before us today extends that authorization at the same level for an additional 7 years. I have seen the transformative effect of these historic preservation grants on HBCU campuses in my district and across the country.

Arnette Hall at Allen University in Columbia, South Carolina, was designed by an African American architect and constructed by the university students themselves in 1891. Before being restored to the Secretary of the Interior's standards, Arnette Hall had been boarded up for nearly 40 years.

Testifying before the Committee on Natural Resources earlier this year, Claflin University's president, Dr. Henry Tisdale, spoke of the tremendous impact the restorations of Ministers and Tingley Halls have had on his institution.

Last June, I spoke at the rededication of historic Chappelle Auditorium, on the campus of Allen University, which was painstakingly restored thanks to funding from this program. Originally built in 1925, this building was central to the cultural life of African Americans in South Carolina for generations.

In 1947, Reverend Joseph A. DeLaine attended a NAACP event at Chappelle Auditorium that inspired him to organize Black families in Clarendon County to petition their school district to provide buses for Black students who, at the time, were forced to make a daily walk of 9.4 miles to school. This case, *Briggs v. Elliot*, precipitated the frontal attack on segregation in the country and was later combined with four other cases that became *Brown v. Board of Education of Topeka, Kansas*, at the United States Supreme Court. Overturning the "separate but equal" fallacy, *Brown* ended legal segregation in this country.

Historic buildings and sites at 59 HBCUs in 20 States have benefited from this program. Their stories are similar to those in my district that I have just shared.

There are many more buildings and sites on these campuses that are in dire need of restoration and preservation. H.R. 295 will renew our commitment to the stewardship of this critical aspect of American history.

Although it will not provide all of the funding the GAO estimated is needed to preserve every threatened site, H.R. 295 will continue the progress Congress has made in preserving these unique treasures.

I thank Chairman BISHOP, subcommittee Chairman MCCLINTOCK, and

Ranking Members GRIJALVA and TSONGAS for their support of this important legislation, and I urge all of my colleagues to support it.

Mrs. RADEWAGEN. Mr. Speaker, I would advise the gentleman that I have no additional speakers, and I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself such time as I may consume.

H.R. 295 is a great bill. I would like to thank the gentleman from South Carolina (Mr. CLYBURN), my esteemed colleague, for all of his hard work.

I urge my colleagues to join me in supporting this bill.

I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 295, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 246) to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term "Commission" means the Alyce Spotted Bear and Walter Soboleff Commission on Native Children established by section 3.

(2) INDIAN.—The term "Indian" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NATIVE CHILD.—The term "Native child" means—

(A) an Indian child, as that term is defined in section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903);

(B) an Indian who is between the ages of 18 and 24 years old; and

(C) a Native Hawaiian who is not older than 24 years old.

(5) NATIVE HAWAIIAN.—The term "Native Hawaiian" has the meaning given the term in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) TRIBAL COLLEGE OR UNIVERSITY.—The term "Tribal College or University" has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 3. COMMISSION ON NATIVE CHILDREN.

(a) IN GENERAL.—There is established a commission in the Office of Tribal Justice of the Department of Justice, to be known as the "Alyce Spotted Bear and Walter Soboleff Commission on Native Children".

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 11 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General;

(ii) the Secretary;

(iii) the Secretary of Education; and

(iv) the Secretary of Health and Human Services;

(B) 3 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), each member of the Commission shall have significant experience and expertise in—

(i) Indian affairs; and

(ii) matters to be studied by the Commission, including—

(I) health care issues facing Native children, including mental health, physical health, and nutrition;

(II) Indian education, including experience with Bureau of Indian Education schools and public schools, tribally operated schools, tribal colleges or universities, early childhood education programs, and the development of extra-curricular programs;

(III) juvenile justice programs relating to prevention and reducing incarceration and rates of recidivism; and

(IV) social service programs that are used by Native children and designed to address basic needs, such as food, shelter, and safety, including child protective services, group homes, and shelters.

(B) EXPERTS.—

(i) NATIVE CHILDREN.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) be responsible for providing the Commission with insight into and input from Native children on the matters studied by the Commission.

(ii) RESEARCH.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) have extensive experience in statistics or social science research.

(3) TERMS.—

(A) IN GENERAL.—Each member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) OPERATION.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting of the Commission shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) NATIVE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commission shall establish a committee, to be known as the “Native Advisory Committee”.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Native Advisory Committee shall consist of—

(i) 1 representative of Indian tribes from each region of the Bureau of Indian Affairs who is 25 years of age or older; and

(ii) 1 Native Hawaiian who is 25 years of age or older.

(B) QUALIFICATIONS.—Each member of the Native Advisory Committee shall have experience relating to matters to be studied by the Commission.

(3) DUTIES.—The Native Advisory Committee shall—

(A) serve as an advisory body to the Commission; and

(B) provide to the Commission advice and recommendations, submit materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission under this section.

(4) NATIVE CHILDREN SUBCOMMITTEE.—The Native Advisory Committee shall establish a subcommittee that shall consist of at least 1 member from each region of the Bureau of Indian Affairs and 1 Native Hawaiian, each of whom shall be a Native child, and have experience serving on the council of a tribal, regional, or national youth organization.

(e) COMPREHENSIVE STUDY OF NATIVE CHILDREN ISSUES.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive study of Federal, State, local, and tribal programs that serve Native children, including an evaluation of—

(A) the impact of concurrent jurisdiction on child welfare systems;

(B) the barriers Indian tribes and Native Hawaiians face in applying, reporting on, and using existing public and private grant resources, including identification of any Federal cost-sharing requirements;

(C) the obstacles to nongovernmental financial support, such as from private foundations and corporate charities, for programs benefitting Native children;

(D) the issues relating to data collection, such as small sample sizes, large margins of error, or other issues related to the validity and statistical significance of data on Native children;

(E) the barriers to the development of sustainable, multidisciplinary programs designed to assist high-risk Native children and families of those high-risk Native children;

(F) cultural or socioeconomic challenges in communities of Native children;

(G) any examples of successful program models and use of best practices in programs that serve children and families;

(H) the barriers to interagency coordination on programs benefitting Native children; and

(I) the use of memoranda of agreement or interagency agreements to facilitate or improve agency coordination, including the effects of existing memoranda or interagency agreements on program service delivery and efficiency.

(2) COORDINATION.—In conducting the study under paragraph (1), the Commission shall, to the maximum extent practicable—

(A) to avoid duplication of efforts, collaborate with other workgroups focused on similar issues, such as the Task Force on American Indian/Alaska Native Children Exposed to Violence of the Attorney General; and

(B) to improve coordination and reduce travel costs, use available technology.

(3) RECOMMENDATIONS.—Taking into consideration the results of the study under paragraph (1) and the analysis of any existing data relating to Native children received from Federal agencies, the Commission shall—

(A) develop recommendations for goals, and plans for achieving those goals, for Federal policy relating to Native children in the short-, mid-, and long-term, which shall be informed by the development of accurate child well-being measures, except that the Commission shall not consider or recommend the recognition or the establishment of a government-to-government relationship with—

(i) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(ii) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.);

(B) make recommendations on necessary modifications and improvements to programs that serve Native children at the Federal, State, and tribal levels, on the condition that the recommendations recognize the diversity in cultural values, integrate the cultural strengths of the communities of the Native children, and will result in—

(i) improvements to the child welfare system that—

(I) reduce the disproportionate rate at which Native children enter child protective services and the period of time spent in the foster system;

(II) increase coordination among social workers, police, and foster families assisting Native children while in the foster system to result in the increased safety of Native children while in the foster system;

(III) encourage the hiring and retention of licensed social workers in Native communities;

(IV) address the lack of available foster homes in Native communities; and

(V) reduce truancy and improve the academic proficiency and graduation rates of Native children in the foster system;

(ii) improvements to the mental and physical health of Native children, taking into consideration the rates of suicide, substance abuse, and access to nutrition and health care, including—

(I) an analysis of the increased access of Native children to Medicaid under the Patient Protection and Affordable Care Act (Public Law 111–148) and the effect of that increase on the ability of Indian tribes and Native Hawaiians to develop sustainable health programs; and

(II) an evaluation of the effects of a lack of public sanitation infrastructure, including in-home sewer and water, on the health status of Native children;

(iii) improvements to educational and vocational opportunities for Native children that will lead to—

(I) increased school attendance, performance, and graduation rates for Native children across

all educational levels, including early education, post-secondary, and graduate school;

(II) localized strategies developed by educators, tribal and community leaders, and law enforcement to prevent and reduce truancy among Native children;

(III) scholarship opportunities at a Tribal College or University and other public and private postsecondary institutions;

(IV) increased participation of the immediate families of Native children;

(V) coordination among schools and Indian tribes that serve Native children, including in the areas of data sharing and student tracking;

(VI) accurate identification of students as Native children; and

(VII) increased school counseling services, improved access to quality nutrition at school, and safe student transportation;

(iv) improved policies and practices by local school districts that would result in improved academic proficiency for Native children;

(v) increased access to extracurricular activities for Native children that are designed to increase self-esteem, promote community engagement, and support academic excellence while also serving to prevent unplanned pregnancy, membership in gangs, drug and alcohol abuse, and suicide, including activities that incorporate traditional language and cultural practices of Indians and Native Hawaiians;

(vi) taking into consideration the report of the Indian Law and Order Commission issued pursuant to section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)), improvements to Federal, State, and tribal juvenile justice systems and detention programs—

(I) to provide greater access to educational opportunities and social services for incarcerated Native children;

(II) to promote prevention and reduce incarceration and recidivism rates among Native children;

(III) to identify intervention approaches and alternatives to incarceration of Native children;

(IV) to incorporate families and the traditional cultures of Indians and Native Hawaiians in the juvenile justice process, including through the development of a family court for juvenile offenses; and

(V) to prevent unnecessary detentions and identify successful reentry programs;

(vii) expanded access to a continuum of early development and learning services for Native children from prenatal to age 5 that are culturally competent, support Native language preservation, and comprehensively promote the health, well-being, learning, and development of Native children, such as—

(I) high quality early care and learning programs for children starting from birth, including Early Head Start, Head Start, child care, and preschool programs;

(II) programs, including home visiting and family resource and support programs, that increase the capacity of parents to support the learning and development of the children of the parents, beginning prenatally, and connect the parents with necessary resources;

(III) early intervention and preschool services for infants, toddlers, and preschool-aged children with developmental delays or disabilities; and

(IV) professional development opportunities for Native providers of early development and learning services;

(viii) the development of a system that delivers wrap-around services to Native children in a way that is comprehensive and sustainable, including through increased coordination among Indian tribes, schools, law enforcement, health care providers, social workers, and families;

(ix) more flexible use of existing Federal programs, such as by—

(I) providing Indians and Native Hawaiians with more flexibility to carry out programs, while maintaining accountability, minimizing administrative time, cost, and expense and reducing the burden of Federal paperwork requirements; and

(II) allowing unexpended Federal funds to be used flexibly to support programs benefitting Native children, while taking into account—

(aa) the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 note; 106 Stat. 2302);

(bb) the Coordinated Tribal Assistance Solicitation program of the Department of Justice;

(cc) the Federal policy of self-determination; and

(dd) any consolidated grant programs; and

(x) solutions to other issues that, as determined by the Commission, would improve the health, safety, and well-being of Native children;

(C) make recommendations for improving data collection methods that consider—

(i) the adoption of standard definitions and compatible systems platforms to allow for greater linkage of data sets across Federal agencies;

(ii) the appropriateness of existing data categories for comparative purposes;

(iii) the development of quality data and measures, such as by ensuring sufficient sample sizes and frequency of sampling, for Federal, State, and tribal programs that serve Native children;

(iv) the collection and measurement of data that are useful to Indian tribes and Native Hawaiians;

(v) the inclusion of Native children in longitudinal studies; and

(vi) tribal access to data gathered by Federal, State, and local governmental agencies; and

(D) identify models of successful Federal, State, and tribal programs in the areas studied by the Commission.

(f) REPORT.—Not later than 3 years after the date on which all members of the Commission are appointed and amounts are made available to carry out this Act, the Commission shall submit to the President, the Committee on Natural Resources of the House of Representatives, the Committee on Indian Affairs of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate, a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section, except that the Commission shall hold not less than 5 hearings in Native communities.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees and allowances as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The fees and allowances for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information

as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this Act.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property related to the purpose of the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—

(A) IN GENERAL.—On the affirmative vote of $\frac{2}{3}$ of the members of the Commission—

(i) the Attorney General, the Secretary, the Secretary of Education, and the Secretary of the Health and Human Services shall each detail, without reimbursement, 1 or more employees of the Department of Justice, the Department of the Interior, the Department of Education, and the Department of Health and Human Services; and

(ii) with the approval of the appropriate Federal agency head, an employee of any other Federal agency may be, without reimbursement, detailed to the Commission.

(B) EFFECT ON DETAIL EES.—Detail under this paragraph shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—

(A) IN GENERAL.—On request of the Commission, the Attorney General shall provide to the Commission, on a reimbursable basis, reasonable and appropriate office space, supplies, and administrative assistance.

(B) NO REQUIREMENT FOR PHYSICAL FACILITIES.—The Administrator of General Services shall not be required to locate a permanent, physical office space for the operation of the Commission.

(4) MEMBERS NOT FEDERAL EMPLOYEES.—No member of the Commission, the Native Advisory Committee, or the Native Children Subcommittee shall be considered to be a Federal employee.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (f).

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission, the Native Advisory Committee, or the Native Children Subcommittee.

(k) EFFECT.—This Act shall not be construed to recognize or establish a government-to-government relationship with—

(1) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(2) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 246, the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act. This bill would establish a commission in the Office of Tribal Justice at the Department of Justice. The commission would be composed of 11 members appointed by the President and congressional leadership. Each commissioner would be required to have significant expertise in Indian affairs, healthcare issues facing Native children, Indian education, juvenile justice programs focused on reducing incarceration and recidivism, and social services programs used by Native children.

□ 1645

The commission would report to Congress and to the President with legislative and administrative recommendations for improving support for mental and physical health and increased educational opportunities for Native children.

Protecting Native children and providing safe and supportive communities has always been a top priority identified by tribal leaders, yet the lack of sufficient coordinated research on the full scope of the causes, existing issues, and challenges inhibits the Federal and tribal governments from developing appropriate tailored programs to deliver the most efficient and targeted services to Native children.

S. 246 is a companion bill to H.R. 2751, sponsored by the gentlewoman from Minnesota (Ms. McCOLLUM). I urge adoption of S. 246.

I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself such time as I may consume.

The studies indicate that Native youth experience significantly more challenges in virtually every aspect of their development from birth to adolescence than any other population. Native infants experience higher infant mortality rates than those of other racial or ethnic groups. Native children are overrepresented in foster care, at more than 2.1 times the general population, and 37 percent of Native children live in poverty.

Finally, it is most troubling that Native youth face a higher risk and rate of premature death than other youth.

In fact, suicide is the second leading cause of death, 2.5 times the national rate, for Native youth in the 15 to 24 age group.

We need to take a comprehensive look at the health and well-being of Native children and to find the root causes of and real solutions to the problems and issues that are leading to these disturbing trends. This is why I wholeheartedly support S. 246 and the establishment of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children.

The commission will be comprised of experts in the areas of juvenile justice, social work, education, and mental and physical health, working alongside a Native advisory committee composed of Native tribal representatives. They will conduct a comprehensive study of current Federal and local programs, grants, and support available for Native communities and children, and will report our recommendations for legislative and administrative actions and modifications and improvements to better serve our Native children.

I want to thank Senator HEITKAMP for introducing this important legislation and for tirelessly advocating for the creation of this commission. I also want to thank the gentlewoman from Minnesota (Ms. MCCOLLUM) for championing the House version of the bill, H.R. 2751.

Mr. Speaker, I know that the Alyce Spotted Bear and Walter Soboleff Commission on Native Children will be successful in its endeavor, and I encourage my colleagues to swiftly adopt this legislation. Native children cannot wait any longer.

I have no further speakers, and I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, S. 246, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIVE AMERICAN TOURISM AND IMPROVING VISITOR EXPERIENCE ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1579) to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Native American Tourism and Improving Visitor Experience Act” or the “NATIVE Act”.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to enhance and integrate Native American tourism—

(A) to empower Native American communities; and

(B) to advance the National Travel and Tourism Strategy;

(2) to increase coordination and collaboration between Federal tourism assets to support Native American tourism and bolster recreational travel and tourism;

(3) to expand heritage and cultural tourism opportunities in the United States to spur economic development, create jobs, and increase tourism revenues;

(4) to enhance and improve self-determination and self-governance capabilities in the Native American community and to promote greater self-sufficiency;

(5) to encourage Indian tribes, tribal organizations, and Native Hawaiian organizations to engage more fully in Native American tourism activities to increase visitation to rural and remote areas in the United States that are too difficult to access or are unknown to domestic travelers and international tourists;

(6) to provide grants, loans, and technical assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations that will—

(A) spur important infrastructure development;

(B) increase tourism capacity; and

(C) elevate living standards in Native American communities; and

(7) to support the development of technologically innovative projects that will incorporate recreational travel and tourism information and data from Federal assets to improve the visitor experience.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term “agency” has the meaning given the term in section 551 of title 5, United States Code.

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” means a nonprofit organization—

(A) that serves the interests of Native Hawaiians;

(B) in which Native Hawaiians serve in substantive and policymaking positions; and

(C) that is recognized for having expertise in Native Hawaiian culture and heritage, including tourism.

(4) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 4. INTEGRATING FEDERAL TOURISM ASSETS TO STRENGTHEN NATIVE TOURISM OPPORTUNITIES.

(a) SECRETARY OF COMMERCE AND SECRETARY OF THE INTERIOR.—The Secretary of Commerce and the Secretary of the Interior shall update the respective management plans and tourism initiatives of the Department of Commerce and the Department of

the Interior to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(b) OTHER AGENCIES.—The head of each agency that has recreational travel or tourism functions or complementary programs shall update the respective management plans and tourism strategies of the agency to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(c) NATIVE AMERICAN TOURISM PLANS.—

(1) IN GENERAL.—The plans shall outline policy proposals—

(A) to improve travel and tourism data collection and analysis;

(B) to increase the integration, alignment, and utility of public records, publications, and Web sites maintained by Federal agencies;

(C) to create a better user experience for domestic travelers and international visitors;

(D) to align Federal agency Web sites and publications;

(E) to support national tourism goals;

(F) to identify agency programs that could be used to support tourism capacity building and help sustain tourism infrastructure in Native American communities;

(G) to develop innovative visitor portals for parks, landmarks, heritage and cultural sites, and assets that showcase and respect the diversity of the indigenous peoples of the United States;

(H) to share local Native American heritage through the development of bilingual interpretive and directional signage that could include or incorporate English and the local Native American language or languages; and

(I) to improve access to transportation programs related to Native American community capacity building for tourism and trade, including transportation planning for programs related to visitor enhancement and safety.

(2) CONSULTATION WITH INDIAN TRIBES AND NATIVE AMERICANS.—In developing the plan under paragraph (1), the head of each agency shall consult with Indian tribes and the Native American community to identify appropriate levels of inclusion of the Indian tribes and Native Americans in Federal tourism activities, public records and publications, including Native American tourism information available on Web sites.

(d) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall enter into a memorandum of understanding or cooperative agreement with an entity or organization with a demonstrated record in tribal communities of defining, introducing, developing, and sustaining American Indian, Alaska Native, and Native Hawaiian tourism and related activities in a manner that respects and honors native traditions and values.

(2) COORDINATION.—The memorandum of understanding or cooperative agreement described in paragraph (1) shall formalize a role for the organization or entity to serve as a facilitator between the Secretary of the Interior and the Secretary of Commerce and the Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify areas where technical assistance is needed through consultations with Indian tribes, tribal organizations, and Native Hawaiian organizations to empower the Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(B) to provide a means for the delivery of technical assistance and coordinate the delivery of the assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations in collaboration with the Secretary of the Interior, the Secretary of Commerce, and other entities with distinctive experience, as appropriate.

(3) FUNDING.—Subject to the availability of appropriations, the head of each Federal agency, including the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Secretary of Labor shall obligate any funds made available to the head of the agency to cover any administrative expenses incurred by the organization or entity described in paragraph (1) in carrying out programs or activities of the agency.

(4) METRICS.—The Secretary of the Interior and the Secretary of Commerce shall coordinate with the organization or entity described in paragraph (1) to develop metrics to measure the effectiveness of the entity or organization in strengthening tourism opportunities for Indian tribes, tribal organizations, and Native Hawaiian organizations.

(e) REPORTS.—Not later than 1 year after the date of enactment of this Act, and occasionally thereafter, the Secretary of the Interior and the Secretary of Commerce shall each submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the manner in which the Secretary of the Interior or the Secretary of Commerce, as applicable, is including Indian tribes, tribal organizations, and Native Hawaiian organizations in management plans;

(2) the efforts of the Secretary of the Interior or the Secretary of Commerce, as applicable, to develop departmental and agency tourism plans to support tourism programs of Indian tribes, tribal organizations, and Native Hawaiian organizations;

(3) the manner in which the entity or organization described in subsection (d)(1) is working to promote tourism to empower Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(4) the effectiveness of the entity or organization described in subsection (d)(1) based on the metrics developed under subsection (d)(4).

SEC. 5. NATIVE AMERICAN TOURISM AND BRANDING ENHANCEMENT.

(a) IN GENERAL.—The head of each agency shall—

(1) take actions that help empower Indian tribes, tribal organizations, and Native Hawaiian organizations to showcase the heritage, foods, traditions, history, and continuing vitality of Native American communities;

(2) support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify and enhance or maintain traditions and cultural features that are important to sustain the distinctiveness of the local Native American community; and

(B) to provide visitor experiences that are authentic and respectful;

(3) provide assistance to interpret the connections between the indigenous peoples of the United States and the national identity of the United States;

(4) enhance efforts to promote understanding and respect for diverse cultures and subcultures in the United States and the rel-

evance of those cultures to the national brand of the United States; and

(5) enter into appropriate memoranda of understanding and establish public-private partnerships to ensure that arriving domestic travelers at airports and arriving international visitors at ports of entry are welcomed in a manner that both showcases and respects the diversity of Native American communities.

(b) GRANTS.—To the extent practicable, grant programs relating to travel, recreation, or tourism administered by the Commissioner of the Administration for Native Americans, Chairman of the National Endowment for the Arts, Chairman of the National Endowment for the Humanities, or the head of an agency with assets or resources relating to travel, recreation, or tourism promotion or branding enhancement for which Indian tribes, tribal organizations, or Native Hawaiian organizations are eligible may be used—

(1) to support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations to tell the story of Native Americans as the First Peoples of the United States;

(2) to use the arts and humanities to help revitalize Native communities, promote economic development, increase livability, and present the uniqueness of the United States to visitors in a way that celebrates the diversity of the United States; and

(3) to carry out this section.

(c) SMITHSONIAN.—The Advisory Council and the Board of Regents of the Smithsonian Institution shall work with Indian tribes, tribal organizations, Native Hawaiian organizations, and nonprofit organizations to establish long-term partnerships with non-Smithsonian museums and educational and cultural organizations—

(1) to share collections, exhibitions, interpretive materials, and educational strategies; and

(2) to conduct joint research and collaborative projects that would support tourism efforts for Indian tribes, tribal organizations, and Native Hawaiian organizations and carry out the intent of this section.

SEC. 6. EFFECT.

Nothing in this Act alters, or demonstrates congressional support for the alteration of, the legal relationship between the United States and any American Indian, Alaska Native, or Native Hawaiian individual, group, organization, or entity.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 1579, the Native American Tour-

ism and Improving Visitor Experience Act, commonly known as the NATIVE Act. This bill would require Federal agencies with recreational travel and tourism functions to include Indian tribes and tribal organization in management plans. Furthermore, the bill requires the Department of Commerce and the Department of the Interior to report on how each Department is including tribes to develop Native American tourism plans to improve travel and tourism data collection.

The U.S. Travel Association estimates that the tourism industry in the United States topped \$220 billion in 2014. According to the American Indian Alaska Native Tourism Association, there is growing interest in Indian Country as a tourist attraction.

This bill would help strengthen coordination and collaboration between Federal agencies where tourism programs currently exist without requiring any new appropriations. By removing any silo systems within government, tribes can seek to seize economic opportunities.

S. 1579 is the companion bill to H.R. 3477, sponsored by the gentleman from Oklahoma, Congressman MARKWAYNE MULLIN. I want to thank him for his hard work on this legislation.

I include in the RECORD an exchange of letters between the chairman of Committee on Energy and Commerce and the Committee on House Administration regarding this bill, and we thank them for agreeing to help expedite consideration of this bill today.

HOUSE OF REPRESENTATIVES,

COMMITTEE ON NATURAL RESOURCES,

Washington, DC, August 24, 2016.

Hon. CANDICE MILLER,

Chairman, Committee on House Administration, Washington, DC.

DEAR MADAM CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on House Administration and Energy and Commerce. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on House Administration to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, August 24, 2016.
Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding S. 1579. As you know, the bill was received in the House of Representatives on June 15, 2015, and referred primarily to the Committee on Natural Resources and in addition to the Committee on Energy and Commerce and the Committee on House Administration. The bill seeks to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States. On July 13, 2016, your Committee ordered S. 1579 to be reported by unanimous consent.

The Committee on House Administration agrees to discharge from further consideration of S. 1579 to expedite floor consideration. It is the understanding of the Committee on House Administration that forgoing action on S. 1579 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

CANDICE MILLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, September 6, 2016.
Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce and House Administration. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 6, 2016.
Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN BISHOP: I write in regard to S. 1579, NATIVE Act, which was recently

ordered to be reported by the Committee on Natural Resources. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on S. 1579 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered.

I would appreciate your response confirming this understanding with respect to S. 1579 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

Mrs. RADEWAGEN. Mr. Speaker, I urge adoption of S. 1579, and I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, I yield myself such time as I may consume.

Like many other communities around the country, tribes and tribal organizations are looking for ways to attract the business of overseas tourists; and there is a significant opportunity for tribes and Native people to share and reinforce their cultures, generate income, create jobs, and improve their quality of life through increased tourism.

According to the Department of Commerce, as my colleague alluded to earlier, tourism was almost a quarter-of-a-trillion-dollar industry in 2014, with almost 34 million overseas travelers visiting the United States. And overseas travelers to the United States who visit national parks or tribal lands tend to stay longer in the United States, visit more destinations within the country, and are more likely to be repeat visitors.

However, there are currently no tourism initiatives at the Federal level that include tribes and tribal organizations. The NATIVE Act would remedy that situation by encouraging Federal programs that support tourism and tourism infrastructure to engage with our Native American communities. This will increase tribal opportunity to showcase the rich and diverse history of the indigenous peoples of the United States.

I commend Senator SCHATZ of Hawaii for this legislation. I ask my colleagues to support S. 1579.

Having no further speakers, I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

Mr. FARR. Mr. Speaker, I am pleased to support S. 1579, the Native American Tourism and Improving Visitor Experience (NATIVE) Act. This bill will advance Indian Country tourism by requiring federal agencies with recreational travel and tourism functions to include Indian tribes and tribal organizations in updated management plans and develop Native American tourism.

Anecdotally, we know the foreign tourists have a keen interest in our Indian history and culture. This bill will enable the collection of vital travel and tourism data and analysis and, importantly, increase integration of federal assets to Indian Country so they can advance their economic development goals and tribal sovereignty.

Indian Country is a mosaic with vibrant cultures and a rich assortment of languages and traditions. By promoting this vast array of authentic Native tourism assets, the United States can increase its ability to compete for international visitors seeking a uniquely American experience while ensuring that diverse Native communities contribute to, and benefit from, the economic benefits that travel affords.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, S. 1579.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BETTER ON-LINE TICKET SALES ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5104) to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Better On-line Ticket Sales Act of 2016" or the "BOTS Act".

SEC. 2. UNFAIR AND DECEPTIVE ACTS AND PRACTICES RELATING TO USE OF TICKET ACCESS CIRCUMVENTION SOFTWARE.

(a) SALE OF SOFTWARE.—It shall be unlawful for any person to sell or offer to sell, in commerce, any computer software, or part thereof, that—

(1) is primarily designed or produced for the purpose of circumventing a technological measure that limits purchases made via a computerized event ticketing system;

(2) has only limited commercially significant purpose or use other than to circumvent a technological measure that limits purchases made via a computerized event ticketing system; or

(3) is marketed by that person for use in circumventing a technological measure that limits purchases made via a computerized event ticketing system.

(b) USE OF SOFTWARE.—It shall be unlawful for any person to use any computer software, or part thereof, described in subsection (a) of this section, to purchase an event ticket via a computerized event ticketing system in violation of the system operator's posted limits on the sequence or number of transactions, frequency of

transactions, or quantity of tickets purchased by a single user of the system, or on the geographic location of any transactions.

(c) **RESALE OF TICKETS.**—It shall be unlawful for any person to engage in the practice of reselling in commerce, event tickets acquired in violation of subsection (b) of this section if the person either—

(1) participated directly in or had the ability to control the conduct in violation of subsection (b); or

(2) knew or should have known that the event tickets were acquired in violation of subsection (b).

(d) **DEFINITIONS.**—As used in this section—

(1) the term “computerized event ticketing system” means a system of selling event tickets, in commerce, via an online interactive computer system that effectively limits the sequence or number of ticket purchase transactions, frequency of ticket purchase transactions, quantity of tickets purchased, or geographic location of any ticket purchase transactions;

(2) the term “event ticket” means a ticket entitling one or more individuals to attend, in person, one or more events to occur on specific dates, times, and geographic locations; and

(3) to “circumvent a technological measure” means to avoid, bypass, remove, deactivate, or impair a technological measure, without the authority of the computerized event ticketing system operator.

(e) **RULE OF CONSTRUCTION.**—Notwithstanding the prohibitions set forth in subsections (a) and (b), it shall not be unlawful under this section to create or use any computer software, or part thereof, to—

(1) investigate or further the enforcement or defense of any alleged violation of this section; or

(2) engage in research necessary to identify and analyze flaws and vulnerabilities of a computerized event ticketing system, if these research activities are conducted to advance the state of knowledge in the field of computer system security or to assist in the development of computer security products.

(f) **ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.**—A violation of subsection (a), (b), or (c) shall be treated as an unfair and deceptive act or practice in violation of a regulation issued under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(g) **ENFORCEMENT BY STATES.**—

(1) **AUTHORIZATION.**—Subject to paragraph (2), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by a violation of subsection (a), (b), or (c), the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) **RIGHTS OF FEDERAL TRADE COMMISSION.**—

(A) **NOTICE TO FTC.**—

(i) **IN GENERAL.**—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person for a violation of subsection (a), (b), or (c).

(ii) **CONTENTS.**—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) **EXCEPTION.**—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) **INTERVENTION BY THE FTC.**—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening, be heard on all matters arising in the civil action, and file petitions for appeal of a decision in the civil action.

(3) **PENDING ACTION BY THE FEDERAL TRADE COMMISSION.**—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (a), (b), or (c), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

The **SPEAKER pro tempore** (Mr. KELLY of Mississippi). Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of several bipartisan bills that have resulted from the focus on the industries creating the jobs of tomorrow within the Subcommittee on Commerce, Manufacturing, and Trade.

In particular, we examined the Federal Trade Commission's oversight of and impact on innovation. We considered several bills to streamline the Federal Trade Commission's authority in emerging areas. These bills build on the Federal Trade Commission's work in overseeing the most cutting edge industries as well as threats to consumer protection presented, in part, by technological advances.

Mr. Speaker, the Federal Trade Commission has a good model for policing unfair and deceptive practices in economic sectors driven by emerging technology. We highlighted this in our Disrupters Series of hearings, focusing on new and game-changing technologies. The Federal Trade Commission operates under a flexible framework, and this session we sought to make improvements.

Before I get into the bills we consider today, I want to highlight H.R. 5510, the Federal Trade Commission Process and Transparency Reform Act, which would strengthen the Federal Trade Commission's model by ensuring it has the right tools, the right restraints, and, of course, transparency.

This legislation is the sum of several measures from a number of members of the subcommittee who each contrib-

uted some targeted reforms to ensure that the Federal Trade Commission continues to strike the right balance between mitigating consumer harm and fostering innovative products and services.

The Federal Trade Commission was last reauthorized in 1996, and the last time substantial changes were made to its broad authorities was 1994. A lot has changed in the tech-driven sectors under the Federal Trade Commission's purview since then, and H.R. 5510 would make small reforms to ensure that Federal law keeps up with the rest of the world.

Two of the four bills from my subcommittee we will consider today clarify the Federal Trade Commission's ability to stop certain practices that have taken advantage of consumers over the Internet.

One of our bills, the BOTS Act, H.R. 5104, is a targeted measure to ensure that consumers have fair access to tickets at reasonable prices. The Internet has created great opportunities for fans to engage with their favorite teams, their favorite performers, and their favorite artists; but ticket bots have detracted from these relationships and, in fact, thwarted the efforts to obtain event tickets at their intended prices. The BOTS Act is necessary to ensure that consumers reap the full benefits of having online access to event tickets. I thank Congresswoman BLACKBURN for her leadership in authoring this bill and pushing it forward through our subcommittee.

Another bill, H.R. 5111, would ensure that online consumer reviews are no longer subject to gag orders. Some bad actors have penalized consumers for giving their products or services a bad review. This is holding back progress and accountability; and our legislation, the Consumer Review Fairness Act, would help put a stop to it. Congressman LANCE is the author of this legislation, and I thank him for his work in making certain that this becomes law.

We also have before us H. Res. 847, a measure that recognizes the potential of the Internet of Things. A national strategy is needed for the Internet of Things. In order to reap the potentially enormous benefits of connected devices, we must ensure that the bureaucracy stays out of the way of innovation, stays out of the way of progress in the marketplace, but that the government is also using the technology to reduce costs to taxpayers.

Similarly, we are putting forward a resolution authored by Mr. KINZINGER of Illinois and Mr. CÁRDENAS, H. Res. 835. This measure recognizes the growing importance of advanced financial technology, what they call fintech. Fintech has driven forward the development of blockchain technologies, which are poised to revolutionize several economic sectors.

Blockchain technology may help solve problems related to transaction

costs and is especially well suited to address security concerns in cyberspace.

□ 1700

In addition to the four bills from subcommittee, we will also be considering three bills from other subcommittees within Energy and Commerce. The Amateur Radio Parity Act would require the Federal Communications Commission to adopt rules that allow amateur radio operators to use their equipment in deed-restricted communities. The Advanced Nuclear Technology Development Act would provide certainty for scientists and industry that advance nuclear technologies that can be reviewed, licensed, and commercially deployed, helping the United States remain the world leader in nuclear technology development. Finally, the Sports Medicine Licensure Clarity Act would ensure doctors traveling with athletic teams across State borders are properly covered by malpractice insurance.

Again, I want to thank all Members of the subcommittee and the full committee who sponsored these measures and the stakeholders who helped us perfect them.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today because this is a bipartisan day where we have a number of pieces of legislation we agreed to. I will talk about each of them, but I do want to say that I am a bit disappointed that my chairman decided to focus on a partisan bill on which there is a good deal of disagreement, H.R. 5510, the FTC Process and Transparency Reform Act. The bill, in the view of the Democrats, would undermine consumer protections at the FTC and it would make it harder for the FTC to take action in the case of noneconomic harm, like privacy violations, such as a 2012 cyber peeping case that we have been talking about. So I am hoping that we can, from now on, focus on bills that we, fortunately, do agree on and move them forward.

I am talking now about H.R. 5104, the Better On-line Ticket Sales Act, the BOTS Act, sponsored by MARSHA BLACKBURN. I thank Representative BLACKBURN for authoring the legislation and Representative TONKO for co-sponsoring that legislation.

The legislation addresses a real problem in the ticket marketplace. Anyone who has tried to buy tickets, let's say, to Adele, Beyonce, or Hamilton knows how difficult it can be to buy online. The Chicago production of Hamilton, I'm sorry to say, sold out almost immediately when tickets were put on sale this summer, and that is not just because everybody was ahead of me online.

Ticket buyers are competing not only against other fans, but in many cases, they are up against sophisti-

cated bots that buy up tickets to resell on the secondary market at a jacked-up price. The BOTS Act empowers the Federal Trade Commission to go after these bots, and I support that.

However, there is more we could do to help consumers in the ticket marketplace. Not only are tickets scooped up by bots, but a significant share of seats is held back for the artist, fan clubs, promotions, and other special groups. There is little transparency about what is actually being put up for general sale.

When you buy a ticket online, the first price you see is often not the price you end up paying. Service and convenience charges can surprise consumers, adding several dollars to the end price.

In subcommittee and full committee, we considered a Democratic amendment based on Congressman PASCRELL's BOSS Act to create more transparency on the price and availability of tickets. This would improve the overall environment for ticket buyers. The committee also considered, but did not adopt, an amendment to have the Government Accountability Office study the ticket market.

The ticket market has changed a lot in recent years, and more tickets are being sold in secondary markets online. Ticket sellers are experimenting with nontransferable tickets.

We need to better understand this market if we are going to adequately protect consumers. The BOTS Act will do some good to prevent tickets from being scooped up right away for resale.

I see this legislation as a first step, and I hope my colleagues across the aisle would agree. It is not the only improvement that we need to make to help ticket buyers.

I reserve the balance of my time, Mr. Speaker.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the author of this legislation.

Mrs. BLACKBURN. Mr. Speaker, I do rise today to support the Better On-line Ticket Sales Act, H.R. 5104, or as you have heard it called today, the BOTS Act. It is bipartisan legislation. Mr. TONKO of New York has done a tremendous job working on this with me. Together, we have worked with the Senators to make certain that we have legislation that can be signed into law that will address a problem that so many of our constituents face. Now, we know it is not going to be something that does everything everyone would want, but we do know this is the first step in working with the FTC making certain that we address these bots.

The problem is this: we have some individuals or groups that deploy hacking software—it is called bots. Short for robots, of course—that launch thousands of simultaneous requests for tickets on a ticket site.

Now, I am certain many of us have tried to buy a ticket as soon as they go

on sale, just as Ms. SCHAKOWSKY was talking about the performance of Hamilton. We see this a lot with concerts that are coming into Nashville. You go on. You log on. You want to buy that ticket for that sporting event or for that concert, and the bots overwhelm the site and cherry-pick the very best tickets. Then what do you find? You don't have the ability to purchase a ticket.

This has become so frustrating to consumers because they do plan to go on and they do plan to buy that ticket. The site just slows to a crawl, and then when they get through, the tickets are sold out.

This is something that has been very frustrating not only to consumers, but to artists, to entertainers, to fans of live entertainment, and to sports teams.

The artists and the teams often price tickets well below the highest possible price they might be able to get from the fans for any particular event. They do this as a way to invest in that long-term relationship with their fans.

The BOTS Act would make it an unfair and deceptive practice under the FTC Act to use a bot to violate both the terms and conditions of the ticketing site. Also, it creates a mechanism where the State Attorneys General can bring a cause of action against the botsters.

The BOTS Act will stop people from gaming the ticketing system, and it will increase access to events for fans of live entertainment.

Ms. SCHAKOWSKY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise in strong support of H.R. 5104, the Better On-line Ticket Sales Act, on which I joined in introducing with my colleague and friend from Tennessee, Mrs. BLACKBURN.

This bill would target the unfair practice of using software bots by scalpers to automate the process of purchasing event tickets from online vendor platforms.

As we saw at our legislative hearing on the matter in the Energy and Commerce Committee, the current lack of any Federal statute to deter the practice of using bots has turned the ticket industry in the United States into a rigged system.

For instance on December 8, 2014, a single broker used a bot to purchase over 1,000 tickets for a U2 concert at Madison Square Garden within the first minute of sale. By the end of that day, the same broker and one other had amassed more than 15,000 tickets to U2 shows across North America.

According to an exhaustive investigation by New York State Attorney General Eric Schneiderman, tickets purchased in this manner are then resold on secondary markets at an average of 49 percent above face value,

though there are plenty of examples where the markup was more than 1,000 percent.

The people in the capital region of New York and across the rest of our great country worked far too hard to save money enough to see a performance or a game. They should not be shut out from buying tickets online at a reasonable price because a computer program beats them to the punch.

By following the example set by States like New York where unlawful ticket brokers have had to pay stiff penalties for their given actions, we can start to reel in these unfair practices and make sure that Americans have the access to events that they truly deserve.

The BOTS Act expands upon the work of these States by prohibiting the intentional use or the sale of bots software and by barring any tickets acquired in this manner from entry into an event.

This legislation would also establish civil penalties for this behavior on a national level, instructing the FTC or the Attorney General of a State to bring civil action against any persons found in violation.

There is clearly a great deal more that can be done to protect consumers and bring more transparency to the ticket market, but I do believe the BOTS Act represents an excellent step in the right direction for bringing accountability and trust to this industry.

I thank my colleague, Mrs. BLACKBURN, for her hard work on this measure. We have enjoyed working together to come together with this bill, and look forward to continued progress.

I encourage my colleagues to support the measure.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Well, as I said earlier, the BOTS Act is a positive step to improve the ticket market. Today we will advance this bill on a bipartisan basis, which is always good; but I certainly do hope we can work together on further changes to increase transparency and fairness for ticket buyers.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I urge our colleagues to support this important legislation. I thank the gentlewoman from Tennessee for bringing it forward. I thank the members of the subcommittee for helping us get it to the floor, and I urge adoption of the bill.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 5104, the Better Online Ticket Sales Act, and to discuss what it means for consumers.

Congresswoman BLACKBURN introduced this legislation to combat an issue that many of us

are probably very familiar with if you attend entertainment events. Too often, consumers are left in the dust as outside groups take advantage of the system and buy up tickets in large blocks. This results in fans not having access to those events or having to pay more to purchase tickets from a third party vendor. This harms the industry and fans looking to enjoy it on their free time.

Under this bill, software that enables this circumvention of those checks would be prohibited from being sold and tickets purchased in this manner would also be prohibited from being sold. The FTC would enforce these new requirements and people who were affected by these profiteering ventures would be able to bring a civil suit. For too long, these organization and individuals have sidestepped the system with the fan being the one that is most impacted.

Congresswoman BLACKBURN's legislation would overhaul this broken system and punish those who are unwilling to play by the rules. I applaud her work on this issue and the work of the Energy and Commerce Committee to rein in these actions and urge passage of this important legislation.

Mr. UPTON. Mr. Speaker, today I rise in support of seven bipartisan bills originating out of four of our subcommittees that are direct evidence of a very busy and productive session in the Energy and Commerce Committee.

This package includes several measures that protect consumers and set Congress' sights forward to fostering next-generation technological development.

We will consider a measure introduced by Full Committee Vice Chairman BLACKBURN, to enhance penalties for the use of automated ticket scalping software. For too long, consumers have been gouged, as scalpers have used software to buy large numbers of event tickets—oftentimes preventing consumers from purchasing them at face value and then charging a 1,000 percent markup to resell those same tickets. This thoughtful legislation, the BOTS Act, is a targeted measure to prevent this practice and to ensure that consumers have fair access to tickets at reasonable prices.

We will also consider a measure authored by Mr. LANCE, along with Mr. KENNEDY, to ensure that online consumer reviews are no longer subject to gag orders—a practice ultimately affecting consumers as it hinders transparency and accountability in product reviews. Our legislation, the Consumer Review Fairness Act, does what it says and will help put a stop to this bad practice.

We will also consider a resolution that makes some important findings with respect to the Internet of Things. Back home in Michigan, folks are turning to smart devices to improve their access to health care, education, transportation, and other services that simplify their lives. This resolution sets forth Congress' unified belief that innovation in this space must be allowed to flourish and that the government must also take advantage of technology.

Similarly, we are putting forward a resolution authored by committee members Mr. KINZINGER and Mr. CÁRDENAS that encourages a unified strategy around advanced financial technologies. The FinTech industry has changed how consumers engage in commerce

and control their financial information as it lowers cost and increases financial access worldwide. This chamber's support for consumer empowerment through innovation is solidified with this resolution.

On the Health front, today we are also considering Mr. GUTHRIE's Sports Medicine Licensure Clarity Act. H.R. 921 would ensure that team doctors, trainers, and other licensed health care professionals are covered by their malpractice insurance when providing care to their athletes outside of their primary state.

We will also vote on Mr. KINZINGER's H.R. 1301, which originated out of the Communications and Technology subcommittee, and will ensure amateur radio operators are not prohibited from pursuing their passion simply because they live in a deed-restricted community. Amateur radio plays an important role in emergency response, often able to establish communication in disaster areas when traditional communications networks fail. I urge my colleagues to support this common-sense bill.

Last, but certainly not least, we will consider a measure from Rep. BOB Latta to help provide certainty for innovators and entrepreneurs who are seeking to develop and license the next generation of nuclear technologies. These technologies may provide breakthroughs in safety and efficiency over the technology in use today. We should ensure that the Nuclear Regulatory Commission has the expertise and resources to review and license the latest in advanced reactor technologies and this bill would do just that.

Individually, each of these bills are important but taken together they are evidence of the fine, bipartisan lawmaking that has come to define this committee, and further evidence of our ongoing bipartisan record of success.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 5104, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONSUMER REVIEW FAIRNESS ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5111) to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consumer Review Fairness Act of 2016".

SEC. 2. CONSUMER REVIEW PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) COVERED COMMUNICATION.—The term “covered communication” means a written, oral, or pictorial review, performance assessment of, or other similar analysis of, including by electronic means, the goods, services, or conduct of a person by an individual who is party to a form contract with respect to which such person is also a party.

(3) FORM CONTRACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “form contract” means a contract with standardized terms—

(i) used by a person in the course of selling or leasing the person’s goods or services; and

(ii) imposed on an individual without a meaningful opportunity for such individual to negotiate the standardized terms.

(B) EXCEPTION.—The term “form contract” does not include an employer-employee or independent contractor contract.

(4) PICTORIAL.—The term “pictorial” includes pictures, photographs, video, illustrations, and symbols.

(b) INVALIDITY OF CONTRACTS THAT IMPEDE CONSUMER REVIEWS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a provision of a form contract is void from the inception of such contract if such provision—

(A) prohibits or restricts the ability of an individual who is a party to the form contract to engage in a covered communication;

(B) imposes a penalty or fee against an individual who is a party to the form contract for engaging in a covered communication; or

(C) transfers or requires an individual who is a party to the form contract to transfer to any person any intellectual property rights in review or feedback content, with the exception of a non-exclusive license to use the content, that the individual may have in any otherwise lawful covered communication about such person or the goods or services provided by such person.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to affect—

(A) any duty of confidentiality imposed by law (including agency guidance);

(B) any civil cause of action for defamation, libel, or slander, or any similar cause of action;

(C) any party’s right to remove or refuse to display publicly on an Internet website or webpage owned, operated, or otherwise controlled by such party any content of a covered communication that—

(i) contains the personal information or likeness of another person, or is libelous, harassing, abusive, obscene, vulgar, sexually explicit, or is inappropriate with respect to race, gender, sexuality, ethnicity, or other intrinsic characteristic;

(ii) is unrelated to the goods or services offered by or available at such party’s Internet website or webpage; or

(iii) is clearly false or misleading; or

(D) a party’s right to establish terms and conditions with respect to the creation of photographs or video of such party’s property when those photographs or video are created by an employee or independent contractor of a commercial entity and solely intended for commercial purposes by that entity.

(3) EXCEPTIONS.—Paragraph (1) shall not apply to the extent that a provision of a form contract prohibits disclosure or submission of, or reserves the right of a person or business that hosts online consumer reviews or comments to remove—

(A) trade secrets or commercial or financial information obtained from a person and considered privileged or confidential;

(B) personnel and medical files and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(C) records or information compiled for law enforcement purposes, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(D) content that is unlawful or otherwise meets the requirements of paragraph (2)(C); or

(E) content that contains any computer viruses, worms, or other potentially damaging computer code, processes, programs, applications, or files.

(c) PROHIBITION.—It shall be unlawful for a person to offer a form contract containing a provision described as void in subsection (b).

(d) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (c) by a person with respect to which the Commission is empowered under section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(e) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to paragraph (2), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (c) in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person described in subsection (d)(1).

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1) against a person described in subsection (d)(1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (c), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(f) EDUCATION AND OUTREACH FOR BUSINESSES.—Not later than 60 days after the date of the enactment of this Act, the Commission shall commence conducting education and outreach that provides businesses with non-binding best practices for compliance with this Act.

(g) RELATION TO STATE CAUSES OF ACTION.—Nothing in this section shall be construed to affect any cause of action brought by a person that exists or may exist under State law.

(h) SAVINGS PROVISION.—Nothing in this section shall be construed to limit, impair, or supersede the operation of the Federal Trade Commission Act or any other provision of Federal law.

(i) EFFECTIVE DATES.—This section shall take effect on the date of the enactment of this Act, except that—

(1) subsections (b) and (c) shall apply with respect to contracts in effect on or after the date that is 90 days after the date of the enactment of this Act; and

(2) subsections (d) and (e) shall apply with respect to contracts in effect on or after the date that is 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the most important aspects of an efficient market is the free flow of information to consumers. The Internet has added hundreds of billions of dollars to the economy, and much of this is due to the ready access that it affords consumers and businesses access to information.

Government officials spend a lot of time worrying about how to ensure that the independent information sources about product and service qualities are available. So the truly great thing about consumer reviews is that, as long as they are reliable sources of information, they are made available at no cost to the consumer or to the taxpayer.

□ 1715

But this benefit is in trouble if we allow businesses to prevent information from ever becoming public. Many of us might hesitate before we give that negative review. Others might be eager to let everyone know just how bad their brunch was, but it probably never crosses anyone's mind that they could be fined if they tell the truth. After all, Americans are used to our freedom of speech.

In one extreme example brought to us by TripAdvisor, travelers were subjected to a \$5 million fine if any "actual opinions and/or publications are created which, at the sole opinion of the businessowner tends directly to injure him in respect to his trade or business . . ."

Now, this is clearly designed to frighten those who read it and frighten them into silence, and those who don't see it might be surprised to hear from a collection agency asking for \$5 million after posting a negative review.

The Consumer Review Fairness Act outlaws these gag orders. The prohibition is narrowly tailored to only those contracts where there is no opportunity for meaningful negotiations between the consumer and the business. In other words, it only applies to true form contracts. And the bill doesn't interfere with Web site operators' ability to manage the contacts and reviews on their own Web sites. Reasonable management of online reviews is necessary to ensure that they convey useful information as opposed to irrelevant or offensive content.

Mr. Speaker, I urge my colleagues to support free speech and support the passage of H.R. 5111.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Mr. LANCE and Mr. KENNEDY for cosponsoring this bill, and I am pleased to join my colleague in support of H.R. 5111, the Consumer Review Fairness Act. This bill protects consumers' ability to provide honest reviews of products and services.

Chairman BURGESS is right in saying that if you get a notice that you now

owe \$5 million probably just about for anything, you would be surprised; but if it was because you said something truthful based on your experience about a business, that would be particularly egregious.

Lots of mothers have told their children, "If you don't have something nice to say, say nothing at all," but the current practice now takes that way too far.

Businesses have snuck so-called nondisparagement clauses in terms of service agreements, and consumers don't really have a choice when it comes to those form contracts. In fact, they often don't realize they have just given up their right to speak openly about a bad experience. Imagine hiding language in form contracts to stop a bad Yelp review, for example.

For instance, a hotel in New York included a line in its guest policy that customers could be fined \$500 for leaving a bad review online. It seems ridiculous to me that a company would punish a consumer who wants to air complaints, particularly since hotel prices in New York are high enough already, and now you could be slapped with a fine for saying the service wasn't up to par.

This bill would put a stop to that anticonsumer practice. It would stop nondisparagement clauses from being placed in form contracts. Consumers should be able to voice their criticisms, and allowing reviews can help other consumers make informed choices. I look at those. The Consumer Review Fairness Act protects consumer speech, and I look forward to passing this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. LANCE), the author of the bill and vice chairman of the subcommittee.

Mr. LANCE. Mr. Speaker, I am pleased to offer this consumer protection measure along with my cosponsor, the gentleman from Massachusetts (Mr. KENNEDY).

The Consumer Review Fairness Act allows Americans to exercise their First Amendment rights regarding consumer experiences without fear of retribution. This issue comes right from the heart of the 21st century economy. It is easier than ever for consumers to make informed choices on which business or service to use by consulting Web sites and apps that publish crowdsourced reviews of local businesses and restaurants.

Consumer reviews are a powerful informational tool because consumers place a high value on the truthful reviews of other consumers. The trouble is that a number of businesses have become frustrated by online criticism and some have employed the questionable legal remedy known as nondispar-

agement clauses to retaliate against consumers. These are often buried in fine print, fine print that even these glasses couldn't discern.

The Consumer Review Fairness Act would void any nondisparagement clause in consumer contracts if that clause restricts consumers from publicly reviewing products or businesses accurately and would give the Federal Trade Commission the tools it needs to take action against businesses that insert these provisions into their contracts. It also would ensure companies are still able to remove false and defamatory reviews. And so it is narrowly tailored, but it is fairly tailored.

A few months ago I visited Bovella's Pastry Shoppe in Westfield, New Jersey, in the district I serve here. Bovella's has the highest Yelp review of any bakery in that part of New Jersey. The good people at that bakery have earned reviews from their hard work and excellent consumer service. They get a lot of business from people who turn to Yelp for insight on the best bakery in town. This crowdsourcing system thrives because of its integrity. People trust it. Bad actors who bully consumers are ruining the system that helps small businesses across this country.

I want to thank Chairman UPTON and Ranking Member PALLONE and Dr. BURGESS and Ranking Member SCHAKOWSKY for their leadership in moving this forward. I certainly thank my cosponsor, the gentleman from Massachusetts (Mr. KENNEDY). I thank the entire Committee on Energy and Commerce staff and the subcommittee staff on both sides of the aisle for their hard work on this legislation.

This will protect the consuming public in a way that is really what we are trying to do in the 21st century because so much of what we do is based upon the Internet, based upon apps, and it is important that this Congress make sure that we are up to date in this regard. Please, let's pass this bill to the benefit of online consumers.

Ms. SCHAKOWSKY. Mr. Speaker, it is now my pleasure to yield such time as he may consume to the gentleman from Massachusetts (Mr. KENNEDY), the cosponsor of this consumer-friendly legislation.

Mr. KENNEDY. Mr. Speaker, I thank the gentlewoman from Illinois (Ms. SCHAKOWSKY), my colleague, for yielding and for her leadership on the Subcommittee on Commerce, Manufacturing, and Trade. Her efforts in fighting for consumer protection rights and privacy, including her support for this bill, are tireless.

Mr. Speaker, I rise today in strong support of H.R. 5111, the Consumer Review Fairness Act of 2016. The Consumer Review Fairness Act is a solution to a problem consumers across America are facing. In an unjust effort to stop consumers from posting honest

reviews online, some businesses have resorted to hidden contract clauses prohibiting any negative feedback for a product, service, or experience. These so-called nondisparagement clauses allow companies to sue reviewers simply for posting their candid opinions online. This is a problem I have heard about firsthand from a major company in my district, Mr. Speaker, TripAdvisor, whose members depend on an open, honest, and fair online forum.

Like every American, those members have an undeniable right to voice their concerns when an experience or product fails to meet their expectations. Secret nondisparagement clauses limit our free speech and subject unsuspecting individuals to crippling lawsuits from businesses desperately trying to preserve their own reputation.

The Consumer Review Fairness Act makes these clauses illegal and voids any contract that contains a nondisparagement clause. It would allow the Federal Trade Commission to enforce the law and take action against any business that inserts these provisions into their contracts.

Importantly, Mr. Speaker, this bill preserves the rights of businessowners to take action against untruthful or dishonest reviews. Businesses still have a right to ensure that no confidential information is unfairly posted and may seek recourse in cases of defamation, libel, or slander.

I think it is fair to say that most of us in this Chamber today have looked at a consumer review prior to purchasing a product or service. In some way or another, we have relied at least some or in part on those reviews, both good and bad. If consumers want to post a truthful review online, they should not fear retribution just because their review is negative.

Mr. Speaker, there are several more people I would like to thank, including, of course, the gentleman from New Jersey (Mr. LANCE) for his leadership and partnership in this effort; the subcommittee chair, Mr. BURGESS, and his staff; Chairman UPTON; Ranking Member PALLONE; and, as I said, the ranking member of the subcommittee, Ms. SCHAKOWSKY. I would like to thank also my good friend, ERIC SWALWELL, who has led legislative efforts on this issue for years. Lastly, and certainly not least, Mr. Speaker, I would like to extend my gratitude to the majority and minority staff of the Committee on Energy and Commerce for their hard work and engaging in good faith discussion to help get this bill to the floor today.

I urge my colleagues to support H.R. 5111.

Mr. BURGESS. Mr. Speaker, I advise the minority that we have no additional speakers. I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself the balance of my time.

The Consumer Review Fairness Act is a step forward not only for protecting consumers' speech, but for, really, the millions of consumers who rely on the reviews, the opinions of others, and believe that you get a fair mix of reviews, good and bad, that will enable you to make better purchasing decisions.

This bill passed on a bipartisan basis through both the subcommittee and full committee, and I look forward to passing it today. I want to thank all those who were involved in making this happen.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support free speech and support the passage of H.R. 5111.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in strong support of H.R. 5111, the Consumer Review Fairness Act of 2016.

One of the most amazing aspects of the Internet is its ability to allow for the sharing of information, and consumers often rely on the reviews of others to make purchasing decisions. This system only works if consumers have access to all information available from across the nation, including both positive and negative reviews. We simply cannot allow companies to bully or attempt to silence customers who want to offer negative but honest assessments of products or services.

I was outraged when I first heard last Congress that companies were doing exactly that, using buried contractual terms, known as nondisparagement clauses, to try to block or punish customers for writing negative reviews online. To end this practice I introduced H.R. 5499, the Consumer Review Freedom Act of 2014, a narrow bill designed to outlaw nondisparagement clauses and empower the government to stop companies from using them while maintaining the ability of businesses to sue for traditional defamation. This Congress, Representative DARRELL ISSA and I introduced a bipartisan version of this legislation.

Today the House is considering H.R. 5111, very similar to our Consumer Review Freedom Act but with some improvements. I want to thank Representatives LEONARD LANCE and JOE KENNEDY for introducing this legislation and working diligently to move it forward. The Senate has already passed essentially the same bill, and so I hope once the House acts today the Senate can quickly pass H.R. 5111 and send it to the President's desk for his signature. This will be an important step in protecting a vital source of information for consumers across the country.

I urge my colleagues to vote in favor of H.R. 5111.

Mr. CARTER of Georgia, Mr. Speaker, I rise today in support of H.R. 5111, the Consumer Review Fairness Act, which would protect consumers' First Amendment right to share their experiences with a product or service online. Millions of Americans go online every day to read candid experiences from like-minded consumers, and many also share their reviews on everything from restaurants to clothing to hotels and services.

American consumers should feel confident in providing honest reviews, as the First Amendment protects their right to express their opinions. As a former small business owner, I know that listening to customer feedback is crucial for success, and that constructive criticism is sometimes more helpful than praise. Unfortunately, some businesses have found ways to bully consumers with costly penalties and lawsuits in an effort to hide negative reviews. Instead of trying to improve their own practices, these bad actors are taking their mistakes out on their own customers.

The Consumer Review Fairness Act would stop this unethical practice by prohibiting businesses from penalizing consumers for sharing a review they don't agree with. Our modern day economy is dependent on the free flow of information, and this bill will ensure consumers' rights to openly review products and services are not infringed upon.

I would like to thank my colleagues for introducing this important bill, and I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 5111, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE ABOUT A NATIONAL STRATEGY FOR THE INTERNET OF THINGS

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 847) expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 847

Whereas the Internet of Things currently connects tens of billions of devices worldwide and has the potential to generate trillions of dollars in economic opportunity;

Whereas increased connectivity can empower consumers in nearly every aspect of their daily lives, including in the fields of agriculture, education, energy, healthcare, public safety, security, and transportation, to name just a few;

Whereas businesses across the economy can simplify logistics, cut costs in supply chains, and pass savings on to consumers because of the Internet of Things and innovations derived from it;

Whereas the Internet of Things, through augmented data collection and process analyses, optimizes energy consumption by increasing energy efficiency and reducing usage and demand;

Whereas the United States should strive to be a world leader in smart cities and smart infrastructure to ensure its citizens and

businesses, in both rural and urban parts of the country, have access to the safest and most resilient communities in the world;

Whereas the United States is the world leader in developing the Internet of Things technology, and with a national strategy guiding both public and private entities, the United States will continue to produce breakthrough technologies and lead the world in innovation;

Whereas the evolution of the Internet of Things is a nascent market, the future direction of which holds much promise;

Whereas businesses should implement reasonable privacy and cybersecurity practices and protect consumers' personal information to increase confidence, trust, and acceptance of this emerging market;

Whereas the Internet of Things represents a wide range of technologies, in numerous industry sectors and overseen by various governmental entities; and

Whereas coordination between all stakeholders of the Internet of Things on relevant developments, impediments, and achievements is a vital ingredient to the continued advancement of pioneering technology: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States should develop a national strategy to encourage the development of the Internet of Things in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the Nation's collective social well-being;

(2) the United States should prioritize accelerating the development and deployment of the Internet of Things in a way that recognizes its benefits, allows for future innovation, and responsibly protects against misuse;

(3) the United States should recognize the important role that businesses play in the future development of the Internet of Things and engage in inclusive dialogue with industry and work cooperatively wherever possible;

(4) the United States Government should determine if using the Internet of Things can improve Government efficiency and effectiveness and cut waste, fraud, and abuse; and

(5) using the Internet of Things, innovators in the United States should commit to improving the quality of life for future generations by developing safe, new technologies aimed at tackling the most challenging societal issues facing the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 847, the Internet of Things, kind of

a novel concept. The Internet of Things represents a significant opportunity for economic growth and for innovation. It represents an opportunity for job creation across virtually every industry and every sector in the United States. The integration of the Internet and networked sensors into physical objects and things creates opportunities for new conveniences, creates opportunities for increased productivity, and substantial efficiency gains throughout our economy. According to McKinsey & Company, the Internet of Things has a potential economic impact of \$4 trillion to \$11 trillion by the year 2025.

□ 1730

As the technology develops and matures, Internet connectivity is capturing more than just objects and traditional household items such as refrigerators, thermostats, and televisions. Today, Internet connectivity is being integrated into industrial processes, transportation routes, workforce practices, supply chain logistics, city operations, and much more. These advancements have been particularly beneficial to the manufacturing sector, where they are enabling greater workplace productivity, factory floor efficiency, and enhanced employee safety.

As a physician who has served people in north Texas for over 25 years before I came to Congress, I see great potential for the Internet of Things, particularly in the healthcare space. Internet-connected devices, machines, and applications are creating opportunities for better quality and more efficient care. In addition to providing these benefits, connected healthcare devices help reduce healthcare costs and other health-related expenses that have long been a drag on our economy and on consumers' wallets.

In recognizing the potential for the Internet of Things, H. Res. 847 establishes our commitment to realizing that potential through strategic investments that ensure that the Internet of Things becomes the engine for job creation, innovation, and economic growth that it promises to be.

Through a national strategy, stakeholders can engage in a more collaborative discussion and resources can be used more effectively, more efficiently to foster the future development of the Internet of Things market.

Importantly, a national strategy will foster more consumer confidence, more consumer trust, and more consumer acceptance in the Internet of Things. This, in turn, will drive greater adoption, additional growth opportunities, and societal benefits.

I thank Vice Chairman LANCE for his leadership on this important issue.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Let me congratulate Mr. LANCE, Mr. WELCH, Mr. LATTA, and Congresswoman CLARKE for their work on this important legislation.

The Internet of Things is an area of great innovation that deserves attention from Congress. And fortunately, in our subcommittee, we have done just that.

Today, people track their physical activity with wearable devices. We have thermostats in our home that you can control from your phone from anywhere in the world. And that is, of course, only scratching the surface of consumer products that are right now available.

We have been examining some of the issues related to the Internet of Things in the Commerce, Manufacturing, and Trade Subcommittee. One thing is clear to me: technology is moving at a rapid pace, and our laws need to keep pace. I support developing a Federal strategy for how we approach this exciting area of technology.

I would like to underscore a few key principles that must be a part of this approach: one, data security must be protected; two, Americans should understand and consent to the information that consumer devices are collecting; three, these products should be developed with safety in mind.

Agencies like the Federal Trade Commission and Consumer Product Safety Commission already work to promote data security, consumer privacy, and safety. But Congress needs to make sure we provide these agencies the resources and authorities necessary to address today's issues.

I look forward to working with my colleagues to promote innovation in this space and to ensure that the Internet of Things further develops in a manner that works for business as well as consumers.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. LANCE), the author of this legislation, vice chairman of the Subcommittee on Commerce, Manufacturing, and Trade.

Mr. LANCE. Mr. Speaker, I have never been prouder of the Commerce, Manufacturing, and Trade Subcommittee than I am on this issue. I congratulate Chairman BURGESS and Ranking Member SCHAKOWSKY for their leadership on this issue, and certainly Mr. WELCH for his leadership as well.

I offer this resolution to highlight the importance of the Internet of Things, also known as the Internet of Everything. The Internet of Things is the network of sensors and electronics in physical objects, ranging from household appliances, such as thermostats to manufacturing equipment.

The Internet of Things currently connects tens of billions of devices worldwide and assists consumers in nearly

every aspect of their daily lives, including in the field of agriculture, education, energy, health care, public safety, security, and transportation, among many others. The lives of nearly every American are run more efficiently thanks to the Internet of Things and the great advances in innovation here in the 21st century.

Our role in Congress should be to help make the Internet of Things thrive, to facilitate a Federal support system that empowers exciting new ideas. Ideas such as the 5G radio by Nokia Bell Labs in Murray Hill—Nokia has taken over Bell Labs, but, of course, Bell Labs is fabled in the history of this country and had been so for many, many years—the Smart Cities initiative by Qualcomm in Bridge-water—also in the district I represent—and Verizon in Basking Ridge are helping towns and cities maintain high standards of livability, resiliency, and sustainability by using IOT technology to help city planners create better qualities of life.

Of course, as Chairman BURGESS has indicated, healthcare applications in this area are very promising. They are patient centered and they are economically beneficial. This will be beneficial not only to patients but, of course, to the Medicare and Medicaid programs as well.

According to the management consulting firm McKinsey & Company, the Internet of Things has the potential to contribute anywhere from \$4 trillion to \$11 trillion to the economy over the course of the next several decades—this is an enormous increase—based upon innovation here in the 21st century.

The resolution expresses the current and potential future benefits of the Internet of Things. I hope that it will put Congress on record in working for its growth and success.

This is really at the heart of what we should be doing in Congress in a bipartisan capacity: getting ahead of the curve on the future of technology in the United States, as the United States, we all hope, will continue to be the leader worldwide in this and other matters. That is why the Internet of Things is so important. That is why I am so pleased to be involved with others in this issue.

Mr. Speaker, I hope that this, of course, will pass unanimously, and I hope that it will be a harbinger for what we should doing in Congress in so many other areas as well.

Ms. SCHAKOWSKY. Mr. Speaker, I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH), a cosponsor and coauthor of this legislation, as well as my good friend.

Mr. WELCH. I appreciate the gentlewoman's leadership and, by the way, for her fierce leadership on consumer rights for the bill that just passed. I thank my colleagues, Mr. BURGESS and

Mr. LANCE, whom I really appreciate, and, of course, the committee chair, FRED UPTON, and Ranking Member FRANK PALLONE.

Mr. Speaker, you would be glad to know that we work pretty hard to be bipartisan and productive in the Energy and Commerce Committee. It takes a good deal of effort on both sides.

This legislation is really an acknowledgment about this new technology—the application of the Internet to activities that are cutting across the entire economy, everything from agriculture to medicine—and it is an acknowledgment by Congress that this is a private sector-led, entrepreneurial-led range of opportunities that has the potential to increase efficiency and productivity.

For instance, on farms you have GPS planting done by GPS-guided tractors. It results in much better planting with fewer seeds. It saves money and increases crop yields.

In medicine, as you know, telemedicine is being tremendously helpful to folks, like in Vermont, where we are a very rural State and it is tough for folks to make a 60-, 70-mile journey to the VA. With telemedicine, we are able to have the doctor in that person's local office. So it is a tremendous benefit to consumers there as well.

The other thing that is really important is that, for this to be deployed, it is not a matter of us trying to come up with a regulation. The innovations that are occurring are so rapid that it really would be impossible for anybody to write a regulation that would be anything but obstructive.

On the other hand, with Congress getting involved, there are going to be, as we go along, some issues of privacy and some issues of cybersecurity. When it comes to health records, all of us are going to be certain that those records are safe and private. When it comes to other things, like if somebody hacks into your Fitbit and finds out how many steps you took in a day, it is not such a big deal.

But this is where Congress is going to have to play a role, because industry is going to want to be certain that the rights of their consumers and the users of their products are being protected and their information is private and safe.

So we are acknowledging, as a Congress, Republicans and Democrats, that there is this new frontier with use of the Internet where entrepreneurs in the private sector are coming up with applications that can improve efficiency and productivity in almost every walk of life.

One of the ongoing challenges in our committee will be to make certain that the broadband infrastructure that is required in order to make this benefit available to folks in rural America is built out properly.

I have been working very closely with BOB LATTA of Ohio, who has a big rural district, to try to make certain that we have a commitment in the technology space for broadband deployment all across America. It makes a huge difference in rural communities in our State of Vermont and BOB LATTA's district in Ohio, where, if you have somebody who has got a good idea in a business, if they are in a small town with a population of a couple hundred people, as long as they have high-speed Internet, they are going to be able to take advantage of this.

So it is a pleasure, I think, for all of us to find something that we agree on that is substantive and is important. I thank all the folks who have had a hand in bringing us here to this moment where we are going to have an opportunity to vote on this resolution.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will close with this. The language of this resolution is very clear. It is the sense of the House of Representatives: "the United States should develop a national strategy to encourage the development of the Internet of Things in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the Nation's collective social well-being."

So, with passing this resolution, we are setting the table for future work to make sure that we encourage these developments.

I want to thank so much all the sponsors and our chairmen of the subcommittee and full committee.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I thank Vice Chairman LANCE for his leadership on this important issue, and I urge an "aye" vote on the resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H. Res. 847, which would express the sense of the House of Representatives about a national strategy for the Internet of Things.

We are truly living in the internet age, and new technologies are developing each day. High performing mobile devices and cloud technologies that seemed so new are already commonplace in the business world and at home.

Broadband internet access is expanding into communities across the nation, and it is more affordable than ever. As innovators add internet connectivity to an increasing number of ordinary objects, we need to be thinking ahead to the next big thing.

H. Res. 847 expresses the sense that we need to encourage innovation and development of these technologies through cooperation with industry and consumers. It is also important to look ahead to how the Internet of Things can be used to improve the efficiency

of our government and reduce waste and abuse.

By preparing for these technologies now, our nation will enjoy greater benefits in the future. I urge my colleagues to support this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution, H. Res. 847.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1745

EXPRESSING THE SENSE OF THE HOUSE REGARDING A NATIONAL POLICY FOR TECHNOLOGY TO PROMOTE CONSUMERS' ACCESS TO FINANCIAL TOOLS AND ONLINE COMMERCE

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 835) expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 835

Whereas technology solutions have the potential to improve consumers' ability to control their economic well-being, to encourage their financial literacy, and improve their knowledge base and increase their options to manage their finances and engage in commerce;

Whereas new payment methods and new payment strategies reflect new commercial opportunities;

Whereas the United States is the world leader in software development and technology creation;

Whereas financial technology is creating new opportunities for the 24,800,000 underbanked households in the United States;

Whereas the growth of consumers' use of mobile devices and the deployment of broadband access has supported the growth of financial technology products and services outside of traditional products and services offered by banks and other financial institutions in the United States increasing commerce and job growth;

Whereas identity theft is a rising concern for people in the United States as their personal information is targeted by criminal enterprises for monetization on the black market;

Whereas cyberattacks against domestic and international financial institutions and cooperatives continue;

Whereas emerging payment options, including alternative non-fiat currencies, are leveraging technology to improve security through increased transparency and verifiable trust mechanisms to supplant decades old payment technology deployed by traditional financial institutions; and

Whereas blockchain technology with the appropriate protections has the potential to fundamentally change the manner in which trust and security are established in online transactions through various potential applications in sectors including financial services, payments, health care, energy, property management, and intellectual property management: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States should develop a national policy to encourage the development of tools for consumers to learn and protect their assets in a way that maximizes the promise customized, connected devices hold to empower consumers, foster future economic growth, create new commerce and new markets;

(2) the United States should prioritize accelerating the development of alternative technologies that support transparency, security, and authentication in a way that recognizes their benefits, allows for future innovation, and responsibly protects consumers' personal information;

(3) the United States should recognize that technology experts can play an important role in the future development of consumer-facing technology applications for manufacturing, automobiles, telecommunications, tourism, health care, energy, and general commerce;

(4) the United States should support further innovation, and economic growth, and ensure cybersecurity, and the protection of consumer privacy; and

(5) innovators in technology, manufacturing, automobiles, telecommunications, tourism, health care, and energy industries should commit to improving the quality of life for future generations by developing safe and consumer protective, new technology aimed at improving consumers' access to commerce.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 835.

Mr. Speaker, as chairman of the Subcommittee on Commerce, Manufacturing, and Trade, I have chaired two hearings in our Disrupter Series exploring fintech. Over the last year, the subcommittee has examined mobile

payments, digital currencies, and blockchain technology. There is no question that this new technology is changing the face of global payments and commerce.

The rise of the smartphone has drastically changed consumer behavior when it comes to mobile payments. Checking an online account and transferring money is as easy as checking email on your smartphone.

In 2014, 22 percent of mobile phone users reported making a purchase on their phone. Thirty-nine percent used their phones to make a purchase in a store.

Global investment in financial technology ventures tripled in 2014 to \$12 billion, and increased 67 percent in the first quarter of 2016. Payment companies and marketplace lenders account for about two-thirds of these highly valued startups.

One of the cutting-edge areas of this innovation is around blockchain, a ledger-based technology fundamentally based on transparency. Blockchain technology holds the potential to disrupt healthcare records management, manufacturing supply chain management, real estate recordkeeping, international clearing and settlement functions, and even regulatory oversight by government agencies.

Peer-to-peer asset transfer online has been a challenge for a number of industries since the rise of the Internet. Blockchain technology has offered one potential solution that many industries could leverage in the future to protect their intellectual property.

There is no doubt that blockchain innovations are on the cutting edge today. For every story about the amazing potential applications, there is another story outlining a doomsday scenario. While innovation can be frightening, discovery should be encouraged because the public will never see the benefits without assuming some measured risk.

This resolution reaffirms Congress' commitment to innovation. I support H. Res. 835, and I would like to thank Mr. KINZINGER and Mr. CÁRDENAS for their leadership on this issue.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

I want to acknowledge the work of Congressman KINZINGER and Congressman CÁRDENAS in bringing this resolution to the floor today.

In the last year or so, fintech, financial technology, has become the new buzzword on Capitol Hill.

Finance and technology have long had a close relationship. For decades, banks have been able to send money between themselves nearly instantaneously. Consumers have easy access to online and mobile banking services.

Now, more technology is coming into consumers' hands. Person-to-person

payment apps have made check-splitting at restaurants much less of an ordeal. Blockchain is being used to send remittances around the world.

The challenge for Federal regulators is to understand and adapt to this new technology. Fintech does not always involve traditional financial institutions. It has increased the amount of potentially sensitive consumer information being stored and transmitted. If we want innovation to continue and for consumers to trust this technology, we must ensure that data security is baked in.

We also need to consider how new technology works with existing rules to prevent money laundering and terrorist financing. These are not easy issues, but they are critical to furthering innovation, which I hope will lead to lower costs and better services for consumers.

This resolution recognizes that Congress and Federal agencies need to be working on policies that promote the responsible development of fintech. I look forward to working with my colleagues to do just that.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), the author of this legislation, in support of his resolution.

Mr. KINZINGER of Illinois. Mr. Speaker, I want to thank the chairman and Ranking Member SCHAKOWSKY for their work on this and their help.

I rise today in support of H. Res. 835. It is a resolution adopting a national policy to promote economic growth and consumer access to financial tools through technology.

I introduced this resolution with the gentleman from California (Mr. CÁRDENAS) earlier this year to highlight the importance of supporting a growing industry at the intersection of consumer finance and technology, otherwise known as fintech. I would like to thank him for joining me to ensure that the United States is competitively positioned to leverage this next wave of technology for the economy and for consumers' benefits.

Fintech is leading the charge in taking payments to the next level in terms of speed, convenience, efficiency, and accessibility, and is fundamentally changing the amount of transparency and control consumers have over their information.

Fintech startups have created a surge in payment innovation, ranging from new mobile payment options to digital currencies outside of traditional government-issued currency. There are over 2,000 fintech startups, and more than a dozen that are currently valued at over \$1 billion.

Mobile payments revenues in 2016 are expected to surpass the \$600 billion mark, and this year, 45 percent of consumers use some form of mobile pay-

ments. And with that investment comes new jobs and new opportunities.

Given all of this, there is still a host of questions about these offerings that industry and government at all levels must continue to work through. Questions about security, privacy, and consumer protection are important and will guide how public and private entities continue to review and assess emerging technologies.

However, potential risks and 20th century silos between government agencies should not hamper innovation in this space.

In an age where mobile devices are ubiquitous, consumers are demanding a higher level of transparency and control over their financial information. Due to the proliferation of mobile devices, we have an opportunity to capitalize on an emerging technology that we cannot afford to miss out on. The only question is who is going to lead the way in this process.

This resolution sends a clear message that it will be the United States, and that Congress supports continued innovation and consumer empowerment.

Again, I want to just say thank you to my friends on both sides of the aisle for bringing this up, what I think is a very good bipartisan resolution and a good first step to doing what we need to do.

Ms. SCHAKOWSKY. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from California (Mr. CÁRDENAS), the cosponsor and coauthor of this resolution.

Mr. CÁRDENAS. Mr. Speaker, I want to thank my colleague and friend for yielding the time, and also for her leadership, my colleague, Ms. SCHAKOWSKY.

And also to my colleague, Congressman KINZINGER, I thank him for introducing this legislation. It is my honor to work with the gentleman, and especially across the aisle on something that we all agree on and realize that this is something that we need to take responsible steps in harnessing here in this country when it comes to the issue at hand.

Today, financial service companies are undergoing another profound era of change. In the United States alone, there are 85 million millennials, a generation considerably more open to non-traditional financial services than past generations. This is almost the same amount of Americans who have little or no relationship with a bank. That means no checking or savings account for those people.

We also know that there are more than 1 billion smartphones worldwide, with more than 200 million in the U.S. alone. People today have 24-hours-a-day mobile access to financial services providers, regardless of how far they are from the nearest bank branch.

The fintech revolution can bridge the gap between those who are banked and those who are not. Anyone with a cell

phone should also be able to save, invest, transfer, and improve their financial experience safely.

For example, our society has an unprecedented amount of choices when purchasing or selling products in person and/or online.

Blockchain technology, the system behind bitcoin has the potential to fundamentally disrupt the way we think of not just currency exchanges but also health care, energy, and intellectual property.

Of course, every new system must incorporate safeguards against those who want to take advantage of it. Finding the balance between the development of new technology and the protection of our personal information is not only necessary but critical. That is why Representative KINZINGER and I introduced H. Res. 835, the bipartisan financial technology resolution.

It is time Congress recognizes and encourages innovation, while setting the tone for security and transparency. This resolution underscores fintech's ability to improve a consumer's experience when it comes to managing their finances online.

It also states that fintech could help increase financial literacy rates across the U.S. by creating new opportunities for the nearly 25 million households in the United States that are still unbanked.

Let it be known: identity theft is a real concern for all Americans at all levels. But the good news is that many within fintech are committed to improving security through increased transparency and verifiable trust mechanisms.

Not only does fintech give small businesses and consumers an alternative way to bank, it also offers the possibility of a safer, more convenient financial experience while creating U.S. jobs.

Seeing as the United States is the world leader in software development and technology, it is in our best interest to develop a national policy. We must drive innovation, boost economic growth, and ensure the protection of every American's personal information.

Fintech not only makes products and services more accessible to the consumer, but it can also make these services more affordable. It is needless to say that fintech has great potential in our future.

We need to do what we have to, as government, to unleash the creativity, convenience, but more importantly, its responsible and safe environment for these technologies, all the while, seeing to it that we stay out of the way of getting in the way of the billions and eventually trillions of dollars that will be manifested through this new industry; and that means, jobs, jobs, jobs right here in America.

If we don't harness this policy, if we don't work with the industries, if we

don't do our job as making sure that we set the tone, not only for this country but for the world, we may find ourselves missing out on this tremendous opportunity on behalf of the American public and the American worker.

I urge my colleagues to vote "yes" on H. Res. 835, the bipartisan fintech bill.

Ms. SCHAKOWSKY. Mr. Speaker, I look forward to the passage of H. Res. 835.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this resolution reaffirms Congress' commitment to innovation. I support H. Res. 835. I want to thank again Mr. KINZINGER and Mr. CÁRDENAS for their leadership.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H. Res. 835, which encourages the development of new technologies that increase consumers' access to commerce and financial tools. This is an exciting time in American Commerce.

Each day, innovators are connecting consumers, industries, and markets through brand new technologies and connected devices. These new technologies will empower American consumers and our economy like never before. With innovations coming so rapidly, we need to ensure that these new technologies are not at the expense of consumer privacy and cybersecurity.

These resolutions would support American innovation in financial technology, transparency, security, and consumer empowerment while protecting consumers' personal information. By improving consumers' access to commerce through technological means, we can greatly improve the quality of life for future Americans.

I urge my colleagues to support this resolution so that our innovators can confidently take on the challenge of developing technology for tomorrow's marketplace.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution (H. Res. 835.)

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AMATEUR RADIO PARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1301) to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of

amateur service communications, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1301

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Amateur Radio Parity Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

(2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology, and emergency communications techniques and protocols.

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Federal Communications Commission regulations have for three decades prohibited the application to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission's limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

(7) In recognition of these considerations, a separate Federal policy than exists at section 97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

SEC. 3. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) AMENDMENT OF FCC RULES.—Not later than 120 days after the date of the enactment of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(1) on its face or as applied, precludes communications in an amateur radio service;

(2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

(1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

(2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

SEC. 4. AFFIRMATION OF LIMITED PREEMPTION OF STATE AND LOCAL LAND USE REGULATION.

The Federal Communications Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

SEC. 5. DEFINITIONS.

In this Act:

(1) COMMUNITY ASSOCIATION.—The term "community association" means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person's ownership or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) TERMS DEFINED IN REGULATIONS.—The terms "amateur radio services", "amateur service", and "amateur station" have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1800

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the bill H.R. 1301.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I want to thank the chairman

for yielding. I also want to thank Chairman WALDEN and Ranking Member ESHOO for working with me to get this legislation to a point where all interested parties are able to support its passage today.

Additionally, I would like to thank the representatives from the ARRL and CAI for meeting with our offices time and again to come to an agreement that helps us move forward on this legislation in a bipartisan and very positive manner.

Under current law, there is an outright prohibition on the use of any antennae for amateur radio use in certain areas with no consideration for the emergency ramifications that come as a result. For some, this is merely a nuisance; but for others, those who use their amateur radio license for lifesaving emergency communications, a dangerous situation can be created by limiting their ability to establish effective communication for those in need.

During times of emergency service, such as following a hurricane or tornado, amateur radio operators are able to use their skills and equipment to create a network of communications for first responders when other wired or wireless technologies are down—a vital and lifesaving function.

Additionally, there are some hams that take their certifications even further by purchasing expensive equipment and going through extensive training to become part of MARS, the Military Auxiliary Radio System. The purpose of MARS is to help our military patch through their communications to one another domestically and abroad, and I have personally used this system as a pilot in the military.

What is so impressive about this group is what it takes to be part of this system. MARS members must have access to expensive, high-frequency radio equipment; it must file monthly reports; and they participate in a minimum of 12 hours of radio activity each quarter, all on their own dime and all on their own time.

This legislation that is brought before us today would change current regulations hampering the ability of amateur radio operators to effectively communicate in certain areas while respecting and maintaining the rights of local communities in those areas where hams reside.

Mr. Speaker, I appreciate the willingness of all the interested groups in coming to the table with myself, with Chairman WALDEN, and Ranking Member ESHOO, in order to come to an amicable agreement on how to move this legislation forward. I urge support of this bill.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1301, the Amateur Radio Parity Act.

Mr. Speaker, I commend both cosponsors here, Mr. KINZINGER of Illinois and

Mr. COURTNEY of Connecticut, who have placed common sense into this legislative format that will drive fairness, I believe, into the equation for amateur radio operators.

Operators provide essential services in times of emergencies, and they should not be prohibited from building their facilities. They provide a very useful role in our given neighborhoods and communities. H.R. 1301 will provide for new rules that will help these operators navigate homeowner association restrictions when they are attempting to build their given stations.

The bill, Mr. Speaker, strikes the right balance to ensure that homeowner associations can impose reasonable regulations for amateur radio towers, but it would also make sure that amateur radio enthusiasts can continue to operate.

I do congratulate Chairman WALDEN and Ranking Member ESHOO for their work to come up with an agreement that everyone can support based on the efforts of the cosponsors of the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. COURTNEY), my good friend.

Mr. COURTNEY. Mr. Speaker, I want to, again, thank my friend, Mr. TONKO, and salute his great work on the Energy and Commerce Committee, as well as Mr. BURGESS and Mr. KINZINGER. For the last two Congresses we have worked together to get this legislation to the place we are at this evening. Again, it really recognizes the passionate work and highly skilled work that over 700,000 ham radio operators conduct every day in this country.

A couple of years ago in Hartford, Connecticut, they had the Centennial Convention of the American Radio Relay League, which brought together thousands of ham operators from all over the country to share their skills and to look at the latest innovation and technology, which Mr. KINZINGER referred to and, again, talked about the networks that they collaborate on in terms of early weather warnings as well as assisting the American military.

Last Congress, we had 69 bipartisan cosponsors. This year, it grew to 126, and, again, that is because of the external grassroots pressure which these groups brought forward. Again, they have no sort of skin in the game in terms of any personal benefit. As the Congressman from Illinois said, they are all basically volunteers. But I think it is important to realize this is not just a feel-good bill. This is about really strengthening our systems of emergency services and first responders that are out there.

In the State of Connecticut in 2014 we got a pretty good taste of this when Hurricane Sandy hit. It basically struck the power grid down for about 10 days or so. In the wake of that, we saw all the advanced communication that we take for granted—whether it is cable communication or cellular communication—completely sort of fall by the wayside. So the only way that first responders could communicate, the folks who were delivering emergency medical care to the State during that time period was, in fact, going back in time and relying on the ham radio operators to make sure that these groups were in real-time communication.

So what this bill seeks to do is to rebalance what has happened out there in terms of land use restrictions that have inhibited the ability of these really hardworking volunteers—American patriots I would argue—to really perform this critical duty.

The vast majority of homes that have been built since the 1980s in this country have contained some type of deed restrictions that have inhibited that capability. As a result of this legislation, it will sort of rebalance legitimate property rights of private property owners to make sure that non-intrusive antennas and technology will be able to allow this network to continue to thrive and to do the great work that it does to support local disaster response all across the country.

I had a conversation recently with the chairman of the FCC, Tom Wheeler, who, again, as an organization going back to the 1970s, has recognized the value of amateur radio in terms of bolstering America's communication system providing kind of a redundancy system, a backup system, in case, again, the advanced stuff that we take for granted now is struck down by external events. He strongly supports this legislation.

Again, I want to salute the great bipartisan work that was done on the Energy and Commerce Committee to bring this bill after 3 long years to the floor here, and I strongly urge all the Members to support its passage.

Mr. TONKO. Mr. Speaker, as I indicated, the cosponsors of this legislation have struck a very sound balance between the interests of the homeowner associations and amateur radio operators. It is done in a spirit of bipartisanship. So for those reasons, I strongly suggest we support the measure.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1301, the Amateur Radio Parity Act, and its positive effects on amateur radio operators and our communities.

Amateur radio operators not only participate due to interests in the hobby, but also because they serve an important role in the communications and coordination of communities and emergency services.

Under existing regulations, amateur radio operators can be subjected to regulations that other industries are not subject to, effectively singling them out. This bill doesn't display favoritism, it simply created an equal playing field for an industry that is little known, but contributes immensely to the well-being of our communities.

The Amateur Radio Parity Act would ensure that amateur operators are able to continue their hobby within the confines of the law, including in deed-restricted communities.

Across the United States, there are more than 720,000 amateur radio operators licensed by the FCC whose services to their communities cost nothing to the taxpayers.

They are instrumental in helping to coordinate during natural disasters and have provided services to organizations including the American Red Cross, the Salvation Army, FEMA and the Department of Defense.

As the Representative for coastal Georgia, I know all too well the effects of a natural disaster on an area and the benefits to having in place every protection possible to help combat the challenges that arise in those difficult times.

I applaud my good friend Mr. KINZINGER for his work on this issue and the work of the Energy and Commerce Committee to address these reforms and I urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 1301, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes."

A motion to reconsider was laid on the table.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 921) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sports Medicine Licensure Clarity Act of 2016".

SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.

(a) *IN GENERAL.*—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (b)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team.

(b) *DEFINITIONS.*—In this Act, the following definitions apply:

(1) *ATHLETE.*—The term "athlete" means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) *ATHLETIC TEAM.*—The term "athletic team" means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) *COVERED MEDICAL SERVICES.*—The term "covered medical services" means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) *COVERED SPORTS MEDICINE PROFESSIONAL.*—The term "covered sports medicine professional" means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) *HEALTH CARE FACILITY.*—The term "health care facility" means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) *INSTITUTION OF HIGHER EDUCATION.*—The term "institution of higher education" has the

meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) *NATIONAL GOVERNING BODY.*—The term "national governing body" has the meaning given such term in section 220501 of title 36, United States Code.

(8) *PRIMARY STATE.*—The term "primary State" means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional's practice is underwritten for medical professional liability insurance coverage.

(9) *SECONDARY STATE.*—The term "secondary State" means, with respect to a covered sports medicine professional, any State that is not the primary State.

(10) *STATE.*—The term "State" means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 921, the Sports Medicine Licensure Clarity Act of 2016, introduced by my colleague on the Health Subcommittee, BRETT GUTHRIE.

Team physicians and other licensed sports medicine professionals often travel with their athletes to away games and other sporting events outside of their home State. When providing care to an injured player during the game or in the locker room afterwards, they are often doing so at great personal and professional risk. If they are sued, their home State license could be in jeopardy, and their malpractice insurance may not provide coverage.

This commonsense bill would provide clarity first by stating that their liability insurance shall cover them outside their home State for limited services within the scope of their practice, subject to any related premium adjustments.

Second, to the extent that the healthcare professional is licensed under the requirements of their home State to provide certain services to an athlete or team, they shall be treated as satisfying corresponding licensure requirements of a secondary State in these narrowly defined instances.

H.R. 921 has almost 200 bipartisan cosponsors and is supported by a wide

range of professional medical associations as well as amateur and professional sports associations. I urge my colleagues to join me in support.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 9, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN UPTON: I write with respect to H.R. 921, the "Sports Medicine Licensure Clarity Act," which was referred to the Committee on Energy and Commerce and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions within H.R. 921 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 921 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 921 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 921.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 12, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 921, the "Sports Medicine Licensure Clarity Act of 2015." As you noted, there are provisions of the bill that fall within the Committee on the Judiciary's Rule X jurisdiction.

I appreciate your willingness to forgo consideration of H.R. 921, and I agree that your decision is not a waiver of any of the Committee on the Judiciary's jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. In addition, I understand that the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and you will have my support for any such request.

I will include a copy of your letter and this response in the Congressional Record during floor consideration of H.R. 921.

Sincerely,

FRED UPTON,
Chairman.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 921, the Sports Medicine Licensure Clarity Act of 2015. The bill's sponsors, Congressman RICHMOND and Congressman GUTHRIE, were able to fix a particular problem with a targeted solution in this legislation.

As amended, this bill will ensure that sports medicine professionals who contract with a team are covered by their medical professional liability insurance while they are traveling with their teams. Medical licensure is State specific, so when a provider travels with a team, they are often technically practicing without a license and without their medical liability insurance. Obviously this is a problem.

This bill solves that problem unique to sports medicine professionals since they travel around the country with their teams. The legislation provides that any medical malpractice incident occurring under the care of a traveling team sports medicine professional would be treated as if it occurred in the professional's primary State of practice rather than the State in which the game is being played. This bill does not allow these providers to practice beyond the scope of their licenses or to treat athletes anywhere other than the field or the court.

This legislation will also provide certainty to players that malpractice insurance will apply if they need to file a lawsuit after receiving improper care. I am pleased that the sponsors were able to work with the Energy and Commerce Committee and stakeholders to ensure that this bill achieves the right balance.

I want to thank Congressman GUTHRIE and Congressman RICHMOND from Louisiana for working on this bill. I encourage my colleagues to vote "yes." I just, again, want to thank the sponsors for fixing a problem that clearly needed fixing. I support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I urge my colleagues to join me in support of this worthwhile bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HOLDING). The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 921, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1815

ADVANCED NUCLEAR TECHNOLOGY DEVELOPMENT ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4979) to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Advanced Nuclear Technology Development Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nuclear energy generates approximately 20 percent of the total electricity and approximately 60 percent of the carbon-free electricity of the United States.

(2) Nuclear power plants operate consistently at a 90 percent capacity factor, and provide consumers and businesses with reliable and affordable electricity.

(3) Nuclear power plants generate billions of dollars in national economic activity through nationwide procurements and provide thousands of Americans with high paying jobs contributing substantially to the local economies in communities where they operate.

(4) The United States commercial nuclear industry must continue to lead the international civilian nuclear marketplace, because it is one of our most powerful national security tools, guaranteeing the safe, secure, and exclusively peaceful use of nuclear energy.

(5) Maintaining the Nation's nuclear fleet of commercial light water reactors and expanding the use of new advanced reactor designs would support continued production of reliable baseload electricity and maintain United States global leadership in nuclear power.

(6) Nuclear fusion technology also has the potential to generate electricity with significantly increased safety performance and no radioactive waste.

(7) The development of advanced reactor designs would benefit from a performance-based, risk-informed, efficient, and cost-effective regulatory framework with defined milestones and the opportunity for applicants to demonstrate progress through Nuclear Regulatory Commission approval.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term "advanced nuclear reactor" means—

(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency; or

(B) a nuclear fusion reactor.

(2) DEPARTMENT.—The term "Department" means the Department of Energy.

(3) LICENSING.—The term "licensing" means NRC activities related to reviewing applications for licenses, permits, and design certifications, and requests for any other

regulatory approval for nuclear reactors within the responsibilities of the NRC under the Atomic Energy Act of 1954.

(4) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(5) NRC.—The term “NRC” means the Nuclear Regulatory Commission.

(6) SECRETARY.—The term “Secretary” means the Secretary of Energy.

SEC. 4. AGENCY COORDINATION.

The NRC and the Department shall enter into the a memorandum of understanding regarding the following topics:

(1) TECHNICAL EXPERTISE.—Ensuring that the Department has sufficient technical expertise to support the civilian nuclear industry’s timely research, development, demonstration, and commercial application of safe, innovative advanced reactor technology and the NRC has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications, and other requests for regulatory approval for advanced reactors.

(2) MODELING AND SIMULATION.—The use of computers and software codes to calculate the behavior and performance of advanced reactors based on mathematical models of their physical behavior.

(3) FACILITIES.—Ensuring that the Department maintains and develops the facilities to enable the civilian nuclear industry’s timely research, development, demonstration, and commercial application of safe, innovative reactor technology and ensuring that the NRC has access to such facilities, as needed.

SEC. 5. REPORTING TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works and the Committee Energy and Natural Resources of the Senate a report assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded experimental reactors.

(b) CONTENTS.—Such report shall address—

(1) the safety review and oversight capabilities of the Department, including options to leverage expertise from the NRC and the National Laboratories;

(2) options to regulate Department hosted, privately proposed and funded experimental reactors;

(3) potential sites capable of hosting the activities described in subsection (a);

(4) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and other Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(5) the Federal Government’s liability with respect to the disposal of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste, as defined by section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101);

(6) the impact on the Nation’s aggregate inventory of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste;

(7) potential cost structures relating to physical security, decommissioning, liability, and other long-term project costs; and

(8) other challenges or considerations identified by the Secretary.

(c) UPDATES.—The Secretary shall update relevant provisions of the report submitted under subsection (a) every 2 years and submit that update to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works and the Committee Energy and Natural Resources of the Senate.

SEC. 6. ADVANCED REACTOR REGULATORY FRAMEWORK.

(a) PLAN REQUIRED.—Not later than 1 year after the date of enactment of this Act, the NRC shall transmit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a plan for developing an efficient, risk-informed, technology-neutral framework for advanced reactor licensing. The plan shall evaluate the following subjects, consistent with the NRC’s role in protecting public health and safety and common defense and security:

(1) The unique aspects of advanced reactor licensing and any associated legal, regulatory, and policy issues the NRC will need to address to develop a framework for licensing advanced reactors.

(2) Options for licensing advanced reactors under existing NRC regulations in title 10 of the Code of Federal Regulations, a proposed new regulatory framework, or a combination of these approaches.

(3) Options to expedite and streamline the licensing of advanced reactors, including opportunities to minimize the time from application submittal to final NRC licensing decision and minimize the delays that may result from any necessary amendments or supplements to applications.

(4) Options to expand the incorporation of consensus-based codes and standards into the advanced reactor regulatory framework to minimize time to completion and provide flexibility in implementation.

(5) Options to make the advanced reactor licensing framework more predictable. This evaluation should consider opportunities to improve the process by which application review milestones are established and maintained.

(6) Options to allow applicants to use phased review processes under which the NRC issues approvals that do not require the NRC to re-review previously approved information. This evaluation shall consider the NRC’s ability to review and conditionally approve partial applications, early design information, and submittals that contain design criteria and processes to be used to develop information to support a later phase of the design review.

(7) The extent to which NRC action or modification of policy is needed to implement any part of the plan required by this subsection.

(8) The role of licensing advanced reactors within NRC long-term strategic resource planning, staffing, and funding levels.

(9) Options to provide cost-sharing financial structures for license applicants in a phased licensing process.

(b) COORDINATION AND STAKEHOLDER INPUT REQUIRED.—In developing the plan required by subsection (a), the NRC shall seek input from the Department, the nuclear industry, and other public stakeholders.

(c) COST AND SCHEDULE ESTIMATE.—The plan required by subsection (a) shall include

proposed cost estimates, budgets, and specific milestones for implementing the advanced reactor regulatory framework by September 30, 2019.

(d) DESIGN CERTIFICATION STATUS.—In the NRC’s first budget request after the acceptance of any design certification application for an advanced nuclear reactor, and annually thereafter, the NRC shall provide the status of performance metrics and milestone schedules. The budget request shall include a plan to correct or recover from any milestone schedule delays, including delays because of NRC’s inability to commit resources for its review of the design certification applications.

SEC. 7. USER FEES AND ANNUAL CHARGES.

Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) by striking “and” at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting “; and”; and

(3) by adding at the end the following:

“(v) for fiscal years ending before October 1, 2020, amounts appropriated to the Commission for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, which I introduced with Congressman MCNERNEY earlier this year. We are very excited the bill received unanimous support of the full Energy and Commerce Committee.

The next generation of the nuclear industry needs to start now, with Congress ensuring that the Nuclear Regulatory Commission is able to provide the certainty that the private sector needs to invest in innovative technologies. Nuclear power is currently 20 percent of our national energy portfolio, and it must remain a vital part of our energy mix. As the United States looks to the future, more energy will be needed, and nuclear power provides a reliable, clean baseload power option, currently providing approximately 63 percent of total carbon-free energy.

It is imperative that we develop the right regulatory framework so advanced nuclear technologies can be developed, licensed, and constructed here in the United States. If we miss the opportunity to establish a safe, predictable regulatory framework for these technologies, private innovators and entrepreneurs will take their investment and scientists to our competitors in the global market.

H.R. 4979 requires that NRC establish a regulatory framework for issuing licenses for advanced nuclear reactor technology and also requires that NRC submit a schedule for implementation of the framework by 2019. Safety in nuclear is the number one goal, and this regulatory framework ensures that NRC has the opportunity to develop a framework to safely regulate the future technologies of the nuclear industry.

H.R. 4979 also requires that the Department of Energy and the NRC collaborate in developing new nuclear technology. DOE and its National Laboratories provide opportunities to test new private sector nuclear technologies. This bill would direct DOE to look at options for public-private partnerships between the DOE and the private sector companies interested in investing in the future of nuclear. There is also a role for NRC in this space because these testing opportunities may allow for demonstration of technologies that NRC has not commercially licensed for over the last 40 years.

Investment in new technologies is already happening, with approximately 50 companies in this country investing over \$1 billion to develop the next generation of nuclear power. That is why we introduced H.R. 4979. It is time for Congress to ensure that NRC provides a framework so that innovators and investors can prepare to apply for licensing technologies. Passing this legislation is key to ensure that the United States remains a leader in the nuclear industry, which is vital for both our electricity mix and our national security.

I want to thank all of the cosponsors of this bill, as well as Chairman UPTON and Congressman MCNERNEY and all of the staff and stakeholders for their work on this important legislation.

I urge full support from my colleagues for H.R. 4979.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, introduced by our colleagues Mr. LATTA of Ohio and Mr. MCNERNEY of California. As subcommittee ranker of Environment and the Economy that reports to the standing committee of Energy and Commerce, I am proud to support this legislation.

H.R. 4979 would require the Department of Energy and the Nuclear Regu-

latory Commission to enter into a memorandum of understanding to ensure technical expertise is maintained to assist in the development of advanced nuclear technology. The legislation would also require the NRC to establish a framework for issuing licenses for advanced reactor technology.

Nuclear technology has been largely unchanged for decades. Having our experts coordinate is the best way to support the private sector's development of new technology that may advance the industry in terms of waste, in terms of efficiency, and in terms of safety.

Regardless of Members' position on nuclear energy, I believe there is unanimous agreement that there is no compromising when it comes to safety. We need high standards for safety, and I believe and hope that the enhanced cooperation between DOE and NRC required by this bill will help put safety front and center for the development of advanced nuclear technology.

I congratulate Mr. LATTA and Mr. MCNERNEY for their work on this bill.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, let me thank my friend and colleague from Texas, Chairman BURGESS, for yielding me time.

H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, gives direction to cooperative civilian nuclear energy R&D and provides regulatory changes to advance commercial innovation in the American nuclear power industry.

I thank the chairman of the committee on Energy and Commerce, my good friend, FRED UPTON, for his leadership and for working with me on this shared legislation.

I am encouraged by the strong bipartisan support that has emerged for nuclear energy innovation, beginning with the Science, Space, and Technology Committee's House-passed Nuclear Energy Innovation Capabilities Act, H.R. 4084. That bill is part of both the energy policy and NDAA conferences going on right now.

H.R. 4084, sponsored by the Science, Space, and Technology Subcommittee on Energy Chairman RANDY WEBER and the Committee on Science, Space, and Technology Ranking Member EDDIE BERNICE JOHNSON, already has passed the House this Congress with strong bipartisan support. The reinforcing legislation we consider today continues this bipartisan work. I thank the sponsors of today's bill, Representatives BOB LATTA and JERRY MCNERNEY, for their initiative on this issue.

Advanced nuclear energy technology provides an opportunity to make reli-

able, emission-free electricity available throughout the modern and developing world. The Science, Space, and Technology Committee has held many hearings and worked steadily on nuclear innovation since December 2014.

I thank Chairman UPTON, in particular, for being willing to incorporate important provisions in today's bill that were developed by the Science, Space, and Technology Committee through our continued work on nuclear R&D in our jurisdiction. I also appreciate Chairman UPTON's acceptance of language to ensure that the Department of Energy focuses on research and development that enables private sector commercialization efforts.

Nuclear power has been a proven source of safe and emission-free electricity for over half a century. America's strategic investments in advanced nuclear reactor technology can help create economic growth here and an improved quality of life around the globe.

Unfortunately, government red tape has stalled the ability to move innovative technology to the market. This legislation requires the Nuclear Regulatory Commission to provide a plan for developing a more efficient way to regulate new nuclear technology.

In July 2015, the chairman of the Nuclear Regulatory Commission testified before the Science, Space, and Technology Committee on this very issue. Congress must take action to ensure that the NRC reviews, assists, and approves advanced reactor technologies. If not, the United States will be forced to import nuclear technologies from overseas. America must lead the world in nuclear technology for our energy security and national security.

I thank the sponsors for their work on this bill, and I encourage my colleagues to support it.

Mr. TONKO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCNERNEY), a friend, colleague, and fellow engineer on the Energy and Commerce Committee.

Mr. MCNERNEY. Mr. Speaker, I thank the ranking member for that introduction. I also want to thank Mr. LATTA for his work on this. He moved forward and asked me to participate. I thought it was a good plan, so I did.

As our country works to mitigate the effects of climate change and prepare for the energy challenges of the future, we must now move to develop low- and zero-carbon energy sources. This means making investments into R&D, training the scientists, engineers, and mathematicians of tomorrow, and ensuring there is an appropriate regulatory and investment framework that will foster growth as new technologies become commercially viable.

Nuclear energy has been a reliable source of energy, producing a significant amount of our Nation's energy

supply, and it will likely do so into the future. But building plants and developing new technologies takes time, and we need to take steps to ensure the regulatory tools, including safety and reliability, are in place to meet potential increases in nuclear power capacity.

H.R. 4979 is a commonsense approach that provides a pathway for the Nuclear Regulatory Commission to establish the proper regulatory framework to facilitate, verify, and permit advanced reactor technologies. This bill also fosters increased collaborations between the NRC and the National Laboratories to provide opportunities to test new nuclear energy technologies and bolster public-private partnerships.

The provisions in this bill are aligned with the NRC's fiscal year 2017 budget request.

As we move forward toward a low-carbon sustainable energy economy, nuclear energy has the potential to play an instrumental role in meeting both State and national goals. Our current nuclear reactors use light water reactor technology, but there are advances that move toward completely different technology, including small modular reactors that can increase efficiency and safety while reducing the permitting and construction requirements that have hampered the development of new nuclear plants in recent years.

The bill passed unanimously out of the Energy and Commerce Committee and has support from nearly a dozen organizations, and I urge its passage.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, to talk about what it means for our Nation's energy infrastructure needs.

Energy independence is a critical goal for the United States as the sources of energy available in this country grow and become safer. It has been proven that nuclear energy is an extremely safe and viable option with the only new nuclear plant in 30 years being built just up the river from my district. There has been a considerable amount of research and development that has gone in to nuclear energy, and it accounts for 60 percent of the clean energy produced in the United States.

Under this bill, those hurdles to design and development will be lowered to ensure that the option to produce clean, viable energy that is stable and sustainable remains a possibility.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy-independent path for our Nation as we seek new possibili-

ties and alternatives to power our way to a better future. This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend, Mr. LATTA, for his work on this issue and the work of the Energy and Commerce Committee to address these reforms to the nuclear energy field and energy independence.

I urge passage of this important legislation.

□ 1830

Mr. TONKO. Mr. Speaker, I will just again reinforce what I think is a strong benefit here: bringing into the industry the efforts for resourcefulness, for efficiency, and for safety, all very key elements to this sector of the energy economy. The bill bears great benefits for the consumers of this country. I strongly support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I look forward to the passage of this bill and the future of our nuclear technology industry. I urge an "aye" vote.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,

Washington, DC, September 8, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4979, the "Advanced Nuclear Technology Development Act of 2016," which your Committee ordered reported on May 18, 2016.

H.R. 4979 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 8, 2016.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 4979, the "Advanced

Nuclear Technology Development Act of 2016."

As you noted, H.R. 4979 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. I appreciate your willingness to forgo action on the bill in order to expedite this bill for floor consideration, and I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,
Chairman.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act, and to talk about what it means for our nation's energy infrastructure needs.

Energy independence is a critical goal for the United States as the sources of energy available in this country grow and become safer.

It's been proven that nuclear energy is an extremely safe and viable option with the only new nuclear plant in 30 years being built just up the river from my district.

There has been a considerable amount of research and development that has gone in to the nuclear energy and it accounts for 60 percent of the clean energy produced in the United States.

Under this bill, those hurdles to design and development will be lowered to ensure that the option to produce clean, viable energy that is stable and sustainable remains a possibility.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy independence path for our nation as we seek new possibilities and alternatives to power our way to a better future.

This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend Mr. LATTA for his work on this issue and the work of the Energy and Commerce Committee to address these reforms to the nuclear energy field and energy independence and I urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 4979, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 847, by the yeas and nays;

H. Res. 835, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

EXPRESSING THE SENSE OF THE HOUSE ABOUT A NATIONAL STRATEGY FOR THE INTERNET OF THINGS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 847) expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 367, nays 4, answered “present” 1, not voting 59, as follows:

[Roll No. 496]

YEAS—367

Abraham	Carson (IN)	Dent
Adams	Carter (GA)	DeSantis
Aderholt	Carter (TX)	DeSaulnier
Aguilar	Cartwright	Deutch
Allen	Castor (FL)	Diaz-Balart
Amodei	Castro (TX)	Dingell
Ashford	Chabot	Doggett
Babin	Chaffetz	Dold
Barletta	Chu, Judy	Donovan
Barr	Clark (MA)	Duffy
Beatty	Clarke (NY)	Duncan (SC)
Benishkek	Clawson (FL)	Duncan (TN)
Bera	Clay	Edwards
Beyer	Cleaver	Ellison
Bilirakis	Clyburn	Ellmers (NC)
Bishop (GA)	Coffman	Emmer (MN)
Bishop (MI)	Cohen	Engel
Bishop (UT)	Cole	Esty
Black	Collins (GA)	Farenthold
Blackburn	Collins (NY)	Farr
Blum	Comstock	Fitzpatrick
Bonamici	Conaway	Fleischmann
Bost	Connolly	Fleming
Boustany	Conyers	Flores
Boyle, Brendan	Cook	Fortenberry
F.	Cooper	Foster
Brady (PA)	Costa	Fox
Brady (TX)	Costello (PA)	Frankel (FL)
Brat	Courtney	Franks (AZ)
Bridenstine	Cramer	Frelinghuysen
Brooks (AL)	Crawford	Fudge
Brooks (IN)	Crowley	Gabbard
Brownley (CA)	Cuellar	Galleo
Buchanan	Culberson	Garamendi
Buck	Cummings	Garrett
Bucshon	Curbelo (FL)	Gibbs
Burgess	Davidson	Gibson
Bustos	Davis, Danny	Gohmert
Byrne	Davis, Rodney	Goodlatte
Calvert	DeFazio	Gosar
Capps	DeLaney	Gowdy
Capuano	DeLauro	Graham
Cardenas	DeBene	Graves (GA)
Carney	Denham	Graves (LA)

Graves (MO)	MacArthur	Russell
Grayson	Maloney, Sean	Ryan (OH)
Green, Al	Marino	Salmon
Green, Gene	Matsui	Sánchez, Linda
Griffith	McCarthy	T.
Grijalva	McCauley	Sanford
Hahn	McClintock	Sarbanes
Hanna	McDermott	Scalise
Hardy	McGovern	Schrader
Harper	McHenry	Schweikert
Harris	McKinley	Scott (VA)
Hartzler	McMorris	Scott, Austin
Hastings	Rodgers	Scott, David
Heck (NV)	McNerney	Sensenbrenner
Heck (WA)	McSally	Serrano
Hensarling	Meadows	Sessions
Herrera Beutler	Meehan	Sherman
Hice, Jody B.	Meeks	Shimkus
Higgins	Messer	Shuster
Hill	Mica	Simpson
Himes	Miller (FL)	Sinema
Hinojosa	Moolenaar	Sires
Holding	Mooney (WV)	Slaughter
Honda	Moulton	Smith (MO)
Hudson	Mullin	Smith (NE)
Huffman	Mulvaney	Smith (NJ)
Hultgren	Murphy (FL)	Smith (TX)
Hunter	Murphy (PA)	Smith (WA)
Hurd (TX)	Nadler	Speier
Hurt (VA)	Napolitano	Stefanik
Israel	Neal	Stewart
Issa	Neugebauer	Stivers
Jeffries	Newhouse	Swalwell (CA)
Jenkins (KS)	Noem	Takano
Jenkins (WV)	Norcross	Thompson (CA)
Johnson (GA)	Nugent	Thompson (MS)
Johnson (OH)	Nunes	Thompson (PA)
Johnson, E. B.	O'Rourke	Thornberry
Jolly	Olson	Tiberi
Jones	Pallone	Tipton
Jordan	Palmer	Titus
Joyce	Paulsen	Tonko
Katko	Pearce	Torres
Keating	Perlmutter	Trott
Kelly (IL)	Perry	Tsongas
Kelly (MS)	Peters	Turner
Kelly (PA)	Peterson	Upton
Kennedy	Pingree	Valadao
Kildee	Pittenger	Van Hollen
Kilmer	Pitts	Vargas
Kind	Pocan	Veasey
King (IA)	Poliquin	Vela
King (NY)	Polis	Visclosky
Kinzinger (IL)	Pompeo	Wagner
Kline	Posey	Walberg
Knight	Price (NC)	Walden
Kuster	Price, Tom	Walorski
Labrador	Quigley	Walters, Mimi
LaHood	Rangel	Walz
LaMalfa	Ratcliffe	Wasserman
Lamborn	Reed	Schultz
Lance	Reichert	Watson Coleman
Langevin	Renacci	Weber (TX)
Larsen (WA)	Ribble	Webster (FL)
Latta	Rice (NY)	Wenstrup
Lieu, Ted	Rigell	Westerman
Lipinski	Roby	Westmoreland
LoBiondo	Roe (TN)	Williams
Loebsock	Rogers (AL)	Wilson (FL)
Lofgren	Rogers (KY)	Wilson (SC)
Long	Rokita	Wittman
Loudermilk	Rooney (FL)	Womack
Love	Ros-Lehtinen	Woodall
Lowenthal	Roskam	Yarmuth
Lucas	Ross	Yoder
Luetkemeyer	Rothfus	Yoho
Lujan Grisham	Rouzer	Young (AK)
(NM)	Royce	Young (IA)
Lummis	Ruiz	Zeldin
Lynch	Ruppersberger	Zinke

NAYS—4

Amash	Huelskamp
Grothman	Massie

ANSWERED “PRESENT”—1

Rice (SC)

NOT VOTING—59

Barton	Cioccine	Doyle, Michael
Bass	Crenshaw	F.
Becerra	Davis (CA)	Duckworth
Blumenauer	DeGette	Eshoo
Brown (FL)	DesJarlais	Fincher
Butterfield		Forbes

Granger	Lowey	Poe (TX)
Guinta	Luján, Ben Ray	Richmond
Guthrie	(NM)	Rohrabacher
Gutiérrez	Maloney,	Roybal-Allard
Hoyer	Carolyn	Rush
Huizenga (MI)	Marchant	Sanchez, Loretta
Jackson Lee	McCollum	Schakowsky
Johnson, Sam	Meng	Schiff
Kaptur	Miller (MI)	Sewell (AL)
Kirkpatrick	Moore	Stutzman
Larson (CT)	Nolan	Velázquez
Lawrence	Palazzo	Walker
Lee	Pascarell	Waters, Maxine
Levin	Payne	Welch
Lewis	Pelosi	Young (IN)

□ 1853

Messrs. MASSIE, HUELSKAMP, and GROTHMAN changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. LOWEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 496.

Mr. LEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 496.

Mrs. DAVIS of California. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 496.

EXPRESSING THE SENSE OF THE HOUSE REGARDING A NATIONAL POLICY FOR TECHNOLOGY TO PROMOTE CONSUMERS' ACCESS TO FINANCIAL TOOLS AND ON-LINE COMMERCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 835) expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 4, answered “present” 1, not voting 41, as follows:

[Roll No. 497]

YEAS—385

Abraham	Ashford	Becerra
Adams	Babin	Benishkek
Aderholt	Barletta	Bera
Aguilar	Barr	Beyer
Allen	Bass	Bilirakis
Amodei	Beatty	Bishop (GA)

Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bonamici
 Bost
 Boustany
 Boyle, Brendan
 F.
 Brady (PA)
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Brownley (CA)
 Buchanan
 Buck
 Bucshon
 Burgess
 Bustos
 Byrne
 Calvert
 Capps
 Capuano
 Cardenas
 Carney
 Carson (IN)
 Carter (GA)
 Carter (TX)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chabot
 Chaffetz
 Chu, Judy
 Clark (MA)
 Clarke (NY)
 Clawson (FL)
 Clay
 Cleaver
 Clyburn
 Coffman
 Cohen
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Connolly
 Conyers
 Cook
 Cooper
 Costa
 Costello (PA)
 Courtney
 Cramer
 Crawford
 Crowley
 Cuellar
 Culberson
 Cummings
 Curbelo (FL)
 Davidson
 Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Denham
 Dent
 DeSantis
 DeSaulnier
 Deutch
 Diaz-Balart
 Dingell
 Doggett
 Dold
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers (NC)
 Emmer (MN)
 Engel
 Esty
 Farr
 Fitzpatrick
 Fleischmann
 Fleming

Flores
 Fortenberry
 Foster
 Foxx
 Frankel (FL)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gabbard
 Gallego
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graham
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Grayson
 Green, Al
 Green, Gene
 Griffith
 Grijalva
 Hahn
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Hastings
 Heck (NV)
 Heck (WA)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins
 Hill
 Himes
 Hinojosa
 Holding
 Honda
 Hoyer
 Hudson
 Huffman
 Hultgren
 Hunter
 Hurd (TX)
 Hurt (VA)
 Israel
 Issa
 Jeffries
 Jenkins (KS)
 Jenkins (WV)
 Johnson (GA)
 Johnson (OH)
 Johnson, E. B.
 Jolly
 Jones
 Jordan
 Joyce
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Kildee
 Kilmer
 Kind
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Kuster
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 LoBiondo
 Loebach
 Lofgren

Long
 Loudermilk
 Love
 Lowenthal
 Loney
 Lucas
 Luetkemeyer
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lummis
 Lynch
 MacArthur
 Maloney,
 Carolyn
 Maloney, Sean
 Marino
 Matsui
 McCarthy
 McCaul
 McClintock
 McCollum
 McDermott
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNeerney
 McSally
 Meadows
 Meehan
 Meeks
 Messer
 Mica
 Miller (FL)
 Moolenaar
 Mooney (WV)
 Moore
 Moulton
 Mullin
 Mulvaney
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Newhouse
 Noem
 Norcross
 Nugent
 Nunes
 O'Rourke
 Olson
 Pallone
 Palmer
 Paulsen
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pittenger
 Pitts
 Pocan
 Poliquin
 Polis
 Pompeo
 Posey
 Price (NC)
 Price, Tom
 Quigley
 Rangel
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (NY)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce

Ruiz
 Ruppersberger
 Russell
 Ryan (OH)
 Salmon
 Sánchez, Linda
 T.
 Sanford
 Sarbanes
 Scalise
 Schakowsky
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)

Smith (TX)
 Smith (WA)
 Speier
 Stefanik
 Stewart
 Stivers
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Titus
 Tonko
 Torres
 Trott
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner

Walberg
 Walden
 Walorski
 Walters, Mimi
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westerman
 Westmoreland
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yarmuth
 Yoder
 Yoho
 Young (AK)
 Young (IA)
 Zeldin
 Zinke

NAYS—4

Amash
 Grothman

Huelskamp
 Massie

ANSWERED "PRESENT"—1

Rice (SC)

NOT VOTING—41

Barton
 Blumenauer
 Brown (FL)
 Butterfield
 Cicilline
 Crenshaw
 DesJarlais
 Doyle, Michael
 F.
 Duckworth
 Eshoo
 Farenthold
 Fincher
 Forbes

Garamendi
 Granger
 Guinta
 Guthrie
 Gutiérrez
 Huizenga (MI)
 Jackson Lee
 Johnson, Sam
 Kirkpatrick
 Lawrence
 Marchant
 Meng
 Miller (MI)
 Nolan

Palazzo
 Pascrell
 Payne
 Poe (TX)
 Richmond
 Rohrabacher
 Roybal-Allard
 Rush
 Sanchez, Loretta
 Schiff
 Sewell (AL)
 Stutzman
 Walker
 Young (IN)

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATIONS, MINNETONKA SCHOOLS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I am thrilled to recognize the Minnetonka School District for being named the number one school district in Minnesota by Niche, a Web site that analyzes education data across the country. The Minnetonka School District has received an overall A-plus grade based on their excellence in several areas, including academics, educational outcomes, teachers, and extra-curricular opportunities. The school district received an A grade or higher in 9 out of 10 different categories considered in the analysis.

Mr. Speaker, I commend the teachers and the administrators of the

Minnetonka schools for their commitment to going above and beyond in educating students from preschool to graduation. By dedicating themselves to providing an enriching learning environment, these educators are equipping students with all the necessary tools to not only excel in the classroom but also contribute to leadership on sports teams, clubs, and in our community.

We are proud to have such an exemplary school system in our own backyard. Congratulations to the teachers, the students, the administrators, and the parents of Minnetonka for this distinguished recognition.

FEDERAL FUNDING WILL COMBAT WHITE-NOSE SYNDROME

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I know that I join a large number of my colleagues here in the House in concern over the white-nose syndrome. It is a devastating fungus that has killed between 5.7 million and 6.7 million bats across North America.

Recently, I received news of grant funding from the U.S. Fish and Wildlife Service to combat this disease and that Pennsylvania will receive more than \$30,000.

As a member of the House Committee on Natural Resources, I have been active in ensuring the effects of white-nose syndrome were appropriately addressed. I have participated in field hearings on the subject and toured habitats where bat populations have been devastated by this fungus. There is an ecological importance to sustaining the bat population as well as preventing the species from becoming endangered, which would cause great harm to resource production, agriculture, and construction across the Commonwealth and a large part of the country.

A rule finalized in 2015, which listed the northern long-eared bat, cleared the way for new conservation practices to be put in place where necessary, helping make new conservation measures possible without broadly prohibiting common land-use activities. It is my hope that these measures will help us in the effort against white-nose syndrome.

UNDERWATER RESOURCE MAPPING

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I rise today to discuss recent developments in the area of underwater resource mapping. Scientists at the Scripps Institution of Oceanography used NSF

funding to develop instruments to conduct marine electromagnetic surveys. This technology uses electrical currents and conduction to search for freshwater aquifers in the ocean, which will reveal the location of drinking water supplies deep below the surface of the sea.

It has been clear to scientists for 40 years that bodies of freshwater exist off the U.S. East Coast. This research created the only noninvasive method capable of sensing the exact location of these valuable drinking water reserves.

This technology has also attracted the attention of oil companies, which continue to develop the Scripps system to map out underwater resource deposits in three dimensions across the globe. Important projects like these improve our search for natural resources, and I commend the Scripps Institution and the National Science Foundation.

SEPTEMBER 11 TRIBUTE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on the 15th anniversary of the murderous attacks of September 11, former Vice President Dick Cheney with Liz Cheney detailed how the next President will face greater risks to American families and a weaker military than ever before, in an op-ed published in *The Wall Street Journal*, with the President's legacy of weakness:

"The President who came into office promising to end wars has made war more likely by diminishing America's strength and deterrence ability. He doesn't seem to understand that the credible threat of military force gives substance and meaning to our diplomacy. . . .

"Among the most important lessons of 9/11 was that terrorists must be denied safe havens from which to plan and launch attacks against us. On President Obama's watch, terrorist safe havens have expanded around the globe. . . .

"Generations before have met and defeated grave threats to our great Nation. American strength, leadership, and ideals were crucial to the Allied victory in World War II and the defeat of Soviet communism during the cold war. It will be up to today's generation to restore American preeminence so that we can defend our freedom and defeat Islamic terror."

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

TRIBUTE TO MASTER DEPUTY BRANDON COLLINS

(Mr. YODER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today truly saddened. I rise to speak the name of a slain police officer in our community for the third time in just a few short months. Johnson County Sheriff Master Deputy Brandon Collins was hit by a car while making a traffic stop early Sunday morning and tragically killed.

He leaves behind his wife and two daughters, who are suffering an unimaginable loss. Deputy Collins was only 44 years old and was just about to celebrate his 21st year with his department serving our community.

Brooke and I want to extend our deepest condolences to his family and friends. You are all, and will remain, in our thoughts and prayers.

As we mourn with our entire community, Deputy Collins' death is a devastating reminder, especially in light of yesterday being the 15th anniversary of the attacks on September 11, that our first responders risk their lives all the time to protect us and keep us safe. We owe them a debt of gratitude we will never be able to repay.

Mr. Speaker, may God bless Deputy Collins, and may he rest in peace.

A DAY SEARED INTO OUR MEMORY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, yesterday, September 11, is a day that will live in our memory forever. For those old enough to remember Pearl Harbor, that was a day that was seared into their memory. For those in the early 1960s, November 1963, the day that President Kennedy was shot will live in their memory forever. Everyone remembers where they were when they heard the news.

But September 11, 2001, was a day that changed our world forever. Ultimately, we know that on that day, as the first plane hit the World Trade Center, we thought it was a terrible accident. When the second plane came in and hit that tower, we knew that it was something vastly different. We were under attack, and, frankly, our way of life was under attack.

We are trained, Mr. Speaker, as young children to run away from danger, but our first responders are trained the opposite—to run towards it. And so that fateful day, as people were exiting the World Trade Center, we had our first responders who were running in to try to save as many people as possible.

What was also interesting is that on Flight 93, we had citizens on that plane who realized what was going on as they got word to their loved ones and put the lives of Americans in front of their

own. That plane was coming, most likely, to this building right here, Mr. Speaker.

So on the day after September 11, I want to make sure that Americans realize that we thank our first responders, and we thank those who are in uniform, those in our intelligence community who are trying to protect and save the United States of America from ever experiencing that type of attack again.

Again, God bless America. God bless our first responders and those in uniform.

□ 1915

9/11 ANNIVERSARY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, yesterday being the 15th anniversary of the September 11 terrorist attacks, I just wanted to commend the people of northern California, of my district, for the efforts they made to remember that and to also say thank you to our firefighters all up and down the district.

The city of Chico had much positive participation as well, starting in the morning with the Optimist Club of Oroville and Chico saying, Let's take the firefighters to breakfast. They did so. There was a lot of great participation on that. It was one way to start the day—by saying thank you again to our first responders.

The city of Chico, along with their fire department, led by Chief Bill Hack, was able to have a very, very moving and well-done 9/11 commemoration starting at the Elks Club because the fire station was no longer large enough to house all the people that were participating, which is a good thing. They used great solemnity to honor the firefighters that were lost 15 years ago as well as remembering that those first responders need to be respected and properly taken care of.

We commend, again, the city of Chico and the fire department for making the community part of this, culminating in the bell-ringing at the 9/11 Memorial they have onsite at Station 5.

And there was a ribbon-cutting ceremony for the brand new building they have with a 9/11 memorial inside as well.

God bless our first responders and our firefighters. Good job, city of Chico, for making the 15th anniversary of 9/11 a good public event.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 12, 2016.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), I hereby appoint Dr. Philip B. Stark of Berkeley, California to the U.S. Election Assistance Commission Board of Advisors.

Thank you for your attention to this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 12, 2016.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), I am pleased to appoint Mr. Steven L. Roberts of St. Louis, Missouri to the Congressional Award Board.

Thank you for your attention to this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

LAMEDUCK SESSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized to address you on the floor of the House of Representatives this evening, as we move toward a September session that perhaps gets concluded in a way that we go back to the November elections and, hopefully, we are bridged over any great big decisions that might come in a lameduck session.

Something that I wanted to address to you, Mr. Speaker, is the circumstances of lameduck sessions. I look back on the history of them and it is hard for me to find happy conclusions that are drawn during lameduck sessions.

I recall that Thomas Jefferson once made the statement that "large initiatives should not be advanced on slender majorities." What he meant by that was, if you have a large initiative and it is going to move this country and it is going to stress a lot of people in this country, then, if you move that large initiative and its margins are essentially close to a jump ball, you are going to have almost half the people unhappy—maybe more than half the people who are unhappy.

So that large initiative should not be advanced on a slender majority, be-

cause you get so much pushback, you don't get public buy-in. If you have a large initiative, you need to have a public that embraces it; one that, hopefully, we can get to a supermajority on large initiatives, because then we go forward in lockstep in defending and promoting those decisions that were made by this country.

Worse than advancing a large decision on a slender majority is pushing large decisions in lameduck sessions. The reality of it is, however long and nobly Members of the House and Members of the Senate have served and however long and nobly the President of the United States may have served, when they are leaving town after the election, for them to come back here after the November election and push large initiatives in a lameduck session, they are not held accountable for it any longer. You have the people that are retiring, those that we voted out of office, and a President who is term-limited altogether packaging things up and shoving them at us, the American people, sometime after November 8 and before Christmas, where we have cliffhangers that go on until Christmas Eve.

I remember Christmas Eve in about 2009. In fact, it was 2009. The ObamaCare legislation was hanging in the balance in the United States Senate. There, I recall my communications with the esteemed gentleman who is now the chairman of the Senate Judiciary Committee, and I said: Procedurally, you are down to the last piece here. This is the eve of Christmas Eve day, December 23.

I had sent an email over, which often and almost immediately is responded to by my senior Senator, and I said: Procedurally, you are going to hold ObamaCare until 9 o'clock tomorrow night on Christmas Eve. But it looks like the question is: Will the ObamaCare legislation be brought before the Senate before—earlier in the morning on the 24th—so that everybody can catch their plane and fly back home and get home in time for Christmas?

The price for sacrificing God-given American liberty to move a leftist agenda, Mr. Speaker, was what was going on over in the Senate. They brought this leverage right up until Christmas Eve day. But the deal was they had a couple of judicial appointments that they wanted to get in a vote on, as I understood, that could come along in January, as a promise that they allowed the ObamaCare legislation to be voted on before 9 o'clock on December 24, Christmas Eve day.

That agreement was reached and the Senate conferenced in some negotiated fashion or another and the last delay that was hanging onto God-given American liberty in the face of ObamaCare's hook, crook, and legislative shenanigans, which they used to

pass that through the House and Senate—in components, by the way—the last one was removed and they allowed that vote earlier in the day so the Senators could get to the airport, get on a plane, fly home, and be with their families on Christmas Eve.

I said: If you are going to take away a God-given American liberty, then make them pay that price. Hold that vote up until 9 o'clock on Christmas Eve. Let them stay in Washington, D.C., on Christmas Eve. If they love their socialized medicine that much, let them pay that price of being away from their families to impose that on the American people.

But that wasn't the agreement. So I sent the email back, which said: What are we going to do now?

The answer I received was: We are going to pray. We are going to pray for a legislative victory in the special election in the Senate race in Massachusetts. Scott Brown.

I thought that was a bit of a reach, to have the audacity to ask for that. We ended up with that. Scott Brown, for a time, did delay the socialized medicine program that we call ObamaCare. George Washington could not have called it the Affordable Care Act because George Washington could not tell a lie. It is not the Affordable Care Act.

It came upon us in a lameduck session. Probably the worst example of a lameduck session that we have seen. Well, at least it was a December session rather than a lameduck session because it technically was not an election year.

Now we are sitting in an election year. We will elect a new President. By the time the sun comes on the morning of November 9, odds are we will know clearly who the next President of the United States is going to be. We will probably have a good idea that evening before we go to bed. Maybe the polls will give us a strong indication going into that day and the exit polls during the day will be released as the polls close and give us a sense of how this thing breaks across the country.

It is an exciting time. Whether the next President of the United States is going to be Hillary Clinton or whether it is going to be Donald Trump is a question that no one at this point knows. Now, this Congress will take conclusive acts predicated upon a presumption of one or the other, or, acting as if they don't have any consideration for who will be the next President and asking that those decisions be made, supported, ratified by people who are going home, retired by their own choice, retired by the voters, or retired, in the case of Barack Obama, by term limits.

So what good could possibly happen in a lameduck session on large decisions that might bring forward—and I am not going down through the list, Mr. Speaker, because if I do that, that

will add to the level of expectation on what might come.

It is wrong for this Congress to make large decisions, especially on slender majorities, and it is wrong for this Congress to make decisions that are predicated by a presumption of who will be the next President of the United States. And it is really wrong to come into this Congress and make big decisions in here while people are on the way out the door; deciding votes while they are on the way out the door to go home for their retirement, whether it is by choice, whether it is by the voters, or by constitutional term limit, whatever the case may be. That lame-duck session should be used only to do that which couldn't be accomplished before the election and that which must be done before the new Congress is sworn in in the first week of January 2017.

We have that period of time. We can prepare for that. But it looks to me like there are some people in this Congress who are salivating over the idea of being able to exercise more leverage by moving an agenda through in a lame-duck session that will be at the disadvantage of the will of the voters.

If you can't put that up here on the floor for a vote in the House of Representatives between now and November 8; if you can't sell it to the America people, Democrats and Republicans; if you can't get the support of one of the likely next Presidents of the United States, then who are we to impose it on the American people now?

By the way, who is the current President, Barack Obama, to be negotiating and leveraging and reaching legislative agreements with the House of Representatives and the Senate today on legislation that would not be signed by the next President and legislation that can't be subjected to the light of day prior to the election?

Lame-duck sessions that move large initiatives are wrong. Lame-duck sessions that take care of emergency issues are okay. The public will know the difference between the two.

This is just a component of the discussions that we will have the rest of this month of September, Mr. Speaker, and, hopefully, the American people will have all the way up until November 8 and beyond.

I want the American people to be well informed. We owe the American people—every one of us, all 435 of here in the House of Representatives—everyone around this Chamber here tonight and everyone who is watching on C-SPAN, Mr. Speaker, our best efforts and our best judgment, and that judgment should not be something that can't be subjected to theirs. The American people need to agree with the judgment of the United States Congress.

So I look at the issues that are unfolding here and that we will be taking

up perhaps in the month of September, but also issues that have been seminal issues all along, throughout the Obama Presidency and prior to that and all the time I have been in this Congress, and I am seeing the pressure come forward to make a decision on a continuing resolution. We have to make a decision on a continuing resolution—a CR, as we refer to it here.

I would like to have seen this Congress go through regular order. I would have been very happy to go back to the times that I remember when we had 12 appropriations bill, perhaps a supplemental appropriations bill—maybe 13, at the most—and we would see that our Appropriations subcommittees would do their work and the Appropriations Committee would do its work. And then the appropriations bill would come to the floor. They would come to the floor within the Budget Committee's resolution and the House's vote on a full resolution of the budget.

Once that budget comes down, the Appropriations Committee goes to work and they look and see what their allocation is allowed in the budget resolution and they move the appropriations bills within that. Then the appropriations bills, Mr. Speaker, come to this floor under an open rule. I don't care if it takes all night for us to debate appropriations bills. If you don't care enough to stay up all night to offer your amendment, then just don't offer your amendment. Let somebody that cares more do that and have that floor. But Democrats and Republicans should be allowed to and have the opportunity to weigh in on every spending bill that we have.

□ 1930

And sometimes through the appropriations process is the only way that we end up with an open rule that allows a Member to bring the will of their constituents to the floor of the House of Representatives. Otherwise, the Rules Committee constrains that on policy bill after policy bill, standing bill after standing bill.

The appropriations process is our opportunity to reflect the voice and the will of the American people. And when that is subverted, when that is circumvented, when we get to a place where we don't have the regular appropriations process that is going on, then we end up with leadership negotiating a continuing resolution or an omnibus spending bill or a minibus spending bill that is packaged up in a room somewhere, not out in the open, but it doesn't have the opportunity to be amended in the process by the will of the Membership.

The more that process is narrowed down, and when a Member of Congress is required to go up to the Rules Committee and subject themselves to what can be a less than complimentary scenario of pleading with the Rules Com-

mittee for them to allow you to amend a spending bill up or down, or strike a spending line in there, or eliminate some policy, all within the rules that are there, why does a Member of the United States Congress whose constituents deserve every bit as much representation as the constituents of the leadership, or the constituents of the members of the Rules Committee, Democrat and Republicans, why does that Member of Congress have to go up and make that request to have an opportunity to make their argument to ask this floor to vote on an issue that funds or defunds policy? When we get to that point, the voice of the people, Mr. Speaker, is muted, and the will of the people, then, when it is muted, the will of the people is not carried out.

I am all for open debate here on the floor of the House of Representatives. I am for open debate in committees. Let's have a verbal donnybrook here. Over time, it sorts itself out, and the will of the people is designed to bring itself forward here in the United States Congress.

I would suggest also that, from a leadership perspective, anybody that holds a gavel, and whether that is the Speaker's gavel, Mr. Speaker, or whether it is a gavel of a committee or a subcommittee, wherever that might be, the job of that leader—chairman, usually—is to bring out the will of the group, not to impose their will on the group, but to bring out the will of the group.

So when I see this discussion that comes forward here in this Congress that contemplates a CR, a continuing resolution, of roughly 90 days or so that funds our Federal Government out till December 9, I look at the calendar, December 9, and I think, okay, that is just about how long it is going to take for them to bring pressure on people that are reluctant to agree with the CR that will come then, because people will want to go home for Christmas, just like they did when ObamaCare was passed over in the United States Senate. That is what we are looking at. December 9, tight little time there. Get done, compromise, go home for Christmas. That is what that says to me.

I would say, instead, I am all right with a CR. I am all right with a continuing resolution. No, I don't want to fund any of the President's unconstitutional executive amnesty acts, and I don't want to fund Planned Parenthood. There are a number of things I don't want to fund.

But as far as the decision to move the funding of this Federal Government from midnight December 30 to a date in the future, I would suggest that that date be January 31, probably not any later than February 28, because we need to get that, bridge that funding over into the next Congress for the next President, whomever that might be.

It is time to do this transition and move this government to the next Congress, to the next—hopefully, it is the same majority. It may not be in the House. Hopefully, it is the same majority in the United States Senate. It may not be in the Senate.

The next President will be a different President, and the will of the President does itself upon the will of this Congress. We have been very much subjected to that over the last almost 8 years, Mr. Speaker.

It has been an object of clarity that when the House majority has decided not to fund, let's just say, at least one of the President's projects and the President has said, I will shut this government down first before I will be denied the funding for my pet projects, in the end, the majority in the House of Representatives capitulated to the will of the President.

We have that to contemplate going forward into the next Presidency. We have watched as the power of the House of Representatives has been diminished. The power of the Senate has been diminished and, I will say, significantly and dramatically. And it didn't just happen under this Presidency. It began in a significant way clear back in the thirties. I don't know the exact year that the Administrative Procedure Act was signed, but that would be, probably, a pivotal moment that one could point to on the calendar and conclude that the balance of the three branches of government that we had—that was designed by our Founding Fathers, and I would submit that the judiciary branch was always designed to be the weakest of the three branches of government.

But our Founding Fathers envisioned that those three branches in government—thinking of it in a triangle, Mr. Speaker: the legislative branch, Article I; the executive branch, Article II; and then the judicial branch, Article III of your Constitution—they set them up to be a balance of powers, a triangular balance of powers. And even though it is often taught that it is three equal branches of government, I would argue that the legislative branch comes first—that is Article I—because we are the voice of the people.

The House of Representatives comes ahead of the Senate when it comes to spending, by design, by Constitution, because our Founding Fathers wanted to give the control of the power of the purse into the hands of the people as closely as they could possibly get it. And that is why we here in the House are up for election or reelection every 2 years and why the Senate is up for election or reelection every 6 years, because they wanted the Senate to be insulated from the highs and lows of public opinion.

They wanted the House of Representatives to be reactive and responsive to the highs and lows of public opinion,

and they wanted that power of the purse to be in the hands of the House, so that we start the spending bills. By extension and by interpolation and by precedent, the House starts the spending, and the House takes care of initiating any taxes as well; and the Senate then can react to those things that are advanced by the House.

But if there is a single spending bill over in the Senate right now, they have expanded in authority, historically, to be able to simply add anything spending to that spending bill they would like. And we are poised here in the House wondering: Are they going to send us a bill that is this continuing resolution that fits their wants, their wishes, and their will, which could be a CR till December 9 that funds Planned Parenthood and ObamaCare and the President's executive amnesty? All of that could come at us, Mr. Speaker.

This balance of powers that is here, though, it was expected by our Founding Fathers, they believed that the people elected to serve in the Congress, the House and the Senate, and they believed that the President of the United States would all jealously protect the constitutional authority that is granted to them within the Constitution.

They knew that no matter how good wordsmiths they were, it was impossible to define the distinctions, the bright lines between the three branches of government in such a way that there would never be an argument because, after all, words themselves get into a debate on what the definitions of those words mean.

So our Founding Fathers precisely drew the difference as much as they could within the language that they had. And the data at the time, and the Federalist papers at the time, and the decisions that were made and the CONGRESSIONAL RECORD that was debated along the way, and of all of the debates that had to do with the Constitutional Convention helped flesh out the meaning and understanding of this great and wonderful Constitution that we have. But they also knew that, no matter how precisely they fleshed it out, that there would be disagreements, and they expected that each branch of government would jealously protect the power and authority granted to it within the Constitution.

Well, this House of Representatives, and the Senate included, has not done a very good job of protecting and defending the authority and the power granted to it in the Constitution. Article I authority says all legislation shall be conducted in the United States Congress—all legislation, Mr. Speaker. And yet we have a President who has legislated from the Oval Office. He has legislated by speaking words into law. He has legislated by a third-tier Web site in the U.S. Treasury that essentially amended the effectiveness of ObamaCare.

This Congress didn't step up in the way of that and take on that fight and challenge the President and ball up this government to the point where the President had to give in to the words in the Constitution, the meaning of the Constitution, the intent of the Constitution, and concede that the power and the authority in the House of Representatives, in particular, but in the legislative branch, would assert itself over the executive branch. It didn't happen because of a lack of will at the House of Representatives to better define the legislative authority that we have.

It began, as I mentioned, with the Administrative Procedure Act, which granted rulemaking authority to the executive branch of government. And so rules, rules that once they meet the criteria that are defined within the Administrative Procedure Act—publish it, open it up for public comment, go through those conditions—if that rule as proposed reaches those conditions, then that rule is then enacted, implemented, and it has the force and effect of law as if it were law.

Today, it is a lot easier to publish a rule and have that rule take effect and be and provide the force and effect of law than it is for Congress to actually pass a law.

So if the President decides that he wants to see, let's say, environmental regulations, let's say, the WRRDA piece, the waters of the United States regulations that give the EPA and the Corps of Engineers the equivalent of legislative authority to regulate all of the waters of the United States through some ambiguous language that they had written into a rule, and it is so bad that it says these waters—the old language back from the nineties was these protected streams, as geographically defined, and waters hydrologically connected to them shall be protected streams.

When I go to them and I ask them: What does "hydrologically connected" mean?

Their answer is: Well, we don't know.

And I said: Well, then take it out of the language.

Well, we can't do that.

How can you know you can't take it out of the language if you don't know what it means?

Well, we know that we can't change or amend the language. That is what we are publishing here, and that is what is open for public comment. So you are either going to have to live with it or oppose it successfully. Which is it going to be?

Well, try opposing a rule successfully. Try convincing the EPA that there is enough public comment and criticism that they ought to change that language when they are not accountable to the people.

The EPA, the Corps of Engineers, any one of the dozens of agencies that are

out there, their bureaucrats aren't up for election or reelection like Members of Congress are—only their President. Their President has given them orders, or at least a philosophical guideline that they are following, and so we end up with waters of the United States, now, language that says the navigable waters of the United States and any waters that are a significant nexus to the navigable waters of the United States.

Well, think of that. The ambiguous language of waters hydrologically connected to was litigated down to the point where the courts finally ruled that it doesn't have an effectiveness because it is too ambiguous. And so they cooked up some other ambiguous language to litigate for another couple of decades, this ambiguous language of significant nexus to the navigable waters of the United States—significant nexus.

All right. What is nexus? Well, that is anything that intersects. Well, is it 1 intersection? is it 2? is it 3? is it 10? is it 50? is it 100?

If you could go down to New Orleans and track the Mississippi River up to the headwaters, how many significant nexus do you have that are tributaries that run into the Mississippi? How many of those tributaries can be traced up to creeks and streams and tile lines and wells and water lines that go up to the kitchen sink?

They have defined ambiguous language that allows them to regulate the entire United States of America all of the way to the kitchen sink under requiring a significant nexus with the navigable waters of the United States. And we sit here and take this. And they can write rules like this that have the force and effect of law and put a chilling pall on the economy of the United States of America.

That is what we are faced with, Mr. Speaker. And the legislative power that has been asserted—and to a large degree, successfully asserted—by the executive branch of government reaches into the Article I authority of the United States Congress. What are we to do about it here? We are to jealously protect this power. Our Founding Fathers charged us with that.

And how do we jealously protect that power? We have only two things we can do: impeachment, which nobody wants to do, including me; the second component of that is the power of the purse—the power of the purse that James Madison spoke about and wrote about eloquently, and it is a powerful, powerful tool.

But this Congress has declined to use the tool of the power of the purse, with the exception of what turned into the shutdown of our Federal Government in the first day of October of 2013, because they don't want to face the criticism that might come from the public of the American people.

□ 1945

There is a tremendous amount of authority that needs to be clawed back to this Congress, Mr. Speaker, a tremendous amount of constitutional authority that needs to be clawed back. When I see a CR being prepared that looks like it is going to reflect some of the continuing resolution from last year, I see a continuing resolution that may be coming to expand, for example, immigration standards within the United States of America under the guise of, well, we are just going the kick the can down the road and do some spending that is going to get us into December 9 or on into, hopefully, February 28 or maybe a little later, and some want to go out to September 30.

I think that is too far. I don't think we ought to give a blank check to the next President of the United States if we don't know who that is going to be—even if we know who that is going to be. We ought to be, instead, establishing a scenario by which the new Congress—House and Senate—can pass appropriations bills to get to the end of this fiscal year and get a signature of the next President of the United States, not this one.

By the way, I don't want to give this President of the United States a blank check on anything anymore, but Barack Obama said 22 times—not just 22 times in the interviews, 22 times overheard, or 22 times reported—he said 22 times on videotape that he did not have the legislative authority to grant executive amnesty to illegal aliens in the United States of America—22 times.

The most recent time that he did that was just about 10 days before he changed his mind. He was here in Washington, D.C., giving a speech to a high school here in Washington, D.C. He said to them: You are smart students, and I know that you have been studying your Constitution. You will know this, that I don't have the authority to grant executive—he didn't use the words—but executive amnesty. I am the President of the United States. Congress writes the laws. My job as President is to enforce the laws, and the job of the judiciary is to interpret the laws.

I don't think that you could put it more concisely than that in a matter of two or three sentences. I think the President did a good job of describing that to the students there. But within about 10 days, he decided that he would reverse all of that, and all of a sudden he had the power to grant an executive amnesty—an unconstitutional executive amnesty, Mr. Speaker.

President Obama unconstitutionally granted an executive amnesty to people who at least assert that they have come into the United States under the age of 18. Apparently, if you are under 18, you are not responsible for your actions, even though that is not true

among the States, even in the case of homicide. So the excuse that it was somebody else's fault, it was their parents' fault or somebody else's fault, never held up. It didn't hold up in law.

We write the law here in Congress, but the President granted an executive amnesty. He called it DACA, Deferred Action for Childhood Arrivals. You are a child, apparently, up until the moment that you turn 18, and we will take your word for it even if you are 35 today or older, by the way. That was DACA.

Then there was DAPA, the Deferred Action for Parents of Americans, he called it. That was another unconstitutional reach. Now, these things have—at least the one has been effectively enjoined by Judge Hanen in the Texas District. Now the President has been blocked, I think, effectively until the end of his term on continuing this amnesty process of executive amnesty. Meanwhile, the DACA executive amnesty continues. We have seen evidence that there has been circumvention of the court's order with regard to the DAPA amnesty piece.

While we are watching this unfold, we are a Congress that has allowed for funding to continue with unconstitutional acts of executive amnesty on the part of the President of the United States. I recall a discussion before the Rules Committee before a previous appropriations bill when I made the assertion, Mr. Speaker, that we all take an oath to support and defend the Constitution of the United States. Every one of us in here, all 435 of us, and every Senator of the 100 Senators on the other end of the Capitol here through the rotunda all take that same oath that we will support and defend the Constitution of the United States, so help us God. We should take that oath seriously.

Our Founding Fathers imagined that we would always be electing serious representatives who when they took their oath that they would take that oath with their hand on the Bible, and they would know that they had to answer to their contemporaries, their colleagues, their constituents, the American public, and ultimately to God for that oath.

Now, the Constitution means what it says. It has to be interpreted to mean what it was understood to mean at the time of the ratification of the Constitution or the subsequent amendments. Our oath needs to be an oath of fidelity to the text and the understanding of that Constitution. If it doesn't mean that then our oath means nothing at all. Can you imagine, Mr. Speaker, taking an oath that is: I pledge to support and defend the Constitution of the United States whatever I might interpret it to mean at any convenient point in the future? No. The oath is not to support and defend the Constitution in any way it might

be subverted or perverted by any other authority. No. We are taking an oath to support and defend the Constitution according to the text of its clear meaning and understanding as understood at the time of ratification.

If we don't like what that Constitution means, Mr. Speaker, then we have an opportunity to amend the Constitution. It is simply defined and difficult to do for good reason. Simply defined, it just takes a two-thirds majority in the House and Senate to pass a constitutional amendment out of here. The President has no formal say in the process. Although, he will have an opinion, and then that constitutional amendment goes out to the several States as it was referred to in the Constitution, and there, if three-quarters of the States ratify that constitutional amendment, it becomes a component of the Constitution.

Our Founding Fathers gave us a tool to amend the Constitution because they knew they couldn't see into the crystal ball by the centuries. They wanted it to be difficult because they wanted to protect the rights of minorities against the tyranny of the majority, and they wanted to protect God-given liberty. They had a vision, they were well educated, and they had a sound and faithful foundation within them. They laid out a brilliant document that would only maybe be second to the Declaration itself when it comes to the brilliance of documents that are written, at least by Americans and perhaps by mortals altogether.

We are an exceptional nation. God has given us this liberty. We have an obligation to protect it, an obligation to restore the separation of powers, and an obligation to assert the constitutional authority here and say to a President that overreaches: I'm sorry, we are not going to fund your unconstitutional activities. We are going to stand on the principle itself of the Constitution.

Whether or not we agree with policy, we need to have fidelity to the Constitution. We don't get a pass because the Supreme Court errs in its interpretation of the Constitution. We don't get a pass because the President says that he has a different opinion. We don't get a pass no matter which side of this aisle we are on, on the right or on the left. We have an obligation to God and country and to have fidelity to this Constitution.

So now this expansive immigration policy that has been delivered by the President has set a goal of 10,000 refugees coming out of Syria. At this point, I will concede that he has the executive authority, as granted by Congress, to bring in refugees in numbers and under consultation with the House and the Senate. I have sat in on some of those consultations in previous years, and, in fact, with Hillary Clinton for that matter, and we have arrived at, I will say,

a reasonable approach to the numbers of refugees.

But this President had set a goal that he was going to bring in at least 10,000 refugees out of the Syria and Iraq region. When I look at the numbers that are there and the costs that we have, if we want to provide relief to people, we can provide refugee relief to a dozen people in their home country, and that would be Iraq or Syria in these circumstances, for every one that we bring into America.

When you clean that area out, when you bring people out of that area, you are handing it over to ISIS. That is part of what the President has been doing. He has been bringing people out of there and handing that region, the real estate, over to ISIS. They are glad to get rid of them. They killed thousands of people who didn't agree with them, and there are those that are on the run from ISIS. ISIS has been committing a genocide against Christians and against Yazidis in the Middle East, especially in the Nineveh plains region. I have seen the devastation that is taking place there.

Mr. Speaker, I have gone into those regions and gotten as close to the ISIS front lines as possible, and that is just outside their artillery range. I went looking for Christian refugee camps, Mr. Speaker. I couldn't find Christian refugee camps in that part of the world, into the edges of Syria, into northern Iraq, into the Kurdish region, and into Turkey for that matter. The place to find Christians in that part of the world is go to church, and there you will find Christians. I have met with the Chaldean bishop twice in Erbil in the northern part of Iraq.

In my last trip in, I went into the Catholic Church, the Roman Catholic Church in Istanbul, and I met with a good number of Christians there. Then I went down into Erbil the following morning. It was a Saturday night mass and then a Sunday morning mass in Erbil, and there I met a good number of other Christians. I sat down with a family that was a refugee family out of the Syrian region and met with the Chaldean bishop there.

Here are some things that I learned from them and others: The Assyrian Christians are under attack. There is a heavy assault of genocide against them. Chaldean Christians, same way, they are subjected to genocidal attack from ISIS. The Yazidis, who are technically not Christians, are under genocidal attack from ISIS, and their home region is the Nineveh plains region. The Nineveh plains region runs along, I will say parallel or next to, Mosul in Iraq in that area.

In my discussions with the Barzanis, who are essentially in charge of the semiautonomous region of the Kurdish region in northern Iraq and the Erbil area and all across, I pressed them that we need to establish an international

safe zone for Christians and for the Yazidis, the native minority, so that they can live there in peace and be protected.

I made that case rather extensively to him. He repeated it back to me probably two or three times greater in detail and in conviction than I had delivered it to him. I said to him: Mr. Barzani, you sound like you have said this before. His answer to me was: I have said it before. That is my public opinion. We will support an international safe zone in the Nineveh plains region. We will support it, we will help defend it, and we are committed to it. That is my public position.

I was awfully glad to hear that. It is a lot better solution for refugees to give them protection in their home region and protect them from the genocidal ISIS people than it is to try to bring them out of the Middle East and bring them into the United States, or other places in the world for that matter. But we do have refugees that are looking for a place to call home around this world.

So I stopped in Geneva a couple of months ago, Mr. Speaker, by the way, with Chairman GOODLATTE of the Judiciary Committee, and met with the number two on the U.N. High Commissioner for Refugees. In that meeting and in that discussion, I learned a few things. I thought that it was a good meeting. It was a very constructive meeting with a lot of information that poured back and forth.

□ 2000

I have this report that I probably will not put into the RECORD. "Global Trends: Forced Displacement in 2015," which flows, of course, into 2016, Mr. Speaker.

I noted a report that we had that showed some—and I am close, but maybe not exactly precise on this top number—1,562 refugees out of the Syrian-Iraq region that had come in in a group into the United States. Of that 1,562, roughly, number, I can give you the exact number of Christians that were included in that: one. Only one.

We have seen other larger groups—several thousand—where there was only a little more than 1 percent Christians that come out of there. Christians in that part of the world, as far as refugees are concerned, grow into a number of 9, 10, 11, 12, 13 percent.

So why is it that this administration can bring in more than 10,000 refugees out of that part of the world—now approaching 12,000, looks like will be the number even greater than that by the end of this fiscal year on the last day of this month, Mr. Speaker—and not have any statistical representation of Christians that are emerging from that part of the world?

I asked our director of USCIS, under oath before the Judiciary Committee:

Do you ask these refugees that you claim that you are vetting, and I don't believe can be effectively vetted, do you ask them what their religion is?

He said: No, we don't ask. How would we have any way of knowing? Even if we asked them, we don't know. So that is not a statistic that we collect or keep.

Well, it seems to me to be foolish and imprudent not to be taking a look at the religion of people. We would want to be accelerating bringing Christians into America if we are going to bring refugees at all into America. They are the ones that are targeted. They are the ones that are subjected to genocide.

I would like to carve out that international safe zone and let them live in peace in the area that is their home of antiquity. If that is not going to be the case, why would we be then seeing a misrepresentative sample coming into America, unless there is a preference of, let's say, a bias against Christians coming into America, one out of 1,562, roughly 1 percent out of 3,600 or so?

Then on top of that, when I began to ask the representative of UNHCR, the U.N. High Commissioner on Refugees, in Geneva—who gave a very impressive presentation, I would add, Mr. Speaker—when I began to ask those questions: How many refugees do you have cleared to come out of the Middle East that could be going to any of the designated countries that are accepting them? And we know that Germany, Austria, Sweden, and France, to a degree, are picking up refugees. We watched them pour in. I walked with them pouring in that epic migration. Many of them are not cleared, but of those that have been cleared by the U.N. High Commissioner on Refugees, how many do you have?

Her answer was: Well, we have 115,000 who have been cleared under a refugee status that have, roughly, a background check—she didn't use the word “roughly”—but a background check done on them that we say are ready to be transported to host countries—115,000.

I said: Do you keep track of what religion they are?

Well, absolutely, yes, we do.

How many Christians?

Fifteen thousand Christians out of 115,000 refugees.

I didn't do the math, but I am going to say that is 12 or 13 percent. Now, if 12 or 13 percent of the refugees that are approved by the United Nations are Christians and 1 percent, or maybe even one out of 1,562, are Christians coming into America, does that mean that this administration set up a filter to filter them out and only made mistakes?

I would support, instead, an effort that if we are going to accept refugees from that part of the world, let's make sure it is the refugees that are sub-

jected to a religious genocide. By the way, I think they are more likely to be assimilated into America judging by the responses that I have heard from them.

I looked at some of the results in this report that I have referenced, Mr. Speaker, and I was surprised, not quite shocked, to see the number of refugees per 1,000 inhabitants in these countries who have been flooded with refugees. I want to tip my hat to the countries that have taken on a high number of refugees that is also a high percentage of their overall population.

Lebanon is at the top. Out of every 1,000 inhabitants of Lebanon, 183 are refugees. They have been stretched to the seams in Lebanon. Jordan, 87 out of 1,000. And then you go to Turkey, 32; Chad, 26; Djibouti, 22; on down the line getting down to the end, Malta, 17 per thousand. That is a high number, especially for a small island, but it is still a per capita basis. Out of all of the countries in Europe, or the United States for that matter, Sweden, 17 per thousand. That is the highest rate out of Europe in its entirety, or the Western Hemisphere for that matter, or Oceania for that matter. The Swedes continue to take a lot of refugees in.

We have a national destiny, a national security, to be concerned about. We know that it is a very difficult task to vet refugees. I am supportive of an effort to suspend refugees coming out of that part of the world that produces terrorists until such time as we can get a handle on the vetting of them, on the background checks. Many times when they leave their home country and when they enter a foreign country, they will destroy any identifying documents that they might have so that they can't be sent back to their home country.

This is a big problem for Europe. We have watched as the attacks have emerged in country after country. And it is a big problem for the United States. We are challenged with this vetting process that cannot possibly uncover those who will turn to violence. We can look at polling that shows what percentage of people from terrorist-producing countries that settle in the United States are supportive of Sharia law, are supportive of violence to promote Sharia law, that are, at least philosophically, supportive of organizations including and like ISIS.

Those numbers are shocking. They are far too high, which caused our Director of the FBI, James Comey, to make the remark when asked to be responsible for the vetting of the refugees: You are asking us to identify the needles in the haystack. That is a very difficult task to identify the needles in the haystack. But if we could get that done, the far more difficult task is to identify the hay that will become needles.

We have seen that pop up second generation, I will say, immigrants from

that part of the world that adhere to the philosophy that believes that they can impose Sharia law on America through violence. And even James Comey has said: You are asking us to sort out the hay that would become needles later on. That is the second generation terrorists that have attacked us.

So it is a difficult task in a war, Mr. Speaker, that has gone on for 1,400 years. We don't recognize it as a war that has gone on for 1,400 years, but they do.

Then I see legislation that is coming at us in the form of, first, H-2B legislation in a continuing resolution, Mr. Speaker—H-2B legislation. That is low-skilled workers. The highest unemployment rates we have in America are the lowest skilled workers that we have. Double-digit unemployment in the lowest skilled workers that we have in this country. The last thing we need in America are more people that have less skills, but that is what is pouring across our borders in legal and illegal immigration.

We are essentially a welfare state. We have 94.6 million Americans of working age who are simply not in the workforce, and there are another—not quite 9 million—that are on unemployment. So we are 103 million or 104 million Americans of working age who are not in the workforce. Yet, we are watching the entitlements grow and grow and grow and swallow up our budget. So Medicare, Medicaid, and Social Security—all of them—are on autopilot for spending.

What do we do when we are trying to keep up with the spending from those three?

We go borrow the money from the Chinese or borrow the money from the Saudis. By the way, half the money that we are borrowing that is this \$19.4 trillion in national debt, half of that is borrowed from the American people who have bought the bonds and decided they are going to invest in America's future as if somehow this was an all-out effort like World War II was. Well, it may be because we are under historically low interest rates. If interest rates should double or triple—and they could easily do that, and they would not be in historic places if they did that—we would watch a collapse on our cash flow and a collapse in our budget.

Yet, this Nation has got its borders open and this Nation is bringing in more and more legal immigrants and this Nation is not protecting its borders from illegal immigration. They have turned the border patrol into the welcome wagon. And now we are poised here wondering: Is our leadership going to want to serve up an expansion of H-2Bs as they did a year ago in the C.R. that came down?

I oppose that, Mr. Speaker. We can't be expanding legal immigration. We don't know who the next President is

going to be, but if it is Donald Trump, he is not going to be for this.

So is this an effort to try to hustle something through that Barack Obama will sign that the next President may not?

That is H-2Bs.

H-1Bs, for example, are being abused and they are being abused grossly. We are seeing examples of sometimes hundreds of employees who are being laid off that are charged with the responsibility of training their foreign immigrant replacement that is coming in on an H-1B because the employer can hire cheap labor out of places like India and bring them into the United States and lay off more Americans after those Americans train their incoming workers that will work for a cheaper rate. This is the kind of country that we are building. So we end up with more and more people in that 103 million to 104 million people who are of working age who are simply not in the workforce while all of that is going on. We are requiring companies like maybe Disney, for example, to those employees on their way out of the door: We are laying you off, but, first, do you want to train your employee, your replacement that is coming in on an H-1B?

The H-1B program is abused. The H-2B is bringing in more of a surplus of what we already have, a surplus of unskilled workers. The H-1B program is being used and it is laying off American workers and green card holders that are sitting there now doing jobs that Americans will do. By the way, there isn't any job Americans won't do. They are doing jobs by definition that Americans will do, being required to train their replacements. I think that is wrong. I think it is a crime for a company to require an employee to train their replacement worker while their worker is being replaced by a visa program that is designed to bring in high school people to establish a need that presumably exists within our economy.

How could there be any need for employees in our economy when you have over 100 million people that are of working age and simply not in the workforce?

And then we get to the EB-5 program, Mr. Speaker, the EB-5 program, the investors visa, that was set up a quarter of century or so ago and said that if you have \$1 million and you can create 10 jobs investing and establishing an enterprise in America, we will give you a pass coming into the United States. A quarter of a century ago, \$1 million was real money. Today it is still real money to a lot of people in America, but not so much as it was then. If you are going into a stressed area, an economically disadvantaged area, you can get by with half a million dollars.

I am seeing programs like here comes—let me see—here comes 30—no,

say 29—29 Chinese each with half a million dollars that bundle that money all together and maybe team up with one American. Now they have a business enterprise. Now we have 29 new Americans—Chinese—it will be the rich Chinese that are buying a path to citizenship here. Once they do that, then they can begin that family reunification plan and begin bringing their family back into the United States, too.

I am seeing enterprises where an investment in, let's say, a commercial building takes a pool of—it is a \$30 million investment and it takes a pool of 60 Chinese with half a million dollars each to build this commercial building, they then become conceivably partners in that, and they have a path into the United States. We are selling citizenship. There is a price on it.

And on top of that, we have birth tourism, Mr. Speaker, birth tourism that these numbers will be a little old, 3, 4, or 5 years old where—and I am focusing on the Chinese at this point—a turnkey operation. If you have \$30,000 and you are a pregnant Chinese woman, you can fly to, conceivably, California, most likely, and be put up there in housing and have your baby. Your baby gets a birth certificate. You can fly back to China. And when that baby becomes 18, then can begin the family reunification program and the extended family and all can be hauled into America—a \$30,000 turnkey. But you have to wait for 18 years before that baby is old enough.

□ 2015

If you can't wait, don't want to wait, and you have got the money, you can lay \$500,000 down on the barrelhead, cash on the barrelhead, and get a path into America, a green card and citizenship.

These programs are just wrong. The EB-5 program should be ended; it should be sunset.

If we have to make concessions on H-2B, we don't need to make them. We should not make immigration decisions in a CR. We ought not make them in a treaty. We ought not make them in a CR, and we ought not make them in a lameduck. Immigration decisions should be made subject to the pen, the signature of the next President of the United States. They need to have the considered judgment of the House of Representatives and of the Senate, Mr. Speaker. I will push that we do only the minimum in a lameduck, if we have to do anything at all.

I would promote that a continuing resolution could kick us into the early part of next year, when we have a new Congress seated, when we have a new President that is inaugurated and sworn into office, and that the will of the American people can be reflected in the large initiatives that would be advanced by the House of Representatives, by the United States Senate, and

by the next President that should reflect the will of the people.

All of this, Mr. Speaker, is our charge and our responsibility because we have taken an oath to support and defend the Constitution of the United States of America. It is our duty, and we owe the people in this country our best effort and our best judgment. Our best effort and our best judgment includes: we listen to them; we gather all the information that we can; we look into the crystal ball of the future as far as we can; and, with good and clear conscience and good judgment, we make those decisions that reflect their will that is within the confines of the Constitution, that fit within free enterprise, then lay down a foundation for America's destiny so that we can be ever-stronger in the future and so that we can have an ascending destiny rather than a descending destiny.

With all of that, Mr. Speaker, I thank you for your attention. I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3590, HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

Mr. BURGESS (during the Special Order of Mr. KING of Iowa), from the Committee on Rules, submitted a privileged report (Rept. No. 114-741) on the resolution (H. Res. 858) providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5620, VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

Mr. BURGESS (during the Special Order of Mr. KING of Iowa), from the Committee on Rules, submitted a privileged report (Rept. No. 114-742) on the resolution (H. Res. 859) providing for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is with great honor that I rise today once again to help coanchor, along with my distinguished colleague Representative JOYCE BEATTY, this Congressional Black Caucus Special Order hour where, for the next 60 minutes, we have an opportunity to speak directly to the American people on issues of great importance to the Congressional Black Caucus, to the House of Representatives, to the districts that we represent collectively, as well as to the United States of America.

It is a very special week for us, and we are going to spend some time during the next 60 minutes discussing the trajectory of the Congressional Black Caucus, which has been serving in this body for the better part of the last 45 years.

The Congressional Black Caucus was formally established on March 30, 1971, by 13 pioneering Members who had a vision of making sure that, within this great Article I institution, there was a body that could speak directly to the hopes, the dreams, the needs, and the aspirations of the African American people and all those underrepresented communities throughout America. We are going to talk a bit about that journey, about the accomplishments, and about the challenges that still remain.

I want to yield now to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), one of the very distinguished members of the Congressional Black Caucus, who happens to be the ranking member of the Science, Space, and Technology Committee and has ably represented the 30th Congressional District in Texas, anchored in Dallas, for almost 25 years. It has been an honor and a privilege for me and for others to work with her, to learn from her, and to be mentored by her.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much. Mr. Speaker, I would like to congratulate the leaders of the Special Order tonight, Congresswoman JOYCE BEATTY and Congressman HAKEEM JEFFRIES.

Mr. Speaker, as a proud member of the Congressional Black Caucus, I am proud to recognize the contributions of the CBC and its members after 45 years of service to the United States Congress and our Nation and, really, the world.

The CBC was founded March 30, 1971, with the chief objective of bringing awareness to the issues facing Black America and addressing the concerns of

longstanding inequality in opportunity for African Americans.

We have an original member who is retiring this year, the Honorable CHARLES B. RANGEL. The most senior Member in this House is one of the original members, the Honorable JOHN CONYERS.

Today, the Congressional Black Caucus has grown to become a fundamental institution within Congress. From voting rights and gun violence to poverty in America and justice reform, the CBC engages on multiple fronts to address the plethora of issues facing our Nation and the world.

To date, we have had a string of able leaders chair the CBC, and I am proud to have been one of them from 2001 to 2003. Currently, as co-chair of the CBC Technology and Infrastructure Investment Task Force and a member of numerous other CBC task forces, I am proud of the progress that we have been able to achieve through our coordination and cooperation with the Members of the Congress, stakeholders, and the community. History has proven that the importance of the CBC endures even today as we face new challenges to voting rights and experience new strife within our communities.

Mr. Speaker, the Congressional Black Caucus serves as a key voice in Congress for people of color and vulnerable communities. Together, the CBC and its allies have paved the way for new progress as we face the challenges of the 21st century. Our promise that was first made in 1971 to give the voiceless a voice is continually fulfilled through the CBC's work, and I look forward to keeping up with our fight to preserve liberty and equal justice for all. We have come from promise to progress.

Mr. JEFFRIES. I thank the distinguished gentlewoman from the great Lone Star State for her eloquent words and observations and, of course, for her leadership not just in the Congress, but for her past leadership as a distinguished former chair of the Congressional Black Caucus.

It is now my honor and my privilege to yield to the distinguished gentlewoman from the great State of Ohio (Mrs. BEATTY), my classmate, who is one of the most distinguished Members of the House of Representatives. She had an incredible career before she arrived here in the Congress as a leader in the Ohio Legislature, as a successful small-business woman, as a university administrator at The Ohio State University, and in so many other ways, and then, of course, has taken the House of Representatives by storm since her arrival as part of the class of 2012.

Mrs. BEATTY. I thank the gentleman. Mr. Speaker, to my colleague, I am so honored to be here tonight speaking in this Chamber and to the American people about the Congressional Black Caucus: 45 years of leadership, from promise to progress.

You have heard my distinguished colleague and coanchor of our Special Order hour, Congressman HAKEEM JEFFRIES, tell and share with us the history of our beginning of the Congressional Black Caucus back on March 30, 1971. We have heard the distinguished gentlewoman from Texas share with us about our members who had the foresight and the vision. What she didn't tell you was that she was the first African American nurse to be elected and to serve in this Congress.

Somewhere along the line, Mr. Speaker, I am sure in our rich history someone made the promise that, in the future, we would have a Shirley Chisholm, the promise that some little girl would be able to come to this Congress and serve, and that became a reality with Shirley Chisholm. I am sure some mother said the promise should be that a woman should lead us as a nurse, and then came Congresswoman EDDIE BERNICE JOHNSON.

You see, Mr. Speaker, the Congressional Black Caucus has been committed to advancing equity and access and equal protection under the law for Black Americans. And while we were established March 30, 1971, it was on that day that a Congressman by the name of Charles C. Diggs, Jr., a Democrat from the great State of Michigan, presented the statement to the President of the United States, which included more than 60 recommendations for executive action on issues for Black America and set the foundation for the promise and the progress of African Americans.

We heard my distinguished colleague talk about the hopes and the needs and the dreams. Those were the promises. And that is why it is so important for us to come today and talk about the progress that we have made.

Even though you will hear us say 1971, when the Congressional Black Caucus was established, we can trace our legislative history back further through the civil rights efforts of the 1960s, which included such landmark victories as the Civil Rights Act of 1964 and the Voting Rights Act of 1965, which we still champion today. Those legislative policy victories of the past demonstrate that when people speak with a singular, powerful voice, Mr. Speaker, we can have a government that works for us; we can fulfill our country's pledge and promise of liberty and justice for all.

It was through that statement that the Congressional Black Caucus began its history of advocacy on behalf of the African American community. Since then, for the last 45 years, the Congressional Black Caucus has been the voice for people of color and at-risk communities in our different districts. We have been and remain committed to utilizing the full constitutional power, statutory authority, and financial resources of the government to ensure

that everyone has the opportunity to achieve the promise of the American Dream, Mr. Speaker.

From promise to progress gave us the first African American to hold the distinction of dean of this House, the most senior Member of Congress; and the first African American to swear in the Speaker of the United States House of Representatives was Congressional Black Caucus member Congressman JOHN CONYERS.

From promise to progress has given us a motivating book, "Blessed Experiences: Genuinely Southern, Proudly Black," a story of inspirational words on how an African American boy from the Jim Crow-era South was able to beat the odds, Mr. Speaker, to achieve great success and become, as President Barack Obama describes him, "One of a handful of people who, when they speak, the entire Congress listens," assistant Democratic leader and the third highest ranking Democrat in the House of Representatives, Congressman JAMES E. CLYBURN.

The 21st president, national president of the largest African American female sorority serves here with us, Congresswoman MARCIA FUDGE from the 11th Congressional District of my State.

□ 2030

From promise to progress, Mr. Speaker, has given us the first Black woman elected to Congress from Alabama and the only Democrat in Alabama's seven-member congressional delegation. That is Congresswoman TERRI SEWELL. Her first piece of successful legislation recognized the four little girls who tragically lost their lives during the bombing of the 16th Street Baptist Church.

Mr. Speaker, I hope you can see why it is important for us to be here and to talk about the many promises and, more significantly and of greater importance, the progress that we have made. We are one of the largest Member organizations in the United States House of Representatives, making up 23 percent of the House Democratic Caucus and 10 percent of the entire United States House of Representatives.

Mr. Speaker, when I think of where the Congressional Black Caucus is today, I think of the shoulders that we stand on. Fifty-one years later, I think of Bloody Sunday where on March 7, 1965, some 600 peaceful participants in a voting rights march from Selma, Alabama, to the State capital in Montgomery were violently attacked by Alabama State Troopers with nightsticks, tear gas, whips, and dogs, as they attempted to cross the Edmund Pettus Bridge. These brave men and women, Mr. Speaker, were led by civil rights champion, Congressman JOHN LEWIS from the Fifth District of Georgia. What a great example of promise to progress.

Last year, I had the distinct honor of joining nearly 300,000 others, including

90 bipartisan lawmakers, distinguished guests, civil rights activists, and former Presidents of these United States as we marched, commemorating the 50th anniversary of Bloody Sunday over that Edmund Pettus Bridge, marching ourselves from Selma to Montgomery, Alabama, from promises to progress.

Let me say or remind you again—and I want America to know—there were 90 bipartisan Members. That means Democrats and Republicans. I could say bicameral—Democrat and Republican Senators and Members of this great body that we serve in. Certainly, as we marched and they joined us, they were making a commitment to the progress from those promises that were made 50-some years ago.

We come here tonight, my colleague and I, representing the Congressional Black Caucus because we want you, Mr. Speaker, and America to know that when we reflect on our history, it is our culture, it is our passion, and it is our reason and resolve for standing here and standing up for the issues and the legislation that we believe in, that we write and we support. We think it is important for you to have a better understanding why so often we come here and ask that we join together.

Mr. Speaker, when I think of our history, I reflect on names like Frederick Douglass, a historic social reformer and statesman; Shirley Chisholm, as I mentioned earlier, the first African American woman elected to the United States Congress; and, yes, Rosa Parks, the mother of the modern civil rights movement.

You see, Rosa Parks embodied courage, and she inspired me as a mentor when she refused to give up her seat on a Montgomery, Alabama, bus to a White passenger on December 1, 1955. Some would say she was tired, but I say to you that she was tired not from her day's work as a seamstress, but she was tired from the injustices. I have followed her whole career and was so inspired by her that I wrote the first legislation when I served in the Ohio House of Representatives in this country to honor her on that December 1. Every day since then, I go back to the district and we honor her. You see, she sat down against the odds for something she believed in. I have carried that with me over the years, realizing that there could be a day, but never dreaming that it would be here in this Congress that I, too, would be willing to sit down for something that I believed in.

Mr. Speaker, there have been so many issues that I have done that because I want us to have the progress from the promises that I make to my district. The progress, whether it is gun safety, whether it is the progress of making sure that every child has enough food when they go to bed, whether it is making sure that there is

an affordable college education for every child that is able to go, whether it is making sure that there is equal pay for equal work, those are just a few of the things that I wanted to make sure that we talked about.

Mr. Speaker, it is so important for us to tell our story, our history, and our culture. Hopefully, tonight is more than us just talking. Hopefully, tonight will help Members and the public understand our history and our passion.

This week, lastly, let me say how honored I am to be in Washington, D.C., when more than 10,000 people will come to our Congressional Black Caucus Foundation Annual Legislative Conference where we will talk about the issues and we will educate emerging leaders and civil rights leaders, not just all individuals of color. There will be individuals of all backgrounds, races, and ethnicities that will join us in our commitment to fulfill those promises on the progress that we would like to have.

We will open the National African American Museum. What an honor it will be to see the great achievements and contributions for those who have so courageously pushed the boundaries and moved our country forward in the name of justice and equality.

When I think about moving forward, I cannot help but reflect on the 44th President of these United States. Like many of us—and, Mr. Speaker, maybe even like you—he worked his way through school with the help of scholarship money and a student loan. Yet, maybe it was the progress and the promise of progress that a Martin Luther King, Jr., wanted when he said that he hoped his four children would not be judged by the color of their skin, but the content of their character. Maybe that is why a young Barack Obama pushed forward, went back to his community, and worked and gave service, which is the word that he likes to use so much. It was the service back to the movement and to his community in Chicago; that gave us the progress of having our first African American President, a scholar, someone who has had many firsts.

So I say to you that it is indeed my honor that I can stand here on this floor with my colleague as we move forward, the progress as we move forward on the promises of our colleagues.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Ohio for laying out both the history of the Congressional Black Caucus as well as documenting what current membership continues to do and breaks new ground here in the House of Representatives on behalf of the people that they are charged to represent in this august body, as well as on behalf of the great Nation that we are all privileged to serve.

As Representative BEATTY mentioned, there were 13 individuals who

had the vision and the foresight to found the Congressional Black Caucus back in March of 1971. The actual founding took place at a meeting between those 13 Members and President Richard Nixon, where the President was presented, by the newly formed Congressional Black Caucus, a statement of requests, goals, objectives, and demands related to the plight of African Americans here in these United States of America. The Congressional Black Caucus was founded on the premise that it was necessary to speak truth to power, given the unique plight of African Americans in this country.

As was mentioned by Representative BEATTY, there are two founding members who still serve in the House of Representatives; Representative JOHN CONYERS from Detroit, Michigan, and, of course, CHARLIE RANGEL, the Lion of Lenox Avenue, the first African American ever to chair the Ways and Means Committee in this institution, a prolific legislator here in the House who has announced earlier this year his intention to retire.

I am proud to serve a district that was once represented in part by the Honorable Shirley Chisholm, the first African American woman ever elected to the House of Representatives in a district in Brooklyn in 1968. She came here indicating that she was unbought and unbossed, and that tradition has been continued by people like MAXINE WATERS, MARCIA FUDGE, JOYCE BEATTY, and so many others who represent their district with passion and with integrity.

The question has been asked: Why is there a need for a Congressional Black Caucus? We have come a long way in America. We have made a lot of progress. The 44th President of the United States of America happens to be African American. Why is there a need for a Congressional Black Caucus?

That question was asked in 1971, of course. I think it takes an understanding of the unique journey of African Americans in this country to understand why the Congressional Black Caucus was first founded in 1971 and why it still remains relevant today.

This country was founded, of course, on high-minded principles of liberty and justice for all and the notion that all men are created equally and were endowed with certain inalienable rights by the great democratic republic that was birthed by the Founding Fathers of this Nation.

As many have observed, notwithstanding the tremendous nature of the principles embedded in the birth of this country, there was also a genetic defect on the question of race. That genetic defect first took the form, of course, of chattel slavery, which was one of the worst crimes ever perpetrated against humanity, resulting in the loss of tens of millions of individuals killed during the middle pas-

sage and the systemic oppression of African Americans, the kidnap, the rape, the enslavement here in the United States of America. This happened at the same time when the country was founded on these great, high-minded principles.

Of course, the question of slavery was finally resolved with the victory of the North in 1865. The North, of course, was fighting the South in the Confederacy. The Confederacy has been put to rest, although some people still want to uplift the Confederate battle flag. That is an issue for another day.

Slavery was put to rest. Then in an effort to correct the defect in our democracy, the 13th Amendment ending and outlawing chattel slavery was passed and added to the Constitution; the 14th Amendment, equal protection under the law; and the 15th Amendment related to the right to vote for African Americans. The so-called reconstruction amendments took place.

□ 2045

But then, thereafter, something interesting happened. We were on the pathway to fulfilling the great promise of a colorblind society in America, but then the North pulled out of the South, the Reconstruction era ended, and it was replaced systematically with a system of Jim Crow, enforced segregation of the races, and the suppression of African Americans largely in the Deep South, notwithstanding the high-minded principles that were just embedded in the United States Constitution related to the 14th Amendment and the Equal Protection Clause and the 15th Amendment and the right to vote. Those were just words on a piece of paper, as far as many people were concerned in the Deep South who were perpetuating Jim Crow segregation.

That Jim Crow segregation, of course, was accompanied by a lynching epidemic that claimed the lives of thousands of individuals, race riots directed at successful African Americans and African American communities, and so many other things that were documented in this country.

Why is there a need for a Congressional Black Caucus? The country was founded under these great high-minded principles, but, at the same time on this journey, we have gone from slavery, a brief period of Reconstruction, into the Jim Crow era.

As Representative JOYCE BEATTY so eloquently documented, in terms of the legislative efforts of African American Members who were here in partnership with people of goodwill of all races, Democrats and Republicans, we passed the 1964 Civil Rights Act here in this Congress endeavoring to end Jim Crow segregation, passed the 1965 Voting Rights Act here in this Congress to try to bring to life the 15th Amendment, largely ignored in many parts of this country, and then of course in 1968 passed the Fair Housing Act.

Then an interesting thing happened. You have a President who is elected in the aftermath of the assassination of Robert F. Kennedy, Jr., the Senator from New York, and Dr. Martin Luther King, Jr., the great civil rights leader on what he terms a Southern strategy of trying to capitalize on White backlash against the progress that has been made by African Americans.

I am trying to figure out what was the nature of the backlash? The progress that was made was a Civil Rights Act to try to deal with the Jim Crow segregation that some people put into place in the aftermath of the end of slavery, and the 1965 Voting Rights Act that was put into place in order to try to bring to life the fact that there were people intentionally ignoring the 15th Amendment to the United States Constitution. Why is there a need for a Congressional Black Caucus?

So we moved from slavery into Jim Crow, and that is all dealt with for a brief period in the 1960s in terms of the Civil Rights Act and the Voting Rights Act, the Fair Housing Act, but then we enter into this interesting period where Richard Nixon is elected on a strategy that played to the racial fears and anxieties of some in America. I don't want to get in trouble by putting a percentage onto it, but played into the anxieties and fears of some in America. History often repeats itself.

And so the Congressional Black Caucus in 1971 made the decision that they were going to place a list of demands on the table for Richard Nixon to deal with, given this history. Little did they know—or perhaps they suspected—that in that same year what I would call the third defect that America has had to grapple with in terms of the African American community as compared to its high-minded aspirations was about to be visited on communities of color, and that was mass incarceration.

It was in that year in 1971 where Richard Nixon declared a war on drugs by stating that drug abuse was public enemy number one. At the time in America, there were less than 350,000 people incarcerated in this country. Today, there are more than 2.1 million, the overwhelming majority of whom are Black and Latino. We know that African Americans are consistently incarcerated at levels much higher than others in the United States, notwithstanding a similar level of criminality as it relates to the crime that was committed, the activity that was engaged in, and the conduct that was prosecuted. The disparities are objectively clear.

Mass incarceration has been devastating for African American communities all across this country, and it is shameful that America incarcerates more people here in the United States than any other country in the world. We incarcerate more people than Russia and China combined. This overcriminalization is something that I am

hopeful we can deal with in this Congress before this President leaves and then continue to work with the next President of the United States of America.

So people ask the question: Why do we need a Congressional Black Caucus? We have gone from slavery, a brief interruption with the Reconstruction Amendments into Jim Crow for another 100 years, 14th Amendment and 15th Amendment are ignored in large parts of the country, and then we get an interruption. Some progress was made with the 1964 Civil Rights Act, the 1965 Voting Rights Act, and the 1968 Fair Housing Act. Then we get Richard Nixon. And the Congressional Black Caucus is founded at the same time.

For the last 45 years, we have been dealing with mass incarceration. But notwithstanding the intensity of the systematic issues put upon the African American community, we have seen tremendous progress during that same period of time because of Members like William Clay, Sr., a founder from St. Louis, or Louis Stokes from Cleveland, Ohio, and Augustus Hawkins from Los Angeles, people who understood that when Abraham Lincoln asked the question, how do we create a more perfect Union, and he asked that question in the context of the Civil War that was raging at the time, that America is a constant work in progress. And year after year, decade after decade, century after century, we can improve upon who we are, but there is still a lot more that needs to be done.

Thankfully, we have seen increases in educational attainment, increases in employment over the last 8 years in the African American community since the height of the Great Recession, and we have seen a return of some of the homeownership that was lost during the recession, but there are still a lot of things that need to be done. And so a Congressional Black Caucus which has grown from the 13 original founding members to 46 members today, 45 in the House of Representatives, 1 of whom is a Republican, and a 46th member who serves in the United States Senate.

We stand on the shoulders of these founding members, proud of what has been accomplished like the effort led by Ron Dellums which resulted in legislation to push back against the racist apartheid regime in 1986, a bill that was vetoed by Ronald Reagan, and then overridden by Democrats and Republicans in the House and the Senate, the first foreign policy bill overridden in the Congress passed by Ron Dellums that led the effort related to South African apartheid.

So many issues have been championed by the founding members. JOHN CONYERS held a series of hearings on the issue of police brutality. It is ironic that right now, along with Chairman

BOB GOODLATTE, they are leading a bipartisan task force on police community relations to deal with what I view, at least, as an epidemic of police violence directed at unarmed African American men across this country, but JOHN CONYERS was involved in that effort in the early 1970s.

And so there is a lot of things that we have been able to work on during this 45-year journey. Tremendous progress has been made, despite the efforts to paint the community as overrun by some out there in this country as a thriving Black middle class. A successful group of entrepreneurs, professionals, lawyers, doctors, engineers, scientists, and so many others have shown what can be done based on their promise and their potential despite the obstacles that exist as we move toward a more colorblind society. But we, of course, are not there yet.

That is why we are of the view that, despite the fact that we have made tremendous progress in America, we still have a way to go. There is still a need, an urgent need for a Congressional Black Caucus, which has often stood up not just on behalf of African Americans but has stood up on behalf of those who are the least, the lost, and the left-behind in the United States of America, regardless of color.

That is why the Congressional Black Caucus has been known over these four decades as the conscience of the Congress, and it has been an honor and a privilege for me, during my two terms, to serve in this august body.

I want to yield for a moment to my colleague, Representative JOYCE BEATTY, and perhaps ask the question: What are some of the issues that you think are pressing as it relates to the Congressional Black Caucus moving forward, and what do you say to critics who make the argument, why is there a need for African Americans in the Congress to get together at this point on behalf of the communities we were elected to represent? Is there still a need for a Congressional Black Caucus in 2016?

Mrs. BEATTY. Mr. Speaker, let me just say thank you to Congressman JEFFRIES for that question. If I think of one of my favorite quotes by Shirley Chisholm, Mr. Speaker, she said: "You don't make progress by standing on the sidelines . . . you make progress by implementing ideas."

That is what the Congressional Black Caucus does. We don't just come here on the floor and talk about our rich history. We meet, and we strategize, and we go back home to our districts, and we come back, and we write legislation, so there is definitely a need. And I think it will be witnessed all across this country this week when the thousands of thousands of individuals come here because they will have an opportunity to see Congressman CHARLIE RANGEL or Congresswoman MAXINE

WATERS or Congresswoman ROBIN KELLY because of the issues and what they stand for, and that is why there is a need.

When I think of our commitment and conviction, Mr. Speaker, I remember when Congresswoman ROBIN KELLY said: I won't stand up for moments of silence again until we do something about the shootings and the deaths. She had the courage to walk up to the well and say: I am not being disrespectful, but I want us to really stand for something.

So, yes, I want us to have gun safety. I want us to have legislation because we have bipartisan legislation. I want us to bring that to the floor, so I can say in my district, I am standing up for families, I am standing up for safety.

□ 2100

You mentioned prison reform. I want us to look at how we can come together as Democrats and Republicans, Mr. Speaker, and pass some bipartisan legislation.

When I think of the Congressional Black Caucus and what we represent, when you add it all up together, we cover some 21 States, the District of Columbia, and the Virgin Islands, and we represent some 31 million people. Over half of our Congressional Black Caucus membership are lawyers, people who have studied the laws and understand the procedures and the rules and the regulations.

So, yes, there is a need for us to continue the journey. There is a need for us to listen to one another. You see, Mr. Speaker, we don't come here tonight to just talk about us as 46 members of the Congressional Black Caucus. We come here to leave you with a message and to speak to America to say: Just think of what we could do if we worked together. Just think about when you go back home to your district and you say you want us to be safe and you want us to have equal and fair rights; you talk about wanting your children and families to be healthy and educated.

So, you see, we have the same message, it seems, until we come to the floor. That is why we come here tonight with strong messages—because we want to make sure that you understand that we believe that we could work together.

This week—again, I will say it repeatedly, because it is so important to us—we will have brain trust sessions, Mr. JEFFRIES, that will talk about how long we have been in this fight for progress for health care, how long we have been in this fight for criminal justice. We will also have workshops like financial literacy and financial services. If we don't come together to educate our communities and our people, if we don't come together to share with you, I believe that we won't be able to understand one another.

So the answer is yes and yes: yes, there is a lot of work to continue to be done; and yes, we need to continue to have a Congressional Black Caucus.

Mr. JEFFRIES. I mentioned during my remarks that we have been on this journey of the 15th Amendment to the United States Constitution to try to guarantee the right to vote, regardless of race, coming out of the oppression of chattel slavery. And then we moved, Representative BEATTY, from the 15th Amendment to this Jim Crow period and the 1965 Voting Rights Act to try to bring to life what is a fundamental tenet of American democracy, which is the ability of the people to represent those who will represent them in government—government of the people, by the people, and for the people.

But yet, as a result of a recent Supreme Court decision, *Shelby County v. Holder*, the 1965 Voting Rights Act, section 4 and section 5, the preclearance provisions, have been eviscerated because of, in my view, an inappropriate reading of that statute relative to the United States Constitution.

So the Congressional Black Caucus continues to fight to uplift for all Americans the ability to participate in our democracy. The shame is that voting in this country seems to have become a partisan issue, notwithstanding the fact that the Voting Rights Act has a great bipartisan tradition. It was passed with the support of Democrats and Republicans because, of course, we know at the time there were Dixiecrats in this Congress—Democrats, by registration, in the Deep South who fought hard against voting rights. So it took Republicans on the other side of the aisle in both the House and the Senate in order to get the legislation passed.

It is interesting to me that, every year, the Voting Rights Act was reauthorized. Four times it was signed back into law by a Republican President: in 1970, Richard Nixon; 1975, Gerald Ford; 1982, Ronald Reagan; 2006, George W. Bush.

So when we come to the floor of the House of Representatives or when I sit on the Judiciary Committee or we work with JOHN LEWIS and JOHN CONYERS and TERRI SEWELL and JIM CLYBURN and others to try to move voting rights legislation forward, we are just saying: return to the great bipartisan tradition of making sure that every single American in this country has an opportunity to participate in the right to vote.

Until that happens, the Congressional Black Caucus has an urgent issue that we need to deal with for the communities that we represent in African American or Latino neighborhoods and for all Americans.

The other thing I will point out and ask my colleague to perhaps react to is that what I found fascinating here in terms of common ground, the oppor-

tunity to uplift everyone through the mission and the work of the Congressional Black Caucus, is the fact that when you look at persistently poor counties in America, counties that will be defined as 20 percent or more of the population living below the poverty line for 30 or more years, persistently poor counties, a majority of those counties are represented by Republicans in the House of Representatives and not by Democrats.

So when JIM CLYBURN, for instance, presents things like 10–20–30, a funding formula where 10 percent of any funding allocation will be given to communities where 20 percent or more of that county has been living below the poverty line for 30 or more years, it would actually benefit Republican-represented counties more than it would Democrat-represented counties. This is because the Congressional Black Caucus really is interested in uplifting the plight of all Americans who have been left behind. We are hoping that we can find some bipartisan cooperation in that area as well.

I yield to Representative JOYCE BEATTY.

Mrs. BEATTY. Thank you, Congressman JEFFRIES, for mentioning 10–20–30. You are absolutely right that it would benefit Republican districts and their constituents more than many of our constituents. But I think that is because, when we think of poverty, we think of children and families living in poverty, not Democrats, not Republicans. Our mission here, Mr. Speaker, is to make this place a better place through our legislation for everyone. So I think that is just one example.

You mentioned a lot about our history and how far we have come and the roles of other Presidents. I think it is important, Mr. Speaker, for us to also share that we come here tonight almost with a proposition to say to you: We want to work with you on those issues that we have highlighted.

So often when we come here, we will hear colleagues say “We can’t work together,” “We don’t work together,” or, “Why don’t you just come and work with us?” I don’t want us to leave tonight without leaving the message that we have a lot of work that still needs to be done.

I can remember reading back in 1971, Congressman JEFFRIES, when Richard Nixon was giving his first inaugural address, he refused to meet with the members of the Congressional Black Caucus. They stood up for something. They left the floor and did not stay for his address to the Nation. I say that with mixed feelings, but I say that to make the point of how strongly we believe in what we do.

You mentioned the 10–20–30 plan. We had Speaker RYAN come to the Congressional Black Caucus and hear the plan, to get a commitment from him. He represents all of us; and he gave us

the nod, as you will remember, on that plan.

So I say tonight, let us reflect on all the things that my colleague and the coanchor of this Special Order hour said, because that is what it is. It is our hour to address you, Mr. Speaker, and the Nation about so many of the issues that we want to make sure that, when we leave here, we are not leaving with just promises, but we are leaving with progress.

Mr. JEFFRIES. Thank you for those very thoughtful observations.

Perhaps I will end by talking for a moment or so about the progress that we have made under a former member of the Congressional Black Caucus who was a Senator from Illinois and here in the Capitol for a few years before he was elected to be the 44th President of the United States of America. We are proud that he came through the CBC on his way to 1600 Pennsylvania Avenue.

Upon his election, there was the view that perhaps we were entering into a phase of a post-racial society. I think we understand that that was probably irrationally optimistic of those who made that observation because of the long history that we detailed here of what the African American journey has been in America.

But I find it interesting that so many people, to this day, refuse to give this President credit for the progress that has been made under his watch over the last 8 years. There have been more than 75 or so consecutive months of private sector job creation under this President. More than 14 million private sector jobs have been created under this President.

Parenthetically, I make the observation that, under the 8 years of George Bush, the country lost 650,000 jobs. But we are going to talk about a sluggish recovery. We lost 650,000 jobs under supply-side economic policies of George W. Bush. We have gained more than 14 million jobs under progressive policies of Barack Obama.

The deficit has been reduced by over \$500 million. When the President came in, the stock market was at 6,000; now it is over 18,000. Of course, more than 20 million previously uninsured Americans now have health coverage under the Presidency of Barack Obama.

So he came in with a lot of promises, and I am proud that there has been tremendous progress that has been made for the United States of America as a whole, and certainly for African American communities.

As the President himself observed, the problems that we have to confront in America won’t be resolved by one President during one term or even during an entire tenure, because we are on this long, necessary, and majestic march toward a more perfect Union. The hope is that, each time a President steps up and Congress is there to represent the will of the people, working

on behalf of our constituents, we can make meaningful progress on dealing with the economic and social justice issues of the day.

Fundamentally, that is what the Congressional Black Caucus is all about. That was the vision that was put forth by those 13 Founders: speaking truth to power, representing the interests of the African American communities they were elected to serve—and everyone else—regardless of race, who is entitled to the fiercest possible representation in this democracy.

□ 2115

So it is with great pride that Representative BEATTY and I stand here today, as members of the Congressional Black Caucus, standing on the shoulders of those 13 founding members, under the current leadership of Representative G.K. BUTTERFIELD from North Carolina, representing this continuum of the African American journey, both here in Congress and in this great country; confident that, despite the obstacles that will consistently be erected that, as we have demonstrated over time during 45 years, we will make progress, we will translate promise into action, and we will continue the journey of perfecting a more perfect union in the United States of America.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, as a founding member of the Congressional Black Caucus, I believe that the week of our Annual Legislative Conference is an appropriate time to reflect on the progress we have made as a group and the challenges we face in articulating a vision for a more free and fair America.

When 13 of us first gathered in 1969 as a “Democratic Select Committee,” we had ambitions of using our collective voices to advance a political agenda for black America in response to expected retrenchment from the incoming Nixon administration. Two years later, on the motion of Rep. Charlie Rangel, we became the Congressional Black Caucus.

In that time, the Caucus has gone from being on Nixon’s “original enemies list” to the conscience of the Congress. Our membership has grown from 13 to 46 and our alumnae include numerous cabinet members and a President of the United States.

In looking back 45 years, the Caucus can point to many victories in the areas of voting rights, economic empowerment, education and healthcare. These victories were not just for black Americans, but all Americans in search of justice and equality before the law.

However, in reflecting on the history of the Caucus, we must be honest about the uneven nature of politics. Many of the challenges we faced in 1971 still burden the African-American community today. Black Americans are still disproportionately poor, under-educated, unemployed and incarcerated. Daily we confront the political challenges of how to ensure that the rising economic tide lifts the boats in our communities.

The more surprising challenge faced by the Caucus is mounted by those who would turn

back the clock on some of our hardest won victories: namely those who would suppress our voting rights as a means of defeating a progressive agenda for equality. We beware of those who want to make “America great again,” harkening back to a past where Jim Crow and discrimination ruled the day.

This politics of division is one of our main challenges as a Caucus. Our nation once again finds itself at odds over the issue of race relations, most clearly illustrated by the issue of police accountability. A recent ABC poll found that a majority of Americans surveyed believed that race relations are bad and getting worse. With the election of the first African-American President, this is clearly not what we hoped for in this new millennium.

As the former Chairman and now Ranking Member of the House Judiciary Committee, I have dedicated my career to 3 goals to jobs, justice and peace. After decades of community complaints about police brutality, I chaired hearings in Los Angeles, New York City, and even Dallas which built the record for passage of marquee legislation like the 1994 “Pattern and Practice” statute, which gives the Department of Justice the authority to investigate law enforcement discrimination and abuse in cities like Ferguson and Baltimore.

The loss of lives in Baton Rouge, suburban St. Paul and Dallas, has left the nation in shock, as seemingly every day the media brings us news of violence borne of hate and intolerance. Modern technology and the advent of social media have made us all witnesses, just like the marches in Selma and Birmingham, making it impossible to dismiss them as fiction or some else’s problem. We live these injustices first hand.

Vivid images of police abuse galvanized our national resolve to pass civil rights legislation, like the Voting Rights Act, and is putting all politicians on notice that simmering community unrest with the police has reached a turning point. Today, we represent communities that are increasingly unified, unafraid, and unwilling to wait. We have a growing coalition of allies. Some white, some Hispanic, some Asian, and some who serve as police and who want their badges to mean something more. The daily reminders of injustice have forced us to measure the distance between Dr. King’s Dream and our own reality—but they also give us the resolve to close it for good.

Last year, the Judiciary Committee held a hearing on 21st Century Policing Strategies to begin addressing these issues at the Federal level. I also re-introduced both the End Racial Profiling Act and the Law Enforcement Trust and Integrity Act around the same time. The Republican Chairman of the Judiciary Committee and I are currently negotiating a version of the Law Enforcement Trust and Integrity Act and during the August recess, we joined together to form a bipartisan Congressional working group—including three Caucus members—with a focus on finding common ground between police and the communities they are sworn to protect and serve.

The profound support for criminal justice reform I have seen from Members of the CBC and all sides of the political spectrum from across our country is something we need to build upon. It’s not the only solution, but one of them.

As a Caucus, our work is far from done. We can’t bring back Alton Sterling, Philando Castile, Tamir Rice, Eric Garner, or the hundreds of black men and women who’ve lost their lives to excessive force. And we can’t bring back the officers in Dallas and Baton Rouge or others who’ve been killed while protecting their communities. But at a time when we face so much that challenges our faith and tries to break our spirit, we must dedicate ourselves in our 45th year to engaging the difficult issues to make lasting change in our communities.

History shows that Members of the Congressional Black Caucus have overcome great challenges. Now we have within us and beside us, an intentionally peaceful and unified community that is now better able to confront today’s challenges than ever before.

A STEP BACKWARDS IN RACE RELATIONS AT CALIFORNIA STATE UNIVERSITY

The SPEAKER pro tempore (Mr. KNIGHT). Under the Speaker’s announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is always an honor to appear here on the House floor, especially following colleagues giving an important address.

I was saddened to see what seemed, in fact, to be a huge step backwards in racial relations.

“California State University Debuts Segregated Housing for Black Students.”

“California State University Los Angeles recently debuted segregated housing for Black students, a move intended to protect them from ‘micro-aggressions,’ according to the College Fix.

“Last year, Cal State L.A.’s Black Student Union wrote a letter to the university’s president outlining a series of demands, including the ‘creation and financial support of a CSLA housing space delegated for Black students and a full time Resident Director who can cater to the needs of Black students.’

“‘Many Black CSLA students cannot afford to live in Alhambra or the surrounding area with the high prices of rent. A CSLA housing space delegated for Black students would provide a cheaper alternative housing solution for Black students. This space would also serve as a safe space for Black CSLA students to congregate, connect and learn from each other,’ the letter stated.

Anyway, “Robert Lopez, a spokesman for the university, confirmed to The College Fix that students’ demand for housing specifically for Black students had been met, saying that the school’s new Halisi Scholars Black Living-Learning Community ‘focuses on academic excellence and learning experiences that are inclusive and non-discriminatory.’

That seems to be a bit of anathema.

But anyway, “Lopez said the Black student housing is within the existing residential complex on campus.

“The College Fix noted that other universities, including the University of California, Davis; the University of California, Berkeley; and University of Connecticut offer similar housing arrangements.”

It just seems like we are going backwards with that kind of thing.

I heard my colleagues mention the great dream—part of the great dream of Martin Luther King, Jr., a Christian, ordained Christian minister. As I have heard a Black minister explain recently, he was, first and foremost, above all a Christian minister. His belief in the Bible and his belief in Jesus Christ as a Savior was his guiding force, which brought him to the place that Jesus brought his disciples to, and that the Apostle Paul was brought to rather abruptly, and that is, Jesus did not discriminate against anyone and that we, who believe, as Christians, should follow those teachings and treat people equally, regardless of skin color. And that would help fulfill that part of Dr. King’s dream, that people would be judged by the content of their character and not the color of their skin.

However, California has digressed, regressed to the point where no longer are they making progress toward racial harmony. They are going the other direction, saying that what we need is to segregate, like that great Democrat, George Wallace believed.

So it is unbelievable. We have supposed liberals in California not pursuing the dream of Dr. King, where people would be judged by the content of their character rather than the color of their skin; but we have these California universities that are now fulfilling the dream of the Democratic Party candidate, George Wallace, who felt like segregation in all things was the far better way to go.

So congratulations to the University of California System for helping fulfill the dream of George Wallace. What a wonderful combination we have. Not a progressive, as they might claim the name, but of regressives who are going back and claiming the dream, not of Dr. King, but of Democrat Party activist, George Wallace. Congratulations. You make a great pair, California University System, and George Wallace’s dream. Wow.

CRIMINAL JUSTICE REFORM

Mr. GOHMERT. We also have had mention tonight of efforts toward what some call sentencing reform. I was honored back in 2007 to get a call from a man that I think the world of, former Attorney General Ed Meese. Apparently he had heard of my concerns about some of the Federal criminal laws that needed to be changed; that we had too many people in America who were being harassed and their lives or their families destroyed by Federal

criminal law that allowed people to be prosecuted for violating, not a law that Congress had passed, but some regulation that some cubicle-holder had decided would be a good thing to do.

Unelected bureaucrats in Washington decided we will make this a regulation, and since Congress passed a law saying you have to follow all the laws and rules regarding this issue, we fall under the rules and regulations; therefore, they can go to prison for failing to do what we, as unelected bureaucrats in Washington, decided that someone somewhere we have never been must do.

So I was greatly in favor and encouraged to hear of the interest from the Heritage Foundation, former Attorney General Ed Meese, to pursue criminal justice reform.

We have had difficulty moving that forward, and I greatly appreciate the leadership of Judiciary Committee Chairman BOB GOODLATTE. We have been able to get through some criminal justice reforms that I have been hoping to see passed since 2007.

At times we made strange bedfellows, politically speaking. I guess, when we had Ed Meese and others from the Heritage Foundation, along with leaders from the ACLU, who had similar concerns that we did, and we were coming together to try to correct great injustices within the criminal justice laws.

Unfortunately, the President, probably inspired by mentors like George Soros, they see that before criminal justice reform could be passed, at least contemporaneously, you have to pass sentencing reform.

The Obama administration wants that to be a major part of the Obama legacy. And when you see how many people are being completely failed and harmed by ObamaCare, I can certainly understand why President Obama would rather have his legacy be that of something in the criminal justice area rather than ObamaCare.

Without—and I have to say, this has certainly damaged in a bipartisan fashion people across America. There are people who have been helped by having government pay a good part of their health care.

You look at the bottom line, especially, from the people I have heard from all over east Texas, we have vast numbers complaining they have lost their insurance they liked. They lost the doctor that was keeping them healthy or had gotten them cured, and now they were back in trouble. They lost the doctor or the insurance company, they lost the hospital they wanted to go to, all because of that around-2500-page monstrosity that is normally referred to as ObamaCare. It is easier to call it ObamaCare than the Affordable Care Act because it is not affordable. It has cost some people everything.

So we have heard from people. They are clamoring for a change.

Isn’t there some way to let us get back the insurance we had before 2010, when the President and every Democrat, without a single Republican vote, rammed through, against the majority will of the American public, this monstrosity where the government took over their healthcare insurance, dictated requirements that would put many out of business, dictated requirements of doctors that have caused many to retire, as they have advised me?

And I continue to hear, and we continue to lose hospitals especially in rural areas.

□ 2130

But when you hear uncaring, big city folks say, “We don’t really care. Just tell them to move to the city,” really? What? Like Chicago, where their chances of being murdered go up astronomically from where they are living now, where their standard of living can’t possibly be where it is now? Do you despise these people so much and what many consider flyover territory that you would want to sentence them to such brutality? How about if we just let America be free again and we follow what so many have talked about?

It is why I had the bill drafted back in 2009. CBO Director Elmendorf, no matter what he asked, I complied, and they still refused to ever score my bill. Newt Gingrich had said back in early 2009: If you can just get this in bill form and get it scored, they won’t have a chance of passing ObamaCare; this will be too good.

Because it appeared that the best numbers we could get back from 2008, it may well be cheaper to offer seniors: Okay, you want Medicare? You can have it. On the other hand, if you would like the very best health insurance policy that money can buy, we will buy it for you, but we will go ahead and set a high deductible.

Back then, we were talking \$5,000 or so. Maybe today it would be \$7,500 or \$10,000. We will have a high deductible, but above that deductible. You will have the best insurance money can buy, Mr. or Ms. Senior. To cover the deductible, we will give you a health savings account. We will put the cash in there.

I made this proposal to a couple of folks that I had invited to come out and listen to the proposal from AARP. Since they cared about retired folks, I figured they will love this because this is going to be so good for retired people. They will never have to buy another wraparound or supplemental policy again. This is going to be unbelievable. So for Medicare and Medicaid, this will be fantastic, and we will give each one of them a health savings account debit card, and it will be coded only.

Newt Gingrich was very helpful. He sent out some folks to meet with me

that knew all about the different issues and encouraged some different things to be in the bill we got in there. Anyway, this was going to be great for seniors. I was shocked when AARP folks said: We will have to get back with you because we are not sure. I said: How could you not be sure? You care about retired people.

My mother-in-law and father-in-law at the time were struggling to pay for a supplemental policy. This will be fantastic.

I was so naive. I didn't know that AARP was making hundreds of millions of dollars clear profit for a non-profit off selling the sale of supplemental health insurance.

So, naturally, they couldn't sign on to that bill. It was going to be so good for seniors that AARP would never be making those hundreds of millions and billions of dollars that they would be able to make under ObamaCare. Of course, they signed on to ObamaCare. It was in their monetary best interest, just like it has been in the Clintons' best interests to have Secretary Clinton have a husband out there raking in the money while providing access to those who may have wanted a favor in the administration. Access was the favor.

So we have had people across America so shocked. Money, as we were told, is not the root of all evil, but the love of money is a root of all evil—not necessarily “the,” but “a” root of evil.

When we see what has happened to people's health care all over money and power and we see what has happened to the greed of entities that were just supposed to help the seniors, just supposed to help those less fortunate, well, they are making a fortune. When we look at what has happened to health care, the hospitals out of business, the doctors retired, people that can't get the help they used to have, it is heartbreaking to those who are actually paying attention.

In the meantime, we have an investigation by the FBI into all this money, tens of millions—hundreds of millions—of dollars flowing into the Clinton Foundation. When people heard FBI Director James Comey stand up and basically spell out a lay-down case against Hillary Clinton for violating the law that ultimately came to the conclusion that there is nothing behind this curtain, so no good prosecutor would consider prosecuting this case, he failed to talk to good prosecutors who were prosecuting cases in which they had much less to go on than what had already been admitted.

I was shocked when we heard that Hillary Clinton was going to be interviewed for 3 hours. Some people expected the FBI to give a statement opinion about the case the next week. I said that that won't happen because traditionally the FBI would get that statement, they would review sentence

by sentence to see if there was anything that was false that was provided to them, and if she had a 3-hour interview, it will take time to go sentence by sentence through what she said. There is no way they are coming back that next week.

Little did I know that—you know, you are left with the impression, what happened out there on the tarmac when this clandestine meeting between Attorney General Loretta Lynch and former President Bill Clinton met, it was before the statement was made. And as I pointed out, basically even to the Attorney General, it makes it look like that when President Clinton and Attorney General Lynch got together it was: Look, just tell your wife all we have got to do is check the box. We had a lengthy period of questioning. We won't even put her under oath. We won't even record it, so there is no way we can really effectively prosecute her because we won't have an accurate statement of what she said. Just tell her to come in. We will check the box. We can come out a few days later and announce there is nothing here, look the other way.

It sounded like a wink and nod: Oh, by the way, Hillary says she would like to keep you on as Attorney General.

Great. Let's get her in and get the statement so we can drop the case.

That is basically what sounds like happened because of the way it unfolded. That is not the way the FBI normally works. There are so many incredible criminal investigators in our FBI despite all the good ones that Director Mueller ran off because he wanted new investigators—not any of the people that had been around and had wisdom and experience, but the new ones. They are there for proper reasons. They want to see justice done. And so people were shocked when the announcement came, hey, they laid out the elements of the case. Obviously, it sounded like they were proven. And then it says, so no good prosecutor, in effect, would pursue this.

There was no evidence of intent when somebody has a software program that is actually purchased with the sole purpose of destroying any way to get back to the emails that, now, it appears, were destroyed after they were requested, after they were subpoenaed, and after they were being sought. So, obviously, that is a lay-down case for intent right there.

Then we find out that phones were bashed perhaps with a hammer. Maybe if you were in some area of the country trying to prosecute where people are just going to acquit no matter what happens, okay, maybe, yeah, a prosecutor there might not pursue, but in most of this God-blessed country, if you show somebody that there was actual destruction with a hammer of cellphones to prevent anybody from ever finding out what was on there, you

show them that software was actually purchased that would completely bleach and destroy any ability to go back and get those emails, most normal people would have no problem whatsoever finding an intent to deceive there and have no problem finding lies that were made.

But we heard over and over, gee, FBI Director Comey would never do anything but absolutely perfectly above-board.

But then this article by Patrick Howley, 10 September, came out. I was shocked. It said: “A review of FBI Director James Comey's professional history and relationships shows that the Obama cabinet leader—now under fire for his handling of the investigation of Hillary Clinton—is deeply entrenched in the big-money cronyism culture of Washington, D.C. His personal and professional relationships—all undisclosed as he announced the Bureau would not prosecute Clinton—reinforce bipartisan concerns that he may have politicized the criminal probe.

“These concerns focus on millions of dollars that Comey accepted from a Clinton Foundation defense contractor, Comey's former membership on a Clinton Foundation corporate partner's board”—I had no idea—“and his surprising financial relationship with his brother Peter Comey, who works at the law firm that does the Clinton Foundation taxes.”

Who knew? Wow. Direct ties here with FBI Director James Comey's family and the Clinton Foundation. It is just amazing. I don't hold anybody's former employer against them. Fine, you are employed hopefully by somebody, so I wouldn't hold that against them. Certainly, Hank—I don't even want to say his name, but he used to be the Secretary of the Treasury, and—well, yeah, he deserves to be in the CONGRESSIONAL RECORD yet again. Hank Paulson, the former chairman of Goldman Sachs, he certainly did every favor he possibly could to Goldman Sachs, and they are still going on.

But here are some holdings, HSBC Holdings the article mentioned. “In 2013, Comey became a board member, a director, and a Financial System Vulnerabilities Committee member of the London bank HSBC Holdings. ‘Mr. Comey's appointment will be for an initial three-year term which, subject to re-election by shareholders, will expire at the conclusion of the 2016 Annual General Meeting,’ according to HSBC company records.

“HSBC Holdings and its various philanthropic branches routinely partner with the Clinton Foundation. For instance, HSBC Holdings has partnered with Deutsche Bank through the Clinton Foundation to ‘retrofit 1,500 to 2,500 housing units, primarily in the low- to moderate-income sector’ in ‘New York City.’”

Anyway, it goes on to talk about Peter Comey.

“When our source called the Chinatown offices of D.C. law firm DLA Piper and asked for ‘Peter Comey,’ a receptionist immediately put him through to Comey’s direct line. But Peter Comey is not featured on the DLA Piper website.

“Peter Comey serves as ‘Senior Director of Real Estate Operations for the Americas’ for DLA Piper.

□ 2145

“James Comey was not questioned about his relationship with Peter Comey in his confirmation hearing. DLA Piper is the firm that performed the independent audit of the Clinton Foundation in November during Clinton-World’s first big push to put the email scandal behind them. DLA Piper’s employees taken as a whole represent a major Hillary Clinton 2016 campaign donation bloc and Clinton Foundation donation base.

“DLA Piper ranks number 5 on Hillary Clinton’s all-time career Top Contributors list, just ahead of Goldman Sachs. And here is another thing: Peter Comey has a mortgage on his house that is owned by his brother” James Comey, the FBI director. Peter Comey’s financial records obtained by Breitbart News showed that he “bought a \$950,000 house in Vienna, Virginia, in June 2008. He needed a \$712,500 mortgage from First Savings Mortgage Corporation.

“But on January 31, 2011, James Comey and his wife stepped in to become Private Party lenders. They granted a mortgage on the house for \$711,000.”

Anyway, it is just rather interesting: Who had any idea that the Comey family had such ties to the Clinton Foundation?

“Peter Comey redesigned the FBI building.”

Well, that is interesting.

“FBI Director James Comey grew up in the New Jersey suburbs with his brother Peter.”

Anyway, interesting. How about that. Peter Comey redesigned the FBI building, according to the article.

“Procon Consulting’s client list includes ‘FBI Headquarters, Washington, D.C.’

“So what did Procon Consulting do for FBI headquarters? Quite a bit, apparently. According to the firm’s records: Procon provided strategic project management for the consolidation of over 11,000 FBI personnel into one, high security, facility.”

Then it goes on. As the article ends, it says:

“This is not going to end well.”

Well, fortunately, for Hillary Clinton, the investigation with the Clinton Foundation ties to the FBI director has ended well for her.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUTHRIE (at the request of Mr. MCCARTHY) for today and September 13 on account of family obligations.

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. ROSS (at the request of Mr. MCCARTHY) for today on account of flight delays.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today on account of official business.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 13, 2016, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second and third quarters of 2016, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MATTHEW B. KELLOGG, EXPENDED BETWEEN JUNE 24 AND JULY 2, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Matthew B. Kellogg	6/26	6/28	Japan		696.00		(3)				696.00
	6/28	6/30	China		507.00		(3)				507.00
	6/30	7/2	South Korea		499.00		(3)				499.00
Committee total					1,702.00						1,702.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

MATTHEW B. KELLOGG, July 19, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TUNISIA, KENYA, AND SENEGAL, EXPENDED BETWEEN JUNE 24 AND JULY 1, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Vern Buchanan	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. David Price	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. Adrian Smith	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. Gwen Moore	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. Dina Titus	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. Lois Capps	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Jeff Billman	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Justin Wein	6/27	6/30	Kenya		1,080.00		(3)				1,080.00
Hon. Vern Buchanan	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. David Price	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. Adrian Smith	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. Gwen Moore	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. Dina Titus	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. Lois Capps	6/24	6/27	Tunisia		584.97		(3)				584.97
Jeff Billman	6/24	6/27	Tunisia		584.97		(3)				584.97
Justin Wein	6/24	6/27	Tunisia		584.97		(3)				584.97
Hon. Vern Buchanan	6/30	7/1	Senegal		137.13		(3)				137.13

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TUNISIA, KENYA, AND SENEGAL, EXPENDED BETWEEN JUNE 24 AND JULY 1, 2016—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. David Price	6/30	7/1	Senegal		137.13		(³)				137.13
Hon. Adrian Smith	6/30	7/1	Senegal		137.13		(³)				137.13
Hon. Gwen Moore	6/30	7/1	Senegal		137.13		(³)				137.13
Hon. Dina Titus	6/30	7/1	Senegal		137.13		(³)				137.13
Hon. Lois Capps	6/30	7/1	Senegal		137.13		(³)				137.13
Jeff Billman	6/30	7/1	Senegal		137.13		(³)				137.13
Justin Wein	6/30	7/1	Senegal		137.13		(³)				137.13
Committee total					14,416.80						14,416.80

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. VERN BUCHANAN, July 26, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NETHERLANDS, EXPENDED BETWEEN JUNE 25 AND JUNE 28, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mario Diaz-Balart	6/26	6/28	The Netherlands		546.00		8,580.00				9,126.00
Hon. Jim Costa	6/26	6/28	The Netherlands		546.00		739.00				1,285.00
Hon. John Carter	6/26	7/2	The Netherlands		546.00		1,581.00				2,127.00
Hon. Bill Huizenga	6/26	6/28	The Netherlands		546.00		2,613.00				3,159.00
Hon. Mike Kelly	6/26	6/28	The Netherlands		546.00		2,101.00				2,647.00
Hon. Ami Bera	6/26	6/28	The Netherlands		546.00		1,645.00				2,191.00
Janice Robinson	6/25	6/28	The Netherlands		819.00		1,472.00				2,291.00
Marie Spear	6/25	6/28	The Netherlands		819.00		1,476.00				2,295.00
Jason Steinbaum	6/26	6/28	The Netherlands		546.00		1,864.00				2,410.00
Angela Ellard	6/26	6/28	The Netherlands		546.00		1,476.00				2,022.00
Committee total					6,006.00		23,547.00				29,553.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARIO DIAZ-BALART, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. K. Michael Conaway	4/30	5/4	Jordan		967.84		7,581.40		58.09		8,607.33
	5/4	5/6	Ethiopia		939.51		878.40		66.89		1,884.80
	5/7	5/9	Ghana		531.85		987.20		3.12		1,522.17
	5/9	5/9	USA				4,699.36				4,699.36
Hon. Daniel Benishek	4/30	5/4	Jordan		967.84		7,581.40		219.60		8,768.84
	5/4	5/6	Ethiopia		939.51		878.40		61.05		1,878.96
	5/7	5/9	Ghana		531.85		987.20				1,519.05
	5/9	5/9	USA				4,699.36				4,699.36
Hon. David Rouzer	4/30	5/4	Jordan		967.87		7,581.40		163.40		8,712.64
	5/4	5/6	Ethiopia		939.51		878.40		102.61		1,920.52
	5/7	5/9	Ghana		531.85		987.20				1,519.05
	5/9	5/9	USA				4,699.36				4,699.36
Hon. Sean Patrick Maloney	4/30	5/4	Jordan		924.06		3,947.20		327.93		5,199.19
	5/4	5/4	USA				4,041.86				4,041.86
	4/30	5/4	Jordan		967.84		7,581.40		370.68		8,919.92
	5/4	5/6	Ethiopia		631.36		878.40		40.54		1,550.30
Bart Fischer	5/6	5/6	USA				5,508.18				5,508.18
	4/30	5/4	Jordan		967.84		7,581.40		155.46		8,704.70
	5/4	5/6	Ethiopia		939.51		878.40		62.71		1,880.62
	5/7	5/9	Ghana		531.85		987.20		28.05		1,547.10
Robert Larew	5/9	5/9	USA				4,123.36				4,123.36
	4/30	5/4	Jordan		967.84		7,581.40		75.15		8,624.39
	5/4	5/6	Ethiopia		939.51		878.40		177.21		1,995.12
	5/7	5/9	Ghana		531.85		987.20		7.01		1,526.06
Mark Williams	5/9	5/9	USA				4,123.36				4,123.36
	4/30	5/4	Jordan		967.84		7,581.40		259.05		8,808.29
	5/4	5/6	Ethiopia		939.51		878.40		105.39		1,923.30
	5/7	5/9	Ghana		531.85		987.20				1,519.05
Committee total					17,158.46		105,107.20		2,283.94		124,549.60

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Valerie Baldwin	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial airfare							12,578.92				
Taxi							85.00				
Kris Mallard	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							99.67				
Chris Romig	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							93.76				
Laura Cylke	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							22.50				
Hon. C. A. Dutch Ruppersberger	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		679.53				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		203.48				74.44		
CODEL expenses									103.09		
Hon. Steve Israel	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		679.53				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		224.70				74.44		
CODEL expenses									103.09		
Hon. Tim Ryan	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		752.10				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		224.70				74.44		
CODEL expenses									103.09		
Hon. David W. Jolly	3/29	3/30	Israel		498.00				1,180.31		
	3/30	3/31	Saudi Arabia		486.00				304.33		
	3/31	4/1	Turkey		290.00				206.07		
	4/1	4/2	Egypt		1,234.00						
	4/2	4/3	Spain		376.45		(³)		443.24		
Hon. Martha Roby	4/30	5/5	Afghanistan								
Commercial airfare							18,369.26				
Hon. David G. Valadao	5/1	5/4	Egypt		1,234.00						
	5/4	5/6	Bahrain		793.63						
	5/6	5/8	Tunisia		520.51						
	5/8	5/9	United Kingdom		809.00						
Hon. Chris Stewart	5/29	6/2	China		1,055.43		(³)		487.98		
Commercial airfare							872.50				
Hon. David P. Joyce	6/24	6/27	Panama		952.00						
Commercial airfare							563.21				
Committee total					30,015.78		70,421.58		4,750.39		105,187.75

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. HAROLD ROGERS, Chairman, August 1, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency
Travel to Austria, Jordan, Israel, Ireland—March 28–April 2, 2016 with CODEL McCaskill											
Hon. Susan Davis	3/29	3/30	Austria		421.68						421.68
	3/30	3/31	Jordan		262.33						262.33
	3/31	4/1	Israel		397.93						397.93
	4/1	4/2	Ireland								
Hon. Niki Tsongas	3/29	3/30	Austria		421.68						421.68
	3/30	3/31	Jordan		262.33						262.33
	3/31	4/1	Israel		470.93						470.93
	4/1	4/2	Ireland								
Craig Greene	3/29	3/30	Austria		521.61						521.61
	3/30	3/31	Jordan		403.33						403.33
	3/31	4/1	Israel		546.00						546.00
	4/1	4/2	Ireland								
Travel to Israel, United Arab Emirates, Bahrain, Iraq, Spain—March 28–April 3, 2016 with CODEL Donnelly											
Hon. Seth Moulton	3/29	3/30	Israel		571.00						571.00
	3/30	3/31	United Arab Emirates		536.00						536.00
	3/31	4/1	Bahrain		396.81						396.81
	4/1	4/2	Iraq		11.00		1,200.00				1,211.00
	4/2	4/3	Spain		203.48						203.48
Travel to Afghanistan, India, United Arab Emirates—April 30–May 6, 2016											
Hon. Martha McSally	5/1	5/3	Afghanistan		40.00						40.00
	5/3	5/4	India		109.00						109.00
Hon. Susan Davis	5/1	5/3	Afghanistan		40.00						40.00
Hon. Gwen Graham	5/1	5/3	Afghanistan		40.00						40.00
Jaime Cheshire	5/1	5/3	Afghanistan		40.00						40.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Craig Greene	5/1	5/3	Afghanistan		40.00						40.00
Katy Quinn	5/1	5/3	Afghanistan		40.00						40.00
Delegation expenses			India						83.84		83.84
Delegation expenses			Afghanistan						1,070.21		1,070.21
Travel to Israel, Jordan, Sweden, Germany—May 26–June 3, 2016											
Hon. Mike Rogers	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Hon. Brad Ashford	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Hon. Joe Wilson	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Timothy Morrison	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Stephen Kitay	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Leonor Tomero	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Travel to South Africa—May 28–June 6, 2016 with CODEL Coons											
Hon. Brad Byrne	5/30	6/5	South Africa		1,186.19						1,186.19
Hon. Marc Veasey	5/30	6/5	South Africa		1,186.19						1,186.19
Travel to South Korea, Japan—June 4–June 9, 2016											
David Giachetti	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Craig Greene	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Alison Lynn	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Delegation expenses			South Korea				653.03				653.03
Travel to Senegal, Mali—June 25–June 30, 2016											
Mark Morehouse	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Katy Quinn	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Daniel Sennott	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Commercial total					30,442.74		183,036.56		1,154.05		214,633.35

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MAC THORNBERRY, Chairman, August 16, 2016

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. John Kline	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,638.00		(³)				1,638
Hon. David "Phil" Roe	3/30	3/31	USA				* 677.70				677.70
			Philippines		* 186.98						186.98
			Australia		* 636.00						636.00
Hon. Robert C. "Bobby" Scott	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,638.00		(³)				1,638.00
		4/7	Australia				1,168.86				1,168.86
Hon. Ruben Hinojosa	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,638.00		(³)				1,638.00
Juliane Sullivan	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,689.00		(³)				1,689.00
Janelle Gardner	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,662.00		(³)				1,662.00
Brian Newell	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,689.00		(³)				1,689.00
Elizabeth Podgorski	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,478.00		(³)				1,478.00
Richard Miller	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,662.00		(³)				1,662.00
Krisann Pearce	3/31	4/2	Philippines		605.84		(³)				605.84
	4/2	4/7	Australia		1,662.00		(³)				1,662.00
Committee total					20,031.54		1,846.56				22,878.10

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

* Traveler departed trip state-side due to a death in the family. Post was unable to cancel hotel rooms in Manila and Sydney.

HON. JOHN KLINE, Chairman, July 14, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Adam Kinzinger	3/29	3/30	Israel		498.61		(³)				498.61
	3/30	3/31	Saudi Arabia		459.45						459.45
	3/31	4/1	Turkey		315.20						315.20
	4/1	4/2	Egypt		534.32						534.32
	4/2	4/4	Spain		258.85						258.85
Hon. Fred Upton	5/27	5/28	Morocco		383.94		(³)				383.94
	5/29	6/1	South Africa		1,323.63				2,632.71		3,956.34
	6/1	6/2	Botswana		288.84						288.84
	6/2	6/3	Cape Verde		151.24						151.24
Joan Hillebrands	5/27	5/28	Morocco		383.94		(³)				383.94
	5/29	6/1	South Africa		1,323.63						1,323.63
	6/1	6/2	Botswana		288.84						288.84
	6/2	6/3	Cape Verde		151.24						151.24
Hon. Billy Long	5/27	5/28	Sweden		427.00		(³)				427.00
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		992.00						992.00
	6/2	6/3	Germany		203.00						203.00
Hon. Gus Bilirakis	5/27	5/29	Cyprus		584.96		13,720.49				14,305.45
	5/29	5/30	Israel		498.00						498.00
Hon. Bill Flores	5/30	6/2	Taiwan		744.14		13,127.56				13,871.70
	6/2	6/4	South Korea		690.18						690.18
David Redl	6/27	6/30	Finland		836.81		1,761.46				2,598.27
Charlotte Savercool	6/27	6/30	Finland		836.81		1,761.46				2,598.27
Gerald Leverich	6/27	6/30	Finland		836.81		1,864.26				2,701.07
Committee total					14,505.44		32,235.23		2,632.71		49,373.38

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. FRED UPTON, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. French Hill	4/1	4/3	Russia		804.00						804.00
	4/3	4/4	Poland		271.92		7,173.20				7,445.12
Hon. Juan Vargas	4/1	4/3	Russia		949.00						949.00
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00		44.00				550.00
	4/9	4/12	Austria		870.05		12,655.66				13,525.71
Hon. Michael Fitzpatrick	4/3	4/5	Colombia		572.07						572.07
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		715.32		226.70		11,201.89		12,143.91
	4/8	4/8	Argentina				8,142.62		1,290.79		9,433.41
Hon. Robert Pittenger	4/3	4/5	Colombia		586.92						586.92
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		743.03		226.70				969.73
	4/8	4/8	Argentina						9,518.61		9,518.61
Joseph Pinder	4/3	4/5	Colombia		607.75						607.75
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		815.00		226.70				1,041.70
	4/8	4/8	Argentina				7,801.31				7,801.31
Hon. Keith Ellison	4/3	4/5	Colombia		376.90						376.90
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		722.06		226.70				948.76
	4/8	4/8	Argentina				8,063.81				8,063.81
Lisa Peto	5/12	5/15	France		1,327.75		1,123.56				2,451.31
Hon. Randy Neugebauer	5/27	5/28	Sweden		396.87		(³)				396.87
	5/28	5/31	Israel		1,396.98		(³)				1,396.98
	5/31	6/2	Jordan		679.30		(³)				679.30
	6/2	6/3	Germany		301.15		(³)				301.15
Hon. Robert Pittenger	6/19	6/21	Austria		686.00		10,251.26		354.24		11,291.50
Hon. Juan Vargas	6/25	6/27	Egypt		534.00						534.00
	6/27	6/30	Jordan		1,064.82						1,064.82
	6/30	7/2	Turkey		645.31		10,736.66				11,381.97
Hon. Robert Pittenger	6/25	6/27	Egypt		534.00						534.00
	6/27	6/30	Jordan		1,063.00		15,300.06				16,363.06
Committee total					18,450.70		91,717.55				123,015.17

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. JEB HENSARLING, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Ileana Ros-Lehtinen	5/27	5/29	Cyprus		476.96		17,501.19		* 6,055.62		24,033.77

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND
JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Randy Weber	5/29	6/2	Israel		1,767.00				* 16,236.30		18,003.30
	5/27	5/29	Cyprus		489.96		12,869.79				13,359.76
Edward Acevedo	5/29	6/2	Israel		1,769.00						1,769.00
	5/27	5/29	Cyprus		513.96		6,721.99				7,235.95
Nathan Gately	5/27	6/2	Israel		1,795.00						1,795.00
	5/29	5/29	Cyprus		544.96		6,721.99				7,266.95
Hon. Edward Royce	5/29	6/2	Israel		1,804.00						1,804.00
	4/2	4/4	Jordan		710.00		13,468.00				14,178.00
	4/4	4/6	Iraq		22.00		(³)				22.00
	4/6	4/8	Tunisia		624.00						624.00
Hon. Lois Frankel	4/2	4/4	Jordan		531.75		12,881.96				13,413.71
	4/4	4/6	Iraq		22.00		(³)				22.00
	4/6	4/8	Tunisia		536.25						536.25
Elizabeth Heng	4/2	4/4	Jordan		670.00		12,848.96				13,518.96
	4/4	4/6	Iraq		22.00		(³)				22.00
	4/6	4/8	Tunisia		597.00						597.00
Cory Fritz	4/2	4/4	Jordan		710.00		13,304.16				14,014.16
	4/4	4/6	Iraq				(³)				
	4/6	4/8	Tunisia		624.00						624.00
Kristen Marquardt	4/2	4/4	Jordan		685.35		12,035.16				12,720.51
	4/4	4/6	Iraq		22.00		(³)				22.00
	4/6	4/8	Tunisia		601.88						601.88
Joan Condon	3/29	3/31	South Sudan		160.00		5,385.78				5,545.78
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Worku Gachou	3/29	3/31	South Sudan		165.00		5,385.78				5,550.78
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Joseph Howell	3/29	3/31	South Sudan		160.00		7,682.38				7,842.38
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Kristen Marquardt	5/2	5/5	Pakistan		159.00		11,493.56				11,652.56
	5/5	5/7	Afghanistan		12.00						12.00
Sajit Gandhi	5/2	5/5	Pakistan		159.00		11,021.00				11,180.00
	5/5	5/7	Afghanistan		12.00						12.00
Scott Cullinane	4/3	4/7	Georgia		1,003.00		2,345.36				3,348.36
	4/7	4/10	Armenia		785.00						785.00
Nilmini Rubin	5/31	6/5	Israel		2,466.00		1,560.99		* 1,873.64		5,900.63
Brian Skretny	5/31	6/5	Israel		2,488.00		1,560.99				4,048.99
Mira Resnick	5/31	6/2	Israel		1,020.00		1,836.49				2,856.49
Hon. David Cicilline	5/31	6/5	South Africa		1,184.86		15,020.66				16,205.52
Hon. Ted Deutch	6/28	7/1	Israel		1,902.00		11,662.79				13,564.79
Casey Kustin	6/28	7/1	Israel		1,902.00		11,426.79				13,328.79
Edward Acevedo	5/1	5/4	Honduras		878.00		1,130.56				2,008.56
	5/4	5/6	Guatemala		468.00						468.00
	5/6	5/8	Nicaragua		467.00						467.00
Sadaf Khan	5/1	5/4	Honduras		884.00		1,130.56				2,014.56
	5/4	5/6	Guatemala		475.00						475.00
	5/6	5/8	Nicaragua		469.00						469.00
Mark Walker	5/1	5/4	Honduras		887.00		1,130.56				2,017.56
	5/4	5/6	Guatemala		471.00						471.00
	5/6	5/8	Nicaragua		470.00						470.00
Hon. Matt Salmon	3/26	3/29	Indonesia		362.00		11,517.36				11,879.36
	3/30	4/2	Australia		506.30						506.30
	4/2	4/6	New Zealand		503.93						503.93
Amy Chang	3/26	3/29	Indonesia		362.00		11,543.96				11,905.96
	3/30	4/2	Australia		506.30						506.30
	4/2	4/6	New Zealand		503.93						503.93
Hon. Dana Rohrabacher	4/1	4/3	Russia		949.00		17,206.52		* 1,377.55		19,533.07
	4/3	4/5	Poland		543.84				* 5,848.00		6,391.84
	4/5	4/7	Czech Republic		737.66				* 1,057.27		1,794.93
	4/7	4/9	Hungary		506.00				* 677.07		1,183.07
	4/9	4/12	Austria		870.05						870.05
Hon. David Cicilline	4/1	4/3	Russia		949.00		10,170.12				11,119.12
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
Hon. Brian Higgins	4/1	4/3	Russia		949.00		8,637.21				9,586.21
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
	4/9	4/12	Austria		870.05						870.05
Paul Behrends	4/1	4/3	Russia		949.00		11,879.02				12,828.02
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
	4/9	4/12	Austria		870.05						870.05
Philip Bednarczyk	4/1	4/3	Russia		926.00		4,425.92				5,351.92
	4/3	4/5	Poland		544.00						544.00
	4/5	4/7	Czech Republic		832.00						832.00
	4/7	4/9	Hungary		506.00						506.00
	4/9	4/12	Austria		996.00						996.00
Thomas Hill	3/28	3/31	Egypt		801.55		3,906.06				4,707.61
	3/31	4/2	Tunisia		420.52						420.52
Russell Solomon	3/28	3/31	Egypt		801.55		3,906.06				4,707.61
	3/31	4/2	Tunisia		420.52						420.52
Edward Acevedo	3/28	3/31	Egypt		724.00		3,906.06				4,630.06
	3/31	4/2	Tunisia		387.00						387.00
Nathan Gately	3/28	3/31	Egypt		780.00		3,906.06				4,686.06
	3/31	4/2	Tunisia		406.00						406.00
Hunter Strupp	4/3	4/9	India		1,739.90		12,456.77		* 142.42		14,339.09
Sajit Gandhi	4/3	4/10	India		1,895.51		11,881.17				13,776.68
Hunter Strupp	5/2	5/8	Vietnam		1,183.87		12,682.96		* 300.24		14,167.07
Audra McGeorge	5/2	5/8	Vietnam		1,213.95		12,682.96				13,896.91
Hon. Edward Royce	5/30	6/2	Taiwan		762.00		3,854.16		* 2,105.94		6,722.10
	6/2	6/4	South Korea		960.00						960.00
Shelley Su	5/30	6/2	Taiwan		762.00		14,831.00				15,593.00
	6/2	6/4	South Korea		960.00						960.00
Cory Fritz	5/30	6/2	Taiwan		762.00		14,729.90				15,491.90
	6/2	6/4	South Korea		960.00						960.00
Hon. Jeff Duncan	6/24	6/28	Panama		1,116.00		685.21				1,801.21
Committee total					73,951.91		373,313.93		* 35,674.05		482,939.89

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

*Indicates Delegation Costs.

HON. EDWARD R. ROYCE, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
STAFFDEL Anstine											
Paul Anstine	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						1,436.86
	4/4	4/6	Australia		1,436.86						1,436.86
S. Giaier	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						361.50
	4/4	4/6	Australia		1,436.86						1,436.86
A. Sifuentes Carnes	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						361.50
	4/4	4/6	Australia		1,436.86						1,436.86
Other Expenses: Meeting room	4/3	4/3	Indonesia						556.39		556.39
CODEL Ratcliffe											
Hon. John Ratcliffe	5/2	5/6	Israel		2,184.00		11,905.39				14,089.39
Hon. James R. Langevin	5/2	5/6	Israel		2,184.00		8,774.29				10,958.29
B. Dewitt	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
E. Peterson	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
C. Schepis	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
Other, M&IE for Embassy Staff, etc.	5/2	5/6	Israel						13,376.37		13,376.37
CODEL McCaul											
Hon. Michael T. McCaul	5/1	5/4	Egypt		1,759.00		(³)				1,759.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		833.00		(³)				833.00
B. Shields	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		809.00		(³)				809.00
L. Fullerton	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		809.00		(³)				809.00
E. Heighberger	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.51		(³)				520.51
	5/8	5/9	England		809.00		(³)				809.00
M. Taylor	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		809.00		(³)				809.00
S. Phalen	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		809.00		(³)				809.00
H. Goins	5/1	5/4	Egypt		709.00		(³)				709.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.51		(³)				520.51
	5/8	5/9	England		809.00		(³)				809.00
Hon. William R. Keating	5/1	5/4	Egypt		1,759.00		(³)				1,759.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		833.00		(³)				833.00
Hon. Tom Rice	5/1	5/4	Egypt		1,234.00		(³)				1,234.00
	5/4	5/6	Bahrain		793.63		(³)				793.63
	5/6	5/8	Tunisia		520.52		(³)				520.52
	5/8	5/9	England		809.00		(³)				809.00
OT, misc. supplies, control room, etc.	5/1	5/4	Egypt						20,550.90		20,550.90
Staff OT, control room, etc.	5/4	5/6	Bahrain						922.03		922.03
LES OT, mileage, wreath, etc.	5/6	5/8	Tunisia						2,855.85		2,855.85
Transportation, OT, control room, etc.	5/8	5/9	England						7,095.88		7,095.88
Committee total					49,375.60		111,278.93		45,357.42		206,011.95

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

* Airfare inclusive of multiple legs of trip.

HON. MICHAEL T. McCaul, Chairman, July 28, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve Cohen	5/31	6/5	South Africa		471.00		15,235.66		715.19		16,421.85
Hon. Suzan DelBene	5/31	6/5	South Africa		471.00		7,602.10		715.19		8,788.29
Committee total					942.00		22,837.76		1,430.38		25,210.14

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Stephen Lynch	3/29	3/30	Israel		571.00						571.00
	3/30	3/31	UAE		538.00						538.00
	3/31	4/1	Bahrain		377.00						377.00
	4/1	4/2	Iraq		11.00						11.00
	4/2	4/3	Spain		245.00						245.00
Hon. Cynthia Lummis	3/26	3/30	Indonesia		1,086.00		14,317.00				15,403.00
	3/30	4/2	Australia		1,089.00						1,089.00
	4/2	4/6	New Zealand		1,135.00						1,135.00
Dimple Shah	5/29	5/31	Greece		404.00		16,028.00				16,432.00
	5/31	6/2	France		931.00						931.00
	6/2	6/3	Belgium		309.00						309.00
Valerie Shen	5/29	5/31	Greece		404.00		16,028.00				16,432.00
	5/31	6/2	France		931.00						931.00
	6/2	6/3	Belgium		309.00						309.00
Hon. Carolyn Maloney	5/27	5/29	Cyprus		395.00		10,549.00				10,944.00
Hon. Cynthia Lummis	5/28	6/2	China		1,381.00						1,381.00
Hon. Jason Chaffetz	5/28	6/2	China		1,381.00						1,381.00
	6/12	6/13	U.K.		362.00		1,279.00				1,641.00
Cordell Hull	6/12	6/13	U.K.		474.00		734.00				1,208.00
Committee total					12,333.00		58,935.00				71,268.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JASON CHAFFETZ, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, July 26, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, July 28, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Erik Paulsen	3/31	4/1	Philippine		605.84		(3)				605.84
	4/2	4/6	Australia		1,631.00		(3)				1,631.00
Hon. Diane Black	3/24	3/27	Japan		1,336.00		(3)				1,336.00
	3/27	3/29	South Korea		927.50		(3)				927.50
	3/30	4/2	Australia		503.00		(3)				503.00
Hon. Tom Rice	3/29	3/30	Israel		498.00		(3)				498.00
	3/30	3/31	Saudi Arabia		486.00		(3)				486.00
	3/31	4/1	Turkey		290.00		(3)				290.00
	4/1	4/3	Egypt		1,234.00		(3)				1,234.00
	4/3	4/4	Spain		376.45		(3)				376.45
Hon. John Lewis	5/31	6/4	South Africa		1,192.46		15,019.56				16,212.02

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Committee total					9,080.25		15,019.56				24,099.81

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. KEVIN BRADY, Chairman, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Devin Nunes	4/3	4/5	Asia		1,036.00				1,854.68		2,890.68
	4/5	4/6	Asia		710.82		101.99		180.46		993.27
	4/6	4/6	Asia						71.53		71.53
	4/7	4/8	Africa		267.00				269.20		536.20
	4/8	4/10	Europe		802.00		258.13		225.99		1,286.12
Damon Nelson	4/3	4/5	Asia		1,036.00				1,854.68		2,890.68
	4/5	4/6	Asia		710.82		101.99		180.46		993.27
	4/6	4/6	Asia						71.53		71.53
	4/7	4/8	Africa		267.00				269.20		536.20
	4/8	4/10	Europe		802.00		258.13		225.99		1,286.12
Hon. Jeff Miller	4/4	4/9	Europe		1,906.68				143.85		2,050.53
Commercial airfare							8,214.36				8,214.36
George Pappas	4/4	4/9	Europe		2,383.34				143.85		2,527.19
Commercial airfare							2,118.29				2,118.29
Hon. Adam Schiff	5/1	5/6	Asia		1,864.00				2,524.59		4,388.59
Commercial airfare							11,993.19				11,993.19
Hon. Michael Quigley	5/1	5/6	Asia		1,864.00				2,524.59		4,388.59
Commercial airfare							12,750.39				12,750.39
Michael Bahar	5/1	5/6	Asia		2,244.00				2,524.59		4,768.59
Commercial airfare							10,320.39				10,320.39
Thomas Eager	5/1	5/6	Asia		2,244.00				2,524.59		4,768.59
Commercial airfare							12,463.19				12,463.19
Hon. Jackie Speier	5/2	5/3	Asia		715.00				19.68		715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							13,530.86				13,530.86
Tim Bergreen	5/2	5/3	Asia		715.00						715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							14,582.46				14,582.46
Andrew House	5/2	5/3	Asia		715.00						715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							13,844.06				13,844.06
Hon. Mike Pompeo	5/2	5/4	Africa		709.00				653.58		1,362.58
	5/4	5/6	Asia		793.63				76.84		870.47
	5/6	5/8	Africa		520.51				237.99		758.50
	5/8	5/9	Europe		833.00		193.62		506.85		1,533.47
Hon. Devin Nunes	5/3	5/5	Europe		1,235.00		808.50				2,043.50
	5/5	5/8	Europe		620.96				1,187.74		1,808.70
Commercial airfare							9,158.16				9,158.16
George Pappas	5/3	5/5	Europe		1,235.00		808.50				2,043.50
	5/5	5/8	Europe		620.97				1,187.74		1,808.71
Commercial airfare							1,790.66				1,790.66
Andrew House	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/1	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		818.17						818.17
	6/5	6/8	Africa		614.34				6.92		621.26
Commercial airfare							9,072.06				9,072.06
Tim Bergreen	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/01	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		341.72						341.72
Commercial airfare							15,757.68				17,757.68
Nicholas A. Ciarlante	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/1	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		341.72						341.72
Commercial airfare							15,234.68				15,234.68
Hon. Mike Turner	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							5,107.06				5,107.06
Damon Nelson	5/29	5/30	Europe		191.00		68.90		361.90		621.80
	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							12,401.96				12,401.96
Lisa Major	5/29	5/30	Europe		191.00		68.90		361.90		621.80
	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							12,401.96				12,401.96
Bill Flanigan	5/29	6/4	Europe		1,440.71				499.38		1,940.09
Commercial airfare							11,173.36				11,173.36
Bob Minehart	5/29	6/4	Europe		1,214.72				499.38		1,714.10
Commercial airfare							11,173.36				11,173.36
Amanda Rogers-Thorp	5/31	6/2	Europe		745.29				187.00		932.29
Commercial airfare							9,059.76				9,059.76
Hon. Eric Swalwell	5/31	6/1	Asia		450.66				7.50		458.16
	6/1	6/3	Asia		140.00				88.56		228.56
Commercial airfare							8,197.46				8,197.46
Wells Bennett	5/31	6/1	Asia		450.66				7.50		458.16
	6/1	6/3	Asia		140.00				88.56		228.56

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Commercial airfare											
Hon. Terri Sewell	6/26	6/30	Australia		996.00		13,187.96				13,187.96
	6/30	7/3	Oceania		864.00		310.00				1,306.00
Commercial airfare											864.00
Linda Cohen	6/26	6/30	Australia		996.00		20,413.56				20,413.56
	6/30	7/3	Oceania		864.00		310.00				1,306.00
Commercial airfare											864.00
Hon. Frank LoBiondo	6/26	6/28	Asia		930.00		20,413.56				20,413.56
	6/28	6/30	Asia		579.99				48.51		930.00
Commercial airfare											794.52
Damon Nelson	6/26	6/28	Asia		930.00		166.02				23,937.56
	6/28	6/30	Asia		579.99		23,937.56				930.00
Commercial airfare											1,030.10
George Pappas	6/30	7/2	Asia		514.02		401.60		48.51		514.02
Commercial airfare											21,637.56
Shannon Stuart	6/26	6/28	Asia		930.00		21,637.56				930.00
	6/28	6/30	Asia		579.99		401.60		48.51		1,030.10
Commercial airfare											514.02
Commercial airfare											21,602.56
Bill Flanigan	6/26	6/28	Asia		827.00				53.00		880.00
	6/28	6/29	Asia		320.00				9.69		329.69
Commercial airfare											394.65
Lisa Major	6/26	6/28	Asia		827.00		18,225.56				18,225.56
	6/28	6/29	Asia		320.00				53.00		880.00
Commercial airfare											329.69
Carly Blake	6/26	6/28	Asia		827.00		15,107.16				15,107.16
	6/28	6/29	Asia		320.00				53.00		880.00
Commercial airfare											329.69
Michael Ellis	6/27	6/29	Africa		534.00		15,107.16				15,107.16
	7/1	7/3	Africa		417.74				15.14		549.14
Commercial airfare											434.80
Scott Glabe	6/27	6/29	Africa		534.00		15,982.06				15,982.06
	7/1	7/3	Africa		417.74				15.14		549.14
Commercial airfare											434.80
Committee total					62,845.82		437,551.14		24,825.06		525,222.02

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

* In accordance with title 22, United States Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted.

HON. DEVIN NUNES, Chairman, August 1, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☐											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TREY GOWDY, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☐											

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Chairman, July 18, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Shelly Han	4/2	4/10	Georgia	Lari	1,835.00		2,695.86				4,530.86
Janice Helwig	4/8	6/30	Austria	Dram							
	6/4	6/8	Thailand	Euro	29,013.00		11,775.56				40,788.56
Allison Hollabaugh	4/10	4/13	Austria	Baht	492.00		5,610.50				6,102.50
				Euro	798.33		3,394.86				4,193.19

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
	6/4	6/10	Japan	Yen	1,752.00		3,359.86				5,111.86
			Thailand								
Mischa Thompson	4/13	4/16	Austria	Euro	398.00		1,570.46				1,968.46
	5/29	6/3	Italy	Euro	1,467.30		1,869.96				3,337.26
Erika Schlager	5/15	5/21	Bulgaria	Lev	1,355.00		12,324.56				13,679.56
Committee total					37,110.63		42,601.52				79,712.25

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Chairman, July 27, 2016.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6772. A letter from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting the Department's final regulations — Workforce Innovation and Opportunity Act, Miscellaneous Program Changes [Docket No.: 2015-ED-OSERS-0002] (RIN: 1820-AB71) September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6773. A letter from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting the Department's final regulations — State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage [ED-2015-OSERS-0001] (RIN: 1820-AB70) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6774. A letter from the Deputy Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final priority and requirement — Equity Assistance Centers [CDFA Number: 84.004D] [Docket ID: ED-2016-OESE-0015] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; NOx Emission Trading Orders as Single Source SIP Revisions [EPA-R01-OAR-2015-0238; FRL-9951-94-Region 1] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2012 Primary Annual Fine Particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS) for Areas in Georgia and Florida [EPA-HQ-OAR-2012-0918; FRL-9951-91-OAR] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6777. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Redesignation of the Indiana Portion of the Louisville Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0698; FRL-9951-95-Region 5] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6778. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) [EPA-R07-OAR-2016-0313; FRL-9951-87-Region 7] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6779. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Puerto Rico; Infrastructure Requirements for the 1997 and 2008 Ozone, 1997 and 2006 Fine Particulate Matter and 2008 Lead NAAQS [EPA-R02-OAR-2016-0060; FRL-9945-84-Region 2] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6780. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2013-0235; FRL-9950-04] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6781. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers [EPA-HQ-OAR-2006-0790; FRL-9951-64-OAR] (RIN: 2060-AS10) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6782. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-OLEM-2016-0151, 0152, 0154, 0155, 0156, 0157 and 0158; EPA-HQ-SFUND-2015-0139, 0575 and 0576; FRL-9952-06-OLEM] received

September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6783. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Outer Continental Shelf Air Regulations Consistency Update for Maryland [EPA-R03-OAR-2014-0568; FRL-9950-98-Region 3] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6784. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL-9951-86-Region 7] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6785. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles — Phase 2 [EPA-HQ-OAR-2014-0827; NHTSA-2014-0132; FRL-9950-25-OAR] (RIN: 2060-AS16; RIN: 2127-AL52) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6786. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification regarding the proposed transfer from the Government of Jordan to a U.S. private entity, Transmittal No.: RSAT-16-5068, pursuant to 22 U.S.C. 2753(d); Public Law 90-629, Sec. 3(d) (as amended by Public Law 107-228, Sec. 1405(a)(1)(A)) (116 Stat. 1456); to the Committee on Foreign Affairs.

6787. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of a possible or actual unauthorized transfer of defense articles provided by the United States, pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

6788. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification of a possible or actual unauthorized transfer of defense articles provided by the United States, pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

6789. A letter from the Director, Office of Government Ethics, transmitting the Office's interim final rule — Interpretation, Exemptions and Waiver Guidance Concerning 18 U.S.C. 208 (Acts Affecting A Personal Financial Interest); Amendment to Definition of "Employee" (RIN: 3209-AA09) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6790. A letter from the Secretary, Department of the Interior, transmitting a proposed draft resolution approving the location of the National Desert Storm War Memorial; to the Committee on Natural Resources.

6791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Eliminating Business Purpose and Device as No-Rules under Section 355 (Rev. Proc. 2016-45) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6792. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Second Circuit, *United States of America v. Nicolas Epskamp*, docket no. 15-2028; to the Committee on the Judiciary.

6793. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31087; Amdt. No. 3705] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6794. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Charleston, South Carolina [EPA-R04-OW-2016-0356; FRL-9951-96-Region 4] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6795. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's Annual report the fiscal year ended September 30, 2015, pursuant to 45 U.S.C. 231f(b)(6); August 29, 1935, ch. 812, Sec. 7(b)(6) (as amended by Public Law 97-35, Sec. 1122); (95 Stat. 638); ; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 921. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; with an amendment (Rept. 114-736, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4979. A bill to foster civilian research and development of advanced nuclear energy technologies and enhance the li-

censing and commercial deployment of such technologies; with an amendment (Rept. 114-737, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4782. A bill to increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; with an amendment (Rept. 114-738). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. House Joint Resolution 87. Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to "Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act" (Rept. 114-739). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2817. A bill to amend title 54, United States Code, to extend the authorization of appropriations for the Historic Preservation Fund; with an amendment (Rept. 114-740). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 858. Resolution providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care (Rept. 114-741). Referred to the House Calendar.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 859. Resolution providing for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (Rept. 114-742). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 921 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Science, Space, and Technology discharged from further consideration. H.R. 4979 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE (for himself and Mr. CONYERS):

H.R. 5992. A bill to amend section 203(b)(5) of the Immigration and Nationality Act to implement new reforms, and to reauthorize the EB-5 Regional Center Program, in order to promote and reform foreign capital investment and job creation in communities in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHFORD:

H.R. 5993. A bill to prohibit the use of funds provided for the official travel expenses of

Members of Congress and other officers and employees of the legislative branch for airline accommodations which are not coach-class accommodations, to prohibit the use of official funds for long-term vehicle leases for Members of Congress, to prohibit the use of the Members' Representational Allowance for expenses of official mail of any material other than a document transmitted under the official letterhead of the Member involved, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK:

H.R. 5994. A bill to amend the Internal Revenue Code of 1986 to extend biodiesel and renewable diesel incentives; to the Committee on Ways and Means.

By Mr. MEADOWS (for himself and Mr. CONNOLLY):

H.R. 5995. A bill to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code; to the Committee on Oversight and Government Reform.

By Mr. ROONEY of Florida (for himself, Mr. SMITH of New Jersey, Mr. CAPUANO, and Mr. ENGEL):

H.R. 5996. A bill to provide United States support for the full implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 5997. A bill to establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SERRANO:

H.R. 5998. A bill to amend title 10, United States Code, to provide for retroactive calculation since the start of combat operations in Afghanistan of days of certain active duty or active service performed as a member of the Ready Reserve to reduce the eligibility age for receipt of retired pay for non-regular service; to the Committee on Armed Services.

By Mr. ZINKE (for himself, Mr. MOULTON, Mr. COFFMAN, Mr. FRANKS of Arizona, Mr. RUPPERSBERGER, Ms. GABBARD, Mr. WALZ, Mr. LAMALFA, Mr. DENHAM, Mr. DONOVAN, Mr. RUSSELL, Mr. ROUZER, Mr. ROTHFUS, Ms. STEFANK, Mr. HUIZENGA of Michigan, Mr. BYRNE, Mrs. WAGNER, and Mr. HARDY):

H.R. 5999. A bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Mr. YARMUTH (for himself and Mr. SAM JOHNSON of Texas):

H. Res. 857. A resolution expressing support for designation of the week of September 12 through 16, 2016 as "National Family Service Learning Week"; to the Committee on Education and the Workforce.

By Mr. JONES:

H. Res. 860. A resolution expressing the sense of the House of Representatives regarding the firefight that occurred on March 4, 2007, between members of the United States Marine Corps and enemy forces in Bati Kot District, Nangarhar Province, Afghanistan; to the Committee on Armed Services.

By Mr. SMITH of New Jersey (for himself, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. COFFMAN, and Mr. ENGEL):

H. Res. 861. A resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOODLATTE:

H.R. 5992.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution.

By Mr. ASHFORD:

H.R. 5993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mrs. BLACK:

H.R. 5994.

Congress has the power to enact this legislation pursuant to the following.

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;"

By Mr. MEADOWS:

H.R. 5995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. ROONEY of Florida:

H.R. 5996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;"

By Mr. RUSH:

H.R. 5997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to . . . provide the . . . general welfare of the United States . . ."

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. SERRANO:

H.R. 5998.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a

Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. ZINKE:

H.R. 5999.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Ms. TSONGAS, Mr. JOHNSON of Ohio, and Ms. LEE.

H.R. 265: Mr. VEASEY.

H.R. 565: Mr. LANGEVIN.

H.R. 605: Mrs. BEATTY.

H.R. 664: Ms. LOFGREN.

H.R. 672: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 793: Mr. DENT.

H.R. 921: Mrs. COMSTOCK and Mr. GOSAR.

H.R. 969: Ms. ADAMS.

H.R. 1025: Ms. FUDGE.

H.R. 1061: Mr. VEASEY.

H.R. 1062: Mr. LAHOOD.

H.R. 1076: Ms. JUDY CHU of California.

H.R. 1220: Mr. JODY B. HICE of Georgia.

H.R. 1292: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1453: Mr. BLUMENAUER.

H.R. 1516: Ms. JUDY CHU of California.

H.R. 1559: Mr. MARINO.

H.R. 1594: Mr. CARTER of Georgia.

H.R. 1674: Mr. HUFFMAN.

H.R. 1866: Mr. DAVID SCOTT of Georgia.

H.R. 1877: Mr. YODER.

H.R. 1942: Ms. ADAMS and Mr. BECERRA.

H.R. 2058: Mr. WENSTRUP and Mr. BISHOP of Michigan.

H.R. 2096: Mrs. WAGNER, Mr. WILLIAMS, and Mr. DAVID SCOTT of Georgia.

H.R. 2102: Mr. HIMES.

H.R. 2169: Mr. CAPUANO.

H.R. 2368: Mr. HOYER, Ms. JACKSON LEE, Ms. LORETTA SANCHEZ of California, Mr. CONYERS, and Mr. LEVIN.

H.R. 2513: Mr. BABIN.

H.R. 2519: Mr. YODER.

H.R. 2530: Mr. GALLEG0.

H.R. 2759: Mr. KIND.

H.R. 2799: Ms. JUDY CHU of California and Ms. VELÁZQUEZ.

H.R. 2902: Mr. HOYER.

H.R. 2903: Mr. ISSA.

H.R. 2944: Ms. ROS-LEHTINEN and Mr. BLUMENAUER.

H.R. 2962: Mr. BECERRA.

H.R. 2972: Ms. TSONGAS.

H.R. 3051: Ms. LEE.

H.R. 3084: Mrs. BEATTY, Ms. CASTOR of Florida, and Mrs. LOWEY.

H.R. 3187: Mr. SANFORD.

H.R. 3235: Ms. FRANKEL of Florida.

H.R. 3276: Mr. BLUMENAUER.

H.R. 3277: Mr. BLUMENAUER.

H.R. 3438: Mr. DUFFY, Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. HULTGREN, Mr. KELLY of Pennsylvania, Mr. HUELSKAMP, Mr. POSEY, Mr. JODY B. HICE of Georgia, and Mr. ABRAHAM.

H.R. 3512: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 3588: Ms. KAPTUR.

H.R. 3693: Mr. DONOVAN, Mr. PERRY, and Mr. BURGESS.

H.R. 3742: Mr. BLUM, Mr. PAYNE, Mr. JODY B. HICE of Georgia, and Mr. RIBBLE.

H.R. 3765: Mr. BARR.

H.R. 3849: Mr. LOWENTHAL and Mr. GRIJALVA.

H.R. 3957: Mr. VELA.

H.R. 4137: Mr. VEASEY.

H.R. 4151: Mr. KATKO and Mr. ZELDIN.

H.R. 4212: Mr. PAULSEN and Ms. LOFGREN.

H.R. 4333: Mr. ISRAEL and Mr. TOM PRICE of Georgia.

H.R. 4365: Mr. DENT.

H.R. 4514: Mr. CLAY, Mr. MEEHAN, Mr. CULBERSON, and Mr. ROONEY of Florida.

H.R. 4626: Mrs. KIRKPATRICK, Mr. JENKINS of West Virginia, Mr. BLUM, and Mr. MULLIN.

H.R. 4657: Mr. RYAN of Ohio.

H.R. 4681: Ms. BONAMICI, Mr. BLUMENAUER, and Ms. KELLY of Illinois.

H.R. 4695: Mr. KATKO.

H.R. 4715: Mr. HANNA and Mr. EMMER of Minnesota.

H.R. 4773: Mr. CONAWAY.

H.R. 4784: Mr. HIGGINS and Mr. POLIQUIN.

H.R. 4829: Mr. SMITH of Texas.

H.R. 4893: Mr. CONNOLLY and Mr. BEYER.

H.R. 4919: Mr. RICHMOND.

H.R. 4927: Mr. ELLISON.

H.R. 4928: Mr. PEARCE.

H.R. 5002: Mr. MURPHY of Pennsylvania.

H.R. 5015: Mr. JOYCE.

H.R. 5067: Ms. ADAMS, Ms. KELLY of Illinois, Ms. DELBENE, Mr. YARMUTH, Ms. JUDY CHU of California, and Mr. KATKO.

H.R. 5073: Mr. BLUM.

H.R. 5083: Mr. JONES, Mr. TAKANO, Mr. HECK of Nevada, Mr. AMODEI, Mr. ENGEL, Mr. SARBANES, Mr. PERLMUTTER, and Mr. ELLISON.

H.R. 5187: Mr. MOOLENAAR and Mr. LAHOOD.

H.R. 5219: Mr. KATKO.

H.R. 5271: Mr. LATTA.

H.R. 5321: Mr. AMASH.

H.R. 5350: Mr. GRIJALVA.

H.R. 5351: Mr. SANFORD, Mr. YOUNG of Indiana, Mr. SESSIONS, Mr. CONAWAY, Mrs. MCMORRIS RODGERS, Mr. STUTZMAN, Mr. POMPEO, and Mr. CARTER of Texas.

H.R. 5455: Mr. LOUDERMILK.

H.R. 5488: Ms. JUDY CHU of California.

H.R. 5499: Mr. FRANKS of Arizona, Mr. HARRIS, Mr. DUNCAN of Tennessee, and Mrs. NOEM.

H.R. 5506: Mr. CRAMER, Ms. BROWNLEY of California, and Mr. THOMPSON of Pennsylvania.

H.R. 5513: Mr. LAHOOD.

H.R. 5589: Mr. COLLINS of New York.

H.R. 5601: Mr. KILDEE.

H.R. 5619: Mr. MULLIN.

H.R. 5620: Mrs. WAGNER, Mr. KNIGHT, Ms. HERRERA BEUTLER, and Mr. BABIN.

H.R. 5621: Mr. LANGEVIN, Ms. KAPTUR, Mr. PALLONE, Mr. MACARTHUR, Mr. NORCROSS, Mrs. WATSON COLEMAN, Ms. MOORE, Mr. GRAVES of Missouri, Mrs. CAROLYN B. MALONEY of New York, Mr. LOWENTHAL, and Ms. BROWNLEY of California.

H.R. 5675: Ms. ROS-LEHTINEN.

H.R. 5682: Ms. LOFGREN.

H.R. 5689: Mr. PETERSON and Mr. DANNY K. DAVIS of Illinois.

H.R. 5691: Ms. FRANKEL of Florida.

H.R. 5720: Mr. ZELDIN.

H.R. 5732: Mr. DIAZ-BALART, Mr. YOUNG of Indiana, Ms. JUDY CHU of California, Ms. SLAUGHTER, Mr. BARR, and Mr. CHABOT.

H.R. 5813: Mr. FORTENBERRY, Mr. EMMER of Minnesota, and Ms. BORDALLO.

H.R. 5859: Mr. MILLER of Florida and Mr. BURGESS.

H.R. 5862: Mr. RYAN of Ohio.

H.R. 5883: Mrs. HARTZLER and Mr. ROONEY of Florida.

H.R. 5904: Mr. ADERHOLT.
 H.R. 5931: Mr. LAMALFA, Mr. GOODLATTE, Mr. JODY B. HICE of Georgia, Mr. COLLINS of New York, Mr. ROSS, and Mr. POMPEO.
 H.R. 5941: Mr. LUETKEMEYER, Mr. BURGESS, and Mr. SENSENBRENNER.
 H.R. 5942: Ms. FRANKEL of Florida, Mr. MULLIN, Ms. WASSERMAN SCHULTZ, Mr. VALADAO, Mr. BARR, and Mr. DENT.
 H.R. 5948: Mrs. MIMI WALTERS of California and Ms. BROWNLEY of California.
 H.R. 5958: Mr. CURBELO of Florida, Mrs. RADEWAGEN, and Mr. ROSS.
 H.R. 5970: Mrs. WAGNER and Ms. BASS.
 H.R. 5980: Mrs. LOVE, Ms. PINGREE, Ms. DUCKWORTH, and Mr. TED LIEU of California.
 H.R. 5987: Mr. FLEISCHMANN.
 H. Con. Res. 19: Mr. LAHOOD.
 H. Con. Res. 50: Mr. FLEMING.
 H. Con. Res. 114: Ms. ROS-LEHTINEN.
 H. Con. Res. 140: Mr. BISHOP of Michigan and Mr. ROUZER.
 H. Con. Res. 146: Mr. ROKITA.
 H. Con. Res. 149: Mr. HANNA, Mr. ZELDIN, and Mr. MCKINLEY.

H. Res. 28: Mr. BILIRAKIS, Mr. DOGGETT, Mr. KNIGHT, Mr. BUTTERFIELD, and Ms. HERRERA BEUTLER.
 H. Res. 220: Mr. BRENDAN F. BOYLE of Pennsylvania and Mrs. WALORSKI.
 H. Res. 265: Ms. JENKINS of Kansas.
 H. Res. 296: Ms. WASSERMAN SCHULTZ.
 H. Res. 424: Mr. SANFORD.
 H. Res. 667: Mr. KENNEDY.
 H. Res. 729: Mr. HONDA, Mr. HECK of Washington, Mr. BOUSTANY, and Mr. TURNER.
 H. Res. 750: Mr. CÁRDENAS.
 H. Res. 782: Mr. MILLER of Florida and Mrs. BEATTY.
 H. Res. 798: Ms. FRANKEL of Florida.
 H. Res. 807: Mr. GALLEGO.
 H. Res. 808: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H. Res. 813: Mr. BISHOP of Georgia, Mr. WEBER of Texas, Mr. VARGAS, and Mr. RYAN of Ohio.
 H. Res. 831: Mr. YOUNG of Alaska, Mr. PAULSEN, Mr. BURGESS, and Mr. LAHOOD.
 H. Res. 840: Mr. CÁRDENAS.
 H. Res. 850: Mr. MURPHY of Florida, Mr. NEWHOUSE, Mr. O'ROURKE, and Mr. YODER.

H. Res. 852: Mrs. DINGELL, Ms. MCCOLLUM, and Mr. TURNER.

H. Res. 853: Mr. BROOKS of Alabama, Mr. COOK, and Mr. BRIDENSTINE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MILLER, or a designee, to H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SHERMAN. Mr. Speaker, I voted against H.R. 5063, the Stop Settlement Slush Funds Act of 2016, and voted in favor of amendments that would reduce its scope. I recognize that the power of the Attorney General to impose fines (or civil settlements that have the same economic effect) should normally be used to generate funds for the United States Treasury. Normally the amount paid by the wrongdoer should go to the United States Treasury, and it should be up to Congress to appropriate funds. When appropriate, Congress should provide funds to mitigate the damage done by the wrongdoer. However, the bill that came to the floor of the House was in essence a purely Republican bill with substantial flaws. In particular, it did not provide a mechanism for major settlements to be reviewed and approved by Congress when those settlements provided for payments to third parties. I look forward to working next year on truly bipartisan legislation designed to address the concerns voiced by the supporters of the bill.

KENT OBERT: PHOENIX, ARIZONA

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SCHWEIKERT. Mr. Speaker, Kent Obert, 18 years old, died of an accidental prescription drug overdose in 2003. One night during his sophomore year of high school, Kent called his mother to say that he was out with some friends and wasn't coming home that night. He was calling because he didn't want to worry his mother, but when they hung up she knew something was wrong. Kent's mother waited for him when he came home at 6:00 AM.

Life changed for the Obert family that morning. Kent went to the doctor and tested positive for substances. His family restricted Kent's computer time and monitored his activities. They made a lot of changes that next year and Kent adjusted fairly well. He transferred schools and graduated with ease. Kent got a job he loved and spent time with his friends and family. His family thought they had dodged the bullet—Kent didn't want to be addicted to drugs so they mistakenly thought they were out of the woods. It seemed that all was well, but Kent's family didn't know any better.

Before Kent turned 18, he was scheduled to have his wisdom teeth removed. His mother

filled the prescription before his surgery and as she was looking at the bottles, she noticed that one of them had fewer pills in it than the other. When she confronted Kent about it he admitted to having taken some.

She asked Kent why and his answer was chilling. He asked his mother to think about a time in her life when she had felt "Great"—"The Best." When she nodded Kent said, "The first time you get high, it's better than that. It feels so good that you want to feel that way again—only it's physically, chemically impossible." He explained how the drugs alter your brain chemistry and why people take more and increase their frequency of use in an attempt to get back to the feeling of that first high.

On a Monday in September, 2003, there was a knock on the Obert family's door and soon they heard the words: "Your son has died."

Kent and two other kids crushed some Oxycontin and washed them down with beer. Kent got sleepy and the other two left. As Kent slept, the drug slowed his respiratory system down until it stopped completely. His roommate found him the next day—already gone.

CELEBRATING THE 250TH ANNIVERSARY OF ST. MICHAEL'S CHURCH

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. DENT. Mr. Speaker, it is an honor to bring to the House's attention the 250th Anniversary of St. Michael's Church, which has served as a place of spiritual refuge, communal gathering, and a historical landmark for the surrounding community of Tilden Township, Pennsylvania.

Located at 529 St. Michael's Road in Tilden Township, St. Michael's Church was originally organized in February 1766, although services were still held in houses and barns. It would be another three years before the congregation would have a physical building donated by Philip Jacob Michael, the namesake of the Church. Michael would leave the Church in May 1777 to be a chaplain in the first battalion under Col. Michael Lindenmuth—one of the original elders of the Church—during the Revolutionary War. As the need for a larger meeting space grew along with the congregation, a decision was made to move the Church to the present-day site in 1810.

Two centuries later, St. Michael's continues to thrive with a robust congregation that carries on a long tradition of engaging with the community through ministry, fellowship, and service.

My heartfelt congratulations are extended to the members of St. Michael's Church on this

250th Anniversary. I am confident that I speak on behalf of the community when I thank them for their efforts on behalf of the people of Tilden Township and Berks County as a whole.

I ask the House to join me in offering well wishes and congratulations to the men and women of Tilden Township's St. Michael's Church. May the next 250 years continue to see congregational growth and meaningful outreach to the surrounding communities.

TRIBUTE HONORING THE COMMISSION OF THE USS "MONTGOMERY" NAVY SHIP

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the commission of the USS *Montgomery* into military service as a Navy ship. Alabama's capital city is honored to have another ship to bear its name in the U.S. Navy operating in the U.S. 7th Fleet.

The city of Montgomery is proud to celebrate the second ship named for the state's capital. It is especially noteworthy to have a Navy presence in a predominately Air Force town, and I along with the city of Montgomery and the state of Alabama are honored to know that this U.S. Navy ship from Alabama will go all over the world.

The USS *Montgomery* commissioning has been a six-year process which began in 2010, when it was proposed to Montgomery Mayor Todd Strange. The ship has since been referred to as one of the most technologically advanced warfare systems in the world.

The USS *Montgomery*, an *Independence*-class Littoral Combat Ship (LCS), will operate close to shore providing surface, undersea and mine warfare along with search and rescue missions, maritime surveillance and interdiction, intelligence, amphibious operations and disaster relief.

The ship will support its sister ship, the USS *Independence*, and will operate in the U.S. 7th Fleet and will be under the command of Officer Daniel G. Straub.

I ask my colleagues to join me in recognition of the commission of the USS *Montgomery* into military service as a Navy ship.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

COMMEMORATING ACACIA LODGE
NO. 586, FREE AND ACCEPTED
MASON'S ON ITS 125TH ANNIVER-
SARY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to commemorate Acacia Lodge No. 586, Free and Accepted Masons, of Waynesboro, PA, on its 125th anniversary.

The Waynesboro community has been fortunate to have the Acacia Lodge No. 586 since it was constituted on May 22, 1891, and today I congratulate the Lodge for standing as a symbol of brotherly love, relief, and truth for 125 years.

Since the club's chartering, its members have included a diverse group of individuals united in their passion for everlasting fraternal bonds combined with service to community. In that time, hundreds of men have lent their time and talents to improve the quality of life throughout the Waynesboro area. Though much has changed throughout Waynesboro in the past 125 years, the commitment of the Masons has remained steadfast, serving the needs of the local community and remaining dedicated to the betterment of humanity.

Countless meetings, man-hours of work, and events have enabled the Acacia Lodge No. 586 to reach a community presence of which its 1891 founders would be proud. I am grateful for their contributions throughout Pennsylvania's 9th district and would like to thank all who have helped the organization reach this momentous milestone of 125 consecutive years of service.

RECOGNIZING THE TYLER JUNIOR
COLLEGE APACHES' 2016 NJCAA
DIVISION III WORLD SERIES
CHAMPIONSHIP

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GOHMERT. Mr. Speaker, it is with tremendous joy, heartfelt satisfaction, and a humble appreciation that I once again rise and address this chamber in recognition of the Tyler Junior College Apaches Baseball Team. In securing a third straight win of the Division III NJCAA World Series baseball tournament, this championship team of accomplished athletes has shown the unflagging enthusiasm, grit, and moxie found in the best and most industrious individuals.

You may remember that last year I undertook a similar endeavor when the TJC Apaches brought their second straight World Series win back to Tyler, remarking at that time that the 2015 champions were 'doggedly tenacious' in their pursuit—and they most certainly were. But if 2015's champions were doggedly tenacious, the only appropriate characterization for the 2016 TJC Apaches has to be herculean.

The TJC Apaches travelled to Kinston, North Carolina for this year's tournament.

From the start, the odds were stacked against them. The TJC Apaches had lost all but 7 of their seasoned veterans from the 2014 and 2015 championship wins, and despite coming into the showdown with 38 wins and only 16 losses, managed to find themselves down 3 runs to 0 in the game that would decide it all. That didn't faze or discourage this team of young men in their quest for excellence, however. With their eyes trained toward the prize and the strength of their camaraderie uniting them, the TJC Apaches turned the game around and emerged the victors.

The TJC Apaches were led by a top notch management team, including: Head Coach Doug Wren; Assistant Coaches Chad Sherman and Taylor White; Training Staff Brett Adams, Shelby Davis, Eddy McGuire, and Spenser Deeken; and Support Staff Colter Dosch and Justin Doelitsch.

Accolades go, of course, to the young men who were on the baseball diamond, including Jace Cambell, Ryan Cheatham, Jonathan Groff, Hunter Haley, AbeRee Heibert, James Kuykendall, AJ Merkel, Chandler Muckleroy, Kyle Porter, Josh Raiborn, Adan Ross, Garin Shelton, Sam Sitton, Weston Smart, Travis Smith, J.P. Gorby, Austin Ballew, Mason Mallard, Brentten Schwaab, Tanner Arst, Luke Boyd, Nathan Methvin, Matt Mikusek, James Phillips, Payton Stokes, Jordan Trahan, Hunter Wells, Jarrod Wells, Colton Whitehouse, Beau Buesing, Austin Cernosek, Alex Masotto, Jared Pauley, Justin Roach, and Tanner Wisener.

Once again, the students at Tyler Junior College have added another terrific chapter to their storied athletic history. Of course, great credit is owed not just to the students, but to the entire staff and leadership network at TJC, including: TJC President Dr. Mike Metke, Athletic Director Dr. Tim Drain, Vice President of Student Affairs Dr. Juan Mejia, Associate Athletic Director Chuck Smith, Assistant Athletic Director Kelsi Weeks, and Administrative Assistant Sherry Harwood.

Naturally, none of the accomplishments of this team would have been possible if not for the supporting families, the terrific enthusiasm of the TJC Apaches' fans, and the positive encouragement of the east Texas community. The solid bedrock these folks provided to the TJC Apaches baseball team undoubtedly helped in their securing of a third World Series win.

It is with great pride that I join the constituents of Texas' First District in extending heartfelt and sincere congratulations to the players and staff of the 2016 NJCAA Division III World Series National Champions, the Tyler Junior College Apaches Baseball Team. Their significant athletic achievement and incredibly laudable legacy is now, and will forever be, recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

RECOGNIZING THE OUTSTANDING
SERVICE TO THE COMMUNITY OF
PORT ANGELES AND THE OLYM-
PIC PENINSULA BY MR. DWAYNE
JOHNSON

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. KILMER. Mr. Speaker, when most people hear "Dwayne Johnson" they think of "The Rock," but I want you to stop and smell what I'm cooking. I rise today to recognize Dwayne Johnson of Port Angeles, WA, an educator and a proud member of the Makah and Lummi tribes, and to congratulate him on receiving the Trustee of the Year Award from the Rural Community College Alliance, a national organization representing over 600 rural community and tribal colleges.

Mr. Johnson has been a member of the Peninsula College board of trustees since 2006 and has twice served as chairman. Between 2008 and 2012, when the college faced the challenge of an unprecedented increase in enrollment amid cuts to funding and increased tuition rates, Mr. Johnson and his fellow board members provided critical support to the staff and administration of Peninsula College. When Peninsula College had to navigate difficult budget decisions, Mr. Johnson was key in engaging the local community to explain the need for some of these changes.

In his other capacity, Mr. Johnson serves as athletic director for the Port Angeles School District. The Washington Interscholastic Activities Association recognized Mr. Johnson's accomplishments in youth sports by naming him 2016's League Athletic Director of the Year for the Olympic League. The Washington Secondary School Athletic Administrators Association also recently recognized his work with their Outstanding Service Award. As a graduate of Port Angeles High School, I've personally seen the investment he makes in young people. It's a difference-maker. As athletic director, Mr. Johnson encourages his students to strive for excellence in both sports and education, urging them to ultimately reach for the next bar in their educational journey. Many of these students pursue higher education at Peninsula College.

Furthermore, as a member of the Makah and Lummi tribes, Mr. Johnson has devoted his energies to projects—including the building of the House of Learning Longhouse—that have encouraged more members of local tribes to participate in the life of Peninsula College. As a result of his efforts, enrollment rates of Native American students at Peninsula College have never been higher.

Mr. Speaker, it is an honor to represent a dedicated community leader and friend who is truly a rock for so many young people in our region. I am grateful for his efforts and dedication and am proud to recognize Mr. Johnson's achievements today in the United States Congress.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. SEWELL of Alabama. Mr. Speaker, during Roll Call votes held on September 12, 2016, I was inescapably detained handling important matters related to my District and the State of Alabama. If I had been present, I would have voted Yes on H. Res. 847 and Yes on H. Res. 835.

TRIBUTE TO EARLHAM LION'S CLUB

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Earlham Lion's Club for being honored as the 2016 Citizens of the Year at the Earlham Freedom Fest.

Earlham Lion's Club was chartered on June 1, 2009 and have since faithfully served their community. They provide eyesight screenings and collect used eye glasses for use on missions in developing countries. Earlham Lion's club members have provided a free community Thanksgiving dinner and provide school supplies for children in need along with a number of other programs.

Mr. Speaker, I know that my colleagues in the United States Congress join me in congratulating the Earlham Lion's Club for being selected as the 2016 Citizens of the Year. It is an honor to represent them in the United States House of Representatives and I wish them all nothing but continued success.

CAMPUS FIRE SAFETY MONTH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. PASCRELL. Mr. Speaker, I rise today to recognize Campus Fire Safety Month during the month of September.

I first became involved in the issue of campus fire safety following a tragic fire at Seton Hall University, in which three students were killed. Since that time, we have made many strides, including the passage of the Campus Fire Safety Right to Know Act, which will ensure that prospective students and their families are provided with the fire safety records, information and statistics of colleges and universities.

Last academic year, there were no college-related fire deaths anywhere in the U.S. for the first time since 2000—an incredible drop from when 20 people were killed in 2006–2007. This progress can be attributed to the commendable efforts of fire departments, schools, and communities coming together to address this serious problem.

According to the United States Fire Administration, 94 percent of college-related fire deaths happen in off-campus housing, where most students live. Through greater awareness and education, both students and parents are able to make informed decisions on choosing fire-safe housing that includes smoke alarms and two ways out. Students are more aware of how their actions can avoid having a fire happen in the first place and what to do if one does occur. This not only helps save their lives, but also the lives of their roommates and the fire fighters who are responding.

By teaching college students about fire safety, we are teaching them not only how to be fire-safe during their time in college, but also for the rest of their lives. By creating a fire-safe generation now, we can make society safer for the future and reduce the tragic impact of fire. In the U.S. approximately 3,000 people die in fires every year.

It is my sincere hope that college campuses in New Jersey and across the nation will participate in Campus Fire Safety Month activities throughout September. We must do all that we can to keep our nation's students safe and informed. This is also why I introduced the Campus Fire Safety Education Act, to provide universities with grants they can use to develop or implement campus fire safety education strategies. We must do everything in our power to ensure the safety and security of our children when they leave for college.

I want to commend all of those who are working to make our campuses and communities better places to live, because fire safety is everyone's fight. Fire safety on campus today means a fire safe nation for tomorrow.

TRIBUTE TO THE STUDENTS OF YUMA HIGH SCHOOL

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize the dedication and achievements of the students of Yuma High School.

In memory of Eliza Routt and her tireless commitment to public service, Colorado and Secretary of State Wayne Williams have created the Eliza Prickell Routt Award. This award recognizes high school students who register 85 percent or more of their senior class to vote and commends the outstanding dedication of students who are participating in civic engagement.

This year, the recipient of the Eliza Prickell Routt Award is Yuma High School. This student body has shown their commitment to strengthen our democracy and improve our ability to govern. The efforts made by these high school students are significant, and we should applaud them as their accomplishment will better our nation for future generations.

It is truly inspiring to see the next generation, represented by these students, striving for a better future. Yuma High School, and these young men and women, embody the values that make America exceptional. I would like to extend my sincerest congratulations in

this achievement and their acceptance of the Eliza Prickell Routt Award.

Mr. Speaker, it is an honor to recognize Yuma High School and its students for their commitment to democracy and the United States of America.

PERSONAL EXPLANATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. FRELINGHUYSEN. Mr. Speaker, on Roll Call Number 491, on the motion to suspend the rules and agree to H. Res. 660, Expressing the sense of the House of Representatives to support the territorial integrity of Georgia, I am not recorded. Had I been present, I would have voted Aye.

TRIBUTE TO JUDY WEDEMAYER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Judy Wedemeyer for receiving the Distinguished Service Award from the Casey Service Club.

Ms. Wedemeyer was recognized at the Casey Fun Day celebration on July 9, 2016. Judy Wedemeyer and Nita Fagan currently serve as co-presidents of the Casey Service Club and are active members of the Casey Historical Society. They have given many hours to researching and writing the "Memories of Casey" column for The Adair News and are responsible for spearheading the Hearts of Gold Fundraiser campaign.

Mr. Speaker, I know that my colleagues in the United States Congress join me in commending Judy Wedemeyer for her service to Casey and congratulate her on this award. It is an honor to represent her in the United States House of Representatives and I wish her nothing but the best in her future endeavors.

RECOGNIZING THE McLANEY FAMILY AS THE 2016 OKALOOSA COUNTY, FLORIDA, FARM FAMILY OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MILLER of Florida. Mr. Speaker, it is with great pleasure that I rise to recognize the McLaney Family of Laurel Hill for being selected as the 2016 Okaloosa County, Florida, Outstanding Farm Family of the Year.

Although Joel McLaney was previously an electrician by trade, farming has been a part of the McLaney family for three generations. When Joel transitioned into farming full time, he purchased 83 acres of land from his grandfather who was involved in the poultry industry. For many years, Joel raised poultry in five

chicken houses, and today on 300 acres, the McLaneys raise cattle and grow a variety of crops, including: cotton, peanuts, and hay.

Joel and his wife Gena of 25 years have two children, Josh, who is a senior at the University of West Florida, and Kaylyn, a senior at Laurel Hill High School, within whom they have instilled the value of hard work and to whom they plan to pass on the farm to continue the McLaney family farming tradition.

Aside from their time on the farm, Joel is a bus driver and Gena is a teacher. The McLaneys are also active members of Auburn Pentecostal Church and the Farm Bureau.

Mr. Speaker, the Okaloosa County Outstanding Farm Family of the Year Award is a true reflection of the McLaneys' tireless work and their dedication to family and farming. On behalf of the United States Congress, I would like to offer my congratulations to the McLaney family for being outstanding in their field. My wife Vicki and I extend our best wishes for their continued success.

CONGRATULATING DAVE ALI FILS-AIMÉ AND BASKETBALL TO UPLIFT THE YOUTH (BUY)

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. WILSON of Florida. Mr. Speaker, I rise today to congratulate Mr. Dave Ali Fils-Aimé on the third anniversary and success of Basketball to Uplift the Youth (BUY). Using basketball as a tool, BUY provides year-round mentorship for school-aged boys and girls in Haiti. The program combines basketball and education to encourage teamwork, promote healthy lifestyles, build leadership skills, and promote the value of service.

Fils-Aimé, a graduate of Yale University and Harvard University, left Haiti for the United States at the age of twelve. As a former participant of the 5000 Role Models of Excellence Project, a drop-out prevention and mentoring program I started nearly 25 years ago in South Florida, Fils-Aimé is a walking embodiment of what it means to be a role model. Using his experience with 5000 Role Models and his passion for Haiti's youth, he created Basketball to Uplift the Youth in July 2013.

Since its inception, BUY has engaged youth from some of Port-au-Prince's most disadvantaged neighborhoods. The program works to mold young, well-rounded individuals in Haiti. There are also plans to expand the program by establishing a scholarship fund. Fils-Aimé's leadership and commitment to excellence have allowed the program to flourish in its three years.

Mr. Speaker, I ask you to join me in congratulating Dave Ali Fils-Aimé for his success and commitment to serving Haiti's youth, and the achievements of Basketball to Uplift the Youth.

TRIBUTE TO REAR ADM. ART CLARK, USN (RET.), DEPUTY LAB DIRECTOR, IDAHO NATIONAL LABORATORY

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SIMPSON. Mr. Speaker, I rise today to honor Rear Admiral Arthur Clark, an extraordinary leader with 45 years of experience in management of large operations, in the U.S. Navy and at the Department of Energy's Idaho National Laboratory.

Born and raised in Ohio, Rear Admiral Clark served two tours in Vietnam as an in-country advisor, and was one of the last U.S. military personnel to leave in 1973. From there, he went on to hold leadership roles that transformed the U.S. Navy at the end of the 20th century. He was project coordinator for the construction of *California*- and *Virginia*-class guided missile cruisers, which integrated nuclear reactors and advanced combat systems into the world's most advanced surface ships. As Commander of the Puget Sound Naval Shipyard, he led the first program for reactor compartment disposal of the first 28 nuclear reactors to long-term, environmentally safe storage. He also developed recycle disposal of nuclear submarine and ship hulls. As Director of Fleet Maintenance of the U.S. Atlantic Fleet during Operation Desert Shield/Desert Storm he developed innovative maintenance processes that contributed to success in Bosnia and the Second Gulf War.

After retirement from the Navy, Admiral Clark served two years as president of B&W Hanford Co., where he was responsible for the decommission and inactivation of numerous World War II legacy nuclear material production facilities. These included the PUREX and B Plant. He also started the thermal stabilization of 43 metric tons of excess weapons grade plutonium stored in the Plutonium Finishing Plant at Hanford, Washington.

Art then accepted an assignment as Vice President and Director of Site Operations at the Idaho National Environmental and Engineering Laboratory. His work there led to the inactivation and cleanup of legacy nuclear facilities including several nuclear research reactors and spent fuel pools. He oversaw processing of the debris from the Three Mile Island reactor accident for interim safe storage, and also delivered the first 3,100 cubic meters of trans-uranic material left over from the Rocky Flats weapons production facility to underground storage in New Mexico. Art was responsible for design, construction, and start-up of the Advanced Retrieval Project, which is being used for cleanup of the laboratory's TRU buried waste disposal site.

Art served six years as Deputy Laboratory Director for Operations at the Idaho National Laboratory, the nation's lead nuclear laboratory, where he had responsibility for overseeing the safe operation of the laboratory's nuclear facilities, including the Advanced Test Reactor (ATR), the nation's most versatile irradiation test facility. He helped direct the development of the Next Generation Nuclear Plant, a high-temperature gas reactor designed for

process heat applications. He currently serves as Senior Technical Advisor to the Laboratory Director, with a focus on important cross-cutting and strategic initiatives.

He holds a master's degree in Industrial Management from George Washington University and a bachelor's degree in Mechanical Engineering/Marine Engineering/Naval Architecture from Virginia Tech. He is also a graduate of the University of Virginia Executive Program.

It is a great honor to congratulate Admiral Clark on his remarkable career of achievement. Art represents the best of the many talented people in the Navy and the National Laboratory complex whose knowledge and skill have been essential to keeping our nation strong and secure. Thank you, Admiral Clark for your service to our nation, and congratulations on your many accomplishments.

TRIBUTE TO MARJORIE AND JAMIE BENOIT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marjorie and Jamie Benoit on the very special occasion of their 60th wedding anniversary.

Jamie and Marjorie were married on July 15, 1956 in Long Beach, California and now make their home in Creston, Iowa. Their life-long commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. WITTMAN. Mr. Speaker, I missed a recorded vote on September 7, 2016. Had I been present, I would have voted "NO" on roll call vote No. 484, Cicilline of Rhode Island Amendment No. 2.

HONORING DR. BHAGWATI J. MISTRY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. ENGEL. Mr. Speaker, I rise today to honor a dear friend, Dr. Bhagwati J. Mistry,

who is being honored with the D. Austin Sniffen Medal of Honor for 2016 by the Ninth District Dental Association.

Born on February 17, 1953 in the City of Ahmedabad, India, BJ as she is better known was the youngest of five children born to Laxmichand and Shakriben Gajar. Her parents were always supportive, especially her mother who would often encourage BJ to go into medicine, as it was "the best profession to serve." From humble beginnings, BJ went on to complete her schooling and attend the Government Dental College in Ahmedabad. Soon she met the love of her life and future husband, Jagdish Mistry, and following their marriage in 1977 they emigrated to the United States in 1978. Following graduation from the Government Dental College in India, BJ entered a Postgraduate Pediatric Dentistry program at the College of Medicine and Dentistry of New Jersey. In 1982, she established a thriving Pediatric Dentistry practice in Tarrytown New York, "Pediatric Dental Care of Westchester." In 1991, BJ became a Diplomate of the American Board of Pediatric Dentistry. In 2005, her work was recognized by the American Dental Association (ADA) which awarded BJ the Best Grassroots Team Leadership Award.

But no recognition is as important to BJ as her family. She and Jagdish have been happily married for almost 40 years, and together they have raised two wonderful and accomplished daughters, Nisha and Shivani.

I have known BJ for many years, and I treasure our friendship together. She is incredibly deserving of this honor, and I want to congratulate her on this joyous occasion.

**TRIBUTE TO THE 2016 JOHNSTON
LITTLE LEAGUE BASEBALL
WORLD SERIES TEAM**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Johnston Little League Baseball World Series Team for winning the Midwest Regional Little League Championships. This team, comprised of 14 young men, was also one of only eight teams to represent the United States in the Little League World Series and performed admirably. They placed fourth in the United States and 7th place in the world.

Mr. Speaker, the example set by these young men and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them and their families in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating these young people for competing in this rigorous competition and wishing them all nothing but continued success.

**OUR UNCONSCIONABLE NATIONAL
DEBT**

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,482,086,271,333.82. We've added \$8,855,209,222,420.74 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GRIFFITH. Mr. Speaker, on roll call no. 495 on motion pass H.R. 5424, the Investment Advisers Modernization Act of 2016, I was detained.

Had I been present, I would have voted Yea.

FIRST RESPONDERS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mrs. BLACKBURN. Mr. Speaker, fifteen years ago yesterday, we all remember where we were when we first heard a plane had hit the North Tower of the World Trade Center. We also remember that solemn moment when we saw the second plane hit. We knew instantly that our country would never be the same. As we were just beginning to understand the gravity of what had happened, there were men and women who already were in action to prevent further loss of life. Air traffic controllers took the unprecedented action of clearing our nation's airspace of over 4,452 aircraft. Within hours, the FBI had determined who was responsible for perpetrating the terrible acts. Passengers on Flight 93 forced their own plane into a field in Shanksville, Pennsylvania to avoid it being used as a weapon against the White House or the Capitol building.

The most powerful images we saw that day were the first responders. As people were running from the World Trade Center towers and the Pentagon toward safety, men and women in uniform were heading in the opposite direction to save as many people as possible from burning and collapsing buildings. At that moment, their bravery, instinct and training took over. Those professionals knew that they may be giving their lives to save others. It is fitting that this tribute to the first responders of Brentwood is dedicated on this most somber of days. Brentwood Fire and Police first re-

sponders are no different than the men and women we witnessed sacrificing themselves on 9/11. Their bravery, training and character is no different. They help keep us safe. Through doing so, they protect our freedom.

Thank you to the City of Brentwood, Leadership Brentwood and the businesses who have made this Honor Garden possible. It will serve as a constant reminder of the service and sacrifice of a few who protect so many.

**TRIBUTE TO SHAROL AND DON
STEINBECK**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Sharol and Don Steinbeck of Griswold, Iowa on the very special occasion of their 60th wedding anniversary.

Sharol and Don's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

**RECOGNIZING FLORIDA'S 16TH
CONGRESSIONAL DISTRICT FIRE
AND RESCUE AND EMS PER-
SONNEL**

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. BUCHANAN. Mr. Speaker, I rise today to recognize fire and rescue and EMS personnel who have provided distinguished service to the people of Florida's 16th Congressional District.

As first responders, fire departments and emergency medical service teams are summoned on short notice to serve their respective communities. Oftentimes, they arrive at scenes of great adversity and trauma, to which they reliably bring strength and composure. These brave men and women spend hundreds of hours in training so that they are prepared when they get "the call."

In 2012, I established the 16th District Congressional Fire and Rescue and EMS Awards to honor officers, departments, and units for outstanding achievement.

On behalf of the people of Florida's 16th District, it is my privilege to congratulate the following winners, who were selected this year by an independent committee comprised of a cross section of current and retired fire and rescue personnel living in the district.

Battalion Chief Scott Blanchard of the City of Venice Fire Department was chosen to receive the Above and Beyond the Call of Duty Award.

Firefighter Christopher Carver of the North River Fire District was chosen to receive the Above and Beyond the Call of Duty Award.

Chief Brian Gorski of the Southern Manatee Fire and Rescue District was chosen to receive the Career Service Award.

Lieutenant David Hawes of the North Port Fire Rescue District was chosen to receive the Above and Beyond the Call of Duty Award.

Engineer Mathew Redmond of the North River District was chosen to receive the Above and Beyond the Call of Duty Award.

HONORING PROSPECT HEIGHTS FIRE CHIEF DONALD GOULD, JR.

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of Prospect Heights Fire Chief Donald Gould, Jr.

The Prospect Heights Fire Department made great strides under Chief Gould's leadership. When he took over as chief, there were no full-time firefighters in the district. The Prospect Heights district only consisted of volunteers and part-time staff. As of today, there are 15 full-time firefighters and 35 part-time members.

Chief Gould leaves Prospect Heights with an outstanding professional fire force that continually seeks to meet the community's public safety needs.

Mr. Speaker, along with the citizens of Prospect Heights, it is an honor today to express our deepest appreciation to Fire Chief Donald Gould, Jr. for his 49 years of service with the Prospect Heights Fire Protection District.

TRIBUTE TO NAOMI AND GENE HACKWELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Naomi and Gene Hackwell of Anita, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on July 9, 2016.

Naomi and Gene's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING MATTHEW A. TAYLOR

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. ENGEL. Mr. Speaker, I rise today to honor a wonderful young man in my district, Matthew A. Taylor, who was recently conferred the rank of Eagle Scout, the highest achievement or rank attainable, by the Boy Scouts of America on May 31st, 2016.

Matthew's hard work and dedication has been evident throughout his Boy Scout career, culminating with an Eagle Scout project that was exceptional in its scope and accomplishments. Matthew focused on helping to improve the Thomas Paine Cottage Museum, the last structure in North America that the Founding Father owned as his home and is open to the public as a historic house museum, in New Rochelle. Matthew's efforts to help update and restore key elements of the cottage included scraping, sanding, and repainting the wooden porch at the cottage's front entrance as well as the entrance door and railing at the rear of the cottage; repairing loose stone and broken mortar joints on the property's stone pedestrian bridge; power-washing the bridge; and cleaning up debris from the creek. His work was instrumental in maintaining and preserving the property, which in turn helps to perpetuate and promote the rich history of the City of New Rochelle.

But Matthew's project was only one facet of his work and ambition. He has committed his life to making a positive impact on his community and the people around him, and his attaining the rank of Eagle Scout is proof of that dedication and commitment.

On September 10, 2016 Matthew and his family celebrated his Court of Honor with a wonderful award ceremony. I want to congratulate Matthew on this tremendous honor and personally thank him for all he has done to better his community.

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SAM JOHNSON of Texas. Mr. Speaker, I submit the following with regard to missed votes on the week of September 4, 2016.

On Roll Call number 479, had I been present I would have voted Yes.

On Roll Call number 480, had I been present I would have voted Yes.

On Roll Call number 488, had I been present I would have voted Yes.

On Roll Call number 491, had I been present I would have voted Yes.

On Roll Call number 493, had I been present I would have voted Yes.

On Roll Call number 495, had I been present I would have voted Yes.

TRIBUTE TO JUDY AND JERRY FULLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Judy and Jerry Fuller of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on July 9, 1966 at First Assembly of God Church in Council Bluffs.

Judy and Jerry's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING 9/11 VICTIMS OF NEW JERSEY'S THIRD CONGRES- SIONAL DISTRICT

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MACARTHUR. Mr. Speaker, upon the 15th anniversary of the September 11th Terrorist Attacks, I rise today to honor all the victims of that horrible day, and specifically, those of New Jersey's Third Congressional District. Innocent loved ones were stolen far too soon from family and friends, and brave first responders were lost in the line of duty in the wake of the attacks.

The love that we demonstrated for our fellow citizens in the aftermath of the attacks was the ultimate rebuke to the hatred of those who attacked us fifteen years ago. I stand today, overwhelmed with that same love and feeling of unity. Today, I would like to especially remember these New Jersey residents:

Manuel Alarcon of Medford
Peter Apollo of Waretown
Brett Bailey of Brick
Nicholas Bogdon of Pemberton Borough
Christopher Cramer of Stafford
Michael Diehl of Brick
Patricia Fagan of Toms River
Joan Griffith of Willingboro
Leroy Homer of Evesham
Gricelada James of Willingboro
Robert Kennedy of Toms River
Ferdinand Morrone of Lakewood
Jon Perconti of Brick
James Sands, Jr. of Brick
Raphael Scorca of Beachwood
Lesley Thomas of Brick
Christopher Traina of Brick
Perry Thompson of Mount Laurel
Lee Adler of Springfield
JoAnn Heltibridge of Springfield

James Murphy of Point Pleasant

This anniversary should remind us that the American way of life stands for freedom and the firm belief that people can govern themselves through free exchange of ideas and respect for one another. We do not bend to those who rule by oppression, violence, and fear and that will never change. This anniversary reminds us that we can band together, that we have done so in the past and that we will continue to do so going forward, in the spirit of our nation. Today, we move forward together in honor of those that were lost on that terrible day, united as one, determined to prevent such terrible tragedy from occurring again.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had each and every one of these victims as selfless and dedicated members of their communities. It is with a heavy heart that I commemorate their lives, and recognize the lasting legacies that they have left behind, before the United States House of Representatives.

HONORING ANTHONY A. NICHOLS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Anthony A. Nichols, the President and CEO of Central Federal Savings and Loan Association of Chicago. For over one hundred years, Central Federal Savings has provided financial services to communities in Chicago and the surrounding suburbs. Mr. Nichols has served as President of Central Federal Savings of Chicago for the past 48 years and has led the bank through economic downturns and other challenges to become one of the strongest in the nation.

During Mr. Nichols' tenure as President of Central Federal Savings, he has wisely guided the bank through difficult economic conditions that has led to the failure or consolidation of many other community banks. As of today, Central Federal Savings holds a 5-star rating from Bauer Financial and in every regulatory examination that the bank has undergone during the past fourteen years, it has been rated "outstanding" for its Community Reinvestment Act lending.

Outside of his professional life, Mr. Nichols has devoted a substantial part of his personal time to giving back to his community. He has served on the boards of most of the local chambers of commerce in his area and was one of the founders of the Lincoln-Belmont Businessmen's Association; now the Lakeview Chamber of Commerce. He also serves as a Director of the Chicagoland Association of Savings Institutions, as a Director of the Illinois Savings and Loan League, and as a leader in many other financial and business organizations in Chicago.

In addition to those organizations, Mr. Nichols serves on multiple committees for Saint Joseph Hospital, including as President of their Associates Board and Vice President of the Hospital Foundation. In addition, he serves

as the President and a Trustee of St. Andrew Greek Orthodox Church, a Trustee of the Greek Orthodox Diocese of Chicago, a Director for Greek Star Newspaper, a Director and the Treasurer for the Hellenic Foundation, among many other positions.

Mr. Speaker, I ask all of my colleagues to join me in recognizing all of the great work Anthony Nichols has done for his community. Mr. Nichols has proudly served Chicagoland in both his professional and personal life in order to make his community a better place for everyone. I wish to thank him for his many years of service.

HONORING MARIAN LUPU

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of Marian Lupu, a zealous warrior for the elderly, who died on Sunday, August 14, 2016 at age 91 at her home in Tucson, AZ. Marian's impact on the field of aging and the development of programming designed to help older adults cannot be over-estimated. She pioneered efforts to improve services to the elderly through both the development of model programs and the influence of local, state, national and even international policy. She originated or advanced many health and social care delivery models for older persons that have been widely replicated.

Born in Chicago, Marian grew up during the Great Depression in an observant Jewish household. Her education may have sewn the early seeds for her advocacy approach. She took one of the first courses ever taught on aging when she was a graduate student at the University of Chicago and was a student of famed community organizer Saul Alinsky. "I soon decided," she said, "that all the research in the world wasn't going to help the aging population unless it provided services and advocacy." After completion of a degree in industrial relations, she worked for the National Opinion Research Center at the University of Chicago, first as an interviewer, and then a supervisor of a nationwide, multi-year survey about issues facing the elderly.

Marian married Charles Lupu in Chicago in 1948. Their nearly sixty year union was a source of great joy and stability for her. Charles was unusual for the era in being completely supportive of his wife's professional career, never looking at her accomplishments as in any way diminishing his own. After living in Chicago, New Orleans, Charlottesville, and Pittsburgh, they settled in Tucson in 1966. A child of the Great Depression, Marian could never quite believe her good fortune in actually buying a house—her first—when she and her husband moved to Tucson. It was located in the now historic Harold Bell Wright neighborhood and she delighted in finding old copies of Harold Bell Wright's once popular novels at yard sales and flea markets.

Shortly after moving to Tucson, Marian became the founding executive director of the Pima Council on Aging (PCOA). When she retired from PCOA in 2007 at the age of 82, she

had the distinction of being the longest serving Area Agency On Aging Executive Director in the nation. But it was not so much the length of her tenure as the tenacity and skill of her advocacy that won her wide recognition and admiration. She saw the increasing ranks of the older population not as a problem, but as a resource. In 1978, when she was president of the Western Gerontological Society (now the American Society on Aging) she said, "I don't see increasing number of elderly persons as a problem . . . Just as we changed from a frontier society to a manufacturing and agricultural society, we will change . . . because the demographics of our country are changing." The older population will be "pioneers, thinkers and dreamers for the future."

An early demonstration program developed in 1972 through Marian's leadership at the Pima Council on Aging, and funded in part through the Model Cities Program of President Lyndon Johnson's Great Society, served to define the now common concept of continuum of care. Central to the delivery system was the idea that each person participating in the program would be assigned a facilitator—a social worker responsible for identifying what services were needed, arranging for service delivery, and monitoring appropriateness of care. The services selected as most critically needed by Pima County residents included health-homemaker, home delivered meals, social and nutrition services, day care, and transportation.

Other innovative programming that Marian helped develop and implement included comprehensive adult day health services, senior socialization and nutrition programs in senior centers, senior art fairs (the "Sun Fair" in Tucson), the role of case managers in coordinating multiple services for older adults offered through a variety of providers, living environments for older adults that accommodate for sensory changes, and comprehensive hospice care.

Many of these programs were developed in concert with other community leaders, with academic partners at the University of Arizona, especially Dr. Theodore Koff, and with elders themselves. Her career-long association with Dr. Koff was an unusually strong example of academic/community partnership.

Marian was well known in the halls of Congress, in the Arizona state capitol, and in county and city agencies. Whenever an issue of concern to the elderly arose, she would make sure that the galleries were full of senior citizens willing to speak out. Former Tucson Mayor Lew Murphy recalled in a 2003 interview with the Arizona Daily Star this well-known tactic of Marian's in advancing funding for seniors. She was relentless. "Marian, just tell us what you want, and we'll get this over with," Murphy would direct her.

Marian's early success in building a model network of services in Tucson was showcased in a 1976 Working Paper of the Special Senate Committee on Aging, which highlighted many Tucson agencies working together to deliver adult day care, home care, and special transportation at a time when these services were novel. Marian attended four White House Conferences on Aging in 1971, 1981, 1995 and 2005 and made many other trips to Washington D.C. to advocate for senior services.

She relished telling the story of how she had chided President Carter during one of those trips to Washington. Nelson Cruikshank, President of the Federal Council on Aging, had arranged for a number of senior advocates to meet with the president. They had 15 minutes. The President entered the room and began speaking about the Panama Canal treaty, which was very much on his mind at the time. The clock was ticking and Marian was anxious that the allotted time would soon run out. As soon as she could, she rose and vigorously told the President, "We are here to talk about what seniors need, not the Panama Canal, and we don't have much time left." Years later, she was on an airplane when President Carter emerged from first class, started walking down the aisle, greeting passengers and shaking hands. When he got to the row where Marian was sitting with her husband Charles, he paused, turned to Charles and said, "You must be a very patient man." Charles demurred and asked why he said that. President Carter replied, "This woman here is the only one besides Helen Thomas who dared to interrupt me and shake her finger at me while I was in the White House."

Marian made an impression on many of the politicians who worked with her because she built bridges and expected cooperation across customarily divisive lines. She found ways to bridge differences between political parties, government and business, ethnic communities, academia, and service delivery. In an era before conference calls were ubiquitous, she was known for having two phone lines on her desk. She would call up someone at the state level on one phone and someone at the federal level on another phone. She would say "Washington—you say X, State you say Y. What am I supposed to do here in Pima County? I need to resolve this regulatory problem in order to. . . ." Soon enough, she would get a resolution to whatever was impeding the latest innovative idea she wanted to put in place in Tucson.

Her contributions on the local, state and national level have been recognized as significant by those who understand the impact of her efforts and accomplishments in helping to improve the lives of many thousands of individuals and multi-generational families. Numerous awards decorate the halls of her home, but it was clear to all that she did not pursue her fierce advocacy in order to gain personal recognition, but in order to fight ageism, improve the lives of elders themselves and of the families that love them, and create an age-friendly society. She thoroughly believed the PCOA motto, "If aging is not your issue now, it will be." Whenever someone said to her, "you don't look 60 (or 70 or 80 or 90), she would reply, "This is what (60, or 70, or 80 or 90) looks like!"

When Marian retired from PCOA at the age of 82, she took her own advice and began an "enclave career." She served as president of the board, back office staff, hall monitor and fairy godmother for Dancing in the Streets, Arizona (DITSAZ). DITSAZ, founded by her daughter, Soleste Lupu, and husband, Joseph Rodgers, is a ballet school in South Tucson serving a diverse population of students of all shapes, backgrounds, economic levels, and special needs. Seventy-five percent of the

dance school's participants are on partial or full scholarships due to poverty in the region. Marian attributed this poverty to both "our prejudice and the lack of jobs." "I thought I saw poverty in the '60s and '70s when I was involved in bringing the needs of the elderly to the community," she says. "But you very rarely heard of the homeless elderly. For kids today it's different. I've never seen poverty among children the way you see it now."

Marian saw working with children as a natural extension of working with older adults. She would say, "We are all part of a family. If the grandparents aren't safe and happy, then the children and grandchildren are worried. And if the grandchildren aren't safe and happy themselves, then the grandparents are worried. We need the children to grow up to be strong, contributing citizens in order to support the services elders need. And we need the elders to contribute their wisdom and perspective and vision to help the next generation flourish." During her encore career, Marian often spoke up about the need for a comprehensive view of education. "We need STEAM, not STEM, to power our society" she would say—referring to the inclusion of arts in a science, technology, engineering and math-focused curriculum.

Marian is survived by her children and their spouses: Dale Lupu and Richard Gladstein; Jarold and Jana (Daniels) Lupu; Soleste Lupu and Joseph Rodgers, and by her grandchildren: Ariella Gladstein; Noah Lupu-Gladstein; and Emily, Cydny, and Neal Rodgers.

The Tucson and the entire national aging community will miss Marian's dedication and passionate advocacy.

TRIBUTE TO BEV AND KEITH CATLETT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bev and Keith Catlett of Hamburg, Iowa for being selected as the Grand Marshals for the 93rd Sidney Iowa Championship Rodeo. Bev and Keith Catlett have been volunteering at the east entrance of the Sidney Rodeo for 32 years.

Bev and Keith are long-standing members of the Sidney community, being involved in all aspects of the region. Keith is a member of Williams, Jobe, Gibson American Legion Post 128 of Sidney and Post 156 in Hamburg, Iowa. Keith proudly served our country in the Iowa Army National Guard and has worked as a farmer, school bus driver, school custodian and a former foreman for the Fremont County Roads Department. Bev served on the Hamburg School Board, volunteered for the Mt. Olive Cemetery Board, Colonial Theatre Board, worked for Stoner Drug and drove a school bus. She is a lifelong member of the Pony Express Riders of Iowa.

Trevor Whipple, President of the Sidney Iowa Championship Rodeo said, "The Catletts are most deserving of being Grand Marshals. They have been great volunteers for many

years. The Rodeo is honored to have them serve as Grand Marshals in 2016."

Mr. Speaker, I applaud Bev and Keith Catlett for their tireless commitment to the Sidney Iowa Championship Rodeo and to the Sidney and Hamburg, Iowa communities. Their 32 years of volunteer service to the Sidney, Iowa Championship Rodeo is a testament to their hard work and determination to succeed. I commend Bev and Keith Catlett for a job well done. I know that my colleagues in the U.S. House of Representatives join me in honoring them for their commitment to their community and wish them nothing but continued success.

THE FINAL FRONTIER

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. POE of Texas. Mr. Speaker, the year was nineteen-sixty-nine. Everyone around the country was glued to their TVs, waiting for video footage of one of the most incredible achievements in human history to hit their screens: a man on the moon. As a young adult in 1969, I watched Neil Armstrong set foot on the Moon and felt a swell of pride when the first word spoken on the moon was "Houston." I am still proud to share a hometown with NASA.

The journey to a moon landing included years of research, tests, and failures. These trials culminated into something that would have seemed unfathomable to anyone just a few years before. A man had piloted and landed a craft on the moon, gotten out, walked around, taken pictures, and returned home safely.

The Space Race was a defining point of the Cold War, and perhaps the most exciting. The Cold War brought fear to the United States, including the looming threat of nuclear war. But the United States was not discouraged, and persevered to innovation with the American values of hard work and dedication. In the midst of fear, the invention of space travel created hope for the future. The Space Race gained as much attention as the Arms Race, and President Kennedy's fierce speeches reminded the American public that this endeavor was just as important in the war against the Soviet Union. Hundreds of the brightest minds in America were called upon not to prepare for war, but to become the new Columbus' and Magellans as explorers of this "new and final frontier."

The Space Program quickly began to receive the same treatment as the Nuclear Arms Programs, with millions of dollars flowing into numerous top secret projects. The newly formed National Aeronautics and Space Administration, or NASA, was faced with one of the toughest jobs on the planet. How were they going to find the men smart enough to construct a device that could not only go to the moon but land for an extended duration and reenter Earth's atmosphere? Not to mention that a few years before a single computer had to have an entire room to be housed in, and they had to find the men brave (or foolish)

enough to fly such a contraption to its harsh and unforgiving destination.

In the beginning, figuring out how we were going to put a man on the moon was not easy. Hundreds of men from all over the country were scratching their heads wondering how they were going to have enough fuel to get them there and back again with all the necessary equipment. It was John Houbolt, an engineer from Iowa who had an ingenious idea that, at the time, seemed ludicrous. Houbolt believed that more fuel could be conserved if the main craft stayed in orbit around the moon and much smaller lander would detach land on the moon, and then reattach with the main craft when it was time to depart.

But this idea stretched so far from what NASA's current team was already working on that many dismissed it. They would have to completely redesign the rocket, not to mention design this new "lander" and figure out how it would fit into the rocket with the astronauts. And they would have to finance even more training for the astronauts who would have to learn to detach and place the lander on the moon, and then relaunch and dock again with the orbiting rocket.

But it didn't take long for Houbolt to make his point. He insisted that this was the best way to accomplish a moon mission, and after months of hard work and redesign after redesign, the lunar lander was born. The iconic "spider" shaped lander is now exhibited in museums around the country, and without it the Apollo missions would have never left the launch pad.

But to pilot these machines of genius, some extraordinarily brave men were needed to explore the final frontier. NASA searched for some of the most gifted pilots and found one in the young Edward White from San Antonio. He was picked to man one of the early Gemini missions, Gemini 4, which only orbited the earth before coming back and acted as a stepping stone before the Apollo missions. During this mission, White became the first American to walk in space, exiting the vehicle and looking down at the Earth below. He was so exhilarated by the experience that he refused to come back into the vehicle at first and had to be given a direct order before he would comply.

"I'm coming back in . . ." he told Houston, "and it's the saddest moment of my life."

Unfortunately, the story of how we made it to the moon is not without tragedies. After proving himself in the Gemini missions, Edward White was selected for the first Apollo mission. It was mere weeks before Apollo 1 was set to launch when the three-man crew was scheduled for a "plugs out the test," meaning they would go through the takeoff procedure without leaving the launch pad. Suddenly, a fire broke out in the main cabin. Pure oxygen quickly filled the tiny cabin, fueling the rapidly spreading fire, and ultimately killing all three men aboard.

While such tragedies set us back in our pursuit of the moon, we have never surrendered to a challenge. The loss of these three brave men only caused NASA to crack down harder on the designs of the vessels that would take men to space, making them more efficient and safer than ever before. As technology evolves, space travel has become safer, however, dis-

aster still strikes. We still remember the brave men and women aboard the Challenger and the Columbia during the shuttle missions. Portraits of these brave men and women adorn the halls of Congress, displayed for all visitors to see. Their sacrifice has only strengthened our resolve to reach for the stars. Failure is simply not an option.

But apart from the men that space exploration has inspired or the technology that these programs created to make the world a better place, the space race had a profound effect on the nation. There has been nothing quite like it since. John F. Kennedy, whether or not you liked the man or his policy, definitely had a passion for the space program, and he brought that passion to each and every one of his public speeches. It was this passion, along with the dedication of all the members involved with the project, that was passed along to the American public. Whether we were watching with baited breath from our televisions at home, engineering the rocket or flying the spacecraft, the United States was in this together. It was this devotion that united the American people like had never before, except for during war time. We were no longer Democrats or Republicans, we were Americans, cheering on and supporting the gallant men and women who were setting foot into this brave new world. No longer would bloodshed be required to bring this country together. The space race proved that Americans could come together not only in tragedies but triumphs; triumphs that would shape the world as we know it.

Mr. Speaker, the space race as we knew it then will never return with the same vengeance. Technology progresses in different, and much faster, ways than it did during the height of the Cold War. But our space quest inspired millions of people around the globe, and that dream of future space exploration is still alive. I hope that while this governing body must face many serious and somber issues to keep this country safe and prosperous, that such a time will not fade from our memories, and that the American space dream will never fade away. Its unfortunate that we've seen the demise of NASA, a self-inflicted wound by our own Federal Government. In the interest of national security, we must continue to support the American space dream.

And that's just the way it is.

HONORING THE LIFE AND DEDICATED SERVICE OF BRIG. GEN. MARK STOGSDILL, USAF RET.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and dedicated service of Brigadier General Thomas "Mark" Stogsdill, USAF retired, who passed away on July 19, 2016. General Stogsdill was a devoted family man, Vietnam veteran, and decorated warrior who proudly served our country as a member of the Armed Forces for over 35 years. I am humbled to rise and pay tribute to his life, his

unwavering commitment to service, and his dedication to our Nation's heroes and their loved ones.

General Stogsdill was born in Wellington, Kansas, to Betty (Montgomery) and Dale W. L. Stogsdill on September 8, 1947. His love for our country was strong and evident early on when he commissioned in the United States Air Force in the fall of 1969. He became a master navigator and earned his wings in 1970 at Mather Air Force Base, California. He completed more than 6,500 flying hours including 450 combat hours flown in AC-130 Spectre gunships during the Southeast Asia conflict. After six years on active duty, General Stogsdill joined the Air Force Reserve in 1975.

He assumed command of the 919th Special Operations Wing in 1998, which had recently transitioned from the AC-130A Spectre gunship to the MC-130E Combat Talon and MC-130P Combat Shadow. His leadership and dedication to those under his command helped ensure a successful transition. General Stogsdill was constantly looking for new ways to improve his beloved 919th SOW. It was his innovative thinking and driven persistence that enabled the Total Force Integration between the Air Force Special Operations Command's 5th Special Operations Squadron and 9th SOS at Eglin Air Force Base, and the Air Force Reserve Command's 711th SOS and 8th SOS at Duke Field. Moving reservists to Eglin and active duty members to Duke Field created a long-standing cohesion among the Special Operations Squadrons.

Many will remember General Stogsdill for his courage and resolve following the September 11, 2001, terrorist attacks on our homeland. General Stogsdill led his unit through numerous combat deployments. Extremely successful in their missions, the 919th SOW became known as one of the most highly decorated wings in the United States Air Force Reserve.

Upon his retirement from the Air Force in 2006, General Stogsdill remained dedicated to those who serve and their families along with the community of Northwest Florida. He was an active member of both the Crestview Military Affairs Council and Emerald Coast Military Affairs Council and was a board member of the Fisher House.

During his distinguished career, General Stogsdill was greatly regarded within the Air Force and Northwest Florida communities, and, to many he will be remembered for his devotion to his country and fellow man. To his family and friends, he'll be remembered as a loving family man with a great sense of humor. Without question, General Stogsdill lived a life full of service and has earned our Nation's highest respect and gratitude.

Mr. Speaker, on behalf of the United States Congress, it is a privilege for me to honor Brigadier General Mark Stogsdill's lifetime of service. My wife Vicki and I extend our prayers and sincere condolences to his wife and best friend, Jan; two daughters—Sarah and Emma; and the entire Stogsdill family.

TRIBUTE TO DON AND JOAN
STAVER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Don and Joan Staver on the very special occasion of their 60th wedding anniversary.

Don and Joan Staver were married on June 23, 1956 at Saint Clement's Catholic Church in Bankston, Iowa and now make their home in Panora, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING MRS. LAUREN
BAUCOM FOR BEING SELECTED
AS A RECIPIENT OF THE PRESI-
DENTIAL AWARD FOR EXCEL-
LENCE IN MATHEMATICS AND
SCIENCE TEACHING

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Mrs. Lauren Baucom, a mathematics teacher at Forest Hills High School in Marshville, NC, who was recently recognized as a recipient of the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). This distinction celebrates teachers from across the country who are leaders in the fields of science and mathematics and promote innovation in the classroom.

Each year a panel of distinguished scientists, mathematicians, and educators review nominees and select PAEMST award recipients who challenge their students to equip them with critical thinking and problem solving skills. This year, 213 educators were selected representing all 50 states, grades K-12. Upon receipt of the award, each teacher will be given a \$10,000 award from the National Science Foundation to be used at their discretion.

Mrs. Baucom is a shining example of a leader in the classroom who values the personal development of each one of her students. Her efforts include not only helping her students master the material but also assisting in their personal development. Mrs. Baucom encourages students to take the lessons they experience in the classroom and apply them to real life issues in an effort to impact the world.

When Mrs. Baucom is not in the classroom, she spends time investing in her colleagues

and serving as a mentor for fellow educators. As the Instructional Support Coordinator at Forest Hills High School, she leads fellow teachers in rigorous professional development courses showcasing her pursuit of lifelong learning. As one of two award recipients in the state of North Carolina, she joins an elite group of educators who are on the cutting edge of classroom innovation. Our community is fortunate to have Mrs. Baucom dedicate her time and talents to educating our students.

Mr. Speaker, please join me today in congratulating Mrs. Lauren Baucom for receiving the Presidential Award for Excellence in Mathematics and Science Teaching and wish her well as she continues to make a positive difference in the lives of her students.

IN TRIBUTE TO ERIC "VON"
BOARDLEY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. MOORE. Mr. Speaker, I rise to recognize Eric Von Boardley, known to everyone by his broadcast name Eric Von. Eric passed away on September 8, 2016, at the age of 58, leaving behind his wife Faithe Colas, daughters Erica Boardley and Paige Colas, a brother and sister, numerous other family members and many friends to mourn his passing.

Eric was a radio and television broadcaster, veteran journalist and community advocate. However, he was most widely recognized and revered as a radio personality. He began his career in his hometown of Washington, D.C., as the business manager for Radio One. He eventually settled in Milwaukee, WI where he remained for over 25 years; beginning at WMCS 1290 AM and ended his radio career at WNOV 860 AM. He created an online magazine in 2014 whose goal was to improve the health of black men, entitled Brain, Brawn & Body. Eric was a frequent panelist on Wisconsin Public Television's "Interchange"; served as co-host of "Black Nouveau" from 1998 to 2000, another show on Public Television; and was a special assignment reporter and co-host of "It's Your Vote". Most recently, Eric was a leader in Precious Lives, a media-led effort to look at the causes and consequences of gun violence on Milwaukee youth. Eric was involved in public events and the live on-the-air community discussions he hosted were widely listened to with huge public participation. He did his research and was informed; guests had to be fully prepared before going on his show. Eric was so much more than a radio host and personality, he was a Milwaukee icon who was completely enmeshed in the issues impacting the community, especially Milwaukee's African-American community.

I have had the great privilege of working with Eric for his entire tenure in Milwaukee; beginning while I served in the Wisconsin State Assembly and extending to my years in Congress. In fact, I was a regular guest on his radio program while in Congress when he hosted his show on 1290 AM. For many years, he served as the Master of Ceremonies

at the yearly issue forum I host at the Congressional Black Caucus Annual Legislative Caucus. Eric was also the Master of Ceremonies at my 60th Birthday celebration where he was featured along with Mary Wells of the Supremes.

Mr. Speaker, I am proud to recognize Mr. Eric Von Boardley and proud to have called him friend. He leaves big shoes to fill for the broadcast community in Milwaukee. He was creative and a true trailblazer; I will truly miss this amazing man and his wonderful banter and commentary. The citizens of the Fourth Congressional District and the State of Wisconsin have benefited tremendously from his dedicated service. I am honored for these reasons to pay tribute to Eric "Von" Boardley.

A TRIBUTE TO NITA FAGAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nita Fagan for receiving the Distinguished Service Award from the Casey Service Club.

Ms. Fagan was recognized at the Casey Fun Day celebration on July 9, 2016. Nita Fagan and Judy Wedemeyer currently serve as co-presidents of the service club and are active members of the Casey Historical Society. They have given many hours to researching and writing the "Memories of Casey" column for The Adair News and are responsible for spearheading the Hearts of Gold Fund-raiser campaign.

Mr. Speaker, I know that my colleagues in the United States Congress join me in congratulating Nita Fagan for her service to Casey and congratulate her on receiving this award. It is an honor to represent her in the United States House of Representatives and I wish her nothing but continued success.

OCTAVIA GEE WINS THREE GOLD
MEDALS AT THE AMATEUR ATH-
LETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sugar Land, TX native Octavia Gee for winning three gold medals at the Amateur Athletic Union Junior Olympics.

Octavia competed for the Houston Sonics Track Club and won gold in turbo javelin, shot put and triathlon. In the 10 Girls Turbo Javelin, she tossed a remarkable national record of 86 feet, 8 inches. When it comes to breaking records however, Octavia is no stranger. In the last year she has broken two world shot put records, with her most recent in February in the 10-year-old division at the 2016 Lions/Outright Performance Winter Series-Throws Meet Number 2, where she threw 26 feet, 11.75 inches. Octavia's hard work and talent make our Sugar Land community proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Octavia Gee for winning three gold medals at the AAU Junior Olympics. Keep up the great work.

HONORING CHIEF JUDGE LEE F. SATTERFIELD

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues in the House of Representatives to join me in honoring Chief Judge Lee F. Satterfield, Chief Judge of the Superior Court of the District of Columbia, who will be completing his final term as Chief Judge on September 30, 2016. Chief Judge Satterfield's service has been notable not only for its excellence but for his genuine care for and commitment to serving the people of the District of Columbia.

A proud Washingtonian and graduate of St. John's College High School, Judge Satterfield received a Bachelor of Arts in Economics from the University of Maryland. From an early age, he drew inspiration from his father, who withdrew his application for a judicial position on the Superior Court of the District of Columbia after hearing that his teenage son had been diagnosed with bone cancer. Chief Judge Satterfield always recalled how his father relinquished his own dreams to help his son through a difficult time of his childhood. His father always told him to deal with people as he would want them to deal with him. The judge's commitment and perseverance are evident in the career path he chose. Throughout his 30-year career, Lee Satterfield has played an important role in the administration of justice. After receiving his Juris Doctor from George Washington University National Law School in 1983, he was appointed to serve as an Assistant United States Attorney for the District of Columbia. In that position, he served in the appellate, grand jury, misdemeanor and felony sections of the United States Attorney's Office.

In September 1988, Judge Satterfield joined the law firm of Sachs, Greenebaum and Taylor, before serving as a trial attorney for the Organized Crime and Racketeering Section of the United States Department of Justice. In that section, he prosecuted organized crime and labor racketeering crimes in the federal courts of the District of Columbia, Pennsylvania, and Illinois.

Chief Judge Satterfield first served on the Superior Court bench in November 1992, as an appointee of President Bush. He originally served in the court's Criminal, Civil, Family, and Domestic Violence divisions, and went on to serve as one of the court's original Drug Court judges. During this time, Judge Satterfield was also a member of several national and regional advocacy organizations, such as the National Advisory Committee on Domestic Violence, the District of Columbia Juvenile Detention Alternative Initiative Committee and the Citywide Truancy Task Force. In this capacity, Judge Satterfield authored unprecedented regulations for domestic violence

court operations and piloted a Middle School Truancy Court Diversion Program in District of Columbia Public Schools.

In September 2008, Judge Satterfield was inaugurated as Chief Judge of the Superior Court. As Chief Judge, Judge Satterfield oversaw 112 Superior Court judges and launched several effective initiatives. He started programs that ensured the accurate prosecution of self-represented parties, allowed tenants to easily report their landlords for violations, and authorized an increased technological presence in the courtroom. He also streamlined and prioritized the Superior Court's jury selection process, directed a \$63 million renovation of the courthouse, and founded a specialized behavioral court that afforded juveniles a chance to reduce or eliminate charges against them if they complied with treatment. Chief Judge Satterfield also, notably, oversaw the implementation of new marriage equality laws in the District and expanded the community court initiative, which resulted in significantly lower recidivism among those who committed misdemeanors.

Among all of his other commitments, for over 20 years, Judge Satterfield was an adjunct professor at the Catholic University Columbus School of Law, where he taught Criminal Trial Practice and Advanced Criminal Procedure. He was also a professional lecturer in the L.L.M. litigation program at George Washington University National Law School for four years.

Chief Judge Satterfield has shown unusual resilience through medical crises later in his life, including a heart transplant and a stroke he endured in 2011. He has consistently been a source of inspiration to his colleagues and the D.C. community.

Mr. Speaker, I ask my colleagues to join me in honoring Chief Judge Lee F. Satterfield for his service to the country, to the District of Columbia and our courts, and to wish him the best for the remainder of his time on the Superior Court of the District of Columbia and for his retirement in February 2017.

SOPHIE ATKINSON WINS TWO GOLD MEDALS AT AMATEUR ATHLETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sophie Atkinson of Katy, TX for winning two gold medals at the Amateur Athletic Union Junior Olympics.

Sophie brought victory home to Track Houston in both the 1,500 and 3,000 meter races in the girl's 13-year-old division. Her winning time in the 1,500 meter race was 4:45.04. She not only won the 3,000 meter sprint, but also set a new Junior Olympic record, with a time of 10:03.41. Sophie is an incoming eighth grader at Bend Middle School and earned a silver medal in last year's 3,200 meter relay at the AAU Junior Olympics.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again

to Sophie Atkinson for winning two gold medals at the AAU Junior Olympics. We thank her for bringing this success home to Katy and wish her the best in her future track career.

COMMEMORATING THE 50TH ANNIVERSARY OF WAUBONSEE COMMUNITY COLLEGE

HON. BILL FOSTER

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. FOSTER. Mr. Speaker, I rise today to commemorate the 50th Anniversary of Waubonsee Community College.

Named after a Pottawatomie Native American chief who lived in the Fox River Valley during the 1800s, Waubonsee means "early dawn." Since its foundation in August 1966, Waubonsee has served more than 290,000 students, including more than 33,000 degree and certificate earners, and has grown to four major campuses across Illinois.

Known for its reputation as an innovator in the areas of accessibility, Waubonsee has provided distance learning and online courses for more than 20 years. In addition to numerous bold initiatives in partnership with the community, Waubonsee recently pioneered the Health Care Interpreting Associate Degree, a first of its kind in the State of Illinois, designed to assist patients and doctors who may speak different languages.

Through its extracurricular programs, honor societies, cultural and art groups, leadership programs, and collegiate sport teams, Waubonsee Community College truly provides a full learning experience to its students.

Mr. Speaker, I ask my colleagues to join me in celebrating Waubonsee Community College's fifty years of service to our community.

MILAN YOUNG WINS NATIONAL CHAMPIONSHIP AT THE AMATEUR ATHLETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Milan Young of Richmond, TX for winning the national championship at the Amateur Athletic Union Junior Olympics.

Milan leapt to victory with a time of 13.85 seconds in the 100-meter hurdles. Currently at Lamar High School, she suffered from stress-fractures in her pelvis as a sophomore. After qualifying for the Class 6A meet as a freshman, Milan was forced to take an entire season and summer to heal. The future Olympic hopeful has clearly returned from her injury with vengeance and has her sights on what's next.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Milan Young for her national championship win at the AAU Junior Olympics. We are proud of her for bringing this win home to

Richmond and wish her luck with her future track and field career.

**LANCE HINDT ELECTED SUPER-
INTENDENT OF KATY INDE-
PENDENT SCHOOL DISTRICT**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Lance Hindt for being elected to serve as Superintendent of the Katy Independent School District (ISD).

Lance served as the Superintendent of Allen Independent School District (ISD) since 2014. While there, Lance was tasked with solving issues relating to the new stadium for the high school football powerhouse conference. Prior to serving Allen (ISD), Lance was the Superintendent of the Stafford Municipal School District. He began his teaching career at John Foster Dulles High School in Sugar Land and is himself a graduate of Katy ISD's James E. Taylor High School. With his distinguished career in education, his return to Fort Bend County makes him a fantastic addition to the Katy ISD.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Lance Hindt for being named the new Superintendent of the Katy Independent School District. We thank him for his commitment to education excellence.

HONORING JIMMY OWENS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, jazz artist Jimmy Owens will be honored this year by the Congressional Black Caucus Foundation (CBCF) at the Jazz Forum and Concert during the 46th Annual Legislative Conference (ALC). Mr. Owens, an internationally renowned trumpet and flugelhorn player, composer and educator, will also perform at the concert, which will take place on Thursday, September 15, 2016, at the Walter E. Washington Convention Center, in Washington, D.C. Mr. Owens will receive the 2016 CBCF ALC Jazz Legacy Award for his contributions to jazz and world culture. I am pleased to share the following details of Mr. Owens distinguished career as they appear in his own biography.

Jimmy Owens was born in New York City on December 9, 1943. He began his trumpet studies at the age of fourteen with Donald Byrd and later studied composition with Henry Brant. He graduated from the High School of Music and Art and received a Master of Education degree from the University of Massachusetts. At age fifteen, Jimmy played with the Newport Youth Jazz Band and later played with Lionel Hampton, Hank Crawford, Charles Mingus, Max Roach, Duke Ellington, and Billy Taylor among others. He has over forty-five years of experience as a Jazz trumpeter, com-

poser, arranger, lecturer, and music education consultant. His experience covers a wide range of international musical achievement, which includes extensive work as a studio musician, soloist, bandleader, and composer of orchestral compositions, movie scores, and ballets. In January 2012, Jimmy was the recipient of the A. B. Spellman Jazz Award for advocacy from the National Endowment for the Arts. In January 2008, Jimmy was the recipient of the Benny Golson Jazz Master Award at Howard University.

In 2007, he produced and released a new CD on his own label Jay-Oh Jazz Recordings, a division of Jay-Oh Productions, Inc., called Peaceful Walking, with a fine rhythm section from Italy. As one reviewer said: "This terrific quartet is a platform for Jimmy Owens to display his writing, arranging, and playing prowess—which he does with precision." He also appeared on Gerald Wilson's CD Monterey Moods [2007]. This was his third appearance on a Wilson CD in recent years. He was a sideman in the critically acclaimed *In My Time* [2005] and New York New Sound, Gerald Wilson's 2003 Grammy nominated CD. In 2004, he also appeared on *One More—Music of Thad Jones* (2004).

Jimmy is an active and important member of the Jazz education community. He sits on the boards of the Jazz Foundation and was on the Board of Local 802 AFM from 1998 through 2009. His expertise and knowledge is often called upon for issues relating to health and pension benefits for Jazz artists or to share his first-hand experiences about being in the bands of several Jazz Masters. Jimmy is one of the few trumpeters of his generation who played as a sideman with such extraordinary Jazz leaders as Lionel Hampton, Hank Crawford, Charles Mingus, Max Roach, Duke Ellington, Billy Taylor, and the Thad Jones/Mel Lewis Band, among others. As a result, he can share unique musical and personal recollections of performing in some of the most exciting bands in the history of Jazz music. His anecdotes are priceless: being chosen by Willie Ruff to play a trumpet tribute to Cootie Williams, Sweets Edison, Roy Eldridge and Dizzy Gillespie at the historic 1972 inaugural Ellington Fellowship Concert at Yale; sitting in with Miles Davis at the age of fifteen; participating in the 20th anniversary musical celebration of Senegal's independence in 1980. In addition to all of this, he's also led his own group, Jimmy Owens Plus . . . since the 1970s playing at festivals and in concert halls all over the world.

While Jimmy is known as a hard bop player, and it's true, it hardly covers the breadth and scope of his musical skills. Throughout his long career, Jimmy has consistently emphasized in both his performances and recordings a deep understanding of the blues as well as beautiful and articulate emotional projection on ballads. As a reviewer stated in *All About Jazz* regarding Jimmy's performance on *One More: The Summary—Music of Thad Jones, Vol 2* (2006), an all-star recording on which Jimmy appeared—"Jimmy Owens . . . proves that he's better than ever, whether employing a breathy, vocal quality (Little Pixie), a smooth flugelhorn sound (Three in One), or brilliant and elliptical Jones-like melodic ideas (Rejoice)." Most recently, Jimmy recorded Jimmy

Owens' *The Monk Project* choosing a stellar group of musicians, including Kenny Barron, Kenny Davis, Winard Harper, Wycliffe Gordon, Marcus Strickland, and Howard Johnson, which was released in January 2012 to critical acclaim. As Rob Young wrote in *Urban Flux*: "Owens intelligently approaches each composition with stamina and respect to these ten daunting masterpieces. On the opener, *Bright Mississippi*, it is evident Owens tonality is clearly poignant as his horn vibrates through and through the intricate passage with precision. This explosive gem sets the tempo to remind us that he [Owens] is more than capable to form this collection of standards in a way that hasn't been done before."

Mr. Speaker, it was Jimmy Owens who challenged me to bring Jazz into the legislative arena, for consideration as a national asset that must be preserved and promoted. Jimmy Owens is a living national jazz treasure of international acclaim and I urge all members to join me in commending him for his magnificent contributions.

HONORING JAZZMOBILE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, Jazzmobile, the world's first not-for-profit organization solely devoted to jazz, will be honored this year by the Congressional Black Caucus Foundation (CBCF), at the Jazz Issue Forum and Concert that will take place during the 46th Annual Legislative Conference (ALC). The Jazzmobile All-Stars will perform at the concert, which will take place on Thursday, September 15th, 2016, at the Walter E. Washington Convention Center, in Washington, DC. Robin Bell-Stevens, Director of Jazzmobile, and Kim Taylor-Thompson, daughter of Jazzmobile founder, Dr. Billy Taylor, will accept the 2016 CBCF ALC Jazz Legacy Award on behalf of the organization, for their five decades of contributions to Jazz and world culture.

Jazzmobile began in 1964, when Harlem was besieged by racial unrest. It was in that turbulent time that the great jazz pianist and educator, Dr. William "Billy" Taylor, had an idea to use Jazz as a culturally enriching antidote to the urban blight that inner-city children were exposed to. Drawing on the New Orleans street parade tradition, Dr. Taylor—along with arts patron Daphne Arnstein, founder of the Harlem Cultural Council—turned an unused float into a floating Jazz stage, and took Jazz directly to the youth, who, because they could not afford to hear the music in clubs, were not exposed to it in school, and did not hear it on the radio, were now able to hear the music for free in their neighborhoods.

Designated as a major cultural institution by the New York State Council on the Arts in 1977, and a recipient of the Emergency School Aid Act, Jazzmobile applied the principles of jazz improvisation and the arts to underserved children so they can have positive means of self-expression and cultural pride. To date, Jazzmobile has presented Jazz to all of New York's five boroughs, with over four

million people attending their free concerts. They also provide lecture demonstrations, clinics, symposiums, workshops, a vocal competition, and their Summerfest mini-festival. Throughout their five decades, some of the greatest musicians in jazz performed, worked and studied with Jazzmobile including, Dizzy Gillespie, Duke Ellington, Herbie Hancock, Horace Silver, Jimmy Owens and Wynton Marsalis, to name a select few.

Jazzmobile has received a number of awards including, the National Jazz Museum in Harlem & Great Harlem Chamber of Commerce's Award for Excellence, The Conspicuous Service Award from the New York State Council on the Arts, The New York City Arts and Business Council's Encore Awards, Citibank's Community Service Award, the New York City Service Award, and several citations from Mayors Edward Koch, David Dinkins and Michael Bloomberg.

But Jazzmobile's greatest achievement is that it serves as the model for thousands of jazz-based organizations, from Pittsburgh's Manchester Craftsman's Guild, San Francisco's SF JAZZ Center, to Jazz at Lincoln Center in New York City. Mr. Speaker, Jazzmobile is a living jazz treasure and I urge all members to join me in commending this organization for their magnificent contribution to American and world culture.

HONORING JAMES ALLEN FORD

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, tenor/soprano saxophonist, composer, arranger, and educator James Allen Ford, professionally known as Joe Ford, one of the most accomplished and inventive musicians in Jazz, will be honored this year by the Congressional Black Caucus Foundation, at the Jazz Issue Forum and Concert that will take place during the 46th Annual Legislative Conference. Mr. Ford will perform at the concert with the Washington Renaissance Orchestra, which will take place on Thursday, September 15th, 2016, at the Walter E. Washington Convention Center, in Washington, DC. Ford will also receive the 2016 CBCF ALC Jazz Legacy Award for his four decades of contributions to Jazz and world culture.

Born on May 7, 1947 in Buffalo, New York, Ford began playing piano at age of seven and switched to the saxophone four years later, eventually studying with Makanda Ken McIntyre, Jackie McLean and Frank Foster. He also studied percussion with drummer Joe Chambers. He played in a number of local funk bands and campus groups in high school, and at Central State University in Ohio, where he received his BA in Music Education in 1968. After graduation, Ford returned to Buffalo and worked as a music teacher, directing a school band and chorus, and played piano with local bands, and national groups including The Miracles.

In 1973, Ford was the co-leader and co-producer of Buffalo's influential John Coltrane/Miles-Davis-influenced Birthright jazz ensemble,

with tenor saxophonist Paul Gresham, and drummer Nasar Abadey. The group released two critically acclaimed albums for Freelance Records: *Free Spirits and Breath of Life*. Ford also played with the Buffalo Jazz Ensemble, a group that featured members of the fusion group, Spyro Gyra. Invited by McCoy Tyner to join his group, Ford moved to New York City, and was a key member of that band, which extended and elaborated on John Coltrane's innovations. Two of the seven albums Ford recorded with Tyner's Big Band—*The Turning Point* and *Journey*—won Grammy awards for Best Large Jazz Ensemble Performance in 1992 and 1994. Ford released his first solo recording *Today's Night* in 1993, and recorded over eighty albums as a sideman with a wide variety of jazz artists including Jimmy Owens, Abdullah Ibrahim, Idris Muhammad, Malachi Thompson and Freddy Cole.

Ford joined Jerry Gonzalez's pioneering Fort Apache Band in 1990: an ensemble of Puerto Ricans and African-Americans, who enriched the linkages between jazz and Afro-Latin rhythms. Ford composed the title tracks for their recordings, *Crossroads*, *Pensativo* and *Firedance*, which garnered three Grammy nominations from 1994 to 1996. In late nineties, Ford led two groups, The Black Art Sax Quartet, and a big band entitled *The Thing*. Ford was inducted in the Buffalo Hall of Fame in 2004, and he currently performs with Nasar Abadey and SUPERNOVA.

Mr. Speaker, Joe Ford is a living jazz treasure and I urge all members to join me in commending him for his magnificent contribution to American and world culture.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 13, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 14

9:30 a.m.

Committee on Foreign Relations
Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine protecting girls, focusing on global efforts to end child marriage.

SD-419

10 a.m.

Committee on the Judiciary
Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine protecting Internet freedom, focusing on the implications of ending United States oversight of the Internet.

SD-226

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine North Atlantic Treaty Organization expansion, focusing on the accession of Montenegro.

SD-419

2:30 p.m.

Committee on Appropriations
Subcommittee on Energy and Water Development

To hold hearings to examine the future of nuclear power.

SD-138

Committee on the Budget

To hold an oversight hearing to examine the Congressional Budget Office.

SD-608

Committee on Indian Affairs

Business meeting to consider S. 2796, to repeal certain obsolete laws relating to Indians; to be immediately followed by a hearing to examine S. 2636, to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the land is wholly within a reservation, S. 3216, to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation", S. 3222, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and S. 3300, to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims.

SD-628

Committee on Veterans' Affairs

To hold hearings to examine the future of the Department of Veterans Affairs, focusing on examining the Commission on Care report and the VA's response.

SR-418

Special Committee on Aging

To hold hearings to examine maximizing Social Security benefits.

SD-562

SEPTEMBER 15

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the long-term budgetary challenges facing the

military services and innovative solutions for maintaining our military superiority.

SD-G50

9:45 a.m.

Committee on Foreign Relations

To hold hearings to examine Afghanistan, focusing on United States policy and international commitments.

SD-419

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine the nominations of Christopher James Brummer, of the District of Columbia, and Brian D. Quintenz, of the District of Columbia, both to be a Commissioner of the Commodity Futures Trading Commission.

SR-328A

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Communications Commission.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the state of health insurance markets.

SD-342

Committee on the Judiciary

To hold hearings to examine S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, S. 3155, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, S. 3270, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, and the nominations of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, and Florence Y. Pan, to be United States District Judge for the District of Columbia.

SD-226

10:30 a.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine the Federal response and resources for Louisiana flood victims.

SR-428A

2 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine reviewing the civil nuclear agreement with Norway.

SD-419

SEPTEMBER 20

10 a.m.

Committee on the Judiciary

To hold hearings to examine consolidation and competition in the United States seed and agrochemical industry.

SD-226

SEPTEMBER 21

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine terror financing risks of America's \$1.7 billion cash payments to Iran.

SD-538

SENATE—Tuesday, September 13, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our sustainer, You know the mistakes and wrongs we sometimes do. We are sometimes selfish, stubborn, and unkind. Send Your Spirit to empower us to live worthy of Your great Name.

Lord, guide our Senators as they confront the struggles of our times, bringing them confident assurance that Your purposes will prevail. In the hectic pace of their living, help them to slow down long enough to hear Your still, small voice of wisdom. Eviscerate the tensions that pull them apart and keep them from being whole.

Lord, You know us better than we know ourselves, so have Your way in our world.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

Mr. REID. Mr. President, the Republican leader is on his way.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. McCONNELL. Mr. President, days before ObamaCare passed the Sen-

ate in 2009, the senior Senator from New York predicted that Americans would come around soon on the unpopular bill his party was trying to force through the Senate. "The reason people are negative is not the substance of the bill," he mused, "but the fears that the opponents have laid out. When those fears don't materialize, and people see the good in the bill, the numbers are going to go up."

Today, years later, one need only read the headlines to see just how wrong that prediction was. "One-third of the US won't have a choice between Obamacare plans in 2017." Other headlines:

"Frustration mounts over ObamaCare co-op failures."

"Insurers propose massive increase in individual health insurance rates."

Here is the latest headline my constituents read just recently: "Get ready to pay more for health insurance in Kentucky."

These headlines tell a story of a failing, partisan law and its continuing assault on the middle class. When Republicans warned of predictable consequences like these, Democrats waved off our concerns and forced their partisan law through anyway—with the middle class forced to bear the consequences ever since.

It is time Democrats started to finally listen, and that is why last week Senators came to the floor to share the heartbreaking stories of how ObamaCare continues to hurt their constituents and impact their States.

Senator CAPITO called ObamaCare "nothing short of devastating" in her home State of West Virginia. "Working families," she said, "are being faced with skyrocketing premiums, copays, and deductibles."

Senator ISAKSON warned that "the numbers do not lie" in Georgia. "ObamaCare," he said, "is forcing insurance carriers to leave the market, eliminating competition and choice, all . . . while placing the burden of higher costs on the backs of working taxpayers in this country."

Senator MCCAIN explained how "Americans have been hit by broken promise after broken promise and met with higher costs, fewer choices and poor quality of care" and noted that his home State of Arizona "has become ground zero for the collapse of Obamacare."

Just last month, the Obama administration told Americans not to worry about rising costs because they could shop around to find the best plan and save money on health insurance, but many Americans in places like Ohio

are "going to be severely restricted" when it comes to choosing an insurer next year, as the State's director of insurance pointed out. In fact, 19 of Ohio's counties are set to have just a single insurer in the exchange and another 28 counties will have only 2 options. Restrictions like these mean families could lose access to doctors they know and trust, face higher premiums, more out-of-pocket expenses, and have fewer options to shop around for more affordable coverage or plans to meet their changing needs.

One self-employed Ohioan summarized the pinch facing so many across the country. She said: "They fine you if you don't have insurance, and then they take your options away." That is what she said after learning she would lose her plan. Her frustration is one felt across Ohio and across America.

More than 2 million people could be forced to find a new plan next year. A majority of the Nation's counties are expected to have only one or two insurers offering plans in the exchange, and eight entire States are expected to have only a single insurer in the exchange to choose from. That is because just last night we learned that Connecticut would likely become the latest State with only a single insurer on the exchange next year. We learned something else last night as well: One of the few remaining ObamaCare co-ops will not offer plans in New Jersey next year.

This is part of a broader trend we have seen across the country, with ObamaCare co-ops shuttering and forcing Americans to find new coverage as a result. Just look at what happened in New Hampshire. The Granite State's co-op was, in the words of New Hampshire Public Radio, "the exact type of business that was supposed to make the individual insurance market more competitive" under ObamaCare. But the co-op recently announced that it would close down operations in the State anyway. That is forcing thousands to find another plan, and it is forcing taxpayers to foot the bill.

Here is what one New Hampshire editorial had to say after the announcement:

The entire ObamaCare scheme was set up on faulty premises. . . . You can't force people to buy health insurance they don't want, subsidize mediocre insurance plans people can't afford, and still claim to hold down rising medical expenses.

"The program," the paper continued, is "destroying itself."

Collapsing co-ops and withdrawing insurers aren't the only signs that ObamaCare is "destroying itself." Just

look at my home State of Kentucky, where premiums could rise by distressing rates—in some cases as high as 47 percent. It is no wonder my office continues to hear from people who are desperate for relief from this law.

One Louisville mom said her family's health care costs will consume nearly one-fifth of their budget this year. She said:

This health care law has been far from affordable for my family. Every year we extensively research for the least expensive coverage we can find. Nevertheless, our premiums continue to skyrocket. . . . Our out-of-pocket expenses have greatly increased as well. . . . No, we didn't have junk insurance before ObamaCare, but I'm rather certain that what we have now IS junk insurance. . . . I wish someone would explain to us how a hard working middle class family paying this much for health insurance became a loser under ObamaCare.

Here is another letter from a Lexington father of three and small businessman who has provided insurance to his employees at no cost for decades because he says it is "the right thing to do." Now he worries how he will be able to afford that next year, with his small business facing substantial increases when it comes to health care expenses.

Here is what he said:

At these rates, we will likely be forced to consider alternatives, including forgoing insurance altogether or pushing at least some of the additional cost onto our employees.

This is thanks to, as he put it, "the cynically named Affordable Care Act."

These are the realities of ObamaCare for middle-class Americans across our country. Democrats can deny it, Democrats can say this is all some messaging problem, Democrats can pretend ObamaCare has been terrific for the country, as the Democratic leader tried to convince us last week, or they can accept that many years after ObamaCare's passage, the opposite of Senator SCHUMER's prediction is proving true, and it is anything—anything—but terrific. The reason Americans are negative about ObamaCare is precisely because of its substance. Unfortunately, their fears have materialized.

ObamaCare is shrinking choices, and higher costs present a stark contradiction to what its champions promised. Democrats gave us plenty of soaring oratories in 2009. I remember it well. We are finding that the sleepless nights, unpaid bills, and broken promises are actually becoming the hallmarks of this partisan law.

It is time for Democrats to stop denying reality and ignoring the concerns of our country. They need to stop pretending that ObamaCare's failures can be solved by doubling down on ObamaCare with a government-run plan. It is time for Democrats to finally work with us to build a bridge away from ObamaCare and toward real care for the country because, as one

Kentucky op-ed asked, "if the ACA is failing so completely in delivering on its promises, why keep it? Why throw good money after bad?"

The PRESIDING OFFICER. The Democratic leader.

THE SENIOR SENATOR FROM TEXAS

Mr. REID. Mr. President, I have a few things to say in a minute, but first I want to say this: Before coming to the Senate and the House, I was a trial lawyer. I have tried over 100 cases to juries, and some of those cases were very difficult. During the time we were in court with the opponent attorney, it was very hard, but as I look back to those days, never after a case was completed were there any hard feelings between me and my adversary during the trial.

The reason I mention that today is because I was thinking of my time here over the last few years. I have been in the Senate a long time. Someone else who has been here a long time, although not as long as I have, is the assistant Republican leader. He had a distinguished career, prior to coming here, in the law. He was a member of the Texas Supreme Court, and he was noted for being the lawyer that he is.

I want to say to my friend—he is here on the floor today—that we have had our differences, and we speak about them often. Yesterday I criticized him for doing something that I thought was wrong and not in good keeping with the standards of the Senate, but I want everyone to know that my criticism of the senior Senator from Texas is not based on anything dealing with his character or integrity. I am going to continue criticizing him and others whom I feel are not living up to their responsibilities as a Member of the U.S. Senate.

I just want the RECORD spread because a lot of my intention over the last several months has been directed toward the Senator from Texas. I want him to know that I appreciate his being on the floor today. I look back with—pride is maybe the wrong word—satisfaction about my time in the courtroom. Those were difficult cases that I had. When it was all over with, the feelings of the two attorneys were over with. There were no ill feelings. We would then move on to our next client. So I hope the Senator from Texas accepts my brief statement here in the manner that it is being offered.

OBAMACARE

Mr. REID. Mr. President, the Republican leader loves to come to the floor once or twice a week to talk about how bad ObamaCare is. What I say to him is this: His constant attacks on ObamaCare do not take away from the fact that there are 20 million people

who have health insurance today who didn't have it 6 years ago. The Senator from California came as the speech was being given by the Republican leader and said to me: Remind him of what is going on in California—that we love ObamaCare. It is working wonderfully. Millions of people in California have health insurance that they didn't have before. She reminded me that in those States where the Republican Governors have agreed to do Medicaid, it is great. In fact, where States have expanded into Medicaid, the rates are approaching 10 percent lower than in other States.

I need not look at California. Let's look at Nevada. We have a conservative Republican Governor. Brian Sandoval is his name. I have learned to accept the fact that he is doing a good job. In spite of the fact that in running for Governor he beat my son, Brian Sandoval is a good person. He is doing a good job as Governor of the State of Nevada. He stepped aside and was not worried about the criticism he would receive by helping the people of the State of Nevada, and he has Medicaid in the State of Nevada. The rates there are some 7, 8 percent lower than had he not done that.

My friend, the Republican leader, complains about the few choices in the ObamaCare marketplace. Wow, that takes a lot of chutzpah to say that. Before ObamaCare, people had no choice, or the choice was either paying a lot, a whole lot, or not doing anything. Many people just skipped insurance. They were willing to take their chances. Now, people go to the marketplace and they have lots of choices. That is why we have 20 million more people who have health insurance now who didn't have it before. There are many examples, but my friend the Republican leader just ignores them. Preexisting conditions—think about that. Prior to ObamaCare, if you had a child who was born with a birth defect of some kind, if you had a child that developed diabetes, or if you were an adult who might have had a car accident, or you were a woman—a woman—who had a pre-existing condition, you had to pay more for your health insurance, if you could get some.

Everyone seems to ignore the good that has come from ObamaCare. Eighty-five percent of the people in the marketplaces get financial assistance in buying their coverage. After assistance, people are paying an average of \$175 a month for their health insurance.

So ObamaCare is a signature issue of the Obama administration. As he announced yesterday, he is very happy with what ObamaCare has done for the American people, and it should be made better. It could be made better so easily if we could have a little bit of cooperation from the Republicans—a little bit. But we are going to continue

focusing on making sure that people understand how well it has worked.

CONTINUING RESOLUTION

Mr. REID. Mr. President, last evening at 4 o'clock or thereabouts, I had the opportunity to go to the White House and visit with the President, along with Leader McCONNELL, Speaker RYAN, and Leader PELOSI. We met for about 1 hour and 15 minutes. It was a very good meeting. We had to discuss a number of issues. We discussed a lot, but I will not talk about them all today.

There was a discussion about a path forward to fund the government to prevent a government shutdown—in spite of what the Wall Street Journal said today. The Wall Street Journal said in an editorial that the Republicans should just close the government again. I don't think there are many Republicans who agree with the Wall Street Journal editorial.

There is reason for some very, very cautious optimism about our meeting last night. We are going to proceed carefully. I know the Republicans will do the same. We have been down this road with the Republicans before. Happy talk is just that a lot of times. We have been optimistic in the past only to see the Republicans fail to live up to their end of the agreement.

If we are going to pass a CR that keeps our government open and funded, there are a number of problems that must be addressed. We have to stop ignoring the problems with Zika. This has been a problem, according to the President of the United States, since last February. We have done nothing to give these people some relief, and they need it. We thought that it was just a problem that affected women and pregnant women, but it has gotten so much more serious than that. That is plenty serious. But now they are looking at the virus going into people's eyes and causing vision impairment, blindness. That is men and women. So we have to get something done with Zika. We thought we had it all done here with the work done by Senators MURRAY and BLUNT. We had a bill. It wasn't everything we wanted, and it certainly wasn't what the President wanted. It was \$1.1 billion. We sent it to the House. We don't need to go through what gymnastics they went through to throw a big monkey wrench into the good work we had done over here by passing it with 89 bipartisan votes.

Last week there were 17,000 Americans infected with Zika. We are told by the Centers for Disease Control that there are now 19,000. That is a 13-percent increase in 7 days, and each day it is only going to get worse. We need to treat the Zika virus like the genuine health crisis it is, not a bargaining chip for Republicans to use to attack Planned Parenthood, fly the Confed-

erate flag, cut veterans spending by half a billion dollars, and other such things they stuck in the bill that came back from the House.

We want to work with the Republicans to secure Zika funding, but we will flatly reject any attempt to undermine women's health.

Once we have taken care of Zika, we must, then, as a Senate address Republicans' issues dealing with the continuing resolution, including riders dealing with the Environmental Protection Agency. They want to weaken the Clean Water Act by exempting pesticide spraying from the EPA's overseeing what goes on there.

We need to find a way forward on both of these important issues, while trying to navigate Senator CRUZ's attempts to slow down the CR. Unfortunately, this is what we have come to expect from my friend, the junior Senator from Texas. This is his shtick. Whenever the Senate has a deadline, he tries to obstruct government funding bills.

So we have our work cut out for us. I am cautiously optimistic the Senate will complete its work on the funding of Zika and the CR. We can do it, but it can only happen if we work together and resolve these important topics.

Mr. President, I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

Inhofe amendment No. 4980 (to amendment No. 4979), to make a technical correction.

The PRESIDING OFFICER. The assistant Republican leader.

CIVILITY

Mr. CORNYN. Mr. President, while the Democratic leader is still on the floor, let me express my gratitude to him for his remarks earlier. It is true that for better or for worse, we both have to bear the burden of legal training and experience in courtrooms where we learned that adversaries don't necessarily have to be enemies and to disassociate the arguments we

are making from any personal animus or animosity, which, I think, is a very healthy and constructive thing to do. I always remember the excerpt from "The Taming of the Shrew" where one of the speakers said: "Do as adversaries in law; strive mightily, but eat and drink as friends."

So I think that kind of civility is an important admonition for all of us. It is one that maybe we don't always live up to but one that I think we should continue to strive to emulate.

So let me just say to the Democratic leader that I appreciate his comments and perhaps we can all do a little bit better in that category.

OBAMACARE

As the minority leader also pointed out, we have some very big disagreements. It seems as though each day is likely to bring more news about the awful side effects of President Obama's signature health care legislation, ObamaCare, as it has come to be called. The truth is that the implementation and the reality of ObamaCare has been nothing short of a disaster for many of the people who I represent in Texas, but it is not limited to the 27 million people or so who live in Texas. The problem has been visited on many people, as the majority leader commented about earlier with some of the statements he made with regard to its implementation in various other States.

Unfortunately, when Congress and Washington make a mistake, it is the American people who have to pay the price, and it seems as though the consequences of ObamaCare are only getting worse.

I think it is worth remembering—I certainly remember—that it was on Christmas Eve in 2009, at 7 o'clock in the morning, when the Senate passed the ObamaCare legislation with 60 Democrats voting in favor of it and all Republicans voting against it. I think that was the beginning of the failure of ObamaCare. What our Democratic friends, including the President, failed to learn is that any time signature legislation that affects one-sixth of the economy and every American in this country—any time we pass a law like that, in the absence of some political consensus where each side gets something and gives up something and that builds consensus, then that law is simply not going to be sustainable, beyond the policy problems the law has obviously manifested.

I still remember as if it were yesterday, when the President said: If you like your doctor, you can keep your doctor. He said: If you like your policy, you can keep your policy. He said that the average family of four would save \$2,500 on their health care costs. None of that has proven to be true. In fact, just the opposite is true. That is, unfortunately, part of the legacy of the broken promises of ObamaCare. It was essentially sold under false pretenses.

Back in my old job, before I came to the Senate, I was attorney general of Texas, and we had a consumer protection division that sued people who committed consumer fraud, who represented one thing to consumers and delivered another. We sued them for consumer fraud. Unfortunately, the American people can't sue the Federal Government for consumer fraud. They would have a pretty good case because of the trail of broken promises known as ObamaCare.

I just want to point out a few instances of how ObamaCare has proven to be such a disaster for the folks I represent in Texas.

Under the so-called Affordable Care Act—which really should be called the un-Affordable Care Act—many of my constituents in Texas are paying more for their insurance. Of course many remember the PR campaign the President and his administration rolled out to the American people. He promised better coverage, more choices, and lower prices. The one component we would think health care reform would deliver and that ObamaCare has been a complete failure on is lower costs for consumers. In fact, because of the mandates in ObamaCare, such as guaranteed issue—which is an arcane topic, but because of the way it was structured, it was bound to cost more money, not less—how in the world are we going to get more people covered by charging them more than they currently pay for their health care? We are not, unless we are going to come in the back door and use taxpayer subsidies to sort of cushion the blow, but even then, many people are finding ObamaCare simply unaffordable or maybe they can get coverage, but they find out they have a \$5,000 deductible. So when they go to the hospital or when they go to the doctor, while they may think they have coverage, they basically are self-insured.

Unfortunately, my constituents have learned that ObamaCare has simply failed to deliver. Many people in my State are suffering. Over the past 2 months, it seems as though every week I read another headline in the Texas newspaper about the way it is hurting my constituents. I brought a few of those with me today.

First of all, here is the headline in the San Antonio Express-News: "Obamacare hitting Texas hard as insurers propose steep rate increases." One might say: Why are you upset with ObamaCare when it is the insurance companies that are raising rates? The reason the insurance companies are raising rates is because people aren't signing up for ObamaCare if they can avoid it, unless they happen to be older and subject to more illnesses, which means the cost goes up for those who are buying those policies.

The article talks about how insurance companies are losing hundreds of

millions of dollars under ObamaCare. Again, why would we care about insurance companies losing hundreds of millions of dollars? As we found out, many of them simply can't sustain themselves in the States so they are leaving. The majority leader talked about that a moment ago. Just to make ObamaCare viable, many of them are raising premiums by as much as 60 percent next year, just to stay in business.

Unfortunately, Texas is not unique. Other States such as New York and Illinois are looking at double-digit premium increases in 2017 as well. That is because, under the President's signature health care law, insurers are forced to pass along higher costs to customers. If they can't do it, their only other choice is to leave, leaving consumers with fewer choices, and maybe only one choice in a State. That happens when the government—when the masters of the universe in Washington, DC,—think they know better than the market. It is basic economics.

The bad headlines don't stop there. Here is one from the Austin American-Statesman: "Thousands affected in Texas as Aetna rolls back Obamacare plans." Aetna alone has more than 80,000 customers in Texas. It is one of the biggest health care providers in the country. Their leaving means that thousands of people will have to find a new health care plan. So much for "if you like what you have, you can keep it," assuming they have a plan they liked, which now is more expensive than what many were paying before ObamaCare was passed. Again, it is not just my constituents in Texas who are hurting. Starting next year, Aetna will offer plans in only 4 States—4 States—down from the current 15. So consumers will have even fewer choices starting next year.

Aetna wasn't the only company to leave the State. This poster shows the headline from the Waco Tribune-Herald. Scott & White is one of our premier hospitals and health care systems in central Texas. The headline says: "Scott & White Health Plan leaving Obamacare." According to the article, more than 44,000 Texans will have to find another insurance plan in 2017. Again, because of the extra costs burdening these companies, they simply can't afford to offer coverage, and they have no alternative but to pack up and leave.

Finally, here is a headline from the Texas Tribune: "Health Insurers' Exit Spells Trouble for Obamacare in Texas." In this story, the Tribune reports that in addition to Scott & White and Aetna, an insurance startup called Oscar Insurance also announced it would withdraw from Texas exchanges in the Dallas-Fort Worth area. The Dallas-Fort Worth area is one of the most populous parts of the State. This is absolutely unacceptable. With so many insurance companies pulling out

of Texas, Texans will have less health care options, plain and simple.

I am beginning to wonder whether the conspiracy theories we heard early on about ObamaCare, that it was built to fail because what the advocates wanted is a single-payer, government-run system, and this was just a predicate or prelude to that because it could not work as structured. We can draw our own conclusions, but, the fact is, consumers will have less choice and their health care coverage comes at a higher price.

According to one estimate, 60 counties out of 254 counties in Texas will have just one option in 2017 unless other insurance companies decide to enter the market, which is highly unlikely given the way ObamaCare is structured. That means prices will continue to go up. And you wonder why people are frustrated in America, why our politics seem too polarized, and why people seem so angry at what is happening in Washington? At a time when their wages have remained flat because of this administration's economic policies—and overregulation being a large part of it—the costs for consumers continue to go up. That means people's real disposable income is going down, and they are not happy about it—and they shouldn't be.

Texas is a big State. We have very highly populated areas like the Metroplex in Dallas-Fort Worth and Houston and Austin, but we are a big rural State as well. People who live outside of the major cities are the very demographic that ObamaCare was supposed to help, but they will be disproportionately hurt as fewer companies are able to offer insurance away from major population centers. Company after company is packing up and leaving the exchanges in Texas because ObamaCare simply will not work as structured. It can't deliver on its promises. At the end of the day, hard-working Texas families have to pay for the partisan policies of this administration and our Democratic colleagues who jammed this through Congress rather than trying to build some consensus, on a bipartisan basis, that would make this sustainable.

I remember being at a program where James Baker III, who obviously served in the Reagan administration, and Joe Califano, former Secretary of Health and Human Services—a Democrat who served in the Carter administration, a Democratic administration—made the commonsense observation that any time you pass legislation as big as ObamaCare, it is bound to fail because you can't expect people who opposed the legislation from the very beginning to say: Let me try to rescue you from a bad decision in the first place, when they were essentially frozen out of the process.

For example, when Social Security became the law, consensus was

reached, and that is the way it should be done. Unfortunately, my constituents in Texas and the American people are paying the price for a bad decision made in 2009 and 2010 to make ObamaCare a purely partisan piece of legislation.

I get letters from my constituents all the time who liked their insurance before it was cancelled because of ObamaCare, they liked their doctor whom they could see under their existing health care policy, and they even liked the price they were paying for it—it was affordable before the mandates of ObamaCare, but one by one they lost their coverage when ObamaCare became the law of the land.

I have had some of my constituents tell me they feel terrorized by ObamaCare. Strong words. Others have told me bluntly, they need relief from it: Please, help us. We are drowning in higher costs and fewer choices and we don't like what we have under ObamaCare. The bottom line is, for all of the purported benefits the Democratic leader talked about—more people on Medicaid, more people with some form of coverage—we know a huge majority of people feel as though they got a raw deal, and we knew it would be that way from the beginning. That is the reason many people, including myself, opposed it.

That is also the reason why just this year Senate Republicans passed a bill under the budget reconciliation process to repeal ObamaCare, because we feel the American people deserve better. Not surprisingly, President Obama vetoed it. What we demonstrated is, the political support in the Senate, working with the House, to, hopefully under the next President, build a health care system the American people can afford, giving them the choices they want because unfortunately ObamaCare did not deliver on its promises.

We have our work cut out for us in 2017. We demonstrated there are enough votes there to repeal ObamaCare. All we need now is a President who will sign it, as we work together to repeal it and give a more affordable alternative to ObamaCare that gives people the choices they want and deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, both the Republican majority leader and the Republican assistant majority leader have come to the floor to address one issue that is pretty important to them, and it clearly is the focus of their attention. The issue today is the Affordable Care Act, ObamaCare, which was passed by the Senate and the House 6 years ago. What I have missed in most of the debate—no, in fact, what I missed from all of the debate from the Republican side, is their proposal or their alternative. They don't have one.

No. What they want to argue is: We need to go back to the good old days—the good old days of health insurance before the Affordable Care Act.

You heard the Senator from Kentucky and the Senator from Texas talk about getting back to those good old days and getting rid of the mandates in the Affordable Care Act. What were those mandates in the Affordable Care Act? Here is one. It says if you or any member of your family had a pre-existing condition, you could not be denied health insurance. Does any family across America have a family member with a preexisting condition? It turns out there are quite a few—my family and many others. There are 129 million Americans out of 350 million who have a preexisting condition in their family. What did that mean in the good old days before the Affordable Care Act, which the Republicans want to return to? It meant health insurance companies would just flat out say no, we are not going to cover you. You have a child who survived cancer, you have a wife who is a diabetic—no health insurance for you. Those are the good old days that Republicans would like to return to, but for 129 million Americans, it means no insurance or unaffordable insurance to go back to the Republican good old days under health insurance.

There was also a provision—another mandate in the Affordable Care Act—which said you cannot discriminate against women when it comes to health insurance. Why would health insurance companies charge more money for women than men? Well, women are made differently, have different health needs. But why should they be discriminated against when it comes to the cost of health insurance?

One of the mandates said that you treat men and women equally when it comes to the payment of premiums. In the good old days, you could discriminate against women. It meant that 157 million American women could pay a higher premium for the same health insurance as a man. So the good old days, which the Senate Republicans would like to return to in health insurance, would go back to discrimination against women.

There was another mandate. The mandate said that if you were a family who had a son or a daughter and you wanted to keep them on your family health insurance until they reached the age of 26, the health insurance companies had to give you that option. It was mandated. In the good old days, which the Senate Republicans would like to return to, there was no requirement that you be allowed to continue coverage for your son or daughter to age 26.

What difference does that make? I remember when my daughter was going to college and then graduated. I called her and said: Jennifer, do you have health insurance?

Oh, Dad, I don't need that. I feel fine.

Well, no parent wants to hear that. You never know what tomorrow's diagnosis or tomorrow's accident is going to bring. So one of the mandates, which the Republicans would like to get rid of, is the mandate that family health insurance cover your children up to age 26 while they are graduating from school, looking for a job, maybe working part time. They want to go back to the good old days when you could tell a family: No, your son or daughter cannot stay under your health insurance plan.

There was another provision too. There used to be a Senator who sat right back there; I can picture him right now—Paul Wellstone of Minnesota. Paul Wellstone was an extraordinary Senator who died in a plane crash. You probably remember. Over on that side of the aisle, right at that seat, was Pete Domenici of New Mexico. Pete Domenici was a Republican Senator from New Mexico.

Paul Wellstone and Pete Domenici were two polar opposites in politics, but they had one thing in common. Both of them had members of their family with mental illness. The two of them, Paul Wellstone and Pete Domenici, came together and said: Every health insurance plan in America should cover mental health counseling and care—mandated mental health counseling and care.

Those two Senators from the opposite poles in politics knew, together, that mental illness is, in fact, an illness that can be treated. Health insurance plans did not cover it, did not want to cover it. But the mandate that they came up with, included in the Affordable Care Act, said: Yes, you will cover mental health illness and mental health counseling.

Well, you have just listened to the Senator from Texas talk about doing away with mandates, mandates that require the coverage of mental health illness. There is something else they included, too, and most of us didn't notice. It doesn't just say mental health illness; it says mental health illness and substance abuse treatment.

What I am finding in Illinois, and we are finding across the country because of the opioid and heroin epidemic, is that many families get down on their knees and thank goodness that their health insurance now gives their son or daughter facing the addiction of opioids or heroin health insurance coverage for treatment. This is another mandate in the Affordable Care Act that the Senators from Texas and Kentucky believe should be gone.

That is not all. There is also a mandate in the Affordable Care Act that we do something to help senior citizens pay for their prescription drugs. Under the plan devised by the Republicans, there was something called a doughnut hole where seniors could find themselves, after a few months each year,

going into their savings accounts for thousands of dollars to pay for their pharmaceuticals and drugs.

We put in a mandate in the Affordable Care Act to start closing that doughnut hole and protecting seniors. The Republicans would have us go back to the good old days when the Medicare prescription program—where seniors were depleting their savings because of the cost of lifesaving drugs.

So when you go through the long list of things that are mandated in the Affordable Care Act, you have to ask my Republican critics: Which one of those mandates would you get rid of? They suggest that—at least the Senator from Texas suggested—we should get rid of all of these mandates and go back to the good old days of health insurance.

It is true that the cost of health insurance is going open up. My family knows it. We are under an insurance exchange from the Affordable Care Act. We know it. Others know it as well. But to suggest this is brand new since the Affordable Care Act is to ignore reality and to ignore the obvious. If you take a look back in time—and not that far back in time—before the passage of the Affordable Care Act, you find some interesting headlines.

The Senator from Texas brings headlines from Texas of the last few months. In 2005, 5 years before the Affordable Care Act was law, there was a Los Angeles Times headline that read, “Rising Premiums Threaten Job-Based Health Coverage.” It should not come as any surprise to those of us who have any memory of when the cost of health insurance premiums were going up every single year.

In 2006, 4 years before the Affordable Care Act became law, a New York Times headline read, “Health Care Costs Rise Twice as Much as Inflation.”

In 2008, 2 years before we passed the law, a Washington Post headline read, “Rising Health Costs Cut Into Wages.”

It is naive—in fact, it is just plain wrong—to suggest that health care costs were not going up before the Affordable Care Act, and health insurance premiums were not going up. If you could buy a policy, you could expect the cost of it to go up every year. What we tried to achieve with the Affordable Care Act was to slow the rate of growth in health insurance costs. We have achieved that.

More than 20 million Americans who did not have it before the Affordable Care Act now have health insurance. We are also finding that the cost of programs like Medicare have gone down over \$400 million because we are finding cost savings in health care, cost savings brought about because of the Affordable Care Act. I said \$400 million; sorry, I was wrong. It is \$473 billion saved in Medicare since the Affordable Care Act because the rate of

growth in health care costs has slowed down.

For employer premiums, the past 5 years included four of the five slowest growth years on record. Health care price growth since the Affordable Care Act became law has been the slowest in 50 years. Have some premiums gone up? Yes, primarily in the individual market.

Now, the Senator from Texas and I have something in common. The biggest health insurer in my State is also a major health insurer in Texas—Blue Cross. Blue Cross came to me and said: We are going to have to raise premiums. How much, I can't say ultimately. It is still going through the decision process. What was the reason? They said: Not enough people are signing up for the health insurance exchanges. What we are trying to do is to get more people to sign up for health insurance so that we literally have universal coverage across this country.

We have made great progress; 20 million people more are covered. But to argue that we should go back to the good old days of health insurance, of discrimination against people with pre-existing conditions, discrimination against women, making the decision that if your child has a medical condition, your family would not have health insurance—to say that we should go back to that—is that what the Republicans are proposing? I am still waiting for the Republican alternative to the Affordable Care Act. They have had plenty of time to work on it.

They call it partisan law, but let's make the record clear. In 2009, when President Obama was sworn into office and started this effort to reform health insurance in America, Max Baucus, a Democrat from Montana, was the chairman of the Senate Finance Committee. He reached out to the ranking Republican, CHUCK GRASSLEY of Iowa, to try to devise a bipartisan bill.

They took a long time deliberating and meeting. In fact, many of us were frustrated, saying: When is this going to result in an actual bill? In August of 2009, Senator GRASSLEY announced he was no longer going to be engaged in that deliberation and negotiation. From that point forward, no Republicans participated in the drawing up of the bill or an alternative. It passed on a partisan rollcall despite the best efforts of many Democratic Senators to engage the Republicans in at least debating the issue and helping us to build the bill.

They were opposed and remain opposed. They still oppose it today and still have no alternative, no substitute. It is their hope that we will somehow return to the good old days of health insurance. Well, they were not good old days for millions of Americans. It meant discrimination, exclusions, expenses, and treatment no one wants to return to.

One topic is never mentioned by the Republicans when they come to the floor and talk about health insurance. I listened carefully yesterday and again today with Senator MCCONNELL and with Senator CORNYN, and one thing they failed to mention: Did you hear them say anything about the cost of pharmaceuticals and drugs? Not a word.

Yet when you ask health insurance companies why premiums are going up, some are saying: They are being driven by the cost of pharmaceuticals. One company says that 25 percent of our premium increase goes to the cost of pharmaceuticals. Well, we know what they are talking about, don't we. When people take over these pharmaceutical companies, they grab a drug that has been on the market, sometimes for decades, and decide to raise the price 100 percent, 200 percent, and 550 percent in the case of EpiPens, those pens that save kids who have anaphylactic reactions to peanuts and other things they are allergic to.

So if we are going to deal with the drivers in the cost of health insurance, my friends on the Republican side have to be open to the suggestion that we need to do more to protect American consumers from being fleeced by pharmaceutical companies. Why are we paying so much more for drugs in America that are literally cheaper in Canada and cheaper in Europe? It is because our laws do not give the consumers a fighting chance. Our laws allow pharmaceutical companies to charge what they wish with little or no oversight.

Do you want to bring down the cost of health care? We have hospitals already engaged in that effort, doctors engaged in that effort, medical professionals committed to that effort. But what one hospital administrator said to me is: Senator, when are we going to get the pharmaceutical companies to join us in trying to reduce the cost to consumers?

Let me just close by saying that the Senator from Texas said: There were those in the Senate who wanted to have a government health insurance plan. Guilty as charged—not as the only plan, but as a competitor when it came to these health insurance plans. What if we had Medicare for all across the United States as an alternative in every insurance exchange and allowed consumers across this country to decide whether that is an option that is valuable for them?

I am not closing out the possibility of private insurers. Let them compete as well. But consumers at least deserve that option, a nonprofit Medicare-for-all insurance plan. It was stopped because we did not have the support of all of the Democrats, to be honest with you, and no support from the Republican side. I still think that is a viable alternative that we should explore.

So I will still wait. There will be more and more speeches about the Affordable Care Act. I will still wait, after 6 years, for the first proposal from the Republican side for the replacement of the Affordable Care Act. I have not seen it yet, but hope springs eternal.

I yield the floor.

The PRESIDING OFFICER (Mr. Rounds). The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise to offer remarks on the Water Resources Development Act today. Specifically, I would like to address amendment No. 4996, which has now been modified and included in the Inhofe-Boxer managers' package. First, to Senators INHOFE and BOXER, thank you for your commitment to passing the WRDA bill every 2 years.

I appreciate their efforts to work with every Member in this Chamber to make certain that commitment is upheld. The bill reflects our duty and ability to ensure safe, reliable water infrastructure. In large part, it achieves this by granting greater flexibility to local stakeholders to manage their community's diverse water needs.

For example, in Nebraska, our 23 natural resource districts will be allowed to fund feasibility studies and receive reimbursement during project construction instead of waiting until that project is completed.

WRDA also includes real reform for State municipalities, like those in Omaha, struggling with unfunded combined sewer overflow mandates.

Personally, I am relieved that WRDA 2016 eliminates the EPA's flawed median-household income affordability measurement which hurts fixed- and low-income families.

Regarding amendment No. 4996, I thank the chair, the ranking member, and staff of the EPW Committee for working with me in a bipartisan manner to ensure that America's farmers and ranchers have greater certainty for their on-farm fuel and animal feed storage. This amendment provides a limited exemption to farmers from the EPA's spill prevention, containment, and control—or the SPCC—rule. Two years ago I worked with Senator BOXER, who was then chairman of the committee, in a good-faith effort to address concerns raised by my constituents about this rule, and I am very pleased to have the opportunity to do so again.

My modified amendment would wholly exempt animal feed storage tanks from the SPCC rule both in terms of aggregate storage and single-tank storage. Further, this amendment includes additional language that will exempt up to 2,000 gallons of capacity on remote or separate parcels of land as long as these tanks are not larger than 1,000 gallons each. Ultimately, this will give ag producers greater flexibility to access the necessary fuel needed to

power machinery, equipment, and irrigation pumps.

Some may think these are just technical tweaks, but let me assure you they are critically important to farmers and ranchers across our country. Most agricultural producers live miles away from the nearest refueling station; therefore, producers rely upon on-farm fuel storage to supply the fuel they need at the time they need it. This amendment will ensure that producers can maintain that on-farm fuel storage. It will bring some reasonable, measured exemptions to the SPCC rule for small- and medium-sized farms and for livestock producers.

This compromise comes at a critical hour for our ag producers. They are struggling through one of the toughest farm economies since the 1980s. Markets are weak, and margins are tight. This compromise offers much needed regulatory relief. For many, it is a lifeline. It lifts an unnecessary burden.

I urge my colleagues to support these commonsense exemptions that will limit harmful Federal regulations on the men and women who feed a very hungry world. I wish to comment briefly on those harmful regulations. As I mentioned, the Senate passed a provision in the 2014 WRDA bill requiring the EPA to do some research before determining what is and what is not an appropriate, safe fuel storage level for the average American farmer. It is my view—and it is shared by many producers across the country—that if there is no risk, then there is no reason to regulate. Don't fix problems that don't exist.

The EPA released results of this study last year, and it is difficult for me to call it a study. The word "study" carries with it the implication of careful scrutiny. The EPA's report was, in reality, a collection of assumptions lacking in scientific evidence. It supported a recommendation that moved the goalposts on the exemption levels below the minimum that was previously agreed to by this Chamber and signed into law. The EPA report failed to show that on-farm fuel storage poses a significant risk to water quality. It cited seven examples of significant fuel spills and not one of them occurred on a farm or a ranch. Even more misleading, one referenced a spill of 3,000 gallons of jet fuel. I know that in the Presiding Officer's State of South Dakota and in my State of Nebraska, it would be very hard to find a farmer who employs the use of a jet engine when they are harvesting a cornfield.

To place these costly fees and heavy regulations on farmers and ranchers at so difficult a time is very dangerous and it is serious. To do so based on a report with false, misleading information is irresponsible.

I know the impact of Federal policies from first-hand experience. Farmers and ranchers understand that their

success is the direct result of careful stewardship of our natural resources. We depend on a healthy environment for our very livelihoods. We know the value of clean water—you cannot raise cattle or corn without it. No one works harder to protect the quality of our streams and our aquifers. When it comes to preventing spills from on-farm fuel storage, producers already have every incentive in the world. We live on this land and our families drink the water.

Again, I thank Chairman INHOFE and Ranking Member BOXER for their willingness to come together, reach a compromise, and safeguard the livelihoods of our farmers and ranchers.

The Senate's approval of WRDA will be a relief for farmers throughout Nebraska and all across America, who should not face these unnecessary regulations. The bipartisan provision regarding on-farm fuel storage completely exempts animal feed ingredients, and it does provide greater flexibility to producers to access the fuel where they need it, and that is reflective of the real-world realities we face in production agriculture.

I appreciate my colleagues' support and cooperation on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

ZIKA VIRUS FUNDING

Mr. WYDEN. Mr. President, if ever there were an issue that ought to be bipartisan, it is tackling the Zika virus because this virus, of course, is taking an enormous toll on our country.

What we are seeing is women and men getting infected, research stalling out, and babies being born with deformities and severe disabilities. My view is there shouldn't be anything partisan about tackling this. It ought to be common sense. The Senate ought to come together, and we should have done it quite some time ago. Yet Republican leaders seem to be putting this into slow motion because they want to limit access to the very health services pregnant women depend on for their care. When you listen to their view, it is almost like giving pregnant women cans of bug spray and wishing them good luck. In my view, that defies common sense.

What I have always felt—and this has been true throughout my time in public service—is that with the big public health issues where the safety and well-being of so many Americans is on the line, you say: What we are going to do is we are going to do our job, we are going to come together, and we are going to do it in a bipartisan fashion based on what researchers and public health authorities say makes sense.

Yet here the Senate is on an issue that is at the forefront of the minds of millions of American women and families, and what we are being told by Republicans is that the price of dealing

with the Zika virus is limiting women's rights and reducing access to reproductive health care, and so much of that agenda is a preventive agenda, which is exactly what the public health authorities say is most important.

My hope is that this Congress is very quickly going to say that we are going to set aside the anti-women, anti-family language, and as part of a must-pass bill, that we are going to say we are going to come together as a body, Democrats and Republicans, and address what are clear public health recommendations of the leading specialists in this country and do the job that Americans told us to do, which is, when you have something that affects millions of Americans and their health and safety—I had a number of forums on the Zika virus this summer in Oregon. It is a great concern. For example, the Oregon Health Sciences Center, our premier health research body, is very concerned about the research agenda stalling out.

I would say to my colleagues, let's set aside this question of trying to find ideological trophies as part of the Zika legislation. Let's address the clear public health recommendations we have received. Let's do it in a bipartisan way. Let's do it in a way that reflects common sense, and let's do it quickly.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, I come to the floor after having seen the minority leader and then the minority whip on the floor this morning talking about the President's health care law. It is a law that the President said people should forcefully defend and be proud. What I heard was a defense of a bill—now a law—that was passed solely along partisan lines a number of years ago. It is very hard to be proud or defend that law based on what the American people are experiencing.

I come to the floor noting that the President is from the home State of Illinois, the minority whip is from the home State of Illinois, and there have been a number of stories in the press recently from that State about just how horrendous the impact of the law has been on the people of the President's home State, to the point that just yesterday there was a story in the Washington Examiner with the headline "Illinois gets ready for huge Obamacare rate hikes."

People say: Well, what is not to like about ObamaCare?

According to a Crain's Chicago Business report dated August 27—the headline is "What's not to like about ObamaCare? Plenty in Illinois."

There is plenty in Illinois not to like about ObamaCare, but it is not just Illinois and it is not just Nevada, where the minority leader is from; a Gallup poll of the entire country that recently

came out showed that more Americans are negative than positive about the health care law. Have there been some people who have been helped? Absolutely. But overall, most Americans in this case have said the impact has been more negative than positive.

It is interesting because the way the question was asked—they asked: Has this health care law helped you personally or has it hurt you and your family?

I was astonished to see that 29 percent of Americans say ObamaCare has hurt them and their families personally. Three out of ten Americans say this law has hurt them and their families personally. Well, how does that happen? Maybe they lost their doctor. The President said: If you like your doctor, you can keep your doctor. Many people couldn't, in spite of what the President told them. The President told them their insurance premiums would drop by \$2,500. Instead, people are noticing premiums going up around the country. The President said: If you like your plan, you can keep your plan. We know that has not been true.

And then what I found additionally astonishing and should be concerning to all of us as Americans—and as a doctor most concerning to me—is the question, How will this health care law affect your family in the future? More Americans expect the health care law to make their family's health care situation worse in the long term.

These are people talking about their own families, not the minority leader or the minority whip or the President of the United States coming to the floor and talking about this and that—the theoretical aspects. I am talking about American families—men, women, children—all trying to live a healthy life and finding it has been impeded, hurt by the President's health care law.

It is amazing that 36 percent—more than one in three Americans—expect this health care law to make their family's health care situation worse. Did we hear about that during the debate on the Senate floor when the bill was written behind closed doors in HARRY REID's office or when NANCY PELOSI said: First you have to pass it before you find out what is in it. Did the American people understand that 6 years later, over one in three would say personally their health care and the health of their own family would be worse because of this law?

The State of Illinois. This is the headline yesterday: "Illinois gets ready for huge Obamacare rate hikes." The first line of the story: "Half the insurers selling plans in Illinois' Obamacare marketplaces are hiking prices by 50 percent on average, according to the final rates the State published Wednesday."

These are rates approved by the State of Illinois. Remember, the Presi-

dent said: Oh, we will not let them go up that high. The State of Illinois says that is the only way they can stay in business.

Another headline: "Illinois Obamacare rates could soar as state submits insurance premium increase to the feds." Rates could increase by an average—and we know what the approval rate is—over half will be increasing by over 50 percent. So with that impact, it is interesting that for a 21-year-old nonsmoker—we are talking about somebody who is healthy, who doesn't smoke, and who probably goes to the gym—if they are buying the lowest price silver plan in Cook County, IL—we are talking Chicago, talking about the President's hometown—next year, that 21-year-old healthy individual, nonsmoker, could pay a premium of \$221 a month, up from \$152 a month. That is a \$70 higher premium every month—\$840 for the year—for a 21-year-old who is just trying to get health insurance because the law says they have to buy it.

The President says: You just can't get what works for you, you have to buy what I say works for you. You have to listen to the President on this. You can't choose what makes sense for you. The President says: Don't worry. Taxpayers will subsidize it.

If you are not receiving a taxpayer subsidy, you are paying the subsidy for that person, but a lot of people don't get the subsidies. According to the situation in Chicago, about 25 percent of the people who buy insurance on the exchange—the customers there, which is about 84,000 people—do not receive tax credits. They don't receive the subsidy. So they are feeling this in their pocketbooks because the President says they have to buy it because he thinks he knows better, and it sounds like the minority leader and the minority whip have that same opinion.

So the headline comes out, "What's not to like about Obamacare?" And then the answer to the question is: "Plenty in Illinois." It talks about Illinois residents who buy health insurance through the ObamaCare exchange should brace themselves for steep premium increases, but it is not just the premiums. They also have to brace themselves for fewer doctors to choose from—less choice in doctors, less choice in hospitals to go to when they enroll, and the enrollment opens on November 1.

The big national health insurance companies have pulled out of Illinois because of substantial losses. There is actually a co-op in Illinois called the Land of Lincoln co-op. It lost \$91 million and they closed their doors.

Is it only Illinois, is it only Nevada where they are down to just one choice in most of the State? The President promised a marketplace, but instead it is a monopoly. Companies have pulled out. People have very few choices, if any.

The article says:

While people buying insurance coverage through the Illinois exchange may howl, premiums are jumping even higher in other States. For instance, the insurance commissioner of Tennessee, declaring the state's exchange market "very near collapse."

Very near collapse in Tennessee. Yet they approved an increase—the one insurance company—of 62 percent. A 62-percent increase. Is that what the President means when he says "forcefully defend and be proud"?

The President and Senators on the floor today talked about the issues, and the President pointed to this, and he said: Oh, well, people aren't going to have to go to the emergency room after the ObamaCare health care law has been passed because they will only have to use it for emergencies and not for routine care. Well, what came out in the Chicago Tribune, the President's hometown newspaper, on August 30 of this year? "Illinois emergency room visits increased after Obamacare." They increased. The article says: "Emergency visits in Illinois increased . . . by more than 14,000 visits a month on average, in 2014 and 2015 compared" to before the President's health care law was signed. This is from the *Annals of Emergency Medicine*. They follow these things.

The article in the Chicago Tribune says one of the goals of expanding coverage to all was to reduce the use of pricey services such as emergency department services. That is what the President said. That is what the Democrats said when this bill was being debated. The emergency room was the area of last resort for people who didn't have doctors and who didn't see them regularly, so with the health care law, they wouldn't need to go to the emergency room, but the study's authors noted that this spike of visits in Illinois runs contrary to what the President promised and the President's goal.

The co-ops have been especially troubling and certainly in Illinois the Land of Lincoln co-op, but it is not just Illinois. Co-op after co-op after co-op has failed, including one yesterday in the State of New Jersey—gone. What does Crain's, the Chicago business newspaper, say about Illinois? "Illinois Obamacare plan to fold after 3-year run." "Land of Lincoln Health, an Obamacare insurer that launched three years ago to bring competition—the idea of the President, saying he wanted to bring competition—to the online exchange, is liquidating among big financial losses."

In location after location, State by State, people who have relied upon the President's promises have been bitterly disappointed. What is so distressing about what happened in Illinois with the co-op is that because it failed during the middle of the year—done—people then need to find new insurance.

We have talked before about the issues of high copays, high deductibles.

When a co-op fails and you have to buy new insurance, you have to start over from scratch with paying the copays, paying the deductibles. So somebody who actually bought insurance through the President's idea of this co-op—a co-op that has now failed—finds themselves not only having to find a new insurance company—if they can find one—because the law says they have to buy it, but they also have to start over.

So the Land of Lincoln—the so-called co-op health insurer on the State exchange—is going to shut down the end of September—in a couple weeks. Its 49,000 Illinois members—this is according to the Chicago Tribune—its 49,000 Illinois members have to get new insurance coverage for October, November, and December because it is done at the end of this month. They will likely have to start from zero again on their deductibles and out-of-pocket maximum payments, in some cases costing them thousands of additional dollars.

Is that what President Obama means when he says forcefully defend and be proud? There is very little to be proud about what this President has brought upon the American people, which is why we see so many families concerned.

The final issue I bring up is the fact that so few people are signing up in spite of the fines, in spite of the taxes, and in spite of the mandates, to the point that the Washington Post had a front-page story entitled "Health-care exchange sign-ups fall far short of forecasts." At this point, they expected 24 million people signing up. They are at 11 million. So they are 13 million short. There are still almost 30 million people in this country uninsured, but it is not because they are making it hard to sign up. Oh, no, Mr. President. You may have seen this story that came out yesterday on CNBC news: "Obamacare marketplaces remain vulnerable to fraud, new government audits find." The article says: "Two new government audits reveal that the nation's Obamacare marketplaces remain 'vulnerable to fraud,' after investigators successfully applied for coverage for multiple people who don't actually exist."

They made up people, they applied, and the ObamaCare exchange sold them the insurance and counted them as good. It says: "In several cases this year, fake people who hadn't filed tax returns for 2014 were still able to get Obamacare tax credits. . . ." They were not just able to get insurance but got subsidies from hard-working American taxpayers. They were still able to get ObamaCare tax credits to help pay their monthly premiums for coverage right now.

Continuing to quote from the article: "This year is the first year in which applicants for those subsidies had to have actually filed their federal tax returns from prior coverage years. . . ."

But they had not filed them. That didn't matter to the ObamaCare exchange people. They are so desperate to get people to sign up because so few people are signing up that they will sign up people who don't exist.

They put up 10 fictitious applications, with 8 of them failing the initial online identity checking process, but all 10 were successfully approved, according to the Government Accountability Office.

It is amazing that people all around the country know how poorly this law is working for them in terms of their lives and their families. I heard one of the Senators today say Republicans have no options. The Republicans have offered plenty of responses to what is happening with the Obama health care law. The State health care CHOICE Act allows States to make a lot of decisions that are now being made by unelected, unaccountable Washington bureaucrats. We have plans working toward patient-centered care to allow people to get the care they need from the doctor they choose at lower costs.

These are things that have been rejected by the Democrats because the President has said "forcefully defend and be proud." Hillary Clinton has said defend and build upon. She wants to do it with additional taxpayer subsidies—subsidies that go to people who do not exist, subsidies that don't deal with the cost of care, subsidies that don't deal with the fact that people are facing high deductibles, high copays, and can't keep their doctors.

In spite of what the President and the Democrats may say, and in spite of what candidate Clinton may say, a huge number of American people have considerable fears their life will be made worse by the President's health care law. Almost 3 in 10 Americans today—29 percent of Americans today—say they and their families have been personally harmed by the President's health care law. That is a sign of failure, Mr. President. It is not a sign of success. It is not something people should forcefully defend and be proud of. It is a sign we need to take a different path—a path that is not the Obama approach, not the one-size-fits-all, and it is not the Washington knows better than the people at home.

We need to get the decisions out of Washington and being made at home so the American people—people who just want to get up, go to work, take care of their family, and get affordable care when they need it—can get the care they need, from a doctor they choose, at a lower cost.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HELLER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CAPITO. Mr. President, I am here today to speak in support of the Water Resources Development Act, or what we call WRDA. I thank Chairman INHOFE and Ranking Member BOXER for the way they have worked very well together to get this very important piece of legislation across the finish line, as they did with the Transportation bill. This piece of legislation has broad bipartisan support.

As we know, West Virginia suffered historic flooding this summer. We can see this in Greenbrier County, WV, on June 25, 2016. This shows how swollen and filled all the waterways were. We lost 23 West Virginians from the storms, and tens of thousands suffered catastrophic damages to their homes and to their livelihoods. WRDA contains a number of provisions that will help prevent this kind of devastation in the future. We can no longer wait until it fails to fix our Nation's infrastructure.

In addition to a major loss of life, communities across West Virginia are dealing with significant economic losses that will take years to recover. Our friends in Louisiana are going through the same, very difficult building back.

Let me touch on some of the highlights of the WRDA bill.

I sponsored a provision in WRDA with my fellow Senator from West Virginia, Mr. MANCHIN, to study the feasibility of implementing projects for flood risk management within West Virginia's Kanawha River Basin—something such as this—to prevent this. This bill also addresses dam safety and includes a provision I have been working on with Senator JACK REED. I thank him for his hard work in this area.

According to the Army Corps of Engineers' "National Inventory of Dams," there are more than 14,000 high-hazard potential dams in the United States. As we know, the State of West Virginia has a lot of mountains, a lot of valleys, a lot of water, and a lot of dams. Some 422 of those dams are located in my small State of West Virginia. Put simply, when a dam has high-hazard potential, it means that if the dam fails, people will lose their lives and their property.

This provision allows for \$530 million over 10 years for a FEMA program to fix those dams. I know that States across the Nation would welcome this provision.

Flood prevention and mitigation is only one of the important parts of this WRDA bill. WRDA also has drinking water infrastructure—an issue, again, that is very important to all of us. In my State of West Virginia, we dealt with this firsthand, in 2014, following the Freedom Industries spill into the Elk River. As we may recall, that

caused 600,000 people to lose their water for a large period of time—several weeks in some cases.

WRDA provides assistance to small, disadvantaged, and underserved communities. It will replace lead service lines in these communities and address sewer overflows. We have so much aging infrastructure in this country. It includes \$170 million to address lead emergencies—like those in Flint, MI—and other public health consequences. It provides \$70 million to capitalize the new Water Infrastructure Finance and Innovation Act, better known as WIFIA. That program provides loans for water and wastewater infrastructure anywhere in the country. This program is modeled after a similar and highly successful program that supports our highways.

Maximizing the use of our waterways is another important part of WRDA. In my State, our rivers not only provide commercial transport but also vital recreational opportunities. I have submitted a bipartisan amendment, which I hope will be accepted into the final bill, that emphasizes the increasing use of locks along the Monongahela River for recreational use.

Finally, WRDA includes consensus legislation to allow EPA to review and approve State permitting programs for coal ash disposal. The EPA's coal ash rule went into effect last October, but EPA does not currently have the authority to approve our State permitting programs. This bill fills that gap, benefiting utilities, States, and the environment by authorizing State oversight of coal ash disposal. There is no other environmental regulation solely enforced simply through private lawsuits, which is what we are seeing. So this bill fixes that by giving States the authority, and it empowers local entities to help keep their infrastructure strong and functioning.

Lastly, the bill gets us back to a regular schedule of passing WRDA every 2 years. Doing so will allow us to continue to modernize our water transportation infrastructure and keep up with flood protection and environmental restoration needs across the country.

So let's seize this opportunity. This is a significant bill with a number of benefits for a lot of States all across the country. This legislation proactively addresses a number of concerns. It will bring short-term and long-term gains to our economy, and it will show the American people that Congress can come together in a bipartisan way to fix problems, to support needed improvements to our infrastructure, and to make the right investments in our communities.

Lastly, I wish to add that the devastating floods we had in West Virginia took 23 lives, but what it showed us as West Virginians is what a great Nation we live in. I want to take the time to thank people from across this country

who drove to West Virginia, who sent money to West Virginia, who raised money for West Virginians, who sent supplies, and who said prayers for all the many families who were devastated and still suffer the devastation from a flood such as this throughout our State.

I think we do sometimes focus a little bit too much on what is going wrong in this country. For me, one of the things that is going right is the volunteerism, the benevolence, the loving embrace that we felt in West Virginia from the rest of the country when we went through such a devastating flood but that other areas of the country feel when they suffer like consequences.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, it is really propitious that the Senator from Nevada is in the Chair today because I am going to speak about our legislation, which is part of the WRDA bill. Let me begin by thanking the Presiding Officer for his leadership. We put this legislation together in 2015. This has to do with Lake Tahoe, and the Presiding Officer was the main author of the bill. Senator REID, Senator BOXER, and I were supporters, and here it is in this WRDA bill. I want the Presiding Officer to know how I feel. This is how the Senate should work. We worked together for something that has benefited both of our States, and we are able to say we are getting the job done.

I wish to congratulate the Presiding Officer, Senator HELLER. This is so special for me. I am delighted that Senator HELLER is in the Chair, and maybe I can briefly go over the last 20 years of work on Lake Tahoe to bring us to this moment. I know Senator HELLER couldn't be at the summit this year, but I want him to know that he was really missed, and I want him to know that Senator REID put together one amazing summit. As a matter of fact, I called him and said: HARRY, you can't have a rock group at this summit. This is a serious thing. We meet every year, and we go over all of the science, planning, and problems at the lake. He said: Let me tell you something. I am retiring. It is my turn to do this, and I am going to do it my way. And it turned out to be great.

I want the Presiding Officer to know that 7,000 people attended the summit. Our Governor spoke, but your Governor could not be there because he was committed to an event in your State. Senator BOXER spoke, Senator REID, of

course, spoke, and the President was there and also spoke. I was worried that it would be difficult if all of us spoke because there were 7,000 people expecting to hear this Las Vegas rock band called the Killers after the program.

Well, I must tell you that they were the utmost in terms of an audience. After the program was finished, and before the rock group performed, I became hopeful that we now have a whole new constituency of people working for the preservation of this lake.

As I mentioned, I have worked on Lake Tahoe with my colleagues for 20 years, and I believe we are at a critical moment. To understand the long-standing commitment to Lake Tahoe, one must start with the first Lake Tahoe Summit in 1997. Senator HARRY REID invited President Clinton, and President Clinton's trip put a spotlight on the declining health of the lake. The 1997 summit also launched a public-private partnership, or a Team Tahoe, made up of Federal, State, local, tribal, and private sector participants, which has invested \$1.9 billion in restoration of Lake Tahoe. I want to just quickly report to the Presiding Officer some of the numbers, if I may. As I stated, we have invested \$1.9 billion in the lake over 20 years—\$635 million is Federal dollars, \$759 million is California dollars, and \$124 million is Nevada dollars. As you know, southern Nevada land sales have gone into this, thanks to your Governor and also Senator REID. Local governments contributed \$99 million, and I want you to pay attention to this number: \$339 million has been raised by businesses and the private sector over the 20-year period. What we have is a very real, bi-State combined effort to preserve and restore Lake Tahoe. It is a special partnership.

I also want the Presiding Officer to know that during the stakeholders' luncheon, which preceded the summit, Dr. Geoff Schladow, a professor and scientist at University of California, Davis, said that his greatest concern was the fact that this lake is now warming quicker than any large lake in the world. Also, the Tahoe Environmental Research Center at UC-Davis recently released their annual "State of the Lake" report for 2016 which we discussed. We learned this year that the average daily minimum air temperature rose 4.3 degrees. And the average annual lake clarity depth decreased by 4.8 feet. In addition, we learned that prolonged drought and dead trees are increasing the risk for catastrophic wildfire. Sedimentation and pollution continue to decrease water quality and the lake's treasured clarity. And invasive species, like the quagga mussel, milfoil, and Asian clam, continue to threaten the lake and the economy of the region. We are going to have a continuing problem with the challenges we face, and that is

why it is so important and timely to pass the Tahoe bill.

I am so proud of the accomplishments that we have made together. I want to again thank the Presiding Officer for this because it is really important. Lake Tahoe is one of two big, clear lakes in the world. The other is Lake Baikal in Russia. It is the jewel of the Sierras and known throughout the world for its beauty. It is a national treasure we must protect.

Let me cite what we have done and the progress we have made to date. We have completed nearly 500 projects, and 120 more are in the works. Our completed projects include erosion control on 729 miles of roads and 65,000 acres of hazardous fuels treatment. More than 16,000 acres of wildlife habitat and 1,500 acres of stream environment zones have been restored, and 2,770 linear feet of shoreline has been added to the lake.

I think what we have overall now is a bi-State Team Tahoe, and I think it took us 20 years to get there. I remember when Senator REID got President Clinton to come in 1997, as I mentioned earlier, and had a big meeting at Tahoe Commons, which many of us attended. At that time, everybody was fighting. Planning agencies were fighting with homeowners, and environmentalists were fighting with others, but that doesn't exist today. Today we have effected a team, and I am so pleased that the Senator from Nevada is in the Chair, which was completely unplanned, so I can say thank you and how very proud I am that we have achieved this and that it is part of the WRDA bill.

This Tahoe bill builds off of these 20 years of collaborative work and includes \$415 million over 10 years in Federal funding authorizations for wildfire fuel reduction, forest restoration projects, funding for the invasive species management program and the successful boat inspection program, funding for projects to prevent water pollution and manage stormwater, and funds for the Environmental Improvement Program, which prioritizes the most effective projects for restoration.

I wish to particularly thank our colleagues, Senator INHOFE and Senator BOXER. The only way you get this done is by working together, and I think the fact that they have worked together has ensured that we now have this opportunity to deal with this new challenge, which is unprecedented warming. Along those lines, just a word: As I understand what is happening, the projection is for less snow and more rain, which means more warm water. This impacts the cold-water fish in the Lake, and the Truckee River, which is fueled by Tahoe, and all of the streams that play into Lake Tahoe really depend on that snowpack. So the next few years, I think, are going to be crucial.

The time to act is now, and the Federal Government must take a leading

role. Close to 80 percent of the land surrounding Lake Tahoe is public land, including more than 150,000 acres of national forest. Federal lands include beaches, hiking and biking trails, campgrounds, and riding stables. So the Federal Government has a major responsibility to see that these public lands remain in prime condition. And that is what this bill would help do.

I want the Presiding Officer to know that I look forward to working with him. We must continue the tradition that was set by Senator INHOFE and Senator BOXER, which Senator REID helped to start. We have to carry on. I am delighted that the Senate is working again and that this bill is part of the WRDA bill.

I want to end by once again thanking the Presiding Officer for his leadership. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUING RESOLUTION

Mr. RUBIO. Mr. President, I am pleased to report that we had some encouraging news yesterday with the announcement of the Senate majority leader that additional money to fight the Zika virus would be included in the continuing resolution, which is the budget document that will help to move us forward at least through December and that hopefully will be moving through the Senate very soon.

Throughout my time in the Senate, I have regularly opposed these short-term spending bills because I don't think funding government on a month-to-month basis is the smart way to run the government of the most powerful and important Nation on Earth. But with Zika becoming a public health emergency the way it has, this is a necessary exception for me to make. All of us, obviously, will reserve to see all the other details of this budget document, but assuming it is as reported—as I am aware in the conversations that are ongoing—I will be supporting this continuing resolution. It is worth making an exception for something like this when the Zika funding is in it. At this point, I just really believe we need to get Zika funding approved and moving. We need to make sure that the fight for Zika doesn't run out of money by the end of this month. For me, that is the most urgent priority.

We can't let the perfect be the enemy of the good. The perfect, I believe, is

still the full funding that was originally requested—the \$1.9 billion, which I supported. The good is what, hopefully, will be finalized soon and, hopefully, will pass quickly. But the unacceptable would be to do nothing and to let the money run out on the ongoing efforts to fight Zika.

Even the \$1.9 billion the administration requested months ago will not ultimately be enough. We do not know for sure how much more will be needed to win this fight, but the \$1.1 billion for Zika that is being negotiated would be a step in the right direction and would mean more resources for my home State of Florida, which is in the continental United States and has been disproportionately impacted. Just yesterday, there were another six cases of confirmed transmissions in the State and not travel-related, and of course there is the suffering that is ongoing on the island of Puerto Rico, where a significant percentage of the population has now been affected and/or infected by Zika.

I have been talking about this issue since January, and it has been frustrating to see it tied up in Washington's political games. As I said repeatedly, I believe both parties are to blame for our getting to this moment. On the one hand, I believe Members of my own party have been slow to respond to this, and there were efforts, I believe, to try to cut corners on funding, which will cost us money in the long term. But on the other hand, you have Democrats here inventing excuses—just making it up—in order to oppose it, and they do so for purely political reasons. You have an administration playing chicken with this issue by claiming that money would run out in August, only to discover that they had more money that could be redirected from other accounts. Now, thanks to the lack of action by Congress and by the administration, we have nearly 19,000 Americans who have been infected, including 800 in Florida and 16,000 on the island of Puerto Rico. We have 86 pregnant women in the State of Florida who have tested positive for the virus, which we know carries the risk for heartbreaking birth defects. As I said, the Florida Department of Health announced that it wasn't 6; it was 8 new non-travel-related cases, bringing that total to 64. That means there are 8 new cases of people who got Zika somewhere in America, probably in Florida.

Zika has also had a devastating economic impact on Florida. The Miami Herald reported that Miami hotel bookings are down, airfare to South Florida is falling, and business owners in affected areas are reporting steep losses. Polls show many visitors would rather stay away. As tourism takes a hit, so will the entire economy in the State of Florida, since tourism is one of our cornerstone industries. That is

why we see all of us from Florida working together across the aisle to get this done. For example, I have worked with my colleague BILL NELSON, the senior Senator from Florida, from the very beginning. I will be meeting with our Governor Rick Scott later today about the same issue.

The bottom line is that at the national level, like at the State level in Florida, there is no excuse for this issue to be tied up in politics any longer. My colleagues, Zika is not a game, and we need to pass this funding as soon as possible so that our health officials and experts have the resources they need to conduct the vital medical research that will lead us to a vaccine and ultimately help eradicate Zika in Florida, across the United States, on the island of Puerto Rico, and beyond.

So yesterday's announcement is encouraging. We are closer than we have ever been to getting something done, and now I hope will be the time for action. Hopefully, we will have something soon that is public and that we can get passed right away. I sincerely hope that Senate Democrats won't once again make up or find some excuse to oppose it, and I hope that Members from our party will work cooperatively as well. I hope, ultimately, that the House will also do the right thing so that we can get this done and we can move forward on the research necessary for the vaccine, on the money needed to eradicate these mosquitoes, and, ultimately, on the treatments that people will desperately need to deal with Zika once and for all.

RECESS

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

WATER RESOURCES DEVELOPMENT ACT OF 2016—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The Senate is not in a quorum call, so the Senator may proceed.

Mr. INHOFE. I thank the Chair.

Mr. President, right now the reason there is this long wait is we are trying to get everything in place to pass a major piece of legislation, one that is quite significant. It is comparable to our Transportation bill, comparable to our TSCA bill on chemicals, and it is one that came out of our committee, the Environment and Public Works

Committee. It is one I am very proud we were able to get done.

Yesterday I talked about the WRDA bill and why it is so important to pass now, the WRDA bill being the water infrastructure bill. It gives recent real-world examples of the problems our Nation is facing and how this legislation can address them.

Today I remind everyone of the process that got us here today. I think it is important because people are saying we don't go through the daylight very often, where everybody has a chance to participate—everybody. We are in that process right now.

Back in December of last year, Senator BOXER and I sent our "Dear Colleague" out to Members letting them know we were going to do a WRDA bill—Water Resources Development Act—in 2016. This was back in 2015, in December.

Well, before the introduction of our bill and our markup in the EPW Committee, we sent out another email asking Members about their priorities, and we got them. We marked up WRDA on April 28, 2016. That means we actually worked on it for 4 months prior to that time, taking up the priorities that people were sharing with us.

We then let all offices know once again that we were preparing to go to the floor with the goal of passing WRDA in the Senate before the August recess. Well, that didn't happen, but my staff continued to work over the August recess with offices on their priorities, and we brought a substitute amendment that was the result of that work to the full Senate on September 8. That was on a Thursday, and we announced that we were going to close the amendments and that everyone should get amendments to us that could be included in the managers' amendment by noon the next day—the next day being Friday—and they did that. That amendment included over 40 provisions that were added after the committee mark. That is a lot of daylight.

Finally, last week I came to the floor to let everyone know that Senator BOXER and I needed to see all the amendments by noon of last Friday if they wanted them to be considered in the managers' amendment. To date, we have included hundreds of the WRDA priorities from Senate offices, which are included in the substitute, and we were able to clear over 40 additional provisions this weekend. That is just from those that came in prior to noon on Friday. So we had 40 additional provisions just as a result of that.

We hope to adopt that by voice vote today. I say hopefully, but I think people are pretty much in agreement that can happen now. Everyone has had a chance. By the way, when we adopt that, we can entertain other amendments, and we will work with Members on those amendments.

This has been a very open and collegial process, and all Members have had their concerns and priorities heard. We have done our best to address Member priorities. And after we are on the bill, we will continue to do our best to clear germane amendments—only germane amendments.

What we have in front of us is a bipartisan bill that will help us modernize our water transportation infrastructure and keep up with flood protection and environmental restoration needs around the country. The problems the WRDA bill addresses are not State or regional problems, they are problems that face the Nation as a whole.

It is clear that people are frustrated with the current political climate. Passing WRDA is a chance for us to start to regain the trust of the American people and prove to them we can do our job and get things done.

I often refer to the EPW Committee that I chair as the committee that gets things done. And we do. So far we have been very successful. We passed the highway bill. Many people were saying: You will never pass a highway bill, a 5-year bill of that magnitude. Yet we did. That hadn't been done since 1998, so it ended 17 years of stagnation. Then we passed the TSCA bill. Everyone said: You are not going to get that. Remember, that was the Frank Lautenberg bill that he had worked on for quite a number of years. We said: Well, we are going to get it done. We got it done.

Senator BOXER and I do not always see eye to eye. She is one of the most liberal Members of the Senate and I am one of the most conservative Members of the Senate. But we have shown over a period of time, time and time again, that when we work together on an issue, we can accomplish our goal. Now we have the WRDA bill before us—something we have both worked very hard on and a bill we are very proud of.

So I am here today to say not passing the WRDA bill is not an option. There is just too much at stake.

If we don't pass the WRDA bill, 29 navigation, flood control, and environmental restoration projects will not get done. If we don't pass it, there will be no new Corps reforms to let local sponsors improve infrastructure at their own expense. We would think there would be an easy time getting something through, where we were going to spend somebody else's money, but this has been difficult. Now we are able to do that—let local sponsors take and improve their infrastructure at their own expense. If we don't do this, there will be no FEMA assistance to States to rehabilitate unsafe dams, there will be no reforms to help communities address clean water and safe drinking water infrastructure mandates. This is very significant to those of us in Oklahoma and to any of the other smaller populated rural States

because the communities cannot afford the unfunded mandates. That is what this is all about. Those mandates come from the clean water and safe drinking water infrastructure. Without this, there would be no new assistance for innovative approaches to clean water and drinking water, and there would be no protection for coal utilities from runaway coal ash lawsuits.

As I have reminded as we have gone through this process, the bill is tremendously important. It is time to do our job and do what we were sent to do. We have that chance now. This afternoon we need to agree—and we can do this by voice vote—to adopt the managers' amendment, and then we can consider any other amendments. There may not be that many. There is no reason in the world we can't pass the bill through final passage by noon tomorrow. That is our effort. We are going to try to make it happen.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN POLICY

Mr. BARRASSO. Mr. President, people all around the country know that the world is a very dangerous place. It has become more dangerous over the past 7½ years, and even over the course of this summer. As a member of the Foreign Relations Committee, I come here again to the floor because I have seen one example after another—examples of how the Obama administration seems to not know what is going on when it comes to foreign policy.

I believe the Obama administration—and specifically Secretary Clinton as well as President Obama—have been embarrassingly naive with regard to the Russian reset. I think it has been awful, this disastrous Iran nuclear deal. This country has had an inadequate response to North Korea, which led to another nuclear test just last week.

The President's foreign policy should secure America's national interests and demonstrate America's leadership around the world. The question is, Has the Obama foreign policy done that? It really has not.

Look at what former President Jimmy Carter had to say. He said this about President Obama: "I can't think of many nations in the world where we have a better relationship now than we did when he took over."

He went on to say: "The United States' influence and prestige and respect in the world is probably lower now than it was 6 or 7 years ago."

So you have to ask yourself: Why is this happening?

Well, I think it is clear that President Obama has really refused to stand up to the aggression of other countries. For more than 7 years, the President has followed the advice of his foreign policy team, and I think he has been very, very reluctant and hesitant to take threats seriously.

Every time the President does this, he emboldens our adversaries around the world to be more aggressive. Every day the President allows these threats to go unanswered, he is endangering America and our allies. Our allies don't respect us. Our enemies no longer fear us.

Let's take a look at Syria. It was 5 years ago that President Obama called on Assad to step aside—5 years ago. A few months later, Secretary Hillary Clinton said that it was only a matter of time—almost 5 years ago—before the Assad regime would fall. It was her judgment, the Secretary of State, now running for President.

The Obama administration's policy was to wait and hope for the best. It didn't back up its words with any meaningful support for the moderate opposition in Syria.

In 2012, President Obama said that if Assad used chemical weapons, he would be crossing a redline. Well, Assad knew that when President Obama and his team make threats like that, they are empty threats. So the very next year, Assad used chemical weapons, and the President of the United States did nothing. The redline became a green light, and it remains a green light today.

The common rule in terms of foreign policy and deterrence is if you make a statement, you have to back up those words with action or you will invite aggression by others, and that is the reason our friends no longer trust us and our enemies no longer fear us.

Earlier this year, the State Department admitted that Syria has used chlorine as a chemical weapon systematically and repeatedly—not just once, not just twice—systematically and repeatedly against the Syrian people every year—every year since that redline was drawn. It wasn't just one time in 2013; it was every year since then.

Did President Obama secure America's national interests with his weak response in Syria? Did he demonstrate American leadership? He did not.

Let's move from Syria to Russia. Although Russia has been very involved in Syria, let's take a look at Russia. We all remember Secretary of State at the time Hillary Clinton going to Russia and pushing her "reset" button. We all remember in 2012, President Obama laughed off a suggestion that Russia was a serious threat to the United States. He did it during a Presidential debate. Russia responded to the reset—a reset in terms of what Russia has done—ignored it, sent troops into Ukraine and Crimea, annexed Crimea and invaded eastern Ukraine.

President Obama again showed weakness in responding to a very aggressive military action by Russia. When President Obama shows weakness, which is repeatedly, leaders around the world who watch him move accordingly, and that is why Russia moved. That is why we have seen Vladimir Putin being so aggressive in using his military to keep Assad in power. Recently, President Putin even launched airstrikes from Iranian territory—from Iran—against opposition forces in Syria. What does this do? It props up Assad. The CIA Director told the Senate in June that Assad, in the CIA Director's words, "is in a stronger position than he was last year."

The CIA Director says that Assad is in a stronger position than he was last year. Hillary Clinton said he was going to fall almost 5 years ago. Why is Syria in a stronger position? The CIA Director said it was as a result of the Russian military intervention, and that is because Russia can act with impunity. Vladimir Putin knows that because he sees that President Obama continues to show weakness, and Vladimir Putin can smell the weakness. Despite this, the President continues his misguided obsession in negotiating with Russia, as if our two countries have the same goal in mind when it comes to Syria.

Listen to what the White House says. The White House says it has negotiated a ceasefire with Russia in Syria. We have seen this before. Russia makes promises. Russia breaks promises. Russia makes new promises. Russia breaks new promises.

Syria makes promises. Syria breaks promises. Syria makes other promises. Syria breaks other promises. We have seen it with chemical weapons. We have seen it with this so-called deal that was brokered to get the chemical weapons out of Syria, which Secretary of State Kerry boasts about as being so successful.

For almost 8 years, this administration has been living in a cocoon of self-delusion with regard to Russia. Has President Obama, in any way, secured America's national interests with his weak response to Russia? Has he demonstrated American leadership globally?

That is what the American people want. They want the United States to be the most powerful and respected country on the face of the Earth. It is not what they got with President Obama.

What about Iran? The President likes to talk about his nuclear deal with Iran as if he thinks it is the greatest foreign policy success of all time. He believes this deal is paving the way for an Iran without nuclear weapons, but instead it is paving the way for a nuclear-armed Iran. The deal means the Iranian economy has already begun to benefit from access to more than \$100 billion.

Now we have learned that, just when that deal went into effect, President Obama went even further and arranged to send Iran another \$1.7 billion in cash—euros and Swiss francs, piled up on pallets. He sent \$400 million as a down payment in January, and within 24 hours of sending the cash to Iran, the Iranians agreed to release Americans who they had been holding hostage. The White House says it wasn't a ransom payment to free these American hostages. They want the American people to believe it was just a coincidence in timing.

Well, you can bet the Iranians don't believe it is a coincidence, and, actually, they said it is not a coincidence. They said it was the money for the release of the hostages.

We know from experience that the Iranians see hostage-taking as a valid way of conducting their own foreign policy. The President plays right into their hands. They have also gotten the message that for them it can be a very profitable approach as well. President Obama has been greasing the skids to give billions of dollars to Iran. He has done nothing to get Iran to pay the money it owes to U.S. victims of terrorism.

Who are the victims of terrorism who are U.S. citizens? According to the Congressional Research Service, courts have awarded more than \$55 billion in damages for victims of Iran's terrorism. Most of these include victims of the 1979 Embassy hostage crisis. They include victims in the 1983 bombing of the Marine barracks in Lebanon and the 1996 Khobar Towers bombing in Saudi Arabia.

Has President Obama done anything to secure America's national interests by letting Iran think that we pay ransom for hostages? Is that a demonstration of leadership? Of course, it is not.

We all know the world is a dangerous place and that there are countries that are headed by thugs and zealots, and when the President of the United States responds on behalf of the people of the United States and responds with weakness and desperation, other leaders interpret that fear and see it as fear and smell the weakness every time.

We are going to keep seeing this kind of aggression and bullying by these macho men, if you will, who run Iran, Syria, Russia, North Korea, and China. These are the leaders around the world who, through the President's actions, do not respect or fear him. He has brought this on himself and the American people due to the way he has reacted and led the country. These are leaders who smell weakness.

We need a foreign policy aimed at securing America's national interests and demonstrating America's leadership. Under President Obama, American power has declined, respect around the world has evaporated, and the Obama foreign policy has been a complete failure.

Jimmy Carter said: "I can't think of many nations in the world where we have a better relationship now than we did when [President Obama] took over."

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE APPROPRIATIONS

Mr. DAINES. Mr. President, while I was home last weekend, I had a chance to visit with servicemembers at Malmstrom Air Force Base in Great Falls, MT, as well as the Montana Air National Guard, also in Great Falls. Every time I visit them, I am incredibly humbled by their character, their dedication, and their determination toward their mission.

The airmen of Malmstrom bear the great weight of standing ready with the world's most powerful weapons, employing them everyday as a vital component or our Nation's nuclear deterrent force. This is where approximately one-third of our Nation's intercontinental ballistic missiles reside. I have the utmost faith in the nearly 4,000 airmen at Malmstrom who operate, maintain, and provide security for the missiles that silently sit across North Central Montana. From the airman first class raised in Butte who stands armed and ready on his first 5-day post, to the senior leadership, I know those airmen will not fail our Nation.

However, as I speak today, my friends from across the aisle are blocking funds for these troops, for our troops, and have already six times blocked consideration of the Department of Defense Appropriations Act of 2017, denying our troops the proper funding and support they deserve. So today I am standing here with some of my freshmen colleagues imploring our friends and colleagues on the other side of the aisle to stop the political gamesmanship. Let's get back to work, and let's start with funding our military.

We see ISIS expanding into places like Libya and managing to influence people and attacking Western targets in Paris, in Belgium, and even in our homeland, in San Bernardino and Orlando. We must make sure our military forces have the tools they need to perform their job and defend against 21st-century threats.

A couple of months ago, I was en route to China. On the way over, I

stopped at Pearl Harbor and had a briefing from Admiral Harris, the head of Pacific Command, and heard about the threats that are faced right now in the region—in North Korea, for example.

In fact, just Friday morning I was at a 9/11 remembrance ceremony at the chapel at Malmstrom Air Force Base with the airmen there. It was a very moving ceremony as we were remembering what happened 15 years ago. We saw the videos and the images of New York and the Pentagon.

Thursday night, as I am heading back to Great Falls for the Friday morning remembrance ceremony, I am seeing tweets about a 5.0 quake that occurred in North Korea as they tested their fifth underground nuclear bomb—a bomb that is now starting to rival the size of what was dropped on Hiroshima—or whether it is spending time in Alaska on the way home and hearing about the threats of Russia and the aggression we see from the Russians.

Five weeks ago I was in Israel hearing firsthand from the Israeli leadership of the existential threat of a nuclear Iran in the future, hearing about Hezbollah and how they now have over 100,000 rockets in Lebanon pointed at Israel, funded in large part by the Iranians.

There are the Hamas terror tunnels that came out of Gaza. There is nothing more chilling than crawling in one of those tunnels. There we were in our jeans and our hiking boots. It wasn't fancy. It was just outside Gaza in an agricultural area. You could look off and see tractors tending to their fields around us. In Israel there were tunnels built by Hamas, primarily funded and sponsored by the Iranians, where they had very extensive electrical systems, HVAC systems. They found syringes there. They were planning to kidnap Israeli soldiers and drug them and take them back as hostages.

And then going to the Syrian border in a Jeep and standing right on the border between Israel and Syria and glassing into ISIS-controlled villages 3 miles away. Looking across the security perimeter fence and seeing a black SUV, I asked my Israeli escort there—I said: What am I looking at there?

He said: Is there a black flag coming out of the back of it?

I said: There is not.

He said: That is an Al Qaeda vehicle.

This is why we must ensure that our men and our women in uniform have the resources they need to defend our Nation.

Whether it is our Nation's peace-through-strength strategy at Montana's Malmstrom Air Force Base or our Army and Air National Guard members who work to support our communities in times of emergency and respond to deployments overseas, Montana is playing a critical role in meeting our Nation's security and military needs.

At Malmstrom, the commander's coin that I was given a couple of years ago says this: "Scaring the hell out of America's enemies since 1962." They do so because this body—the Senate, the Congress—chose duty over politics.

We must stand with our nearly 2 million members of the U.S. military who fight threats every day. That is why we are down on the floor today fighting on behalf of them. We must stand up for those who stand up for the rights and freedoms we enjoy, and we must make sure we are ready for the 21st-century threat.

I am very pleased to have one of my colleagues, Senator ROUNDS from South Dakota, here. Senator ROUNDS was the Governor of South Dakota before he was elected to the Senate, another freshman I have the privilege of serving with. Of course, he has Ellsworth Air Force Base there, the home of the B-1 Lancer. I am grateful that Senator ROUNDS has come down to the floor today—another freshman Senator—to discuss these very important issues.

Mr. ROUNDS. I thank Senator DAINES. I appreciate the opportunity to participate in the colloquy with Senator DAINES and Senator CAPITO, who is also here with us today.

I spent 8 years as the Governor of South Dakota. One of the titles you carry when you are the Governor of a State is that you are also the head of the National Guard. You are the chief of the National Guard. You get a chance to actually work as a commander in chief with those individuals who put themselves in harm's way. When you start out, you wonder whether this is simply a term of art, whether it is simply one of those nice titles.

During the time that I was Governor, there was a case in which we were literally sending young men and women off to do battle for the United States of America. They were volunteering. They were stepping up. They were leaving, hoping to come home. Moms and dads were worried, and with just cause. When they did come home, we would celebrate their safe return, but in some cases, we also mourned with moms and dads because their loved one did not make it home. They gave everything. Yet there seems to be some miscommunication here within the Senate that somehow our actions are not communicated in a way that is impacting what those young people who put themselves in harm's way see.

Think about this. As Members of the U.S. Senate, you would think that Republicans and Democrats would put some things aside, and I do believe that we will eventually do that. But I think there is nothing wrong with those of us who believe that we should expedite the process of bringing the Defense appropriations bill to the floor of the Senate.

We should bring attention to the fact that it is not being done today, that it

is not being done in an appropriate fashion, and it is not being done in a timely fashion. That, in itself, sends a message to a lot of young men and women who have put themselves in harm's way and who have already committed themselves to the defense of our country.

It was just this last Sunday that we marked the 15th anniversary of the bombings we have referred to as 9/11, the terror attacks which took nearly 3,000 American lives and occurred in New York, Washington, DC, and Pennsylvania. Fifteen years ago these attacks were perpetrated by terrorists whose sole goal was to terrorize American citizens and destroy our way of life. Fifteen years later, that risk and that threat have not gone away.

The No. 1 responsibility of the Federal Government is the defense of our country. Unless that responsibility is fulfilled, our freedoms are in jeopardy. Yet at this time we in the Senate have been unable to consider legislation—and I mean only consider legislation, not pass it; simply consider it—which we can bring onto the floor the way the Founding Fathers wanted and debate how to make it better.

We know we will pass a defense appropriations bill, but the question of how we do it and in what order we do it is important. I think whether or not we are prepared to come to the floor—Senate Republicans and Democrats alike—and actually openly discuss the appropriations process is very important. Yet at this time we in the Senate have not been able to even consider the legislation that funds our troops and our military operations for the upcoming year.

Our Democratic colleagues on the other side of the aisle are refusing to even bring the Department of Defense Appropriations Act to the floor so we can debate and amend legislation that would equip our Armed Forces with the tools they need to continue their missions. It is one thing if bringing it to the floor meant that it would pass with a majority vote. That is not what it means. What it means is that it still takes 60 votes, meaning Democrats still have the opportunity, if they disagree with what we finally end up with, to stop it from moving forward. But you have to start someplace, and starting with the Defense appropriations bill is very appropriate.

This is not a controversial bill. The Senate Appropriations Committee unanimously approved it by a vote of 30 to 0 earlier this year.

The Department of Defense Appropriations Act, which passed the committee, also adheres to the bipartisan budget agreement that was signed into law last year, and it refrains from any gimmicks and other controversial measures.

Simply put, there is no excuse for continuing to block—six times now—

the Defense appropriations bill from even being considered on the floor of the Senate. This senseless obstructionism from the other side of the aisle comes at a time in which, according to a recent FOX News poll, a record-high 54 percent of American voters believe that the United States is less safe now than it was before the 9/11 attacks.

Continuing to block any appropriations bill is ill-advised, but blocking the Defense appropriations bill causes unnecessary uncertainty and endangers our national security efforts. One of the reasons we created a constitution in the first place was that our Founding Fathers wanted to provide for the common defense, and that is what this is all about. It should not be blocked from even having a debate.

I encourage our friends on the other side of the aisle to join us in recommitting ourselves to the primary purpose of government—defending our great Nation from those who seek to destroy us—by at least allowing us to debate the merits of the appropriations bill for the defense of our country on the floor of the Senate.

I most certainly appreciate Senator DAINES taking the time to organize this colloquy, and I most certainly appreciate my other fellow freshmen Senators stepping up because this is an important item that I think should bind us together and not separate us within the Senate.

Thank you for this opportunity to express my thoughts.

Mr. DAINES. I thank Senator ROUNDS for those thoughts. As a member of the Appropriations Committee myself, I am again struck by thinking that the Defense appropriations bill passed out of our committee by a vote of 30 to 0. Yet trying to bring it to the floor of the Senate just to debate on it, just to begin—let's bring it down and start having a discussion on this bill that we have stopped six times in a strictly partisan vote.

I am pleased to have another freshman Senator join us today, Mrs. CAPITO of West Virginia. Senator CAPITO is also a member of the Appropriations Committee. I am grateful Senator CAPITO is here as well. I know she has the McLaughlin Air National Guard Base, the airlift wing, in her State and is proud to represent the men and women who serve in the Guard in West Virginia.

I thank Senator CAPITO for sharing her thoughts today.

Mrs. CAPITO. I thank Senator DAINES for calling us together for what I think is a good reminder to those who are watching and in the Gallery that we are deeply committed to seeing a Senate that functions and a Senate that exercises opinions and has full and open debate on this revered Senate floor. I thank Senator DAINES for putting together the freshmen colloquy. I thank Senator ROUNDS. We are

seatmates, sitting next to one another in this great and beautiful Hall.

It is interesting to hear everybody's different perspectives on why this bill is so important.

Let's just recall how we got here. I am a member of the Appropriations Committee with Senator DAINES, and the Presiding Officer is as well. We debated this bill in the committee room. We did several amendment votes. In the subcommittee, many thoughtful decisions were made, and discussions were had as to the priorities of our defense capabilities. In the end, we joined together, Republicans and Democrats, and passed this out of the full committee 30 to 0—no opposition.

For those of you who are watching and even for me, a freshman in our freshman class, we would think, well, this is a layup. This is about our men and women in uniform. This has overwhelmingly come out in a bipartisan fashion. All 14 Democrats on the committee supported this.

What has changed here? What has changed? Why are the Democrats now filibustering to keep the Senate from even considering this legislation that was unanimous out of committee and well discussed? Let's have the discussion on the floor.

Yet, six times, as Senator ROUNDS said, they have refused to let us consider this bill. Why is there a strategy being put forth to keep Congress from working by blocking this and all of the other appropriations bills? Why are they blocking the bill that will equip our troops—the ones who are fighting overseas, training at home and recruiting, and those who are caring for our military families here at home? Why? I don't have the answer to that question. I think the answer lies on the other side of the aisle, but I haven't heard an answer that sufficiently satisfies my curiosity nor the curiosity of the American people.

Senator DAINES mentioned the McLaughlin Air Guard. We have over 6,000 members from West Virginia in our National Guard. They serve in all reaches of this world, they serve on the border, and they serve for flood relief all around this country. Whenever there is an emergency, the West Virginia National Guard is one of the first ones called up. Thousands are now on Active Duty around the globe, and we have over 100,000 veterans in our State. What kind of message does this send to them? What are they thinking? Why? Why is this being blocked?

We all know we live in a dangerous world. We can listen to the radio, we can listen to the discussions, and we can read the news. We know how dangerous this world is. If we consider the state of that this administration's failed policies have created, I think that is the reason why.

Why is this being blocked?

In Eastern Europe, the Russian military continues its military buildup. I

just returned from a trip over Memorial Day to the South China Sea, and we learned there about China constructing military facilities on man-made islands.

Just last week, North Korea conducted its latest and largest nuclear test. If it didn't send chills down your body thinking about that, it should, because they want to get the capabilities to reach our western coast.

In the Persian Gulf, Iran continues to harass U.S. naval ships and threaten to shoot down surveillance aircraft.

Just yesterday a ceasefire in Syria didn't last hours before the Assad regime dropped more barrel bombs on the rebels.

The instability is remarkable. Too much is at stake for us to continue to play politics that trumps our defense policy, and all of the threats that we face still persist.

The Senate has a tradition—and I was in the House for 14 years. We had a tradition. This was one of the easy bills. The DOD appropriations bill is something—we can do this because as a country we know how important our military is, our men and women in uniform. This time around should be no different. I strongly urge my colleagues on the other side of the aisle to work with us, to show that unified support that we saw in the committee. We need to show that support to our men and women in uniform, their families, and our veterans.

I yield back to Senator DAINES, but I wish to welcome Senator GARDNER to the discussion. He is an esteemed member of the Senate Foreign Relations Committee. In the Senate, he also has led us in a bipartisan way in passing important sanctions against the North Korean regime.

I am also pleased to be on the floor with Senator SULLIVAN, my colleague from Alaska, who is a loud and clear voice in support of our military, not just from his experience but from his very enriched background in this area.

I go back to my original question. Why? Why are you blocking this? Why can't we give the certainty that our men and women in uniform, our moms and dads, and our husbands and wives need. Why? Let's have an answer to that question. Let's do our job. Let's pass this bill.

Senator DAINES, thank you again for your leadership.

Mr. DAINES. Senator CAPITO has made a very good point. After she spent 14 years in the House, this is the easy bill to pass. Funding our military, funding the men and women who wear the uniform of the United States—that is the easy bill.

In the Senate Appropriations Committee, there are 16 Republicans and 14 Democrats. As Senator CAPITO pointed out—another appropriator—it passed 30 to 0 out of the Senate committee on May 26, but we haven't had a response

from the other side as to what has changed since May 26 when we passed it 30 to 0.

I thank Senator CAPITO for her thoughts.

I now welcome Senator SULLIVAN, another freshman Senator from Alaska. I wish to say something special about Senator SULLIVAN, U.S. lieutenant colonel, Marine Corps Reserve. We are grateful for his service to our Nation as a marine.

I am the son of a marine. I am standing next to a marine on the floor. Senator SULLIVAN, thank you.

By the way, Senator CAPITO and I both had a chance to visit Joint Base Elmendorf-Richardson twice in the first 6 months of this year, various visits. It is an impressive operation. I am very proud, as I know you are, of those men and women who wear the uniform.

Senator SULLIVAN.

(Mr. GARDNER assumed the Chair.)

Mr. SULLIVAN. I thank Senator DAINES and all of my colleagues on the floor today, all of the freshman class. The Presiding Officer is part of it. We have a great new class, 12 new freshmen. As you can see, we are very serious about this topic because this is a critical topic not only to the Senate but also to the country.

You know, our friends in the media—they often sit above the Presiding Officer's chair—you wouldn't know that the Senate minority leader has filibustered spending for our troops six times in the last year. No one reports on it. It is a disgrace, in my view.

Last week we and our colleagues on the other side of the aisle were talking a lot about the Senate doing its job. I think if you polled the American people and you asked them the No. 1 job the Senate, Congress, or Federal Government should be doing, it would be defending this Nation. It would be supporting the troops. That is the No. 1 thing in terms of the Senate doing its job that we should be focused on.

As Senator CAPITO so eloquently talked about, look at where our forces are right now—all over the world. There are 5,000 troops in Iraq. They are in combat. The White House doesn't like to use the word "combat," but those troops are in combat. Our troops in Syria, brave pilots, are bombing ISIS, terrorist groups, on a daily basis. They are in combat. Their families know it.

Again, we have a White House that doesn't want to talk about combat. The Press Secretary will not mention the word, but our forces are in combat.

We had two aircraft carrier battle groups recently in the South China Sea. It was an incredibly important demonstration of American resolve. We have over a thousand troops who were just put in Europe by the President to reassure our European allies with regard to Russian aggression. A new headquarters was stood up in Poland—

an American headquarters. The President ordered 8,500 troops to remain in Afghanistan. These are all initiatives by the President and by our leaders in the Department of Defense just in the last couple of months. Many of us support these. Many of us support these.

As the Presiding Officer knows, it is not just the real-world contingency operations—the combat our troops are in. It is real-world training. My colleague from Montana mentioned JBER in Alaska. We have some training exercises, such as RED FLAG-Alaska, one of the best air-to-air combat training exercises anywhere in the world. We had many evolutions of RED FLAG-Alaska this summer. Our troops were training hard. This is what the U.S. military is doing throughout the world and throughout the country to keep our Nation safe.

What is the Senate doing? More specifically, what is the minority leader doing? Well, as we have talked about, we came back last week, back in session, and the first vote we took was the sixth time the minority leader of the Senate organized a filibuster to make sure our troops didn't get funding—six times. There is no other bill in the Senate in the last year and a half that the minority leader of the Senate has picked to filibuster more than this bill—the bill that funds our troops.

Senator CAPITO asked a very good question. Why? Why? Why?

I have been on the floor asking this question for months. We are freshmen. We are new to this body. But we have not heard one Member of the other party come to the floor and explain why they are filibustering the spending for our troops—not once.

This is what our troops need. They watch this, by the way. They understand what is happening. A lot of people think: Oh, it is the Senate. Nobody understands these procedural filibusters and things. The men and women of the U.S. military know exactly what is happening. We will come down here and continue to fight for the funding and support of our troops and their families as long as the other side continues this filibuster.

Senator CAPITO, as I mentioned, asked a very important question: Why? But here is another question for my colleagues. I serve on the Committee on Armed Services. I serve on the Veterans' Affairs Committee. I know these are great bipartisan committees with Members of both parties—very patriotic and very supportive of the military. But why are my colleagues on the other side of the aisle following the Senate minority leader? Why are they following his lead in the filibuster? I really, really wish one of them—just one—would come down and explain to the American people why six times—six times in the last year and a half—the minority leader has filibustered spending for our troops and why my

colleagues on the other side of the aisle have followed him.

If you were to poll this question back in any State where you are from, regardless of party—Democratic or Republican—the American people would say: Fund the troops. The American people would say: Bring it to the floor and at least have a debate on the bill that passed out of the Committee on Appropriations unanimously. The American people would say: They are doing their job. U.S. Senate, it is time to do your job. Fund the troops; support the troops.

It is remarkable that we are still debating this, and we are going to keep raising this. Maybe the media will focus on it. Again, I want to commend my colleague, Senator DAINES, for leading this colloquy because it is so important for the people of the United States to understand what is really happening on the floor of this important body.

Senator DAINES.

Mr. DAINES. U.S. Marine Corps Lieutenant Colonel SULLIVAN, I thank you, and I appreciate those comments.

When Senator SULLIVAN talks about our colleagues saying no, what they are saying no to is over 1.2 million Active-Duty military and over 800,000 Reserve military. They are saying no to almost 10,000 troops engaged in combat in Afghanistan and the additional military in harm's way in places like Iraq, Syria, and other places around the globe.

We have been hearing from freshmen Senators from the Republican Party here today in this colloquy. We have another freshman from Oklahoma. I am very honored and grateful to serve with Senator LANKFORD from Oklahoma, the home of Tinker Air Force Base.

Senator LANKFORD, I thank you for sharing your thoughts today.

(Mr. SULLIVAN assumed the Chair.)

Mr. LANKFORD. I am glad to be a part of this colloquy and to talk about what is happening during this conversation. It is not just Tinker. There are multiple major bases in Oklahoma.

It is extremely important that we continue to maintain a strong national defense. In fact, by a margin of 54 percent to 31 percent, Americans believe President Obama's flawed Iran deal has made the United States less safe. This is a major issue for all Americans. People want to know that they are kept safe, that their government is actually engaged. It is the primary responsibility of the Federal Government to deal with national defense. Regardless of party, people want to live in safe neighborhoods. Regardless of party, people want their families to grow up in a world that is as safe as it can possibly be.

In case anyone has missed the obvious, there are a lot of very bad people around the world who hate our freedom, who hate our values, and who

hate American leadership. When America is strong, our deterrent stays strong and it stays clear. The last thing we want is thugs, dictators, and terrorists around the world challenging us, assuming that we are weak. That leads to the loss of American life, and it leads to instability around the world.

This administration and the decisions they have made have made us weaker as a nation and have demonstrated to us as a nation that we are not as strong as we once were. That leads to that great instability, and one of those areas where it leads to great instability is when this Congress stumbles in its support for our military. Six times in 18 months our Democratic colleagues have filibustered the Defense appropriations bill, which should be the easiest of all the appropriations bills to walk through.

I serve on the Committee on Appropriations. I was there when all the debate was happening in the committee. We passed it unanimously out of committee. Yet when it comes to the floor, it gets filibustered. You see, the basic rules of the Senate are—as this body knows extremely well—that we have to have three-fifths of the body to open debate on a bill. It passes by a simple majority, but we have to have 60 people of the 100 here to agree to start it. As long as the other side decides they do not want to debate an issue, we are literally stuck and can't even open debate on something as basic and that should be as nonpartisan as Defense appropriations.

So what are we facing right now while all this is happening? Well, we face a very unstable world that has become more unstable, as I mentioned before, because of some of the attitudes and actions of the administration. The President's failure to enforce his own redline in Syria has led to instability throughout the Middle East, as no one knows where the lines are for anyone. Making a statement like "they won't use chemical weapons," when every year since 2013 the Syrian Government has used chlorine gas on its own people, had our administration responding with: Well, that is not crossing the redline because chlorine was exempted from this deal. They couldn't use other chemical weapons, but they could gas their own people with chlorine. That makes absolutely no sense to anyone. The Syrians have continued to use chlorine gas on their people year after year, mocking the President's redline and diminishing American leadership around the world.

In Russia, they continue to be on the move, with their own cyber attacks into Ukraine and into the Crimea. There is their leadership in Syria and the latest cease-fire, in fact, which Secretary Kerry and President Obama just negotiated with Russia and which favored Russia's position and is retain-

ing Assad's leadership, giving Russia time to rearm. In fact, sitting down with Russia now and having to agree with Russia on places where we would have attacks puts Russia clearly in the lead of what is happening in Syria.

It is fascinating for me to think that just 4 years ago the President of the United States mocked Mitt Romney as he talked about Russia as a major threat. President Obama flippantly laughed and said to Mitt Romney: Hey, the 1980s are calling you. We don't have a Cold War with the Soviets anymore. Well, somehow I don't think anyone would say that now, as everyone sees Russia on the move.

North Korea continues to test missiles and nuclear weapons. China continues its aggression through territorial expansion in the South China Sea. Cyber terrorism continues to increase from areas all around the world. ISIS is expanding its reach around the world in what it calls its provinces. The administration continues to say that the territory of ISIS is decreasing. But it is also quietly saying that their expansion around the world is increasing.

This is an unstable time in an unstable season, and it is a moment when we should all engage on some of the most basic things, like national defense. This body should be able to sit down and have an actual open debate on national defense and how that would actually happen.

Do I need to remind us about what Iran has done in just the past year? It is helping to organize a coup in Yemen, destabilizing Bahrain as much as they possibly can, engaging in propping up Assad in Syria, and partnering with Russia to launch attacks with Russian bombers leaving from Iran to go in and do attacks. All of this they continue to do as they expand.

As this government struggles with funding our government, the President of the United States sent \$1.7 billion in cash to the Iranian Government. It is the ultimate irony—the ultimate irony—that at a time when the President and our Democratic colleagues don't want to fund the U.S. military, they sent three plane loads full of cash to the Iranian military so they could operate theirs.

This is why we stand here as freshmen and say this may be the normal Senate process, but it makes no sense to the American people. How can planes full of cash be sent to the Iranian military and they are not spending here?

Let me just give you some perspective. As the President looks out from his front window at the White House, he sees the Washington Monument directly in front of him, and \$1.7 billion in \$1 bills would be the equivalent of 1,097 Washington Monuments stacked up—1,097 Washington Monuments stacked up is \$1.7 billion. That is what we just shipped to Iran.

Why do we think this is important? Because we believe national security is important and protecting America is important. A flippant conversation years ago where Secretary Clinton said that Assad's time is almost done—that was 5 years ago—the President's redline, the failure to be able to fund our military on time demonstrates that we need to be more serious about national security. This is the issue the American people want us to deal with, and this is the one we need to deal with.

With that, I appreciate the leadership of Senator DAINES in this area, and I thank him for allowing me to join in this conversation on the Senate floor on something that is extremely important to all of us.

Mr. DAINES. I thank Senator LANKFORD for his thoughts. As freshmen who are new to the Senate, we are scratching our heads, like the American people are, as this institution—our friends across the aisle are holding up funding our troops. At the same time, as Senator LANKFORD mentioned, the President is shipping \$1.7 billion of foreign currency—because he can't do it in U.S. currency without breaking the law—to the Iranians.

I am glad to be joined now by Senator GARDNER of Colorado. He is a dear friend, a great colleague, and a member of the Foreign Relations Committee as well. I thank him for joining us on this important topic.

Mr. GARDNER. Mr. President, I thank Senator DAINES for the opportunity to come to the floor and talk about a bill that passed with bipartisan unanimous support out of the Senate Appropriations subcommittee addressing defense spending. I thank the Senator for inviting me to join our freshmen colleagues—new Members of the Senate, all elected in 2014—to come to the floor and have this conversation and this colloquy, to be joined by the Senator from Oklahoma who speaks so clearly on why our Nation would allow a policy to send \$1.7 billion in currency to Iran but not fund our troops.

Think about what the Senator from Oklahoma said. He said it so well; that our Nation's policy is to pay off Iran before we pay our troops.

The Senator from Alaska—whom I commend for his courage in standing up on the frontlines of freedom for our country, his service to our country, we thank him for that service—spoke eloquently on the floor earlier, where he talked about six times this Senate has blocked, through the use of a procedural motion, funding for our men and women in uniform—six times—over the past 1½ years.

This isn't a bill that people come to the floor and they are outraged about, they are opposed to it, they want something different. That is not what we are talking about. We are talking about a piece of legislation to fund our men and women in uniform that passed

30 to 0 out of the Appropriations Committee—16 Republicans, 14 Democrats, no opposition, 30 to 0—to fund our troops. That can't move forward because of tactics of obstruction—tactics of obstruction that changed this body in 2014 because the American people were sick and tired of it, watching the 113th Congress fail to do its job, fail to vote on important legislation.

Over the past 1½ years, we have passed bipartisan Transportation bills, we have passed bipartisan Education bills, we have passed bipartisan human trafficking bills. We have changed the way this Congress is working to actually achieve things together, but somehow there is a dictate that came down that we would stop working together now because they are blocking funding for our troops.

When did we go from having the ability to accomplish things together to we are going to stop everything? Have people come and talked to us on the floor about why they object to this legislation? Have we heard statements in opposition to funding our troops? Have we heard alternate proposals about funding our troops? No.

The bottom line is, a partisan minority—a partisan minority—is blocking the funding of our troops. Why? Because they can, I guess, they decided, because they were told to do so, because they refuse to break ranks with the grip of a leadership office that has said: Block the funding of our troops.

Tell the American people that. Explain to the American people why you are opposed to funding our troops.

Let me tell you why I am here from Colorado. I am here from Colorado because we have the 9th largest Active-Duty military population in the United States out of 50 States, 12th largest combined Active and Reserve Force population. Colorado is home to more than 35,000 Active-Duty servicemembers, nearly 14,000 Reserve and National Guard Forces, more than 5,000 Department of Defense civilians. These numbers don't even include all the family members and contract employees who directly depend on the passage of this legislation—3,000 DOD contractors in Colorado—which make the defense industry in Colorado the third largest basic industry in our State.

El Paso County, CO, population center of the State of Colorado, is the only county in the Nation that is home to five military bases: Fort Carson, U.S. Air Force Academy, Peterson Air Force Base, Schriever Air Force Base, Cheyenne Mountain Air Force Station, also home to NORTHCOM at Peterson, our strategic missile command, space cyber command. Together, these five bases employ approximately 60,000 people, with at least \$6 billion to the local economy, and yet a bill that passed 30 to 0 that would have addressed the needs of this Nation, that would have fixed this crisis we are facing in terms

of funding our troops, is being filibustered, being blocked, being held up for partisan reasons—strategic reasons, tactical reasons.

This isn't a time when our military is sitting back at home just guarding the homeland from within the 50 States. This is a time where men and women across this country are standing on guard, engaged in combat today around the globe. This is a nation whose military is standing guard in South Korea, watching a madman in North Korea detonate nuclear bombs—not because he just thinks they are fun to show off but because he wants to use them against the United States and our allies. Yet a partisan minority wishes to block this legislation that funds those people on that line in South Korea protecting the United States and our allies.

We had a chance to visit with the Secretary of State today to talk about what is taking place in Syria, what is taking place in Saudi Arabia, what is taking place in Iran, Iraq, and throughout the Middle East. A bill that passed 30 to 0 that would fund those efforts—our troops, defense of this country, the security of our home, our men and women in uniform—is being blocked, and the bill hasn't changed.

Our colleague from West Virginia, Senator SHELLEY MOORE CAPITO, talked about how nothing has changed between this bill passing out of the Appropriations Committee and today, standing here in this colloquy with our freshmen colleagues. Nothing has changed. Yet the individuals who voted in favor of the bill are now standing in the way of the bill moving forward, refusing to even debate. If they have a difference of opinion, if they think there needs to be an amendment, if they think something needs to change in the bill, then stand forward and talk about it, but instead they are blocking it, using politics and strategic reasoning to keep this bill from coming forth.

This bill isn't about strategies of political tactics or strategies of political maneuvering. It is about funding our men and women in uniform—a bill that passed without opposition. It is good for our military, it is good for our country, 1.2 million servicemembers—a much needed, much deserved pay raise for our military personnel.

It funds U.S. NORTHCOM, headquartered right there in Colorado, protecting the homeland from threats like North Korea, the Joint Interagency Combined Space Operations Center, the JICSPC, that protects and defends critical National space infrastructure in Colorado. This bill funds it. The European Reassurance Initiative that helps our NATO allies counter the destabilizing threat of a resurgent Russia is funded in this legislation—legislation that passed 30 to 0 out of committee but somehow is being

stopped and held up and blocked by partisan dissent.

It funds our major military installations in Colorado—170,000 jobs and related jobs in Colorado. It prevents moving Guantanamo Bay detainee terrorists to Americans' backyards, something all Coloradans are worried about. I have talked to many of my colleagues on the floor before about what is happening in Colorado and the possibilities that this detention facility at Guantanamo Bay could be unilaterally shut down by the President, and instead of having terrorists located offshore, they would be onshore and put in Colorado. This bill would keep that from happening. It had bipartisan support out of the Appropriations Committee, but it is now being blocked.

Why is such a bipartisan bill—such an important bill—that will serve so well our men and women in uniform, that was put together by listening to senior military leaders who are true subject experts on the subject matter being blocked?

Vice Chief of Staff of the Army, General Allyn, has said: "We must have . . . predictable and sustained funding to deliver the readiness that our combatant commanders require to meet the missions that continue to emerge."

Marine Gen. John Paxton, Jr., recently testified: "The strains on our personnel and equipment are showing in many areas, particularly in aviation, in communications and intelligence."

Earlier this year, General Goldfein—now Chief of Staff of the Air Force—said the current Air Force is "one of the smallest, oldest and least ready in its history."

The 2016 DOD appropriations bill put us on a path to address concerns of these military leaders.

The bottom line is, preventing this bill from moving forward jeopardizes the ability of our military to effectively, efficiently, and safely do their job and keep our country safe.

It is an honor to serve with my colleague from Alaska who served this country in our military; to serve with JONI ERNST, the Senator from Iowa, who served this country; Tom Cotton, the Senator from Arkansas, who served this country, and so many others. Let's listen to them and their leadership, and pass the bill, do what is right for this country, and not listen to the narrowest of partisan voices.

I thank the Senator from Montana for the opportunity to join the colloquy.

Mr. DAINES. I thank Senator GARDNER. I know he is very proud as he is standing here representing the Air Force Academy—what an incredible institution—Cheyenne Mountain, NORAD. I thank him for coming down to the floor and making their voices heard here, speaking on behalf of them on the floor of the U.S. Senate.

To wrap up, we have had six of the new Republican freshmen speaking today in this colloquy. These are fresh eyes and fresh voices, looking at what is going on in Washington, DC, and saying: It is broken.

It is very simple: We must make sure our military forces have the tools they need to perform their job because I can tell you one thing—our enemies are not waiting around for Senate Democrats to fund our military to make it a fair fight.

Maybe we should do this: Maybe we should stop funding Congress until we fund the military. I wonder if that would wake this institution. Why don't we put congressional pay in limbo? Why don't we see somebody filibuster congressional pay? I think we should. We should forfeit our paychecks until we fund the U.S. military.

The bottom line is, the world is a dangerous place. The defense of our country relies on properly and promptly funding the Department of Defense.

How can this institution—how can our friends across the aisle—continue to stand here and say no to our U.S. military when so much is at stake? The U.S. House has passed this bipartisan bill; the Appropriations Committee of the U.S. Senate passed it 30 to 0—16 Republicans joining 14 Democrats on a 30-to-0 vote on the Defense appropriations.

We must say yes to our military who fight for us every day, who stand up, protect our rights and our freedoms that we enjoy every day.

I yield the floor.

THE PRESIDING OFFICER (Ms. COLLINS). The Senator from Colorado.

UNANIMOUS CONSENT REQUEST—H.R. 5293

Mr. GARDNER. Madam President, just moments ago I joined a group of my colleagues from the freshman class to talk about the importance of passage of the Defense appropriations bill. Six Members of that class came to speak about the need to pass a bipartisan bill that passed 30 to 0 out of the Appropriations Committee—16 Republicans, 14 Democrats—unanimously.

The American people engaged in this debate know the arguments on each side, but that is only one side because it was 30 to 0. There is no opposition, but yet this bill has been held up by a filibuster six times over the past year and a half.

So I come to the floor on behalf of my colleagues who are so engaged in this to ask unanimous consent that following the disposition of H.R. 5325, the Senate proceed to H.R. 5293, the Defense appropriations bill.

THE PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Madam President, reserving the right to object.

THE PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. First, let me thank my colleagues on the other side of the

aisle. I know they are conscientious and committed to our national defense and security and to the men and women who make it possible. I have listened to their speeches on the floor, and but for some political analyses, I would agree with their motives to make sure we adequately and promptly fund the defense of our country. There is no question about it.

Secondly, I might say that I know a little bit about this bill. I am the ranking Democrat on the Defense Appropriations Subcommittee, and in the previous Congress I served as chairman of the Defense Appropriations Subcommittee. And I am lucky because I have by my side a Republican Senator, THAD COCHRAN of Mississippi, who currently chairs the committee. I can tell you that from start to finish, THAD COCHRAN, Republican, and DICK DURBIN, Democrat, have agreed on this bill and what is included in this bill. We have worked it out to the satisfaction of not only our own staff and the people we worked with but with the Pentagon as well. We have put together a very good, solid, defensible bill, and the point my colleague made demonstrates that. When it was called on in the full Appropriations Committee, there was unanimous support for it. Within the four corners of the bill, there is no controversy. The only question before us now is when it will be called for passage.

I take to heart the efforts by the Senator from Colorado—along with his colleagues—today to suggest that we should do this sooner rather than later. I might try to explain for a moment, if I may, why the feeling is that we can't do it at this moment in time.

This is the biggest single discretionary spending bill in our Nation's budget. Sixty percent of the Federal budget flows through this bill to support the Department of Defense and intelligence activities. It is the Monster of the Midway, as we say in Chicago. It is the most important bill in size, at least, when it comes to our appropriations, but it is not the only bill. As the Senator knows, there are 11 other appropriations bills. What we are trying to do—and I believe we will achieve this—is have an agreement on the entire budget.

When we reached a budget agreement with President Obama and the Republican leaders in Congress, we said that we were going to fund any increases in the Department of Defense and match them with increases in nondefense spending. That has been basically the rule of the road from the start, and so there is a reluctance to allow one bill, the Department of Defense appropriations bill, to jump out ahead of others until we have this global agreement on the budget.

The Senator and his colleagues made a good point: What is more important than the defense of this Nation? What

is more important than national security? The honest answer is that there is nothing more important. Doesn't the first line say "provide for the common defense" in terms of our responsibility?

There are also important things in the nondefense budget. I am sure the Senator from Colorado would be the first to stand up and say that we need to adequately fund the Federal Bureau of Investigation. They work night and day to keep America safe. They are not included in this Defense bill. They are in another appropriations bill which is still unresolved. I think the Senator would probably agree with me that the Department of Homeland Security is a very important agency when it comes to safety in our airports, our families getting on airplanes, and people crossing our border. The appropriation for that Department is not included in this bill.

The point I am trying to make is that when it comes to the security of this Nation, it is not just the Department of Defense; it is primarily and initially that Department. And what we need to do is make sure we have adequately funded the entire budget of this country. Can we do it? Yes, we can, and we must.

The short-term spending bill—the continuing resolution that Democrats and Republicans have done many times before—won't disadvantage the Department of Defense. By the second week of December, I believe in good faith we can work out our differences and come up with spending bills across the board for every agency—medical research, food inspection, things that everyone counts on. But to jump ahead and say that we will just take the biggest appropriations bill and put it aside and go ahead and finish that one, as the Senator has suggested with his unanimous consent request, really doesn't take into consideration that we have an obligation across the government to do our job not just with one bill but with all of the appropriations bills.

I believe in this bill. I voted for this bill. I worked on this bill. As much time as my colleague may have put into his research when preparing for his floor speech, I will match it with the time I put into this bill to make sure it was written right. I want to make sure it is passed with a budget that is fair for this country and done in a bipartisan way that we will all be proud of—not just the men and women in uniform but everyone in the United States who is served by our efforts. For that reason, at this moment I object to the request that was made.

THE PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. GARDNER. Madam President, I thank my colleague from Illinois. We will continue to work on this issue

until we pass this important appropriations bill. We will hear from our colleagues across the country, particularly those who were just elected in 2014.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SHEILA BEATTY

Mr. COTTON. Madam President, today I would like to recognize Sheila Beatty of Hot Springs Village as this week's Arkansan of the Week for her dedication and service to Arkansas veterans.

When people choose to retire, they often seek out a life of rest and relaxation, but not Sheila. When she retired, Sheila chose a different path: honoring those who serve or have served in the U.S. military.

Sheila honors our veterans and our soldiers in many ways—almost too many to mention today. For years, she has stood in the Patriot Guard flag line at every military funeral in Arkansas, no matter the distance from her hometown, and every time troops leave for deployment or return home from a tour, Sheila is there to meet them, with cookies, flags, and a big smile on her face. Sheila is active in the Arkansas Freedom Fund—a nonprofit organization that supports members of the military, veterans, and their families through rehabilitative recreational outdoor activities. She often helps plan events for this wonderful organization as well.

Her activities don't end there. Sheila also makes an extra effort to support the veterans who need it most. She collects clothing and personal hygiene items for homeless veterans in Arkansas. She volunteers with the No Veteran Dies Alone Program at the veterans hospital in Little Rock, where she sits by the bedsides of veterans who aren't able to have family or loved ones by their side in their final hours. Her time with them provides comfort and relief to these men and women when they need it most.

To those of you in Little Rock, next week stop by the National POW/MIA National Recognition Day reception in the State capitol rotunda. Sheila was instrumental in organizing that wonderful event.

Sheila's dedication to our Armed Forces and veterans is inspiring. As a former soldier, I can tell you that people like Sheila make military service more meaningful. Their impact on the lives of veterans cannot be overstated.

I am honored to recognize Sheila as this week's Arkansan of the Week. I join all Arkansans in thanking her for

supporting our veterans, and I urge everyone to join in her efforts.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. COONS. Mr. President, I come to the floor today to ask unanimous consent that the Senate proceed to executive session to consider the following five nominations: Calendar Nos. 27, 28, 29, 30, and 31; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. COTTON. Mr. President, reserving the right to object, I objected to the confirmation of these judges before, and the reason still stands. There is little evidence that the Court of Federal Claims needs them. According to the latest public statistics, the court's caseload is down 49 percent from 2011 and 66 percent if we go back to 2007. I understand that some say these numbers are skewed by a flood of relatively simple cases related to vaccine claims that has begun to ebb in recent years, but even if we remove those vaccine claims from the statistics, the court's caseload has still dropped. The number of nonvaccine cases dropped from 1,427 in 2014 to 1,404 in 2015. That latest number is 10 percent lower than in 2013, 25 percent lower than it was in 2008, and 39 percent lower than it was in 2007.

I respectfully remind my colleagues that the 16 active judges authorized in the statute for the Court of Federal Claims is not a minimum number, it is a maximum number. That number was set in 1982—an increase from the six judges that were previously authorized. Perhaps it is time to revisit that number again 34 years later.

I would also note that an auxiliary of senior nonactive judges is available to the court to hear cases. These senior judges receive a full salary whether or not they hear cases on the condition that they be available to work when called. They are the most experienced judges we have for these types of cases, and I am heartened to know that a

number of them have been recalled to assist the court since I called for that very action last year. That is a much better use of taxpayer dollars than confirming extra judges who will receive additional full-time salaries, office space, and staff.

I also note that my office has discussed the caseload in the Court of Federal Claims with the White House numerous times since the beginning of the year. In good faith, my office told the White House that if it provided a statistical case showing a need for more active judges, I would consider lifting some of my holds. On Thursday last week, the White House provided some statistics drawn from unpublished caseload data for the 2016 fiscal year. The data was not comprehensive or broken down in a granular fashion, but what they did show is that there is not a clear case for adding more judges at this time. According to the White House's statistics, the number of nonvaccine cases filed this year is down, the number of complicated contract bid protests filed has dropped, and the total number of pending nonvaccine cases has remained largely flat. There will be more discussion between my office and the White House about this data, but at this time I have yet to receive compelling data showing a judicial emergency for the Court of Federal Claims.

I have focused so far on our obligation to closely guard the use of taxpayer dollars for judges we may not need, but I would be remiss if I didn't highlight the unique role and vast power of the Court of Federal Claims. It has nationwide jurisdiction over all claims for money damages against the U.S. Government, from tax disputes, to government contract protests, to eminent domain takings. This court's jurisdiction isn't limited to the District of Columbia or to private litigants but deals with government abuses of the rights of Arkansans and citizens in every State of the Union. This is a serious court; the Senate should be serious as we consider confirming judges to it. The President's nominations to the court should not be rubberstamped.

We have to look hard at the workload of the court and evaluate the judicial resources currently available to meet the demands of that work, and right now those demands appear to be adequately met. I must therefore object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Delaware.

Mr. COONS. Mr. President, if I might on the question of the Court of Federal Claims, today, currently, there are just 10 active judges, although it is authorized to have 16. The five nominees whom I brought to the floor today and have asked unanimous consent to proceed on were first nominated in April or May of 2014 and have waited more than 2 years for their confirmation

here by the Senate. No one has raised an objection to their qualifications, and each of them has twice now unanimously been approved by the Senate Judiciary Committee without concerns being raised or advanced about either their qualifications or the need to fill these judicial vacancies.

With fewer active judges, cases have piled up in the Court of Federal Claims, which is often called “the people’s court” because of its role in hearing cases brought by citizens and businesses against the Federal Government. From 2012 to 2015, the number of pending general jurisdiction cases per active judge has nearly doubled, jumping from 70 to about 130 in just 3 years. The court has also seen an increase in bid protest cases—some of the most complex and resource-intensive cases heard by the court. These delays harm the citizens and businesses that are waiting to have their cases decided. Delays also come at significant cost to the Federal Government, which will pay greater interest once judgments are finally rendered.

As my colleague commented, it is true that senior judges are helping this overburdened court, but their efforts are limited by statute—they cannot work more than 90 days per year.

Last year I called for these same five judges to be confirmed by unanimous consent. One of my colleagues objected and argued that the number of pending cases has decreased and that additional judges are not needed. But this is, in my view, only the case if one counts cases that are referred to special masters. Special masters have significantly reduced their caseload in recent years, but these cases are not significant contributors to the workload of the Court of Federal Claims judges.

We have received letters from the chief judge of the Court of Federal Claims and the past president of the U.S. Court of Federal Claims Bar Association urging our swift action on these nominees. The Court of Federal Claims is in need of the service of these candidates, whose experience and qualifications are beyond question. I want to briefly highlight a few of these nominees and their backgrounds.

One of the nominees is Jeri Somers, who spent her career in service to our Nation, a decade in the Department of Justice as a Federal prosecutor and Civil Division trial attorney, and an extensive background as well in military service. She retired from the U.S. Air Force Reserves at the rank of lieutenant colonel, having spent two decades in the military serving as a judge advocate and then subsequently as a military judge in the U.S. Air Force and the District of Columbia’s Air National Guard.

Another pending nominee, Armando Bonilla, spent his entire career—over two decades—as an attorney for the Department of Justice. He was hired

out of law school in the Department’s prestigious Honors Program and has risen to become the Associate Deputy Attorney General in the Department. Mr. Bonilla would be the first Hispanic judge to hold a position on this court and was strongly endorsed by the Hispanic National Bar Association.

Thomas Halkowski, a third pending nominee, is a respected partner at Fish & Richardson in Wilmington, one of the preeminent IP law firms in the Nation. He practices in Wilmington, DE, my hometown. He is a former Department of Justice attorney, with 8 years of experience in the Environment and Natural Resources Division, and would bring the Court of Federal Claims a wealth of experience relevant to his work.

All five of these pending nominees to the Court of Federal Claims are qualified candidates who have languished for 2 years on the Senate Calendar. They represent part of a pattern of obstruction extending all the way up to our country’s highest Court, the Supreme Court. I believe it is time we come together in a bipartisan fashion to do our job, confirm these five nominees to these judicial vacancies, and allow them to get to work serving our Nation on the Court of Federal Claims.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 5042, AS MODIFIED, TO
AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I ask unanimous consent that the following amendment be called up: Inhofe-Boxer No. 5042, as modified, with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 5042, as modified, to amendment No. 4979.

Mr. INHOFE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: Of a perfecting nature)

Strike titles I through VIII and insert the following:

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.”.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h-1), is amended—

(1) in the first sentence—

(A) by striking “Whenever any” and inserting the following:

“(a) IN GENERAL.—Whenever any”;

(B) by striking “a flood-control project duly adopted and authorized by law” and inserting “an authorized water resources development study or project,”; and

(C) by striking “such work” and inserting “such study or project”;

(2) in the second sentence—

(A) by striking “The Secretary of the Army” and inserting the following:

“(b) REPAYMENT.—The Secretary of the Army”; and

(B) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if specific appropriations are provided by Congress for such purpose”; and

(3) by adding at the end the following:

“(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—

“(1) a State;

“(2) the District of Columbia;

“(3) the Commonwealth of Puerto Rico;

“(4) any other territory or possession of the United States; and

“(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”.

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Research and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

“(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

“(2) acceptance of the materials and services or funds is in the public interest.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Not later than 60 days after initiating an activity under this section,” and inserting “Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section.”; and

(B) by striking “a report” and inserting “an annual report”.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment

for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e-2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “, at full Federal expense,” after “The Secretary may”; and

(2) in subsection (b), by striking “funded” and inserting “reimbursed”.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or inter-agency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

“(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

“(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d-3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.”.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the “Rivers and Harbors Act of 1899”), is amended—

(1) by striking “That it shall not be lawful” and inserting the following:

“(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful”; and

(2) by adding at the end the following:

“(b) CONCURRENT REVIEW.—

“(1) NEPA REVIEW.—

“(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

“(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

“(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

“(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

“(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

“(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

“(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

“(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.”.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the “Flood Control Act of 1936”), is amended—

(1) by striking “funds appropriated by the United States for”; and

(2) in the first proviso, by inserting after “authorized purposes of the project:” the following: “*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise, consistent with authorized project purposes, operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River);”

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113-121) and inserting the following:

“(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

“(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘Flood Control Act of 1936’); and

“(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).”.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;
 (B) to aquifer storage and recovery; or
 (C) to any other storage facility;
 (3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Act of 1899”) (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C.

390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

(l) EFFECT OF SECTION.—Nothing in this section affects or modifies any authority of the Secretary to review or modify reservoirs.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to

support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

“(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

“(1) the types and number of restoration activities to be conducted;

“(2) the physical action to be undertaken to achieve the restoration objectives of the project;

“(3) the functions and values that will result from the restoration plan; and

“(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

“(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).”

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and

(2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) include measures to protect or restore habitat connectivity”;

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(C) by striking paragraph (11) and inserting the following:

“(11) EFFECT.—Nothing in this subsection—

“(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

“(B) affects the mitigation responsibilities of the Secretary under any other provision of law.”; and

(2) by adding at the end the following:

“(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

“(k) MEASURES.—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.”.

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”;

(2) by striking “project, or separable element thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”;

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) DISCRETE SEGMENT.—The term ‘discrete segment’, with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

“(2) WATER RESOURCES DEVELOPMENT PROJECT.—The”;

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “project, or separate element thereof” and inserting “project, separable element, or discrete segment of a project”; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking “project” and inserting “project, separable element, or discrete segment”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “project, or a separable element of a water resources development project,” and inserting “project, separable element, or discrete segment of a project”; and

(C) by adding at the end the following:

“(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.”.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(C) RAIL CARRIER.—The term ‘rail carrier’ has the meaning given the term in section 10102 of title 49, United States Code.”;

(2) in paragraph (2), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”;

(3) in paragraph (3), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(4) in paragraph (5), by striking “and natural gas companies” and inserting “, natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws”.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

“(2) INCLUSIONS.—Activities under paragraph (1) may include—

“(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could sig-

nificantly improve water resources development in the United States;

“(B) research, development, training, and other forms of technology transfer and exchange; and

“(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.”.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

“(4) MITIGATION BANKS.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration in water resources development feasibility studies of the entire amount of potential in-kind credits available at mitigation banks and in-lieu fee programs with an approved service area that includes the projected impacts of the water resource development project.

“(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits that meet the criteria under subparagraph (A) shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

“(i) has an approved mitigation banking instrument; and

“(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.

“(C) EFFECT.—Nothing in this paragraph modifies or alters any requirement for a water resources project to comply with applicable laws or regulations, including section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283).”.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

“(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.”.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking “\$1,000,000” and inserting “\$5,000,000”;

(2) by striking “accumulated snags and other debris” and inserting “accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel”; and

(3) by striking “or flood control” and inserting “, flood control, or recreation”.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) **STUDY AREA.**—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

- (1) The Chesapeake Bay.
- (2) The Gulf Coast States.
- (3) The State of California.
- (4) The State of Washington.

(c) **FINDINGS.**—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) **IN GENERAL.**—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121) is amended—

(1) by inserting “remove existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) **REPORT.**—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113-121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortia of States” after “working with a State”; and

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “restore or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Development Act of 2016”; and

(ii) in subparagraph (A)(ii), by striking “that—” and all that follows through “(II)” and inserting “that”; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “For” and inserting the following:

“(1) **IN GENERAL.**—For”; and

(D) by adding at the end the following:

“(2) **EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORI-**

TIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

“(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

“(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1041) or any subsequent Act; and

“(ii) that meet the criteria described in paragraph (1); and

“(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.”.

SEC. 1030. KENNEWICK MAN.

(a) **DEFINITIONS.**—In this section:

(1) **CLAIMANT TRIBES.**—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) **DEPARTMENT.**—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) **HUMAN REMAINS.**—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) **TRANSFER.**—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) **COST.**—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) **LIMITATIONS.**—

(1) **IN GENERAL.**—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) **SECRETARY.**—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including a study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)), the Secretary shall consider the extent to which the property has economic or recreational significance or impacts at the national, State, or local level.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through “Subject to subsection (b)” and inserting the following:

“(a) **APPLICATION OF CREDIT.**—

“(1) **IN GENERAL.**—Subject to subsection (b)”; and

(B) by adding at the end the following:

“(2) **REASONABLE INTERVALS.**—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1254) is amended by adding at the end the following:

“(5) **TIME LIMIT.**—

“(A) **IN GENERAL.**—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

“(B) **OUTSTANDING INFORMATION.**—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

“(i) an identification of any outstanding information that is needed to make a final decision;

“(ii) the date by which the information referred to in clause (i) shall be obtained; and

“(iii) the date by which the Secretary will make a final decision on the request.”.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 1035. FISH HATCHERIES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) **COSTS.**—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATER-SHED ASSESSMENTS.

(a) **VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.**—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

“(3) **REPORT.**—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.”.

(b) **COST SHARING.**—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through “The Secretary” and inserting the following:

“(A) **REQUIREMENT.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), the Secretary”; and

(2) by adding at the end the following:

“(ii) **EXCEPTION.**—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first \$100,000 of the feasibility study shall be a Federal expense.”.

(c) **NON-FEDERAL SHARE.**—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end “, except that the first \$100,000 of the assessment shall be a Federal expense”.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking “measures” and all that follows through “project” and inserting “measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project”; and

(2) by adding at the end the following:

“(e) **REIMBURSEMENT FOR FEASIBILITY STUDIES.**—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).”.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the Secretary” and all that follows through “projects” and inserting “the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources.”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “(2) MATTERS TO BE STUDIED.—A study” and inserting the following:

“(2) **AUTHORIZED ACTIVITIES.**—Any activity”; and

(C) by adding at the end the following:

“(3) **FEASIBILITY STUDY AND REPORTS.**—

“(A) **IN GENERAL.**—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for

the preservation of cultural and natural resources described in paragraph (1).

“(B) **RECOMMENDATION.**—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

“(C) **FUNDING.**—The first \$100,000 of a study under this paragraph shall be at full Federal expense.

“(D) **DESIGN AND CONSTRUCTION.**—

“(A) **IN GENERAL.**—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than \$10,000,000.

“(B) **SPECIFIC AUTHORIZATION.**—If the Federal share of the cost of a project described in subparagraph (A) is more than \$10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “studies” and inserting “any activity”; and

(B) in paragraph (2)(B), by striking “carrying out projects studied” and inserting “any activity conducted”;

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking “a study” and inserting “any activity conducted”;

(B) by striking paragraph (2) and inserting the following:

“(2) **CREDIT.**—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

“(3) **SOVEREIGN IMMUNITY.**—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

“(4) **WATER RESOURCES DEVELOPMENT PROJECTS.**—

“(A) **IN GENERAL.**—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

“(B) **OTHER COSTS.**—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

“(5) **PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.**—

“(A) **IN GENERAL.**—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

“(B) **OTHER COSTS.**—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

“(6) **WATER-RELATED PLANNING ACTIVITIES.**—

“(A) **IN GENERAL.**—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

“(B) **OTHER COSTS.**—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.”;

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking “**TERRITORIES**” and inserting “**TERRITORIES AND INDIAN TRIBES**”; and

(2) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall waive local cost-sharing requirements up to \$200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a))—

“(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

“(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).”.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking “that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) before the date of enactment of this Act” and inserting “for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as it existed before the repeal made by section 1014(c)(3))”; and

(2) in subsection (b), by striking “share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies” and inserting “non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest”.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) **DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.**—In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is

subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) NO CONSIDERATION FOR EASEMENTS.—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of non-profit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) ADMINISTRATIVE EXPENSES.—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United States Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) DEFINITION OF INNOVATIVE MATERIAL.—In this section, the term “innovative material”, with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) to allow the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) CONTENTS.—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) PUBLIC COMMENT.—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) CONSULTATION.—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

SEC. 1047. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) IN GENERAL.—Section 6001(c) of the Water Resources Reform and Development

Act of 2014 (33 U.S.C. 579b(c)) is amended by adding at the end the following:

“(5) DEFINITION OF CONSTRUCTION.—In this subsection, the term ‘construction’ includes the obligation or expenditure of non-Federal funds for construction of elements integral to the authorized project, whether or not the activity takes place pursuant to any agreement with, expenditure by, or obligation from the Secretary.”

(b) NOTICES OF CORRECTION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of correction removing from the lists under subsections (c) and (d) of section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) any project that was listed even though construction (as defined in subsection (c)(5) of that section) took place.

SEC. 1048. REVIEW OF RESERVOIR OPERATIONS.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term “reserved works” means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) TRANSFERRED WORKS.—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity under the provisions of a formal operation and maintenance transfer contract.

(3) TRANSFERRED WORKS OPERATING ENTITY.—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) APPLICABILITY.—

(1) IN GENERAL.—This section applies to reservoirs that are subject to regulation by the Secretary under section 7 of the Act of December 22, 1944 (33 U.S.C. 709) located in a State in which a Bureau of Reclamation project is located.

(2) EXCLUSIONS.—This section shall not apply to—

(A) any project authorized by the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the initial units of the Colorado River Storage Project, as authorized by the first section of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620);

(C) any dam or reservoir operated by the Bureau of Reclamation as reserved works, unless all non-Federal project sponsors of the reserved works jointly provide to the Secretary a written request for application of this section to the project;

(D) any dam or reservoir owned and operated by the Corps of Engineers; or

(E) any Bureau of Reclamation transferred works, unless the transferred works operating entity provides to the Secretary a written request for application of this section to the project.

(c) REVIEW.—

(1) IN GENERAL.—In accordance with the authorities of the Secretary in effect on the day before the date of enactment of this Act, at the reservoirs described in paragraph (2), the Secretary may—

(A) review any flood control rule curves developed by the Secretary; and

(B) determine, based on the best available science (including improved weather forecasts and forecast-informed operations, new watershed data, or structural improvements) whether an update to the flood control rule curves and associated changes to the water operations manuals is appropriate.

(2) DESCRIPTION OF RESERVOIRS.—The reservoirs referred to in paragraph (1) are reservoirs—

(A)(i) located in areas with prolonged drought conditions; or

(ii) for which no review has occurred during the 10-year period preceding the date of enactment of this Act; and

(B) for which individuals or entities, including the individuals or entities responsible for operations and maintenance costs or that have storage entitlements or contracts at a reservoir, a unit of local government, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, have submitted to the Secretary a written request to carry out the review described in paragraph (1).

(3) REQUIRED CONSULTATION.—In carrying out a review under paragraph (1) and prior to updating any flood control rule curves and manuals under subsection (e), the Secretary shall comply with all applicable public participation and agency review requirements, including consultation with—

(A) affected States, Indian tribes, and other Federal and State agencies with jurisdiction over a portion of or all of the project or the operations of the project;

(B) the applicable power marketing administration, in the case of reservoirs with Federal hydropower projects;

(C) any non-Federal entity responsible for operation and maintenance costs;

(D) any entity that has a contractual right to withdraw water from, or use storage at, the project;

(E) any entity that the State determines holds rights under State law to the use of water from the project; and

(F) any unit of local government with flood risk reduction responsibilities downstream of the project.

(d) AGREEMENT.—Before carrying out an activity under this section, the Secretary shall enter into a cooperative agreement, memorandum of understanding, or other agreement with an affected State, any owner or operator of the reservoir, and, on request, any non-Federal entities responsible for operation and maintenance costs at the reservoir, that describes the scope and goals of the activity and the coordination among the parties.

(e) UPDATES.—If the Secretary determines under subsection (c) that an update to a flood control rule curve and associated changes to a water operations manual is appropriate, the Secretary may update the flood control rule curve and manual in accordance with the authorities in effect on the day before the date of enactment of this Act.

(f) FUNDING.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may accept and expend amounts from the entities described in paragraph (2) to fund all or part of the cost of carrying out a review under subsection (c) or an update under subsection (e), including any associated environmental documentation.

(2) DESCRIPTION OF ENTITIES.—The entities referred to in paragraph (1) are—

(A) non-Federal entities responsible for operations and maintenance costs at the affected reservoir;

(B) individuals and non-Federal entities with storage entitlements at the affected reservoir;

(C) a Federal power marketing agency that markets power produced by the affected reservoir;

(D) units of local government;

(E) public or private entities holding contracts with the Federal Government for water storage or water supply at the affected reservoir; and

(F) a nonprofit entity, with the consent of the affected unit of local government.

(3) **IN-KIND CONTRIBUTIONS.**—The Secretary may—

(A) accept and use materials and services contributed by an entity described in paragraph (2) under this subsection; and

(B) credit the value of the contributed materials and services toward the cost of carrying out a review or revision of operational documents under this section.

(g) **PROTECTION OF EXISTING RIGHTS.**—The Secretary shall not issue an updated flood control rule curve or operations manual under subsection (e) that—

(1) interferes with an authorized purpose of the project or the existing purposes of a non-Federal project regulated for flood control by the Secretary;

(2) reduces the ability to meet contractual rights to water or storage at the reservoir;

(3) adversely impacts legal rights to water under State law;

(4) fails to address appropriate credit for the appropriate power marketing agency, if applicable; or

(5) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section, unless the modification is submitted to and authorized by Congress.

(h) **EFFECT OF SECTION.**—Nothing in this section—

(1) authorizes the Secretary to take any action not otherwise authorized as of the date of enactment of this Act;

(2) affects or modifies any obligation of the Secretary under Federal or State law; or

(3) affects or modifies any other authority of the Secretary to review or modify reservoir operations.

SEC. 1049. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

Section 221(a)(3) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(3)) is amended by striking “State legislature, the agreement may reflect” and inserting “State legislature, on the request of the State, body politic, or entity, the agreement shall reflect”.

SEC. 1050. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) in subsection (a)(2)(A), by striking “indexes” and inserting “indexes, including actual appreciation in relevant real estate markets”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h)” and inserting the following:

“(1) **IN GENERAL.**—Notwithstanding subsection (a)”;

(B) in paragraph (1) (as so designated)—

(i) by striking “funds” the first place it appears and inserting “funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas”; and

(ii) by striking “such funds” each place it appears and inserting “the contributions”; and

(C) by adding at the end the following:

“(2) **LIMITATION.**—Funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas provided under this subsection are not eligible for credit or repayment and shall not

be included in calculating the total cost of the project.”.

SEC. 1051. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking “**SEC. 6.** That the Secretary” and inserting the following:

“**SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.**

“(a) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(b) **CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.**—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

“(c) **PERMANENT STORAGE AGREEMENTS.**—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.”.

SEC. 1052. AUTHORIZED FUNDING FOR INTER-AGENCY AND INTERNATIONAL SUPPORT.

Section 234(d)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)(1)) is amended by striking “\$1,000,000” and inserting “\$5,000,000”.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

“(3) **CREDIT OR REIMBURSEMENT.**—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

“(A) the non-Federal share of future operation and maintenance under this subsection; or

“(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121).”.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The target total” and inserting “Except as provided in subsection (c), the target total”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) **EXCEPTION.**—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

“(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

“(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.”.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) **DEADLINE.**—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 158) (referred to in this section as the “Site”) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) **LIMITATIONS.**—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) **IN GENERAL.**—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and

Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

(1) in subsection (a)(1)—

(A) by striking “For sediment” and inserting the following:

“(A) IN GENERAL.—For sediment”; and

(B) by adding at the end the following:

“(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.”; and

(2) in subsection (d), by adding at the end the following:

“(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

“(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).”.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking “for each of fiscal years 2015 through 2022” and inserting “for each fiscal year”.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

“(2) DISCRETIONARY CARGO.—The term ‘discretionary cargo’ means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.”;

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”; and

(iii) by adding at the end the following:

“(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.”;

(D) in paragraph (5)(A) (as redesignated), by striking “Code of Federal Regulation” and inserting “Code of Federal Regulations”; and

(E) by adding at the end the following:

“(8) MEDIUM-SIZED DONOR PORT.—The term ‘medium-sized donor port’ means a port—

“(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(B) at which the total amount of harbor maintenance taxes collected comprise annually more than \$5,000,000 but less than \$15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

“(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

“(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “donor ports” and inserting “donor ports, medium-sized donor ports.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

“(C) for donor ports and medium-sized donor ports—

“(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

“(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.”;

(3) in subsection (c), in the matter preceding paragraph (1), by striking “donor port” and inserting “donor port, a medium-sized donor port.”;

(4) by striking subsection (d) and inserting the following:

“(d) ADMINISTRATION OF PAYMENTS.—

“(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

“(A) shipped through respective eligible ports; and

“(B) most at risk of diversion to seaports outside of the United States.

“(2) REQUIREMENT.—The Secretary, in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.”; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section \$50,000,000 from the Harbor Maintenance Trust Fund.”;

(B) by striking paragraph (2) and inserting the following:

“(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

“(A) donor ports and medium-sized donor ports; and

“(B) energy transfer ports.”; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1193)”;

(2) in subparagraph (B), by striking “45 feet” and inserting “50 feet”; and

(3) in subparagraph (C), by striking “45 feet” and inserting “50 feet”.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking “45 feet” and inserting “50 feet”.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term “shallow draft” means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1273) is amended by adding at the end the following:

“(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.”.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting “in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project” after “community”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or of a community that is located in the region to be served by the project and that will rely on the project” after “community”;

(B) in paragraph (4), by striking “local population” and inserting “regional population to be served by the project”; and

(C) in paragraph (5), by striking “community” and inserting “local community or to a community that is located in the region to be served by the project and that will rely on the project”.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for

an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) **COST LIMITATIONS.**—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) **AGREEMENT.**—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) **PROVISION OF EQUIPMENT.**—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

(e) **REIMBURSEMENT ELIGIBILITY LIMITATIONS.**—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) **AUDIT.**—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) **TERMINATION OF AUTHORITY.**—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) **ADDITIONAL REQUIREMENT.**—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”.

SEC. 2017. DREDGED MATERIAL.

(a) **IN GENERAL.**—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) **ADDITIONAL COSTS.**—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

SEC. 2018. GREAT LAKES NAVIGATION SYSTEM.

Section 210(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”.

SEC. 2019. HARBOR MAINTENANCE TRUST FUND.

The Secretary shall allocate funding made available to the Secretary from the Harbor Maintenance Trust Fund, established under section 9505 of the Internal Revenue Code of 1986, in accordance with section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) **IN GENERAL.**—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

“(3) **DEFINITION OF NONSTRUCTURAL ALTERNATIVES.**—In this subsection, ‘nonstructural alternatives’ includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.”; and

(2) by adding at the end the following:

“(d) **INCREASED LEVEL OF PROTECTION.**—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

“(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

“(A) the authority under this section has been used more than once at the same location;

“(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

“(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

“(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

“(e) **NOTICE.**—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).”.

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.

(1) **IN GENERAL.**—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) **COST-SHARING.**—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking “if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified”; and

(2) in subsection (b)—

(A) by striking “This section” and inserting the following:

“(1) **IN GENERAL.**—This section”; and

(B) by adding at the end the following:

“(2) **REQUIREMENT.**—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).”;

(3) in subsection (c)(1), by striking “The non-Federal” and inserting “Notwithstanding subsection (b)(2), the non-Federal”; and

(4) by adding at the end the following:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000.”.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary has assumed, as of the date of enactment of this Act, responsibility for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) **DEFINITIONS.**—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

“(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

“(A) IN GENERAL.—The term ‘eligible high hazard potential dam’ means a non-Federal dam that—

“(i) is located in a State with a State dam safety program;

“(ii) is classified as ‘high hazard potential’ by the State dam safety agency in the State in which the dam is located;

“(iii) has an emergency action plan approved by the relevant State dam safety agency; and

“(iv) the State in which the dam is located determines—

“(I) fails to meet minimum dam safety standards of the State; and

“(II) poses an unacceptable risk to the public.

“(B) EXCLUSION.—The term ‘eligible high hazard potential dam’ does not include—

“(i) a licensed hydroelectric dam; or

“(ii) a dam built under the authority of the Secretary of Agriculture.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) NON-FEDERAL SPONSOR.—The term ‘non-Federal sponsor’, in the case of a project receiving assistance under section 8A, includes—

“(A) a governmental organization; and

“(B) a nonprofit organization.” and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) REHABILITATION.—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

“(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

“(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

“(1) repair;

“(2) removal; or

“(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

“(c) AWARD OF GRANTS.—

“(1) APPLICATION.—

“(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

“(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

“(2) GRANT.—

“(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential

dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

“(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

“(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

“(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

“(i) 12.5 percent of the total amount of funds made available to carry out this section; or

“(ii) \$7,500,000.

“(d) REQUIREMENTS.—

“(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

“(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

“(A) participate in, and comply with, all applicable Federal flood insurance programs;

“(B) have in place a hazard mitigation plan that—

“(i) includes all dam risks; and

“(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

“(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

“(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

“(i) acts in accordance with the State dam safety program; and

“(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

“(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

“(e) FLOODPLAIN MANAGEMENT PLANS.—

“(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

“(A) is in place; or

“(B) will be—

“(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

“(ii) implemented not later than 1 year after the date of completion of construction of the project.

“(2) INCLUSIONS.—A plan under paragraph (1) shall address—

“(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expend-

itures, and other adverse impacts of flooding in the area protected by the project;

“(B) plans for flood fighting and evacuation; and

“(C) public education and awareness of flood risks.

“(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

“(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

“(g) FUNDING.—

“(1) COST SHARING.—

“(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

“(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

“(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

“(A) EQUAL DISTRIBUTION.— $\frac{1}{3}$ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

“(B) NEED-BASED.— $\frac{2}{3}$ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

“(i) the number of eligible high hazard potential dams in the State; bears to

“(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

“(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

“(1) to rehabilitate a Federal dam;

“(2) to perform routine operation or maintenance of a dam;

“(3) to modify a dam to produce hydroelectric power;

“(4) to increase water supply storage capacity; or

“(5) to make any other modification to a dam that does not also improve the safety of the dam.

“(i) CONTRACTUAL REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than \$1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

“(A) chapter 11 of title 40, United States Code; or

“(B) an equivalent qualifications-based requirement prescribed by the relevant State.

“(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$10,000,000 for fiscal years 2017 and 2018;
 “(2) \$25,000,000 for fiscal year 2019;
 “(3) \$40,000,000 for fiscal year 2020; and
 “(4) \$60,000,000 for each of fiscal years 2021 through 2026.”.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113-121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104-03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108-7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

(a) IN GENERAL.—Costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

(b) APPLICATION.—Subsection (a) shall apply only to repairs for projects for which construction has not begun and appropriations have not been made as of the date of enactment of this Act.

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term “dam” has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term “dam” includes any structure, facility, equipment, or vehicle

used in connection with the operation of a dam.

(2) FUND.—The term “Fund” means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term “high hazard potential dam” means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW HAZARD POTENTIAL DAM.—The term “low hazard potential dam” means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “High-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$22,750,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “Low-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$10,000,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expedi-

tiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the

Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than \$10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be non-reimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the “Committee”).

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plains Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, \$1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the “program”) to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, \$250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, PLATTE RIVER, AND ARKANSAS RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) WATERCRAFT INSPECTION STATIONS.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than \$65,000,000, to carry out this section for each fiscal year, of which—

“(A) \$20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

“(B) \$25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

“(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

“(A) the urgency and need of each area; and

“(B) the availability of local funds.”; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

“(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

“(i) the Columbia River Basin;

“(ii) the Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

“(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

“(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.”; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) the Governor of each State in which a station is established under paragraph (1);”.

(C) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term “report” means the final report for the Portland District, Corps of Engineers, entitled “Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing” and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100-581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(C) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(A) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term “sediment management plan” means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(A) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend \$30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking “\$60,000,000” and inserting “\$100,000,000”.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking “conduct a study to determine the feasibility of carrying out projects” and inserting “develop a comprehensive assessment and management plan at Federal expense”; and

(2) in subsection (b), by striking the subsection designation and heading and all that follows through “In carrying out the study” and inserting the following:

“(b) ASSESSMENT AND MANAGEMENT PLAN.—In developing the comprehensive assessment and management plan”; and

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “identified in the study pursuant to subsection (a)” and inserting “identified in the comprehensive assessment and management plan under this section”.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(A) IN GENERAL.—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, non-profit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1113) is amended—

(1) in the section heading, by inserting “PROGRAM” after “RESTORATION”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “PILOT PROJECTS” and inserting “PROGRAM”;

(B) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B) (as redesignated) the following:

“(A) ESTABLISHMENT.—The Secretary shall carry out a program to implement projects to restore the Salton Sea in accordance with this section.”;

(iii) in subparagraph (B) (as redesignated by clause (i)), by striking “the pilot”; and

(iv) in subparagraph (C) (as redesignated by clause (i))—

(I) in clause (i), in the matter preceding subclause (I), by striking “the pilot projects referred to in subparagraph (A)” and inserting “the projects referred to in subparagraph (B)”;

(II) in subclause (I), by inserting “, Salton Sea Authority, or other non-Federal interest” before the semicolon at the end; and

(III) in subclause (II), by striking “pilot”;

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “pilot”; and

(D) in paragraph (3)—

(i) by striking “pilot” each place it appears; and

(ii) by inserting “, Salton Sea Authority, or other non-Federal interest” after “State”; and

(3) in subsection (c), by striking “pilot”.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102-580; 113 Stat. 336) is amended—

(1) by inserting “Berkeley” before “Calhoun”; and

(2) by striking “Orangeberg, and Sumter” and inserting “and Orangeberg”.

SEC. 4013. COASTAL RESILIENCY.

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting “Indian tribes,” after “nonprofit organizations,”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

“(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials.”;

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—

(1) IN GENERAL.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) **DEFINITIONS.**—In this section:

(1) **NATURAL FEATURE.**—The term “natural feature” means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) **NATURE-BASED FEATURE.**—The term “nature-based feature” means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) **REQUIREMENT.**—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

- (1) natural features;
- (2) nature-based features;
- (3) nonstructural measures; and
- (4) structural measures.

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) **CONTENTS.**—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) **FINDINGS.**—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) **DEFINITIONS.**—In this section:

(1) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) **RESILIENT WATERFRONT COMMUNITY.**—The term “resilient waterfront community” means a unit of local government or Indian tribe that is—

- (A)(i) bound in part by—
 - (I) a Great Lake; or
 - (II) an ocean; or
- (ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) **DESIGNATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) **COLLABORATION.**—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) **RESILIENT WATERFRONT COMMUNITY PLAN.**—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

- (i) to respond to local needs; or
- (ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

- (i) community residents;
- (ii) utilities; and
- (iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) **COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.**—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

- (I) water-dependent industries;
- (II) water-oriented commerce; and
- (III) recreation and tourism;

(ii) the community relationship to the water, including—

- (I) quality of life;
- (II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

- (I) docks, piers, and harbor facilities;
- (II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) **DURATION.**—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) **IN GENERAL.**—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) **PUBLIC RECOGNITION.**—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) **IN GENERAL.**—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) **NON-FEDERAL PARTNERS.**—

(A) **LEAD NON-FEDERAL PARTNERS.**—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

- (i) bound in part by—
 - (I) a Great Lake; or
 - (II) an ocean; or
- (ii) bordered or traversed by a riverfront or an inland lake.

(B) **NON-FEDERAL IMPLEMENTATION PARTNERS.**—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) **PLANNING ACTIVITIES.**—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

- (i) conduct community visioning and outreach;
- (ii) identify challenges and opportunities;
- (iii) develop strategies and solutions;
- (iv) prepare plan materials, including text, maps, design, and preliminary engineering;
- (v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and
- (vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

- (i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and
- (ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

- (i) site preparation;
- (ii) environmental review;
- (iii) engineering and design;
- (iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;
- (v) updates to zoning codes;
- (vi) construction of—
- (I) public waterfront or boating amenities; and
- (II) public spaces;
- (vii) infrastructure upgrades to improve coastal resiliency;
- (viii) economic and community development marketing and outreach; and
- (ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(i) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

- (I) a nonprofit organization;
- (II) a public utility;
- (III) a private entity;
- (IV) an institution of higher education;
- (V) a State government; or
- (VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

- (i) 1 or more units of local or tribal government;
- (ii) a State government;
- (iii) a nonprofit organization;
- (iv) a private entity;
- (v) a foundation;
- (vi) a public utility; or
- (vii) a regional organization.

(F) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

- (1) the Secretary of Transportation;
- (2) the Secretary of Agriculture;
- (3) the Administrator of the Environmental Protection Agency;
- (4) the Administrator of the Federal Emergency Management Agency;
- (5) the Assistant Secretary of the Army for Civil Works;
- (6) the Secretary of the Interior; and
- (7) the Secretary of Housing and Urban Development.

(G) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

(H) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2017 through 2021.

(I) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$800,000, to remain available until expended.

SEC. 4019. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(B) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(C) OVERSIGHT COMMITTEE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the “Committee”).

(2) PURPOSES.—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) MEMBERSHIP.—Membership in the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organiza-

tions with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) STUDY.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of the new permit fee structure based on the findings of the study described in subparagraph (A).

SEC. 4020. PEARL RIVER BASIN, MISSISSIPPI.

The Secretary shall expedite review and decision on the recommendation for the project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), submitted to the Secretary under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as in effect on the day before the date of enactment of the Water Resources Reform and Development Act of 2014).

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86" N., by long. 93°46'16.82" W., and ends at lat. 32°31'22.79" N., by long. 93°45'2.47" W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled “Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky” and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

(g) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81-516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

(h) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(i) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbors Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(j) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89-789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without con-

sideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by December 31, 2016, \$31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63-76-C-0106 as of the date of enactment of this Act.

(e) WEBER BASIN PROJECT, UTAH.—

(1) IN GENERAL.—The Secretary of the Interior shall allow for the prepayment of repayment obligations under the repayment contract numbered 14-06-400-33 between the United States and the Weber Basin Water Conservancy District (referred to in this subsection as the “District”), dated December 12, 1952, and supplemented and amended on June 30, 1961, on April 15, 1966, on September 20, 1968, and on May 9, 1985, including any other amendments and all related applicable contracts to the repayment contract, providing for repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the repayment contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102-575; 106 Stat. 4624) for prepayment of Central Utah Project, Bonneville Unit repayment obligations.

(2) AUTHORIZATIONS AND REQUIREMENTS.—The prepayment authorized under paragraph (1) —

(A) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(B) may be provided in several installments;

(C) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(D) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

**TITLE VI—WATER RESOURCES
INFRASTRUCTURE**

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conserva-

tion and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: \$116,116,000 Non-Federal: \$135,836,000 Total: \$251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: \$16,700,000 Non-Federal: \$0 Total: \$16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
5. FL	Port Everglades	June 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
6. AK	Little Diomedes	August 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000
9. PA	Upper Ohio River, Allegheny and Beaver Counties	September 12, 2016	Federal: \$1,324,235,500 Non-Federal: \$1,324,235,500 Total: \$2,648,471,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: \$2,011,279,000 Non-Federal: \$1,082,997,000 Total: \$3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$35,322,350 Total: \$100,837,000

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b))” each place it appears and inserting “(25 U.S.C. 5304)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))”; and

(2) by adding at the end the following:

“(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPELLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106-53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89-298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary

shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99-662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood

risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of \$30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) **TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) **REQUIREMENTS.**—

(A) **IN GENERAL.**—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) **ADDRESSING DEFICIENCIES.**—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) **PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.**—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) **JOHNSTOWN, PENNSYLVANIA.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the “Flood Control Act of 1936”), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) **CHACON CREEK, TEXAS.**—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) **CORPUS CHRISTI SHIP CHANNEL, TEXAS.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) **TRINITY RIVER AND TRIBUTARIES, TEXAS.**—

(1) **REVIEW.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of

the Center for Economic Development and Research of the University of North Texas entitled “Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas” and dated November 2014.

(2) **AUTHORIZATION.**—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89-298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled “Final Supplemental No. 1” is economically justified.

(3) **LIMITATION.**—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed \$520,000,000, of which not more than \$5,500,000 may be expended to carry out recreation features of the project.

(z) **CHINCOTEAGUE ISLAND, VIRGINIA.**—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the “Assateague Island National Seashore Act”) for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) **BURLEY CREEK WATERSHED, WASHINGTON.**—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects, in accordance with section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

(4) The project for navigation, Mobile Harbor, Alabama.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public

Law 113-121; 128 Stat. 1374) is amended by striking “2018” and inserting “2020”.

SEC. 6006. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-to-cost ratios and evaluate construction projects.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-to-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-to-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SEC. 6007. INVENTORY ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349).

SEC. 6008. SAINT LAWRENCE SEAWAY MODERNIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **GREAT LAKES REGION.**—The term “Great Lakes region” means the region comprised of the Great Lakes States.

(2) **GREAT LAKES STATES.**—The term “Great Lakes States” means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(3) **SEAWAY.**—The term “Seaway” means the Saint Lawrence Seaway.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Comptroller General, in cooperation with appropriate Federal, State, and local authorities, shall conduct a study to—

(A) assess the condition of the Seaway; and

(B) evaluate options available in the 21st century for modernizing the Seaway as a globally significant transportation corridor.

(2) **SCOPE OF STUDY.**—In conducting the study under paragraph (1), the Comptroller General shall—

(A) assess the condition of the Seaway and the capacity of the Seaway to drive commerce and other economic activity in the Great Lakes region;

(B) detail the importance of the Seaway to the functioning of the United States economy, with an emphasis on the domestic manufacturing sector, including the domestic steel manufacturing industry;

(C) evaluate options—

(i) to modernize physical navigation infrastructure, facilities, and related assets not operated or maintained by the Secretary

along the corridor of the Seaway, including an assessment of alternative means for the Great Lakes region to finance large-scale initiatives;

(ii) to increase exports of domestically produced goods and study the trade balance and regional economic impact of the possible increase in imports of agricultural products, steel, aggregates, and other goods commonly transported through the Seaway;

(iii) increase economic activity and development in the Great Lakes region by advancing the multimodal transportation and economic network in the region;

(iv) ensure the competitiveness of the Seaway as a transportation corridor in an increasingly integrated global transportation network; and

(v) attract tourists to the Great Lakes region by improving attractions and removing barriers to tourism and travel throughout the Seaway; and

(D) evaluate the existing and potential financing authorities of the Seaway as compared to other Federal agencies and instrumentalities with development responsibilities.

(3) **DEADLINE.**—The Comptroller General shall complete the study under paragraph (1) as soon as practicable and not later than 2 years after the date of enactment of this Act.

(4) **COORDINATION.**—The Comptroller General shall conduct the study under paragraph (1) with input from representatives of the Saint Lawrence Seaway Development Corporation, the Economic Development Administration, the Coast Guard, the Corps of Engineers, the Department of Homeland Security, and State and local entities (including port authorities throughout the Seaway).

(5) **REPORT.**—The Comptroller General shall submit to Congress a report on the results of the study under paragraph (1) not later than the earlier of—

(A) the date that is 180 days after the date on which the study is completed; or

(B) the date that is 30 months after the date of enactment of this Act.

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwaters Project, MS”, authorized by title I of Public Law 98-8 (97 Stat. 22), as amended, shall not be limited by language in reports accompanying appropriations bills.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) **SENSE OF THE SENATE.**—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) **FINDINGS.**—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the

public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns \$0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns \$0.93 in Federal tax revenue.

(B) A combined \$34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate \$7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in \$32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every \$1,000,000 in State revolving loan fund spending generates 16½ jobs.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 566,000 jobs.

(3) An increase in economic output:

(A) Every \$1,000,000 in State revolving loan fund spending results in \$2,950,000 in output for the economy of the United States.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate \$102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking “(not)” and inserting “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not”;

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

“(C) **SALE OF BONDS.**—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.”.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

“(A) **DEFINITION OF RESTRUCTURING.**—In this paragraph, the term ‘restructuring’ means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

“(B) **PRIORITY SYSTEM.**—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

“(i) address the most serious risk to human health;

“(ii) are necessary to ensure compliance with this title (including requirements for filtration);

“(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

“(iv) improve the sustainability of systems.

“(C) **WEIGHT GIVEN TO APPLICATIONS.**—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

“(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

“(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

“(II) a schedule for replacement of assets;

“(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

“(IV) a review of options for restructuring the public water system;

“(ii) demonstration of consistency with State, regional, and municipal watershed plans;

“(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

“(iv) approaches to improve the sustainability of the system, including—

“(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

“(II) use of reclaimed water;

“(III) actions to increase energy efficiency; and

“(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking “periodically” and inserting “at least biennially”.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(g)(2)) is amended—

(1) in the first sentence, by striking “up to 4 percent of the funds allotted to the State under this section” and inserting “, for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of \$400,000, ½ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year.”; and

(2) by striking “1419,” and all that follows through “1993,” and inserting “1419.”.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j-12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: “and the implementation of plans to protect source water identified in a source water assessment under section 1453”; and

(2) in paragraph (2)(E), by inserting after “wellhead protection programs” the following: “and implement plans to protect source water identified in a source water assessment under section 1453”.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended by adding at the end the following:

“(s) **NEGOTIATION OF CONTRACTS.**—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

“(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

“(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).”.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

“(a) **DEFINITION OF UNDERSERVED COMMUNITY.**—In this section:

“(1) **IN GENERAL.**—The term ‘underserved community’ means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

“(2) **INCLUSIONS.**—The term ‘underserved community’ includes a local political subdivision that either, as determined by the Administrator—

“(A) does not have household drinking water or wastewater services; or

“(B) has a drinking water system that fails to meet health-based standards under this Act, including—

“(i) a maximum contaminant level for a primary drinking water contaminant;

“(ii) a treatment technique violation; and

“(iii) an action level exceedance.

“(b) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

“(2) **INCLUSIONS.**—Projects and activities under paragraph (1) include—

“(A) infrastructure investments necessary to comply with the requirements of this Act,

“(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

“(C) programs to provide household water quality testing, including testing for unregulated contaminants.

“(c) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section—

“(1) is—

“(A) a public water system as defined in section 1401;

“(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

“(C) a State, on behalf of an underserved community; and

“(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

“(A) to be a disadvantaged community;

“(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

“(C) to serve a community with a population of less than 10,000 individuals that the

Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

“(d) **PRIORITY.**—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

“(e) **LOCAL PARTICIPATION.**—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

“(f) **TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.**—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

“(g) **COST SHARING.**—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

“(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

“(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

“(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

“(h) **WAIVER.**—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) \$230,000,000 for fiscal year 2017; and

“(2) \$300,000,000 for each of fiscal years 2018 through 2021.”.

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

“SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a community water system;

“(B) a system located in an area governed by an Indian Tribe;

“(C) a nontransient noncommunity water system;

“(D) a qualified nonprofit organization, as determined by the Administrator; and

“(E) a municipality or State, interstate, or intermunicipal agency.

“(2) **LEAD REDUCTION PROJECT.**—

“(A) **IN GENERAL.**—The term ‘lead reduction project’ means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

“(i) replacement of publicly owned lead service lines;

“(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

“(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

“(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

“(B) **LIMITATION.**—The term ‘lead reduction project’ does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

“(3) **LOW-INCOME.**—The term ‘low-income’, with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

“(4) **MUNICIPALITY.**—The term ‘municipality’ means—

“(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(b) **GRANT PROGRAM.**—

“(1) **ESTABLISHMENT.**—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

“(2) **PRECONDITION.**—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

“(A) the source of lead in water for human consumption; and

“(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

“(3) **PRIORITY APPLICATION.**—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

“(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

“(B) proposes to—

“(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

“(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

“(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

“(4) **COST SHARING.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

“(B) **WAIVER.**—The Administrator may reduce or eliminate the non-Federal share

under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

“(5) LOW-INCOME ASSISTANCE.—

“(A) **IN GENERAL.**—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

“(B) **LIMITATION.**—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

“(6) **SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.**—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

“(A) notify customers of the replacement of any publicly owned portion of the lead service line;

“(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

“(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

“(i) the cost of replacement; and

“(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

“(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

“(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2017 through 2021.”

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) **IN GENERAL.**—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) **PUBLIC IDENTIFICATION.**—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section

1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking “Administrator or” and inserting “Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,”; and

(II) by inserting “and the appropriate State and county health agencies” after “1413”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) **NOTIFICATION OF THE PUBLIC RELATING TO LEAD.**—

“(A) **EXCEEDANCE OF LEAD ACTION LEVEL.**—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) **RESULTS OF LEAD MONITORING.**—

“(i) **IN GENERAL.**—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) **FORM OF NOTICE.**—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.

“(C) **PRIVACY.**—Notice to the public shall protect the privacy of individual customer information.”; and

(5) by adding at the end the following:

“(6) **STRATEGIC PLAN.**—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.”.

(b) **CONFORMING AMENDMENTS.**—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g-3) is amended by adding at the end the following:

“(j) **ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.**—

“(1) **IN GENERAL.**—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

“(A) by public water systems (or a certified laboratory on behalf of a public water system)—

“(i) to the Administrator; or

“(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

“(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

“(2) **CONSIDERATIONS.**—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

“(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

“(B) information system compatibility;

“(C) the size of the public water system; and

“(D) the size of the community served by the public water system.”.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) **IN GENERAL.**—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended by striking subsection (d) and inserting the following:

“(d) **VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **CHILD CARE PROGRAM.**—The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(B) **LOCAL EDUCATIONAL AGENCY.**—The term ‘local educational agency’ means—

“(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

“(iii) an operator of a child care program facility licensed under State law.

“(2) **ESTABLISHMENT.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

“(B) **GRANTS TO LOCAL EDUCATIONAL AGENCIES.**—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

“(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

“(ii) any direct implementation area.

“(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

“(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

“(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

“(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

“(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2017 through 2021.”

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j-25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

“PART G—ADDITIONAL PROVISIONS

“SEC. 1471. WATERSENSE PROGRAM.

“(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

“(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

“(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

“(1) establish—

“(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

“(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled

products, buildings, landscapes, facilities, processes, and services.

“(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

“(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.”

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately \$384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at \$64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local

government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

- (1) individual wells;
- (2) shared wells; and
- (3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking “appropriated” and all that follows through “2003” and inserting “made available for each of fiscal years 2016 through 2021”.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300(f)(14)) is amended by striking “section 1452” and inserting “sections 1452, 1459A, and 1459B”.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking “Tribes” and inserting “tribes, including grants to provide training and operator certification services under section 1452(i)(5)”.

(b) INDIAN TRIBES.—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking “Tribes and Alaska Native villages” and inserting “tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations”; and

(2) by adding at the end the following:

“(5) TRAINING AND OPERATOR CERTIFICATION.—

“(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

“(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

“(i) is the most qualified to provide training and technical assistance to Indian tribes; and

“(ii) Indian tribes determine to be the most beneficial and effective.”.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

“(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

“(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term ‘iron and steel products’ means the following products made, in part, of iron or steel:

- “(i) Lined or unlined pipe and fittings.

“(ii) Manhole covers and other municipal castings.

“(iii) Hydrants.

“(iv) Tanks.

“(v) Flanges.

“(vi) Pipe clamps and restraints.

“(vii) Valves.

“(viii) Structural steel.

“(ix) Reinforced precast concrete.

“(x) Construction materials.

“(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

“(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

“(i) applying subparagraph (B) would be inconsistent with the public interest;

“(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

“(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

“(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

“(I) make available to the public on an informal basis, including on the public website of the Administrator—

“(aa) a copy of the request; and

“(bb) any information available to the Administrator regarding the request; and

“(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

“(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

“(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

“(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.”.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through “subject to subsection (g), the Administrator may” in paragraph (2) and inserting the following:

“(a) AUTHORITY.—The Administrator may—

“(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

“(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

“(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

- “(2) subject to subsection (g),”;

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “; or”;

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

“(e) ADMINISTRATIVE REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

“(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

“(1) \$250,000,000 for fiscal year 2017;

“(2) \$300,000,000 for fiscal year 2018;

“(3) \$350,000,000 for fiscal year 2019;

“(4) \$400,000,000 for fiscal year 2020; and

“(5) \$500,000,000 for fiscal year 2021.

“(g) ALLOCATION OF FUNDS.—

“(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

“(A) in accordance with the priority criteria described in subsection (b); and

“(B) with additional priority given to proposed projects that involve the use of—

“(i) nonstructural, low-impact development;

“(ii) water conservation, efficiency, or reuse; or

“(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

“(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

“(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

“(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

“(i) conducted under section 210; and

“(ii) included in a report required under section 516(b)(1)(B).”;

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

“(a) DEFINITIONS.—In this section:

“(1) MEDIUM TREATMENT WORKS.—The term ‘medium treatment works’ means a publicly owned treatment works serving not fewer

than 10,001 and not more than 100,000 individuals.

“(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit medium treatment works technical assistance provider’ means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

“(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit small treatment works technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(4) SMALL TREATMENT WORKS.—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) for grants for small treatment works technical assistance, \$15,000,000 for each of fiscal years 2017 through 2021; and

“(2) for grants for medium treatment works technical assistance, \$10,000,000 for each of fiscal years 2017 through 2021.”.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.”.

(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) INTEGRATED PLAN PERMITS.—

“(1) DEFINITIONS.—In this subsection:

“(A) GREEN INFRASTRUCTURE.—The term ‘green infrastructure’ means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

“(B) INTEGRATED PLAN.—The term ‘integrated plan’ has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

“(C) MUNICIPAL DISCHARGE.—

“(i) IN GENERAL.—The term ‘municipal discharge’ means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection (p).

“(ii) INCLUSION.—The term ‘municipal discharge’ includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

“(2) INTEGRATED PLAN.—

“(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

“(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

“(i) a combined sewer overflow;

“(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

“(iii) a municipal stormwater discharge;

“(iv) a municipal wastewater discharge; and

“(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

“(3) COMPLIANCE SCHEDULES.—

“(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

“(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

“(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

“(4) EXISTING AUTHORITIES RETAINED.—

“(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

“(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

“(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

“(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(5) CLARIFICATION OF STATE AUTHORITY.—

“(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

“(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.”.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) **MUNICIPAL ENFORCEMENT.**—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

“(h) **IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.**—

“(1) **IN GENERAL.**—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

“(2) **MODIFICATION.**—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.”.

(d) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the “Integrated Municipal Stormwater and Wastewater Planning Approach Framework” issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

“SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

“(a) **IN GENERAL.**—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

“(b) **DUTIES.**—The Administrator shall ensure that the Office of Water—

“(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

“(2) coordinates efforts to increase the use of green infrastructure with—

“(A) other Federal departments and agencies;

“(B) State, tribal, and local governments; and

“(C) the private sector.

“(c) **REGIONAL GREEN INFRASTRUCTURE PROMOTION.**—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

“(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

“(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

“(d) **GREEN INFRASTRUCTURE INFORMATION-SHARING.**—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

“(1) reducing water pollution;

“(2) protecting water resources;

“(3) complying with regulatory requirements; and

“(4) achieving other environmental, public health, and community goals.”.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) **DEFINITIONS.**—In this section:

(1) **AFFORDABILITY.**—The term “affordability” means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) **FINANCIAL CAPABILITY.**—The term “financial capability” means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) **GUIDANCE.**—The term “guidance” means the guidance published by the Administrator entitled “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled “Financial Capability Assessment Framework” and dated November 24, 2014.

(b) **USE OF MEDIAN HOUSEHOLD INCOME.**—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) **REVISED GUIDANCE.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) **USE OF GUIDANCE.**—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) **CONSIDERATION AND CONSULTATION.**—

(1) **CONSIDERATION.**—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) **CONSULTATION.**—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) **PUBLICATION AND SUBMISSION.**—

(1) **IN GENERAL.**—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) **EXPLANATION.**—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) **EFFECT.**—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

There is authorized to be appropriated to the Administrator for the Chesapeake Bay Grass Survey \$150,000 for fiscal year 2017 and each fiscal year thereafter.

SEC. 7207. GREAT LAKES HARMFUL ALGAL BLOOM COORDINATOR.

The Administrator, acting as the chair of the Great Lakes Interagency Task Force, shall appoint a coordinator to work with appropriate Federal agencies and State, local, tribal, and foreign governments to coordinate efforts to address the issue of harmful algal blooms in the Great Lakes.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended by striking “Any activity undertaken under this section is authorized only to the extent” and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) **PROJECTS ELIGIBLE FOR ASSISTANCE.**—

(1) **IN GENERAL.**—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(ii) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”;

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

“(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.”; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking “or (7)” and inserting “(7), or (8)”.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking “and (8)” and inserting “(7), and (9)”;

(ii) in paragraph (3), by striking “paragraph (7) or (9)” and inserting “paragraph (8) or (10)”.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking “section 5026(7)” and inserting “section 5026(8)”.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking “section 5026(9)” and inserting “section 5026(10)”;

(II) by striking “section 5026(8)” and inserting “section 5026(9)”;

(ii) in subsection (b)(3), by striking “section 5026(8)” and inserting “section 5026(9)”.

(c) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 5028(b)(2)(F) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(b)(2)(F)) is amended—

(i) in clause (i), by striking “or” at the end; and

(2) by striking clause (ii) and inserting the following:

“(ii) helps maintain or protect the environment;

“(iii) resists hazards due to a natural disaster;

“(iv) continues to serve the primary function of the water resources infrastructure project following a natural disaster;

“(v) reduces the magnitude or duration of a disruptive event to a water resources infrastructure project; or

“(vi) has the absorptive, adaptive, and recoverable capacities to withstand a potentially disruptive event.”.

(d) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(i) in paragraph (7)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

(e) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

“**Subtitle C—Innovative Financing Projects**”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“**SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.**”.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

“**Subtitle C—Innovative Financing Projects**”; and

(B) by striking the item relating to section 5034 and inserting the following:

“**Sec. 5034. Reports on program implementation.**”.

(f) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund” (referred to in this section as the “Fund”), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the “Secretary”) shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making cap-

italization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources;

(N) address treatment byproduct and brine disposal alternatives; or

(O) address urgent water quality and human health needs.

(d) **PRIORITY FUNDING.**—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) **COST-SHARING.**—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) **LIMITATION.**—The maximum amount of a grant provided to a project under this section shall be \$5,000,000.

(g) **REPORT.**—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year.

(i) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the

Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section \$10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) **CONGRESSIONAL FINDINGS AND DECLARATIONS.**—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking “and” at the end; and

(3) by inserting after paragraph (6) the following:

“(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

“(A) nonstructural alternatives;

“(B) decentralized approaches;

“(C) water use efficiency and conservation; and

“(D) actions to reduce energy consumption or extract energy from wastewater.”;

(b) **WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.**—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(B) in subparagraph (D), by striking the period at the end and inserting “; and”;

(2) in subsection (c)—

(A) by striking “From the” and inserting the following:

“(1) IN GENERAL.—From the”; and

(B) by adding at the end the following:

“(2) **REPORT.**—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”;

(3) by striking subsection (e) and inserting the following:

“(e) **EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) **PROHIBITION ON FURTHER SUPPORT.**—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”;

(4) in subsection (f)(1), by striking “\$12,000,000 for each of fiscal years 2007 through 2011” and inserting “\$7,500,000 for each of fiscal years 2017 through 2021”; and

(5) in subsection (g)(1), in the first sentence, by striking “\$6,000,000 for each of fis-

cal years 2007 through 2011” and inserting “\$1,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) **AUTHORIZATION OF RESEARCH AND STUDIES.**—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

“(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.”; and

(2) by adding at the end the following:

“(e) **PRIORITIZATION.**—In carrying out this section, the Secretary shall prioritize funding for research—

“(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

“(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

“(3) to improve existing reverse osmosis and membrane technology;

“(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

“(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

“(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.”.

(b) **DESALINATION DEMONSTRATION AND DEVELOPMENT.**—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(c) **PRIORITIZATION.**—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

“(1) for the benefit of drought-stricken States and communities;

“(2) for the benefit of States that have authorized funding for research and development of desalination technologies and projects;

“(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.”.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking “\$5,000,000” and inserting “\$8,000,000”; and

(B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) by striking the section designation and heading and all that follows through “In carrying out” in the first sentence and inserting the following:

“SEC. 9. CONSULTATION AND COORDINATION.

“(a) CONSULTATION.—In carrying out”;

(2) in the second sentence, by striking “The authorization” and inserting the following:

“(c) OTHER DESALINATION PROGRAMS.—The authorization”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

“(1) establishes priorities for future Federal investments in desalination;

“(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

“(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

“(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Administrator, and other appropriate Federal agency heads along with State, local, and tribal governments, shall jointly develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers, in a manner consistent with the Presidential Memorandum entitled “Building National Capabilities for Long-Term Drought Resilience” (81 Fed. Reg. 16053 (March 21, 2016)).

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

- (1) State and local governments;
- (2) water utilities;
- (3) scientists;
- (4) institutions of higher education;
- (5) relevant private entities; and
- (6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the fu-

ture effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

- (i) public health and safety;
- (ii) municipal and industrial water supply;
- (iii) agricultural water supply;
- (iv) water quality;
- (v) ecosystem health; and
- (vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

- (ii) water recycling;
- (iii) groundwater clean-up and storage;
- (iv) new technologies, such as behavioral water efficiency; and
- (v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

- (A) the establishment of planning goals;
- (B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking “or” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

“(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

“(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting “ADDITIONAL ASSISTANCE.—”; and

(B) in paragraph (1)—

(i) by striking “Notwithstanding” and inserting the following:

“(A) IN GENERAL.—Notwithstanding”; and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)—

(i) by striking “For each fiscal year” and inserting the following:

“(A) IN GENERAL.—For each fiscal year”; and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”; and

(D) in paragraph (3), in the first sentence, by inserting “, or portion of a service area,” after “service area”; and

(2) by adding at the end the following:

“(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

“(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been the subject of an

emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not

duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of \$100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least \$700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), \$20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means a city exposed to lead contamination in the local drinking water system.

(2) COMMITTEE.—The term “Committee” means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

- (i) an epidemiologist;
- (ii) a toxicologist;
- (iii) a mental health professional;
- (iv) a pediatrician;
- (v) an early childhood education expert;
- (vi) a special education expert;
- (vii) a dietician; and
- (viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACA.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) \$17,500,000 to carry out subsection (b); and

(B) \$2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections

(b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence

a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term “comprehensive strategy” means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) GROUNDWATER.—The term “groundwater” means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term “plume” means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term “site” means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration**PART I—GREAT LAKES RESTORATION****SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.**

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) GREAT LAKES RESTORATION INITIATIVE.—

“(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the ‘Initiative’) to carry out programs and projects for Great Lakes protection and restoration.

“(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

“(ii) the feasibility of—

“(I) prompt implementation;

“(II) timely achievement of results; and

“(III) resource leveraging; and

“(iii) the opportunity to improve inter-agency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(D) IMPLEMENTATION OF PROJECTS.—

“(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects; and

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

“(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

“(I) transfer not more than \$300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

“(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

“(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

“(E) SCOPE.—

“(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

“(I) Great Lakes-wide; and

“(II) Great Lakes basin-wide.

“(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

“(I) a State water pollution control revolving fund established under title VI; or

“(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

“(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

“(G) FUNDING.—

“(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”.

SEC. 7612. AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

“SEC. 1002. FINDINGS.

“Congress finds that—

“(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

“(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

“(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

“(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

“(5) as of the date of enactment of this Act, actions are not funded that are consid-

ered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

“(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.”.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking “and” at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

“(viii) each applicable State wildlife action plan.”.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking “Great Lakes Coordinator of the”.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal” and inserting the following:

“(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project”; and

(ii) by adding at the end the following:

“(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

“(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

“(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

“(ii) as described in subparagraph (C), the costs associated with—

“(I) land acquisition or securing a conservation easement; and

“(II) restoration or enhancement of that land or conservation easement.

“(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

“(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

“(I) meets the requirements of subsection (b)(2);

“(II) is acquired before the end of the grant period of the proposal or regional project;

“(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described

in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

“(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

“(V) is appraised in accordance with clause (ii).

“(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

“(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

“(II) the appraisal shall—

“(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

“(bb) be completed by a Federal- or State-certified appraiser.

“(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

“(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

“(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

“(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).”.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2011” and inserting “2021”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2020”; and

(B) in paragraph (5), by inserting “the Great Lakes Restoration Initiative Action Plan based on” after “in support of”; and

(3) by striking subsection (c) and inserting the following:

“(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

“(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

“(2) may reassess and update, as necessary, the findings and recommendations of the Report.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2021”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “\$14,000,000” and inserting “\$6,000,000”;

(B) in subparagraph (A), by striking “\$4,600,000” and inserting “\$2,000,000”; and

(C) in subparagraph (B), by striking “\$700,000” and inserting “\$300,000”; and

(3) in paragraph (2), by striking “the activities of” and all that follows through “section 1007” and inserting “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007”.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109-326) is repealed.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds that—

“(1) Lake Tahoe—

“(A) is one of the largest, deepest, and clearest lakes in the world;

“(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

“(C) is recognized nationally and worldwide as a natural resource of special significance;

“(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

“(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

“(B) contributes significantly to the economies of California, Nevada, and the United States;

“(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

“(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

“(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

“(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

“(A) high tree density and mortality;

“(B) the loss of biological diversity; and

“(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

“(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

“(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of

other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

“(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

“(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

“(A) congressional consent to the establishment of the Planning Agency with—

“(i) the enactment in 1969 of Public Law 91-148 (83 Stat. 360); and

“(ii) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

“(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

“(C) the enactment of Public Law 96-586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

“(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

“(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

“(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

“(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

“(A) stream and wetland restoration; and

“(B) programmatic technical assistance;

“(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

“(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

“(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

“(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

“(A) renewed their commitment to Lake Tahoe; and

“(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

“(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,955,500,000 to the Lake Tahoe Basin, including—

“(A) \$635,400,000 from the Federal Government;

“(B) \$758,600,000 from the State of California;

“(C) \$123,700,000 from the State of Nevada;

“(D) \$98,900,000 from units of local government; and

“(E) \$338,900,000 from private interests;

“(16) significant additional investment from Federal, State, local, and private sources is necessary—

“(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

“(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

“(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

“(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

“(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

“(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

“(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

“(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

“(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.”

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of the Army for Civil Works.

“(3) CHAIR.—The term ‘Chair’ means the Chair of the Federal Partnership.

“(4) COMPACT.—The term ‘Compact’ means the Tahoe Regional Planning Compact included in the first section of Public Law 96-551 (94 Stat. 3233).

“(5) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the United States Fish and Wildlife Service; and

“(B) the Director of the United States Geological Survey.

“(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means—

“(A) the Environmental Improvement Program adopted by the Planning Agency; and

“(B) any amendments to the Program.

“(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term ‘environmental thresh-

old carrying capacity’ has the meaning given the term in Article II of the Compact.

“(8) FEDERAL PARTNERSHIP.—The term ‘Federal Partnership’ means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

“(9) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ includes—

“(A) prescribed burning for ecosystem health and hazardous fuels reduction;

“(B) mechanical and minimum tool treatment;

“(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

“(D) nonnative invasive species management; and

“(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

“(10) MAPS.—The term ‘Maps’ means the maps—

“(A) entitled—

“(i) ‘LTRA USFS-CA Land Exchange/North Shore’;

“(ii) ‘LTRA USFS-CA Land Exchange/West Shore’; and

“(iii) ‘LTRA USFS-CA Land Exchange/South Shore’; and

“(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

“(i) the Forest Service;

“(ii) the California Tahoe Conservancy; and

“(iii) the California Department of Parks and Recreation.

“(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

“(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

“(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

“(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

“(12) PLANNING AGENCY.—The term ‘Planning Agency’ means the Tahoe Regional Planning Agency established under Public Law 91-148 (83 Stat. 360) and Public Law 96-551 (94 Stat. 3233).

“(13) PRIORITY LIST.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(15) STREAM ENVIRONMENT ZONE.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

“(16) TOTAL MAXIMUM DAILY LOAD.—The term ‘total maximum daily load’ means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

“(17) WATERCRAFT.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.”

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking “basin” and inserting “Basin”; and

(2) by adding at the end the following:

“(c) FOREST MANAGEMENT ACTIVITIES.—

“(1) COORDINATION.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

“(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

“(2) MULTIPLE BENEFITS.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

“(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

“(I) reducing forest fuels;

“(II) maintaining biological diversity;

“(III) improving wetland and water quality, including in Stream Environment Zones; and

“(IV) increasing resilience to changing water temperature and precipitation; and

“(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

“(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

“(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

“(B) provide for monitoring to ascertain the attainment of the post-program conditions.

“(d) WITHDRAWAL OF FEDERAL LAND.—

“(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

“(A) all forms of entry, appropriation, or disposal under the public land laws;

“(B) location, entry, and patent under the mining laws; and

“(C) disposition under all laws relating to mineral and geothermal leasing.

“(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

“(A) this Act; or

“(B) Public Law 96-586 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

“(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

“(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on

Federal land and non-Federal land within the programs.”.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

“SEC. 5. AUTHORIZED PROGRAMS.

“(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

“(1) is described in subsection (d);

“(2) is included in the Priority List under subsection (b); and

“(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

“(b) PRIORITY LIST.—

“(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

“(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

“(A) The 4-year threshold carrying capacity evaluation.

“(B) The ability to measure progress or success of the program.

“(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

“(D) The ability of a program to provide multiple benefits.

“(E) The ability of a program to leverage non-Federal contributions.

“(F) Stakeholder support for the program.

“(G) The justification of Federal interest.

“(H) Agency priority.

“(I) Agency capacity.

“(J) Cost-effectiveness.

“(K) Federal funding history.

“(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

“(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

“(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

“(d) DESCRIPTION OF ACTIVITIES.—

“(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

“(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

“(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

“(iii) Biomass programs, including feasibility assessments.

“(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

“(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

“(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

“(vii) Development of updated community wildfire protection plans by local fire districts.

“(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

“(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

“(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least \$100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

“(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

“(D) COST-SHARING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

“(ii) FORM OF NON-FEDERAL SHARE.—

“(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

“(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

“(III) DOCUMENTATION.—Communities and local fire districts shall—

“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) INVASIVE SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management

Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

“(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

“(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

“(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

“(G) CIVIL PENALTIES.—

“(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

“(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

“(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

“(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

“(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

“(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), \$113,000,000 shall be made available—

“(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

“(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

“(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and

other watershed restoration programs identified in the Priority List established under section 5(b); and

“(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

“(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.”.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than \$5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Sec-

retary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(A) the program scope;

“(B) the budget for the program; and

“(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

“(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

“(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

“(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.”.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “, Director, or Administrator” after “Secretary”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96-551;

94 Stat. 3240) is amended in the third sentence by inserting “and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce” after “maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting “and 25 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “65,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

“(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts $\frac{3}{4}$ of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) erosion control programs under section 2 of Public Law 96-586 (94 Stat. 3381).

“(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96-586 (94 Stat. 3384) (commonly known as the “Santini-Burton Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) ADMINISTRATION OF ACQUIRED LAND.—

“(1) IN GENERAL.—Land”; and

(2) by adding at the end the following:

“(2) CALIFORNIA CONVEYANCES.—

“(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

“(i) may accept the offer; and

“(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

“(B) DESCRIPTION OF LAND.—

“(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

“(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Tahoe Conservancy to the USFS’; and

“(II) the approximately 183 acres of land administered by California State Parks and identified on the Maps as ‘Total USFS to California’.

“(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(3) NEVADA CONVEYANCES.—

“(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

“(i) the approximately 38.68 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Van Sick- le Unit USFS Inholding’; and

“(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer

under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

“(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

“(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

“(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

“(i) purchasing inholdings throughout the Lake Tahoe Basin; or

“(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

“(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

“(5) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(6) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351), \$2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).”.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through “The Office shall” and inserting the following:

“(b) OFFICE.—

“(1) ESTABLISHMENT.—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) ADMINISTRATION AND STAFFING.—The Office shall”—

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Management Conference of the Long Island Sound Study” and inserting “conference study”;;

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(J) environmental impacts on the Long Island Sound watershed, including—

“(i) the identification and assessment of vulnerabilities in the watershed;

“(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

“(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

“(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;”;

(C) by striking paragraph (4) and inserting the following:

“(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;”;

(D) in paragraph (5), by inserting “study” after “conference”;;

(E) in paragraph (6)—

(i) by inserting “(including on the Internet)” after “the public”; and

(ii) by inserting “study” after “conference”; and

(F) by striking paragraph (7) and inserting the following:

“(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and”;

(3) in subsection (d)(3), in the second sentence, by striking “50 per centum” and inserting “60 percent”;;

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

“(f) REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

“(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

“(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

“(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

“(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

“(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

“(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

“(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

“(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

“(1) an interagency crosscut budget that displays for each department and agency—

“(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

“(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

“(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

“(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

“(h) FEDERAL ENTITIES.—

“(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

“(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

“(A) enter into interagency agreements; and

“(B) make intergovernmental personnel appointments.

“(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

“(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).”.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) in subsection (g), by striking “2011” and inserting “2021”; and

(B) by adding at the end the following:

“(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

“(1) the Advisory Committee; or

“(2) any board, committee, or other group established under this Act.”.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended in the matter preceding subparagraph (A) by striking “2011” and inserting “2021”.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking “under this section each” and inserting “to carry out this Act for a”.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) \$40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) \$25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according

to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes \$25,000,000,000 annually in economic activity, provides \$21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with \$10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly \$4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over \$21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-

service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) **Basin.**—The term “Basin” means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) **Basin State.**—The term “Basin State” means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) **Director.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **Foundation.**—The term “Foundation” means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) **Grant Program.**—The term “grant program” means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) **Program.**—The term “program” means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) **Restoration and Protection.**—The term “restoration and protection” means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) **Secretary.**—The term “Secretary” means the Secretary of the Interior, acting through the Director.

(9) **Service.**—The term “Service” means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) **Establishment.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the “Delaware River Basin restoration program”.

(b) **Duties.**—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) **Coordination.**—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) **Purposes.**—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) **DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.**—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the “Delaware River Basin Restoration Grant Program” to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) **CRITERIA.**—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) **FUNDING.**—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) **REQUIREMENTS.**—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out this part \$5,000,000 for each of fiscal years 2017 through 2022.

(b) **USE.**—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

PART V—COLUMBIA RIVER BASIN RESTORATION

SEC. 7651. COLUMBIA RIVER BASIN RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

“(a) DEFINITIONS.—

“(1) COLUMBIA RIVER BASIN.—The term ‘Columbia River Basin’ means the entire United States portion of the Columbia River watershed.

“(2) ESTUARY PARTNERSHIP.—The term ‘Estuary Partnership’ means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

“(3) ESTUARY PLAN.—

“(A) IN GENERAL.—The term ‘Estuary Plan’ means the Estuary Partnership Comprehensive Conservation and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

“(B) INCLUSION.—The term ‘Estuary Plan’ includes any amendments to the plan.

“(4) LOWER COLUMBIA RIVER ESTUARY.—The term ‘Lower Columbia River Estuary’ means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

“(5) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—The term ‘Middle and Upper Columbia River Basin’ means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

“(6) PROGRAM.—The term ‘Program’ means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

“(b) COLUMBIA RIVER BASIN RESTORATION PROGRAM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

“(B) EFFECT.—

“(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

“(ii) This section does not create any new regulatory authority.

“(2) SCOPE OF PROGRAM.—The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

“(3) DUTIES.—The Administrator shall—

“(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

“(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

“(C) provide grants in accordance with subsection (d) for projects that assist in—

“(i) eliminating or reducing pollution;

“(ii) cleaning up contaminated sites;

“(iii) improving water quality;

“(iv) monitoring to evaluate trends;

“(v) reducing runoff;

“(vi) protecting habitat; or

“(vii) promoting citizen engagement or knowledge.

“(c) STAKEHOLDER WORKING GROUP.—

“(1) ESTABLISHMENT.—The Administrator shall establish a Columbia River Basin Res-

toration Working Group (referred to in this subsection as the ‘Working Group’).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

“(B) INVITED REPRESENTATIVES.—The Administrator shall invite, at a minimum, representatives of—

“(i) each State located in whole or in part within the Columbia River Basin;

“(ii) the Governors of each State located in whole or in part with the Columbia River Basin;

“(iii) each federally recognized Indian tribe in the Columbia River Basin;

“(iv) local governments located in the Columbia River Basin;

“(v) industries operating in the Columbia River Basin that affect or could affect water quality;

“(vi) electric, water, and wastewater utilities operating in the Columbia River Basin;

“(vii) private landowners in the Columbia River Basin;

“(viii) soil and water conservation districts in the Columbia River Basin;

“(ix) nongovernmental organizations that have a presence in the Columbia River Basin;

“(x) the general public in the Columbia River Basin; and

“(xi) the Estuary Partnership.

“(3) GEOGRAPHIC REPRESENTATION.—The Working Group shall include representatives from—

“(A) each State; and

“(B) each of the Lower, Middle, and Upper Basins of the Columbia River.

“(4) DUTIES AND RESPONSIBILITIES.—The Working Group shall—

“(A) recommend and prioritize projects and actions; and

“(B) review the progress and effectiveness of projects and actions implemented.

“(5) LOWER COLUMBIA RIVER ESTUARY.—

“(A) ESTUARY PARTNERSHIP.—The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 320.

“(B) DESIGNATION.—If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 320, the Administrator may designate the new management conference to assume the duties and responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

“(C) INCORPORATION.—If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this Act shall be incorporated into the duties of the Working Group.

“(d) GRANTS.—

“(1) IN GENERAL.—The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

“(2) FEDERAL SHARE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

“(i) shall not exceed 75 percent of the total cost of the project or activity; and

“(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

“(B) EXCEPTIONS.—With respect to cost-sharing for a grant provided under this subsection—

“(i) a tribal government may use Federal funds for the non-Federal share; and

“(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

“(3) ALLOCATION.—In making grants using funds appropriated to carry out this section, the Administrator shall—

“(A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;

“(B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, which includes the Snake River Basin; and

“(C) retain for Environmental Protection Agency not more than 5 percent of the funds for purposes of implementing this section.

“(4) REPORTING.—

“(A) IN GENERAL.—Each grant recipient under this subsection shall submit to the Administrator reports on progress being made in achieving the purposes of this section.

“(B) REQUIREMENTS.—The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

“(5) RELATIONSHIP TO OTHER FUNDING.—

“(A) IN GENERAL.—Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

“(B) LIMITATION.—None of the funds made available under this subsection may be used for the administration of a management conference under section 320.

“(e) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

“(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

“(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

“(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.”

Subtitle G—Innovative Water Infrastructure Workforce Development

SEC. 7701. INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Administrator shall establish a competitive grant

program to assist the development of innovative activities relating to workforce development in the water utility sector.

(b) **SELECTION OF GRANT RECIPIENTS.**—In awarding grants under subsection (a), the Administrator shall, to the maximum extent practicable, select water utilities that—

- (1) are geographically diverse;
- (2) address the workforce and human resources needs of large and small public water and wastewater utilities;
- (3) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(4) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(5)(A) have a high retiring workforce rate; or

(B) are located in areas with a high unemployment rate.

(c) **USE OF FUNDS.**—Grants awarded under subsection (a) may be used for activities such as—

(1) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

- (A) on-the-job training;
- (B) soft and hard skills development;
- (C) test preparation for skilled trade apprenticeships; or
- (D) other support services to facilitate post-secondary success;

(2) kindergarten through 12th grade and young adult education programs that—

(A) educate young people about the role of water and wastewater utilities in the communities of the young people;

(B) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(C) connect young people to post-secondary career pathways related to water utilities;

(3) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

- (A) water utilities employers;
- (B) educational and training institutions;
- (C) local community-based organizations;
- (D) public workforce agencies; and
- (E) other related stakeholders;

(4) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(A) hands-on, contextualized learning opportunities;

(B) dual enrollment credit for post-secondary education and training programs; and

(C) direct connection to industry employers; and

(5) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$1,000,000 for each of fiscal years 2017 through 2021.

Subtitle H—Offset

SEC. 7801. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

“(d) **STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.**—

“(1) **APPROVAL BY ADMINISTRATOR.**—

“(A) **IN GENERAL.**—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

“(B) **REQUIREMENT.**—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

“(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

“(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

“(C) **PERMIT REQUIREMENTS.**—The Administrator may approve under subparagraph (B)(i) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

“(D) **WITHDRAWAL OF APPROVAL.**—

“(i) **PROGRAM REVIEW.**—The Administrator shall review programs or other systems approved under subparagraph (B)—

“(I) from time to time, but not less frequently than once every 5 years; or

“(II) on request of any State.

“(ii) **NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.**—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

“(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

“(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located

in the State to ensure compliance with the requirements of subparagraph (B); or

“(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

“(iii) **WITHDRAWAL.**—

“(I) **IN GENERAL.**—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

“(II) **REINSTATEMENT OF STATE APPROVAL.**—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

“(2) **NONPARTICIPATING STATES.**—

“(A) **DEFINITION OF NONPARTICIPATING STATE.**—In this paragraph, the term ‘nonparticipating State’ means a State—

“(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

“(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

“(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

“(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

“(B) **PERMIT PROGRAM.**—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(3) **APPLICABILITY OF CRITERIA.**—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

“(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

“(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

“(4) **PROHIBITION ON OPEN DUMPING.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open

dumping contained in subsection (a) with respect to a coal combustion residual unit.

“(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

“(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

“(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

“(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

“(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

“(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

“(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

“(A) the requirements established pursuant to a program for which an approval is provided by—

“(i) the State in accordance with a program or system approved under paragraph (1)(B); or

“(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

“(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

“(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.”.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the

Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term “1974 storage contract” means the contract approved by the Secretary on April 9, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term “2010 agreement” means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term “administrative set-aside subcontracts” means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by section 4 of the amended storage contract.

(4) ALLOTMENT.—The term “allotment” means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term “allottee” means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term “amended permit application” means the permit application of the City to the OWRB, No. 2007-17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT.—The terms “amended storage contract transfer agreement” and “amended storage contract” mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term “Atoka and Sardis Conservation Projects Fund” means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term “City” means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term “City permit” means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term “conservation storage capacity” means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term “future use storage” means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term “Nations” means, collectively, the Choctaw Nation of Oklahoma (“Choctaw Nation”) and the Chickasaw Nation.

(15) OWRB.—The term “OWRB” means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term “Sardis Lake” means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term “Settlement Agreement” means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term “settlement area” means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Oklahoma-Texas State line to the south;

(iii) the Oklahoma-Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.

(ii) Bryan.

(iii) Carter.

(iv) Choctaw.

(v) Coal.

(vi) Garvin.

(vii) Grady.

(viii) McClain.

(ix) Murray.

(x) Haskell.

(xi) Hughes.

(xii) Jefferson.

(xiii) Johnston.

(xiv) Latimer.

(xv) LeFlore.

- (xvi) Love.
- (xvii) Marshall.
- (xviii) McCurtain.
- (xix) Pittsburgh.
- (xx) Pontotoc.
- (xxi) Pushmataha.
- (xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term “settlement area waters” means the waters located—

(A) within the settlement area; and

(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

- (i) Beaver Creek (24, 25, and 26).
- (ii) Blue (11 and 12).
- (iii) Clear Boggy (9).
- (iv) Kiamichi (5 and 6).
- (v) Lower Arkansas (46 and 47).
- (vi) Lower Canadian (48, 56, 57, and 58).
- (vii) Lower Little (2).
- (viii) Lower Washita (14).
- (ix) Mountain Fork (4).
- (x) Middle Washita (15 and 16).
- (xi) Mud Creek (23).
- (xii) Muddy Boggy (7 and 8).
- (xiii) Poteau (44 and 45).
- (xiv) Red River Mainstem (1, 10, 13, and 21).
- (xv) Upper Little (3).
- (xvi) Walnut Bayou (22).

(20) STATE.—The term “State” means the State of Oklahoma.

(21) TRUST.—

(A) IN GENERAL.—The term “Trust” means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority, a public trust established pursuant to State law with the City as the beneficiary.

(B) REFERENCES.—A reference in this section to “Trust” shall refer to the Oklahoma City Water Utilities Trust, acting severally.

(C) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98-00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if by January 1, 2050, the right to future use storage is not activated by the withdrawal or release of water from future use storage for an authorized consumptive use of water.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(i) are deemed consistent with the authorized purposes for Sardis Lake as described in

section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187) and do not affect the authorized purposes for which the project was authorized, surveyed, planned, and constructed; and

(ii) shall not constitute a reallocation of storage.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)).

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act,

including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or

exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 of the City for water rights from the Muddy Boggy

River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract; and

(H) all claims for damages, losses, or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of rights pursuant to the amended storage contract.

(2) WAIVERS AND RELEASES OF CLAIMS BY THE NATIONS AGAINST THE UNITED STATES.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations are authorized to execute a waiver and release of all claims against the United States (including any agency or employee of the United States) relating to—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed by the United States as a trustee during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-9272 (W.D. Ok.) or OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of

the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract;

(H) all claims relating to litigation brought by the United States prior to the enforceability date of the water rights of the Nations in the State; and

(I) all claims relating to the negotiation, execution, or adoption of the Settlement Agreement (including exhibits) or this section.

(3) RETENTION AND RESERVATION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(A) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraphs (1) and (2), the Nations and the United States, acting as trustee, shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v) or paragraph (2)(A)(v), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in items (aa) through (cc);

(iv) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(B) AGREEMENT.—

(i) IN GENERAL.—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(ii) APPLICATION.—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under clause (i), in accordance with applicable Federal law.

(iii) RECORDING.—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(iv) CONSIDERATION.—In exchange for conveyance of the easement under clause (i), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(4) EFFECTIVE DATE OF WAIVER AND RELEASES.—The waivers and releases under this subsection take effect on the enforceability date.

(5) TOLLING OF CLAIMS.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled during the period beginning on the date of enactment of this Act and ending on the earlier of the enforceability date or the expiration date under subsection (i)(2).

(i) ENFORCEABILITY DATE.—

(1) IN GENERAL.—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98-C-521-E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ. 11-297 (W.D. Ok.) and OWRB v. United States, et al. Civ. 12-275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007-017 without having waived the original application priority date and appropriate quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007-017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007-017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(J) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) NO ACTION IN OTHER COURTS.—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) NO MONETARY JUDGMENT.—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) NOTICE AND CONFERENCE.—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—

(A) IN GENERAL.—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) UNITED STATES IMMUNITY.—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions

brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) CHICKASAW NATION IMMUNITY.—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) CHOCTAW NATION IMMUNITY.—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(K) DISCLAIMER.—

(1) IN GENERAL.—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) NO PRECEDENT.—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SEC. 8003. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(A) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as “USACE” on the map entitled “Muscogee (Creek) Nation Proposed Land Acquisition” and dated October 16, 2014.

(2) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 8004. REAUTHORIZATION OF DENALI COMMISSION.

(a) ADMINISTRATION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) TERM OF FEDERAL COCHAIRPERSON.—The Federal Cochairperson”;

(B) in the second sentence, by striking “All other members” and inserting the following:

“(3) TERM OF ALL OTHER MEMBERS.—All other members”;

(C) in the third sentence, by striking “Any vacancy” and inserting the following:

“(4) VACANCIES.—Except as provided in paragraph (2), any vacancy”;

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

“(2) INTERIM FEDERAL COCHAIRPERSON.—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2).”;

(2) by adding at the end the following:

“(f) NO FEDERAL EMPLOYEE STATUS.—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

“(g) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a ‘member’) shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

“(A) The member.

“(B) The spouse, minor child, or partner of the member.

“(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

“(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the member—

“(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

“(3) ANNUAL DISCLOSURES.—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

“(4) TRAINING.—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

“(5) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned for not more than 2 years, or both.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is amended, in subsection (a), by striking “under section 4 under this Act” and all that follows through “2008” and inserting “under section 304, \$20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.”.

(2) CLERICAL AMENDMENT.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is redesignated as section 312.

SEC. 8005. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h-1) the following:

“SEC. 9b. RECREATIONAL ACCESS.

“(a) DEFINITION OF FLOATING CABIN.—In this section, the term ‘floating cabin’ means a watercraft or other floating structure—

“(1) primarily designed and used for human habitation or occupation; and

“(2) not primarily designed or used for navigation or transportation on water.

“(b) RECREATIONAL ACCESS.—The Board may allow the use of a floating cabin if—

“(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;

“(2) the Corporation has authorized the use of recreational vessels on the waters; and

“(3) the floating cabin was located on waters under the jurisdiction of the Corporation as of the date of enactment of this section.

“(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for

the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

“(d) CONTINUED RECREATIONAL USE.—

“(1) IN GENERAL.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

“(A) may not require the removal of the floating cabin—

“(i) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

“(ii) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

“(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

“(i) the floating cabin meets the requirements of subsection (b); and

“(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

“(2) SAVINGS PROVISIONS.—

“(A) Nothing in this subsection restricts the ability of the Corporation to enforce health, safety, or environmental standards.

“(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

“(e) NEW CONSTRUCTION.—The Corporation may establish regulations to prevent the construction of new floating cabins.”.

SEC. 8006. REGULATION OF ABOVEGROUND STORAGE AT FARMS.

Section 1049(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113-121) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking the subsection designation and heading and all that follows through “subsection (b),” and inserting the following:

“(c) REGULATION OF ABOVEGROUND STORAGE AT FARMS.—

“(1) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b),”;

(3) by adding at the end the following:

“(2) CERTAIN FARM CONTAINERS.—Part 112 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to the following containers located at a farm:

“(A) Containers on a separate parcel that have—

“(i) an individual capacity of not greater than 1,000 gallons; and

“(ii) an aggregate capacity of not greater than 2,000 gallons.

“(B) A container holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.”.

SEC. 8007. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—In the case of an application for a permit for the mechanized removal of salt cedar from an area that consists of not more than 500 acres—

(1) any review by the Secretary under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 403), and any review by the Director of the United States Fish and Wildlife Service (referred to in this section as the “Director”) under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536),

shall, to the maximum extent practicable, occur concurrently;

(2) all participating and cooperating agencies shall, to the maximum extent practicable, adopt and use any environmental document prepared by the lead agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

(A) that Act; and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations); and

(3) the review of the application shall, to the maximum extent practicable, be completed not later than the date on which the Secretary, in consultation with, and with the concurrence of, the Director, establishes.

(b) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds received from non-Federal public or private entities to conduct a review referred to in subsection (a).

(c) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

SEC. 8008. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, pursuant to the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006 (referred to in this section as the “Agreement”), an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona (referred to in this section as the “City”), should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the Agreement and the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), the City shall have no obligation to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the Agreement and subject to subsection (d), the United States Section of the International Boundary and Water Commission shall reimburse the City for, and shall not charge the City after the date of enactment of this Act for, operations and maintenance costs in excess of an equitable proportion of the costs, as described in subsection (a).

(d) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed \$4,000,000.

SEC. 8009. PECHANGA BAND OF LUISEÑO MISSION INDIANS WATER RIGHTS SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights and cer-

tain claims for injuries to water rights in the Santa Margarita River Watershed for—

(A) the Band; and

(B) the United States, acting in its capacity as trustee for the Band and Allottees;

(2) to achieve a fair, equitable, and final settlement of certain claims by the Band and Allottees against the United States;

(3) to authorize, ratify, and confirm the Pechanga Settlement Agreement to be entered into by the Band, RCWD, and the United States;

(4) to authorize and direct the Secretary—

(A) to execute the Pechanga Settlement Agreement; and

(B) to take any other action necessary to carry out the Pechanga Settlement Agreement in accordance with this section; and

(5) to authorize the appropriation of amounts necessary for the implementation of the Pechanga Settlement Agreement and this section.

(b) DEFINITIONS.—In this section:

(1) ADJUDICATION COURT.—The term “Adjudication Court” means the United States District Court for the Southern District of California, which exercises continuing jurisdiction over the Adjudication Proceeding.

(2) ADJUDICATION PROCEEDING.—The term “Adjudication Proceeding” means litigation initiated by the United States regarding relative water rights in the Santa Margarita River Watershed in United States v. Fallbrook Public Utility District et al., Civ. No. 3:51-cv-01247 (S.D.C.A.), including any litigation initiated to interpret or enforce the relative water rights in the Santa Margarita River Watershed pursuant to the continuing jurisdiction of the Adjudication Court over the Fallbrook Decree.

(3) ALLOTTEE.—The term “Allottee” means an individual who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(4) BAND.—The term “Band” means Pechanga Band of Luiseño Mission Indians, a federally recognized sovereign Indian tribe that functions as a custom and tradition Indian tribe, acting on behalf of itself and its members, but not acting on behalf of members in their capacities as Allottees.

(5) CLAIMS.—The term “claims” means rights, claims, demands, actions, compensation, or causes of action, whether known or unknown.

(6) EMWD.—The term “EMWD” means Eastern Municipal Water District, a municipal water district organized and existing in accordance with the Municipal Water District Law of 1911, Division 20 of the Water Code of the State of California, as amended.

(7) EMWD CONNECTION FEE.—The term “EMWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(8) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary publishes in the Federal Register the statement of findings described in subsection (f)(5).

(9) ESAA CAPACITY AGREEMENT.—The term “ESAA Capacity Agreement” means the “Agreement to Provide Capacity for Delivery of ESAA Water”, among the Band, RCWD and the United States.

(10) ESAA WATER.—The term “ESAA Water” means imported potable water that the Band receives from EMWD and MWD pursuant to the Extension of Service Area Agreement and delivered by RCWD pursuant to the ESAA Water Delivery Agreement.

(11) ESAA WATER DELIVERY AGREEMENT.—The term “ESAA Water Delivery Agree-

ment” means the agreement among EMWD, RCWD, and the Band, establishing the terms and conditions of water service to the Band.

(12) EXTENSION OF SERVICE AREA AGREEMENT.—The term “Extension of Service Area Agreement” means the “Agreement for Extension of Existing Service Area”, among the Band, EMWD, and MWD, for the provision of water service by EMWD to a designated portion of the Reservation using water supplied by MWD.

(13) FALLBROOK DECREE.—

(A) IN GENERAL.—The term “Fallbrook Decree” means the “Modified Final Judgment And Decree”, entered in the Adjudication Proceeding on April 6, 1966.

(B) INCLUSIONS.—The term “Fallbrook Decree” includes all court orders, interlocutory judgments, and decisions supplemental to the “Modified Final Judgment And Decree”, including Interlocutory Judgment No. 30, Interlocutory Judgment No. 35, and Interlocutory Judgment No. 41.

(14) FUND.—The term “Fund” means the Pechanga Settlement Fund established by subsection (h).

(15) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) INJURY TO WATER RIGHTS.—The term “injury to water rights” means an interference with, diminution of, or deprivation of water rights under Federal or State law.

(17) INTERIM CAPACITY.—The term “Interim Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(18) INTERIM CAPACITY NOTICE.—The term “Interim Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(19) INTERLOCUTORY JUDGMENT NO. 41.—The term “Interlocutory Judgment No. 41” means Interlocutory Judgment No. 41 issued in the Adjudication Proceeding on November 8, 1962, including all court orders, judgments and decisions supplemental to that interlocutory judgment.

(20) MWD.—The term “MWD” means the Metropolitan Water District of Southern California, a metropolitan water district organized and incorporated under the Metropolitan Water District Act of the State of California (Stats. 1969, Chapter 209, as amended).

(21) MWD CONNECTION FEE.—The term “MWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(22) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The term “Pechanga ESAA Delivery Capacity account” means the account established by subsection (h)(3)(B).

(23) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The term “Pechanga Recycled Water Infrastructure account” means the account established by subsection (h)(3)(A).

(24) PECHANGA SETTLEMENT AGREEMENT.—The term “Pechanga Settlement Agreement” means the Pechanga Settlement Agreement, dated June 17, 2014, together with the exhibits to that agreement, entered into by the Band, the United States on behalf of the Band, its members and Allottees, MWD, EMWD, and RCWD, including—

(A) the Extension of Service Area Agree-

ment;

(B) the ESAA Capacity Agreement; and

(C) the ESAA Water Delivery Agreement.

(25) PECHANGA WATER CODE.—The term “Pechanga Water Code” means a water code to be adopted by the Band in accordance with subsection (d)(6).

(26) PECHANGA WATER FUND ACCOUNT.—The term “Pechanga Water Fund account” means the account established by subsection (h)(3)(C).

(27) PECHANGA WATER QUALITY ACCOUNT.—The term “Pechanga Water Quality account” means the account established by subsection (h)(3)(D).

(28) PERMANENT CAPACITY.—The term “Permanent Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(29) PERMANENT CAPACITY NOTICE.—The term “Permanent Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(30) RCWD.—

(A) IN GENERAL.—The term “RCWD” means the Rancho California Water District organized pursuant to section 34000 et seq. of the California Water Code.

(B) INCLUSIONS.—The term “RCWD” includes all real property owners for whom RCWD acts as an agent pursuant to an agency agreement.

(31) RECYCLED WATER INFRASTRUCTURE AGREEMENT.—The term “Recycled Water Infrastructure Agreement” means the “Agreement for Recycled Water Infrastructure” among the Band, RCWD, and the United States.

(32) RECYCLED WATER TRANSFER AGREEMENT.—The term “Recycled Water Transfer Agreement” means the “Recycled Water Transfer Agreement” between the Band and RCWD.

(33) RESERVATION.—

(A) IN GENERAL.—The term “Reservation” means the land depicted on the map attached to the Pechanga Settlement Agreement as Exhibit I.

(B) APPLICABILITY OF TERM.—The term “Reservation” shall be used solely for the purposes of the Pechanga Settlement Agreement, this section, and any judgment or decree issued by the Adjudication Court approving the Pechanga Settlement Agreement.

(34) SANTA MARGARITA RIVER WATERSHED.—The term “Santa Margarita River Watershed” means the watershed that is the subject of the Adjudication Proceeding and the Fallbrook Decree.

(35) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(36) STATE.—The term “State” means the State of California.

(37) STORAGE POND.—The term “Storage Pond” has the meaning set forth in the Recycled Water Infrastructure Agreement.

(38) TRIBAL WATER RIGHT.—The term “Tribal Water Right” means the water rights ratified, confirmed, and declared to be valid for the benefit of the Band and Allottees, as set forth and described in subsection (d).

(c) APPROVAL OF THE PECHANGA SETTLEMENT AGREEMENT.—

(1) RATIFICATION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—Except as modified by this section, and to the extent that the Pechanga Settlement Agreement does not conflict with this section, the Pechanga Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—Any amendment to the Pechanga Settlement Agreement is authorized, ratified, and confirmed, to the extent that the amendment is executed to make the Pechanga Settlement Agreement consistent with this section.

(2) EXECUTION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent that the Pechanga Settlement Agreement does not

conflict with this section, the Secretary is directed to and promptly shall execute—

(i) the Pechanga Settlement Agreement (including any exhibit to the Pechanga Settlement Agreement requiring the signature of the Secretary); and

(ii) any amendment to the Pechanga Settlement Agreement necessary to make the Pechanga Settlement Agreement consistent with this section.

(B) MODIFICATIONS.—Nothing in this section precludes the Secretary from approving modifications to exhibits to the Pechanga Settlement Agreement not inconsistent with this section, to the extent those modifications do not otherwise require congressional approval pursuant to section 2116 of the Revised Statutes (25 U.S.C. 177) or other applicable Federal law.

(3) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—In implementing the Pechanga Settlement Agreement, the Secretary shall promptly comply with all applicable requirements of—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(iii) all other applicable Federal environmental laws; and

(iv) all regulations promulgated under the laws described in clauses (i) through (iii).

(B) EXECUTION OF THE PECHANGA SETTLEMENT AGREEMENT.—

(i) IN GENERAL.—Execution of the Pechanga Settlement Agreement by the Secretary under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) COMPLIANCE.—The Secretary is directed to carry out all Federal compliance necessary to implement the Pechanga Settlement Agreement.

(C) LEAD AGENCY.—The Bureau of Reclamation shall be designated as the lead agency with respect to environmental compliance.

(d) TRIBAL WATER RIGHT.—

(1) INTENT OF CONGRESS.—It is the intent of Congress to provide to each Allottee benefits that are equal to or exceed the benefits Allottees possess as of the date of enactment of this section, taking into consideration—

(A) the potential risks, cost, and time delay associated with litigation that would be resolved by the Pechanga Settlement Agreement and this section;

(B) the availability of funding under this section;

(C) the availability of water from the Tribal Water Right and other water sources as set forth in the Pechanga Settlement Agreement; and

(D) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this section to protect the interests of Allottees.

(2) CONFIRMATION OF TRIBAL WATER RIGHT.—

(A) IN GENERAL.—A Tribal Water Right of up to 4,994 acre-feet of water per year that, under natural conditions, is physically available on the Reservation is confirmed in accordance with the Findings of Fact and Conclusions of Law set forth in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree.

(B) USE.—Subject to the terms of the Pechanga Settlement Agreement, this section, the Fallbrook Decree and applicable Federal law, the Band may use the Tribal Water Right for any purpose on the Reservation.

(3) HOLDING IN TRUST.—The Tribal Water Right, as set forth in paragraph (2), shall—

(A) be held in trust by the United States on behalf of the Band and the Allottees in accordance with this subsection;

(B) include the priority dates described in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree; and

(C) not be subject to forfeiture or abandonment.

(4) ALLOTTEES.—

(A) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal Water Right.

(B) ENTITLEMENT TO WATER.—Any entitlement to water of allotted land located within the exterior boundaries of the Reservation under Federal law shall be satisfied from the Tribal Water Right.

(C) ALLOCATIONS.—Allotted land located within the exterior boundaries of the Reservation shall be entitled to a just and equitable allocation of water for irrigation and domestic purposes from the Tribal Water Right.

(D) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an Allottee shall exhaust remedies available under the Pechanga Water Code or other applicable tribal law.

(E) CLAIMS.—Following exhaustion of remedies available under the Pechanga Water Code or other applicable tribal law, an Allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(F) AUTHORITY.—The Secretary shall have the authority to protect the rights of Allottees as specified in this subsection.

(5) AUTHORITY OF BAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Band shall have authority to use, allocate, distribute, and lease the Tribal Water Right on the Reservation in accordance with—

(i) the Pechanga Settlement Agreement; and

(ii) applicable Federal law.

(B) LEASES BY ALLOTTEES.—

(i) IN GENERAL.—An Allottee may lease any interest in land held by the Allottee, together with any water right determined to be appurtenant to that interest in land.

(ii) WATER RIGHT APPURTENANT.—Any water right determined to be appurtenant to an interest in land leased by an Allottee shall be used on the Reservation.

(6) PECHANGA WATER CODE.—

(A) IN GENERAL.—Not later than 18 months after the enforceability date, the Band shall enact a Pechanga Water Code, that provides for—

(i) the management, regulation, and governance of all uses of the Tribal Water Right in accordance with the Pechanga Settlement Agreement; and

(ii) establishment by the Band of conditions, permit requirements, and other limitations relating to the storage, recovery, and use of the Tribal Water Right in accordance with the Pechanga Settlement Agreement.

(B) INCLUSIONS.—The Pechanga Water Code shall provide—

(i) that allocations of water to Allottees shall be satisfied with water from the Tribal Water Right;

(ii) that charges for delivery of water for irrigation purposes for Allottees shall be assessed in accordance with section 7 of the Act of February 8, 1887 (25 U.S.C. 381);

(iii) a process by which an Allottee (or any successor in interest to an Allottee) may request that the Band provide water for irrigation or domestic purposes in accordance with this section;

(iv) a due process system for the consideration and determination by the Band of any request by an Allottee (or any successor in interest to an Allottee) for an allocation of such water for irrigation or domestic purposes on allotted land, including a process for—

(I) appeal and adjudication of any denied or disputed distribution of water; and

(II) resolution of any contested administrative decision; and

(v) a requirement that any Allottee (or any successor in interest to an Allottee) with a claim relating to the enforcement of rights of the Allottee (or any successor in interest to an Allottee) under the Pechanga Water Code or relating to the amount of water allocated to land of the Allottee must first exhaust remedies available to the Allottee under tribal law and the Pechanga Water Code before initiating an action against the United States or petitioning the Secretary pursuant to paragraph (4)(D).

(C) ACTION BY SECRETARY.—

(i) **IN GENERAL.**—The Secretary shall administer the Tribal Water Right until the Pechanga Water Code is enacted and approved under this subsection.

(ii) **APPROVAL.**—Any provision of the Pechanga Water Code and any amendment to the Pechanga Water Code that affects the rights of Allottees—

(I) shall be subject to the approval of the Secretary; and

(II) shall not be valid until approved by the Secretary.

(iii) **APPROVAL PERIOD.**—The Secretary shall approve or disapprove the Pechanga Water Code within a reasonable period of time after the date on which the Band submits the Pechanga Water Code to the Secretary for approval.

(7) **EFFECT.**—Except as otherwise specifically provided in this section, nothing in this section—

(A) authorizes any action by an Allottee (or any successor in interest to an Allottee) against any individual or entity, or against the Band, under Federal, State, tribal, or local law; or

(B) alters or affects the status of any action pursuant to section 1491(a) of title 28, United States Code.

(e) SATISFACTION OF CLAIMS.—

(1) **IN GENERAL.**—The benefits provided to the Band under the Pechanga Settlement Agreement and this Act shall be in complete replacement of, complete substitution for, and full satisfaction of all claims of the Band against the United States that are waived and released pursuant to subsection (f).

(2) **ALLOTTEE CLAIMS.**—The benefits realized by the Allottees under this section shall be in complete replacement of, complete substitution for, and full satisfaction of—

(A) all claims that are waived and released pursuant to subsection (f); and

(B) any claims of the Allottees against the United States that the Allottees have or could have asserted that are similar in nature to any claim described in subsection (f).

(3) **NO RECOGNITION OF WATER RIGHTS.**—Except as provided in subsection (d)(4), nothing in this section recognizes or establishes any right of a member of the Band or an Allottee to water within the Reservation.

(4) **CLAIMS RELATING TO DEVELOPMENT OF WATER FOR RESERVATION.—**

(A) **IN GENERAL.**—The amounts authorized to be appropriated pursuant to subsection (j)

shall be used to satisfy any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation.

(B) **SATISFACTION OF CLAIMS.**—Upon the complete appropriation of amounts authorized pursuant to subsection (j), any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation shall be deemed to have been satisfied.

(f) WAIVER OF CLAIMS.—

(1) IN GENERAL.—

(A) **WAIVER OF CLAIMS BY THE BAND AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE BAND.—**

(i) **IN GENERAL.**—Subject to the retention of rights set forth in paragraph (3), in return for recognition of the Tribal Water Right and other benefits as set forth in the Pechanga Settlement Agreement and this section, the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), and the United States, acting as trustee for the Band, are authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the Band, or the United States acting as trustee for the Band, asserted or could have asserted in any proceeding, including the Adjudication Proceeding, except to the extent that such rights are recognized in the Pechanga Settlement Agreement and this section.

(ii) **CLAIMS AGAINST RCWD.**—Subject to the retention of rights set forth in paragraph (3) and notwithstanding any provisions to the contrary in the Pechanga Settlement Agreement, the Band and the United States, on behalf of the Band and Allottees, fully release, acquit, and discharge RCWD from—

(I) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(II) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time after June 30, 2009, resulting from the diversion or use of water in a manner not in violation of the Pechanga Settlement Agreement or this section;

(III) claims for subsidence damage to land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(IV) claims for subsidence damage arising or occurring after June 30, 2009, to land located within the Reservation resulting from the diversion of underground water in a manner consistent with the Pechanga Settlement Agreement or this section; and

(V) claims arising out of, or relating in any manner to, the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(B) **CLAIMS BY THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR ALLOTTEES.**—Subject to the retention of claims set forth in paragraph (3), in return for recognition of the water rights of the Band and other benefits as set forth in the Pechanga Settlement Agreement and this section, the United States, acting as trustee for Allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the United States, acting as trustee for the Allottees, asserted or could have asserted in any proceeding, including the Adjudication Proceeding.

(C) **CLAIMS BY THE BAND AGAINST THE UNITED STATES.**—Subject to the retention of

rights set forth in paragraph (3), the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), is authorized to execute a waiver and release of—

(i) all claims against the United States (including the agencies and employees of the United States) relating to claims for water rights in, or water of, the Santa Margarita River Watershed that the United States, acting in its capacity as trustee for the Band, asserted, or could have asserted, in any proceeding, including the Adjudication Proceeding, except to the extent that those rights are recognized in the Pechanga Settlement Agreement and this section;

(ii) all claims against the United States (including the agencies and employees of the United States) relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water or water rights, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) in the Santa Margarita River Watershed that first accrued at any time up to and including the enforceability date;

(iii) all claims against the United States (including the agencies and employees of the United States) relating to the pending litigation of claims relating to the water rights of the Band in the Adjudication Proceeding; and

(iv) all claims against the United States (including the agencies and employees of the United States) relating to the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(2) **EFFECTIVENESS OF WAIVERS AND RELEASES.**—The waivers under paragraph (1) shall take effect on the enforceability date.

(3) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases authorized in this section, the Band, on behalf of itself and the members of the Band, and the United States, acting in its capacity as trustee for the Band and Allottees, retain—

(A) all claims for enforcement of the Pechanga Settlement Agreement and this section;

(B) all claims against any person or entity other than the United States and RCWD, including claims for monetary damages;

(C) all claims for water rights that are outside the jurisdiction of the Adjudication Court;

(D) all rights to use and protect water rights acquired on or after the enforceability date; and

(E) all remedies, privileges, immunities, powers, and claims, including claims for water rights, not specifically waived and released pursuant to this section and the Pechanga Settlement Agreement.

(4) **EFFECT OF PECHANGA SETTLEMENT AGREEMENT AND ACT.**—Nothing in the Pechanga Settlement Agreement or this section—

(A) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(B) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or an Allottee of any other Indian tribe;

(C) confers jurisdiction on any State court—

(i) to interpret Federal law regarding health, safety, or the environment;

(ii) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(iii) to conduct judicial review of Federal agency action;

(D) waives any claim of a member of the Band in an individual capacity that does not derive from a right of the Band;

(E) limits any funding that RCWD would otherwise be authorized to receive under any Federal law, including, the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) as that Act applies to permanent facilities for water recycling, demineralization, and desalination, and distribution of nonpotable water supplies in Southern Riverside County, California;

(F) characterizes any amounts received by RCWD under the Pechanga Settlement Agreement or this section as Federal for purposes of section 1649 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-32); or

(G) affects the requirement of any party to the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the California Environmental Quality Act (Cal. Pub. Res. Code 21000 et seq.) prior to performing the respective obligations of that party under the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement.

(5) **ENFORCEABILITY DATE.**—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) the Adjudication Court has approved and entered a judgment and decree approving the Pechanga Settlement Agreement in substantially the same form as Appendix 2 to the Pechanga Settlement Agreement;

(B) all amounts authorized by this section have been deposited in the Fund;

(C) the waivers and releases authorized in paragraph (1) have been executed by the Band and the Secretary;

(D) the Extension of Service Area Agreement—

(i) has been approved and executed by all the parties to the Extension of Service Area Agreement; and

(ii) is effective and enforceable in accordance with the terms of the Extension of Service Area Agreement; and

(E) the ESAA Water Delivery Agreement—

(i) has been approved and executed by all the parties to the ESAA Water Delivery Agreement; and

(ii) is effective and enforceable in accordance with the terms of the ESAA Water Delivery Agreement.

(6) **TOLLING OF CLAIMS.**—

(A) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the earlier of—

(i) April 30, 2030, or such alternate date after April 30, 2030, as is agreed to by the Band and the Secretary; or

(ii) the enforceability date.

(B) **EFFECTS OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(C) **LIMITATION.**—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(7) **TERMINATION.**—

(A) **IN GENERAL.**—If all of the amounts authorized to be appropriated to the Secretary pursuant to this section have not been made available to the Secretary by April 30, 2030—

(i) the waivers authorized by this subsection shall expire and have no force or effect; and

(ii) all statutes of limitations applicable to any claim otherwise waived under this subsection shall be tolled until April 30, 2030.

(B) **VOIDING OF WAIVERS.**—If a waiver authorized by this subsection is void under subparagraph (A)—

(i) the approval of the United States of the Pechanga Settlement Agreement under subsection (c) shall be void and have no further force or effect;

(ii) any unexpended Federal amounts appropriated or made available to carry out this section, together with any interest earned on those amounts, and any water rights or contracts to use water and title to other property acquired or constructed with Federal amounts appropriated or made available to carry out this section shall be returned to the Federal Government, unless otherwise agreed to by the Band and the United States and approved by Congress; and

(iii) except for Federal amounts used to acquire or develop property that is returned to the Federal Government under clause (ii), the United States shall be entitled to set off any Federal amounts appropriated or made available to carry out this section that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights asserted by the Band or Allottees in any future settlement of the water rights of the Band or Allottees.

(g) **WATER FACILITIES.**—

(1) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the designated accounts of the Fund, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement and the ESAA Capacity Agreement, in an amount not to exceed the amounts deposited in the designated accounts for such purposes plus any interest accrued on such amounts from the date of deposit in the Fund to the date of disbursement from the Fund, in accordance with this section and the terms and conditions of those agreements.

(2) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this subsection shall be nonreimbursable.

(3) **RECYCLED WATER INFRASTRUCTURE.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga Recycled Water Infrastructure account, provide amounts for the Storage Pond in accordance with this paragraph.

(B) **STORAGE POND.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, provide the amounts necessary to fulfill the

obligations of the Band under the Recycled Water Infrastructure Agreement for the design and construction of the Storage Pond, in an amount not to exceed \$2,656,374.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this paragraph shall be as set forth in the Recycled Water Infrastructure Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this paragraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Storage Pond.

(4) **ESAA DELIVERY CAPACITY.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga ESAA Delivery Capacity account, provide amounts for Interim Capacity and Permanent Capacity in accordance with this paragraph.

(B) **INTERIM CAPACITY.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Interim Capacity to the Band in an amount not to exceed \$1,000,000.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Interim Capacity to be provided by RCWD.

(v) **TRANSFER TO BAND.**—If RCWD does not provide the Interim Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 60 days after the date required under the ESAA Capacity Agreement, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Interim Capacity and Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative interim capacity in a manner that is similar to the Interim Capacity and Permanent Capacity that the Band would have received had RCWD provided such Interim Capacity and Permanent Capacity.

(C) **PERMANENT CAPACITY.**—

(i) **IN GENERAL.**—On receipt of the Permanent Capacity Notice pursuant to section 5(b) of the ESAA Capacity Agreement, the Secretary, acting through the Bureau of Reclamation, shall enter into negotiations with RCWD and the Band to establish an agreement that will allow for the disbursement of amounts from the Pechanga ESAA Delivery Capacity account in accordance with clause (ii).

(ii) **SCHEDULE OF DISBURSEMENT.**—Subject to the availability of amounts under subsection (h)(5), on execution of the ESAA Capacity Agreement, the Secretary shall, subject to the availability of appropriations and using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Permanent Capacity to the Band in an amount not to exceed the amount available in the ESAA Delivery Capacity account as of the date on which the ESAA Capacity Agreement is executed.

(iii) **PROCEDURE.**—The procedure for the Secretary to provide funds pursuant to this

subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iv) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(v) **LIABILITY.**—The United States shall have no responsibility or liability for the Permanent Capacity to be provided by RCWD.

(vi) **TRANSFER TO BAND.**—If RCWD does not provide the Permanent Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 5 years after the enforceability date, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative permanent capacity in a manner that is similar to the Permanent Capacity that the Band would have received had RCWD provided such Permanent Capacity.

(h) **PECHANGA SETTLEMENT FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Pechanga Settlement Fund”, to be managed, invested, and distributed by the Secretary and to be available until expended, and, together with any interest earned on those amounts, to be used solely for the purpose of carrying out this section.

(2) **TRANSFERS TO FUND.**—The Fund shall consist of such amounts as are deposited in the Fund under subsection (j), together with any interest earned on those amounts, which shall be available in accordance with paragraph (5).

(3) **ACCOUNTS OF PECHANGA SETTLEMENT FUND.**—The Secretary shall establish in the Fund the following accounts:

(A) Pechanga Recycled Water Infrastructure account, consisting of amounts authorized pursuant to subsection (j)(1).

(B) Pechanga ESAA Delivery Capacity account, consisting of amounts authorized pursuant to subsection (j)(2).

(C) Pechanga Water Fund account, consisting of amounts authorized pursuant to subsection (j)(3).

(D) Pechanga Water Quality account, consisting of amounts authorized pursuant to subsection (j)(4).

(4) **MANAGEMENT OF FUND.**—The Secretary shall manage, invest, and distribute all amounts in the Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(5) **AVAILABILITY OF AMOUNTS.**—Amounts appropriated to, and deposited in, the Fund, including any investment earnings accrued from the date of deposit in the Fund through the date of disbursement from the Fund, shall be made available to the Band by the Secretary beginning on the enforceability date.

(6) **WITHDRAWALS BY BAND PURSUANT TO THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT.**—

(A) **IN GENERAL.**—The Band may withdraw all or part of the amounts in the Fund on approval by the Secretary of a tribal management plan submitted by the Band in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) **REQUIREMENTS.**—

(i) **IN GENERAL.**—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under subparagraph (A) shall require that the Band shall spend all amounts withdrawn from the Fund in accordance with this section.

(ii) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Band from the Fund under this paragraph are used in accordance with this section.

(7) **WITHDRAWALS BY BAND PURSUANT TO AN EXPENDITURE PLAN.**—

(A) **IN GENERAL.**—The Band may submit an expenditure plan for approval by the Secretary requesting that all or part of the amounts in the Fund be disbursed in accordance with the plan.

(B) **REQUIREMENTS.**—The expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be disbursed from the Fund will be used, in accordance with paragraph (8).

(C) **APPROVAL.**—If the Secretary determines that an expenditure plan submitted under this subsection is consistent with the purposes of this section, the Secretary shall approve the plan.

(D) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this section.

(8) **USES.**—Amounts from the Fund shall be used by the Band for the following purposes:

(A) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—The Pechanga Recycled Water Infrastructure account shall be used for expenditures by the Band in accordance with subsection (g)(3).

(B) **PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.**—The Pechanga ESAA Delivery Capacity account shall be used for expenditures by the Band in accordance with subsection (g)(4).

(C) **PECHANGA WATER FUND ACCOUNT.**—The Pechanga Water Fund account shall be used for—

(i) payment of the EMWD Connection Fee;

(ii) payment of the MWD Connection Fee; and

(iii) any expenses, charges, or fees incurred by the Band in connection with the delivery or use of water pursuant to the Pechanga Settlement Agreement.

(D) **PECHANGA WATER QUALITY ACCOUNT.**—The Pechanga Water Quality account shall be used by the Band to fund groundwater desalination activities within the Wolf Valley Basin.

(9) **LIABILITY.**—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure of, or the investment of any amounts withdrawn from, the Fund by the Band under paragraph (6) or (7).

(10) **NO PER CAPITA DISTRIBUTIONS.**—No portion of the Fund shall be distributed on a per capita basis to any member of the Band.

(1) **MISCELLANEOUS PROVISIONS.**—

(A) **WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this section waives the sovereign immunity of the United States.

(2) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this section quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Band.

(3) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to Indian land within the Reservation—

(A) the United States shall not submit against any Indian-owned land located within the Reservation any claim for reimbursement of the cost to the United States of carrying out this section and the Pechanga Settlement Agreement; and

(B) no assessment of any Indian-owned land located within the Reservation shall be made regarding that cost.

(4) **EFFECT ON CURRENT LAW.**—Nothing in this subsection affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—There is authorized to be appropriated \$2,656,374, for deposit in the Pechanga Recycled Water Infrastructure account, to carry out the activities described in subsection (g)(3).

(2) **PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.**—There is authorized to be appropriated \$17,900,000, for deposit in the Pechanga ESAA Delivery Capacity account, which amount shall be adjusted for changes in construction costs since June 30, 2009, as is indicated by ENR Construction Cost Index, 20-City Average, as applicable to the types of construction required for the Band to provide the infrastructure necessary for the Band to provide the Interim Capacity and Permanent Capacity in the event that RCWD elects not to provide the Interim Capacity or Permanent Capacity as set forth in the ESAA Capacity Agreement and contemplated in subparagraphs (B)(v) and (C)(vi) of subsection (g)(4), with such adjustment ending on the date on which funds authorized to be appropriated under this subsection have been deposited in the Fund.

(3) **PECHANGA WATER FUND ACCOUNT.**—There is authorized to be appropriated \$5,483,653, for deposit in the Pechanga Water Fund account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(C).

(4) **PECHANGA WATER QUALITY ACCOUNT.**—There is authorized to be appropriated \$2,460,000, for deposit in the Pechanga Water Quality account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(D).

(k) **REPEAL ON FAILURE OF ENFORCEABILITY DATE.**—If the Secretary does not publish a statement of findings under subsection (f)(5) by April 30, 2021, or such alternative later date as is agreed to by the Band and the Secretary, as applicable—

(1) this section is repealed effective on the later of May 1, 2021, or the day after the alternative date agreed to by the Band and the Secretary;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this section shall be void;

(3) any amounts appropriated under subsection (j), together with any interest on those amounts, shall immediately revert to the general fund of the Treasury; and

(4) any amounts made available under subsection (j) that remain unexpended shall immediately revert to the general fund of the Treasury.

(1) **ANTIDEFICIENCY.**—

(1) **IN GENERAL.**—Notwithstanding any authorization of appropriations to carry out this section, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this section shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) **LIABILITY.**—The Department of the Interior shall not be liable for the failure to carry out any obligation or activity authorized by this section if adequate appropriations are not provided to carry out this section.

SEC. 8010. GOLD KING MINE SPILL RECOVERY.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **CLAIMANT.**—The term “claimant” means a State, Indian tribe, or local government that submits a claim under subsection (c).

(3) **GOLD KING MINE RELEASE.**—The term “Gold King Mine release” means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine to assess mine conditions.

(4) **NATIONAL CONTINGENCY PLAN.**—The term “National Contingency Plan” means the National Contingency Plan prepared and published under part 300 of title 40, Code of Federal Regulations (or successor regulations).

(5) **RESPONSE.**—The term “response” has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Administrator should receive and process, as expeditiously as possible, claims under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”) for any injury arising out of the Gold King Mine release.

(c) **GOLD KING MINE RELEASE CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.**—

(1) **IN GENERAL.**—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim made by a State, Indian tribe, or local government for eligible response costs relating to the Gold King Mine release.

(2) **ELIGIBLE RESPONSE COSTS.**—

(A) **IN GENERAL.**—Response costs incurred between August 5, 2015, and September 9, 2016, are eligible for payment by the Administrator under this subsection, without prior approval by the Administrator, if the response costs are not inconsistent with the National Contingency Plan.

(B) **PRIOR APPROVAL REQUIRED.**—Response costs incurred after September 9, 2016, are eligible for payment by the Administrator under this subsection if—

(i) the Administrator approves the response costs under section 111(a)(2) of the

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9611(a)(2)); and

(ii) the response costs are not inconsistent with the National Contingency Plan.

(3) **PRESUMPTION.**—

(A) **IN GENERAL.**—The Administrator shall consider response costs claimed under paragraph (1) to be eligible response costs if a reasonable basis exists to establish that the response costs are not inconsistent with the National Contingency Plan.

(B) **APPLICABLE STANDARD.**—In determining whether a response cost is not inconsistent with the National Contingency Plan, the Administrator shall apply the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) **TIMING.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any eligible response costs submitted to the Administrator before that date of enactment.

(B) **SUBSEQUENTLY FILED CLAIMS.**—Not later than 90 days after the date on which a claim is submitted to the Administrator, the Administrator shall make a decision on, and pay, any eligible response costs.

(C) **DEADLINE.**—All claims under this subsection shall be submitted to the Administrator not later than 180 days after the date of enactment of this Act.

(D) **NOTIFICATION.**—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) **WATER QUALITY PROGRAM.**—

(1) **IN GENERAL.**—In response to the Gold King Mine release, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall, subject to the availability of appropriations, develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine release.

(2) **REQUIREMENTS.**—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the water quality sample results and sediment data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other reasonable measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities related to long-term water quality monitoring that the Administrator determines to be necessary.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection, including the reimbursement of affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

(e) **EXISTING STATE AND TRIBAL LAW.**—Nothing in this section affects the jurisdiction or authority of any department, agency,

or officer of any State government or any Indian tribe.

(f) **SAVINGS CLAUSE.**—Nothing in this section affects any right of any State, Indian tribe, or other person to bring a claim against the United States for response costs or natural resources damages pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SEC. 8011. REPORTS BY THE COMPTROLLER GENERAL.

Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct the following reviews and submit to Congress reports describing the results of the reviews:

(1) A review of the implementation and effectiveness of the Columbia River Basin restoration program authorized under part V of subtitle F of title VII.

(2) A review of the implementation and effectiveness of watercraft inspection stations established by the Secretary under section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) in preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.

SEC. 8012. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

(2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

(3) Where practicable, the preference is for disputes between states related to the disposal of dredged material and the protection of water quality to be resolved between the states in accordance with regional plans and involving regional bodies.

Mr. INHOFE. Mr. President, I know of no further debate on this amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 5042, as modified.

The amendment (No. 5042), as modified, was agreed to.

The PRESIDING OFFICER. Amendment No. 5042, as modified, having been agreed to, amendment No. 4980 falls.

MORNING BUSINESS

Mr. INHOFE. Mr. President, before I make a very brief comment, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

WRDA

Mr. INHOFE. Mr. President, this is a very significant piece of legislation. What we just now moved forward on is the managers' amendment. Senator Boxer and I are the managers. I want to, first of all, compliment her for working very hard with us and our staff. I mean, they really did drill on this thing. So it is a major bill. We are supposed to have a WRDA bill, or the

Water Resources Development Act, every 2 years. We went through a 7-year period from 2007 to 2014. Now we are back on schedule. I am happy to say that we are on schedule now to get this passed tomorrow.

We are going to stay on a 2-year schedule. Senator BOXER did a great job. It was great teamwork. We have moved a long way.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to say this to Senator INHOFE. I know he has a hectic schedule ahead of him. What a pleasure it is to work with him and his staff member Alex and our Jason and Ted and others. We had a lot of disagreements on a lot of issues, but we set those aside. It is exciting to get something done for the people.

For example, in this managers' package, we have a new Chief's report in Pennsylvania, a critical restoration program in Oregon and Washington, funding for restoration of the Great Lakes, a wide variety of other policy recommendations that come from all over the country, from all of our colleagues. So I not only want to thank Senator INHOFE, who is my chairman, but also my staff and Senator INHOFE's staff—in particular, Bettina Poirier, Jason Albritton, and Ted Illston, from my staff.

This has not been easy to get all of us together and to have a unanimous consent request agreed to. I also want to thank the floor staff—Trish and Gary on our side—because I made them a little crazy during this process. They actually allowed me to do that.

But it does take a lot of push and pull to get a bill like this done. So what I would like to do for the next few minutes—I know Senator MURKOWSKI will speak following me—is that I just want to talk about why we have worked so hard and why it is critical that we pass this bill this week—S. 2848, the Water Resources Development Act, which we called WRDA 2016.

We need to repair our Nation's aging infrastructure. We need to grow our economy and create jobs. I think that is where the sweet spot is across the aisle. We have an infrastructure crisis in our country. It is not me saying it; it is the American Society of Civil Engineers. They are Democrats, they are Republicans, and they are Independents. They are north, south, east, and west. They came together and said: Our infrastructure is a D-plus—a D-plus.

So we just have to move forward. Also, we need to make sure that the Army Corps, when they write a Chief's report, has the go-ahead from Congress. We don't have anymore the ability as Members to say this is an earmark. We don't do that. What we must do is look at the Corps report and give them the authority to move ahead if we feel that the Corps report is in the best interest of our people.

We have over \$14 billion for 30 Chief's reports in 19 States. These projects—you ask: What do they do? They increase navigation. They are flood risk management. They are coastal storm damage reduction. They are ecosystem restoration. As far as navigation is concerned, we know that we authorize important projects to maintain vital navigation routes for commerce and the movement of goods.

Our bill builds on the reforms to the harbor maintenance trust fund. So we are just going to show a few charts. This is the Port of Charleston. If you look at these containers, they look small on this boat. Each one of those is just enormous. What we know is, if we can't move goods to and from the country, our economy stalls.

So that is critical. We extend permanently prioritization for donor and energy transfer ports, emerging harbors, and Great Lakes ports. We allow additional ports to qualify for these funds, and we make clear that the Corps can maintain harbors of refuge. The bill also authorizes nine Chief's reports that I mentioned in nine States that will allow investment in central port and waterway projects, including the deepening of the Charleston Harbor in South Carolina.

It does no good to have these ships try to get in—if you need to dredge the waterway, you better have authorization to do it. We widen and deepen the navigation channels at Port Everglades in Florida, to address safety issues and congestion. We construct new locks in Pennsylvania at three of the oldest locks and dams on the Ohio River System.

These aging locks were built in the 1920s and the 1930s. We have to address the aging infrastructure. This is what you see the workers doing. Our ports and waterways, which are essential to the U.S. economy, moved 2.3 billion tons of goods in 2014.

WRDA 2016 will provide major economic benefits that will keep us competitive in the global marketplace. We also deal with storms and floods. Now, we have seen these storms and floods just expand exponentially. We are stunned when we see our beautiful citizens looking at everything they possess being lost in a flood. It is billions of dollars of damage. It is loss of life. We have seen communities wiped out. This is the scene from Louisiana.

This bill will save lives by helping to rebuild critical levee systems around the country, including levees to protect the capital of my State and surrounding communities. Sacramento is in desperate need of flood control. We have done it year after year. We are very hopeful that the work we put into it will make sure that we do not see a Katrina happening anywhere in my State or in any other place.

This bill authorizes \$8 billion for 17 flood control and storm damage

projects in 13 States, including a project to build levees and flood control structures to reduce flood risk in San Antonio, TX.

I think we have the picture of the flooding there. Look at this. We just have to rebuild our infrastructure to protect against floods.

We also have a project to rebuild aging levees in Manhattan, in Kansas, which protects public and private structures valued at \$1 billion, and projects to protect coastal communities in South Carolina, in Florida, North Carolina, New Jersey, and Louisiana.

WRDA also establishes a new program at FEMA to fund the repair of high-hazard dams that present a public safety threat. These hazardous dams are threatening numerous communities across the Nation, and WRDA 2016 will make those communities safer.

The bill authorizes more than \$3 billion for projects to restore critical ecosystems, like the Florida Everglades. WRDA 2016 updates existing programs. It creates new initiatives to advance the restoration of some of the Nation's most iconic ecosystems, such as the Great Lakes, the Long Island Sound, the Delaware River, the Chesapeake Bay, the Columbia River, and Puget Sound.

WRDA responds to the serious challenges many of our communities are facing. While we have horrific flooding, we also have horrific droughts, especially in the West. This was all predicted by scientists who said: Watch out; climate change is coming. We have seen terrible fires, terrible flooding, terrible droughts, and more extreme weather all over. That was predicted.

So we want to make sure that we can improve the operations of our dams and reservoirs to increase water supply and better conserve existing water resources.

I have a very special excitement associated with the dealing of droughts, because the bill is on my legislation, the Water in the 21st Century Act—or, as I call it, W21—to provide essential support for the development of innovative water technologies, such as desalination and water recycling.

I had the opportunity to visit a desal plant in California—the only one operating. It is pretty remarkable. It is not cheap. It is a public-private partnership. But when you need water, you need water. So, absolutely we have to look at ways to utilize energy in a smart way and move toward desal and move toward water recycling and water recharging.

The bill allows States to provide additional incentives for the use of these innovative technologies, through the State revolving fund. It establishes a new, innovative water technology grant program, and it reauthorizes successful existing programs such as the Water Desalination Act.

It also deals with Flint, MI. I am so grateful to everyone on both sides who allowed us to finally address Flint, MI. I want to show you what they dealt with in this corrosive piping. The State changed the way they got their water. They started to draw from highly polluted water. This is what it did to the pipes.

As to the lead contamination in Flint, we know all about it. But it is not only in Flint. It is in other cities across the country that are dealing with aging lead pipes, such as Jackson, MS, Sebring, OH, and Durham, NC. The American people have some rights. They have a right to clean water. When they turn on their faucet, they should not be scared of what is going to come out.

Yet the American Water Works Association estimates that as many as 22 million people live in homes that receive water from lead service lines. Now, this bill begins the much needed work to ensure safe, reliable drinking water for every American. It provides \$100 million in State revolving fund loans and grants for communities that have a declared drinking water emergency. It provides more than \$700 million in loans under the Water Infrastructure Finance and Innovation Act, which we call WIFIA.

We have a program in transportation that my friend in the chair, the Presiding Officer, is very familiar with, called TIFIA, and he and I worked on together to save it. WIFIA works the same way. If a local government has revenues, they can use those to pay back the Federal Government for practically interest-free loans and complete a project far faster.

So this WIFIA is very exciting for me because I am leaving here. I would like to leave behind a way for communities to access help this way. It is not a giveaway. It just says to a community: If you are willing to help yourself, the Federal Government can front the money. You can rebuild your infrastructure much quicker.

When it comes to crumbling infrastructure, we don't have a minute to waste. So the WRDA bill helps those communities dealing with the horrible effects of lead poisoning by investing in public health programs to help families deal with the impacts. The bill changes the law to require that communities are quickly notified if high lead levels are found in the drinking water.

The worst thing is to ignore that and then have some child, all of a sudden, have learning disabilities, and you don't know why. You have done everything right, and your child is suffering. We want to say: The minute there is too much lead in the water, parents, you are going to know about it, and you can protect your child. The one way to protect a child is to get rid of their exposure to lead, whether it is in

the air, whether it is in the water, or whether it is in a product. We know that for sure.

Now, in closing, I am going to talk about a few things for my great State, because we have 40 million people there. We have so much congestion, and we have so many problems. We also have so many assets—mostly our people—and we have so much beauty in that State, but I am going to talk about a few things we did.

First, we authorized a critical project to revitalize the Los Angeles River. Yes, there is a river in Los Angeles. Everyone kind of looks at me and says: You have to be kidding. No, there is.

The whole area has been neglected. Finally, after working with the community—and, boy, this took effort on everyone's part—the city, the county, Senator FEINSTEIN, me, and Members of Congress. Everybody worked together—the Chamber of Commerce, the unions, everybody. We got together a great plan for how we are going to revitalize the river, make it a beautiful place to go, and stimulate economic development.

Our bill also authorizes a project to restore wetlands and improve flood protection in San Francisco Bay. This is one of the most iconic photos I could show you, the Golden Gate Bridge, but we need to improve flood protection. We are going to have the rising sea levels. I will tell you one of the great ways to get hold of that issue is to restore wetlands because then when the floods come, it slows up, it slows up the flow, and takes the nutrients that would otherwise go into the bay. Whether we are dealing with Lake Tahoe, which I will talk about in a minute, or San Francisco Bay, you want to make sure you have your flood protection work so these wetlands will hold back the water and hold back the nutrients.

We will rebuild levees that protect Sacramento, which is a critical area, and we have an amazing and important program to provide critical habitat and improve air quality near the Salton Sea.

I don't have time to go into explaining what the Salton Sea is, but it is one of the largest manmade lakes known. It is drying up because of the drought. What happened is, the farmers would take their extra water and dump it into the Salton Sea. There are a lot of harmful toxins from the pesticides in there. As the sea dries up, the sand holds all this toxin. When the wind blows, it carries these toxins and these chemicals into the lungs of the people who live around this gorgeous area. It was once a thriving area, but it has changed. It also is the landing place for about 400 different species of beautiful waterfowl that rest on the Pacific Flyway. It has been neglected. We need to make sure that where the sea is drying out we can have pockets where

there are wetlands, where there is restoration. We are working together with the State.

I am excited about the fact that this bill will authorize the use of local people, nonprofit people. City councils, supervisors, State and Federal Government and water districts will now be able to work together on common projects to save the Salton Sea. This is a tough one. I am going to be leaving the Senate knowing this isn't fixed, and I don't like that; that I will not be here to fix it. I am leaving it to everybody—that includes the Presiding Officer, you will be here a while. You have to keep your eye on the Salton Sea because it is disappearing and we have to fix it.

Finally, this bill invests in the restoration of the "Jewel of the Sierra," Lake Tahoe. Oh, this is something. I was just out there with Senator FEINSTEIN, Senator REID, and Governor Brown. It is quite a special place. Actually, it is a treasure. California shares it with Nevada. It is home to more than 290 species of wildlife, and it lures 3 million visitors every year, but it has real problems, the same types of problems I talked about with the bay—nutrients flowing into the sea. The warmer temperatures of Lake Tahoe mean we have algae growing. We have problems with clarity, and it needs our attention.

We have done a great job over the last 20 years when President Clinton came out. We had bipartisan support then, and we now have bipartisan support from Senators REID, HELLER, FEINSTEIN, and myself to continue making sure Lake Tahoe thrives.

The words everybody waits for when a Senator makes a speech, "in conclusion," WRDA 2016 is truly a bipartisan bill which benefits every region of this great country. It will invest in our Nation's water infrastructure, create jobs in the construction industry, protect people from flooding, and enable commerce to move through our ports. It will encourage innovative financing through WIFIA, and it will begin the hard work of preparing for and responding to extreme weather.

The bill is supported by 90 organizations—we will just give you a sample—representing business, labor, local government, ports, environmental conservation groups, and faith communities. As an example, the California State Coastal Conservancy, the Coalition for the Delaware River Watershed, the Congregation of Saint Joseph, association of water agencies, the Lake Carriers' Association, the Michigan Environmental Council of the States, GreenFaith, Friends Committee on National Legislation, and Franciscan Action Network.

There is one more chart. Nature Abounds, Orange County Sanitation District, U.S. Chamber of Commerce, U.S. Conference of Mayors, U.S. Great

Lakes Shipping Association, and Upper Mississippi River Basin Association.

Madam President, I ask unanimous consent to have printed in the RECORD the organizations listed on the charts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF SUPPORT—S. 2848

UPDATED 9-12-16

Advocates for a Clean Lake Erie; African American Health Alliance; Alliance for the Great Lakes; American Association of Port Authorities; American Council of Engineering Companies; American Great Lakes Ports Association; American Public Health Association; American Rivers; American Shore and Beach Preservation Association (ASBPA); American Society of Civil Engineers; Associated General Contractors of America; Association of Metropolitan Water Agencies; Bad River Watershed Association; Bay Area Council; Bay Conservation and Development Commission; Bay Planning Coalition; BaySail; Big River Coalition; Black Heritage Society Inc.; Black Millennials for Flint; BlueGreen Alliance; California Association of Sanitation Agencies; California Marine Affairs and Navigation Conference; California State Coastal Conservancy; Casa de Esperanza; City of Sacramento; Clean Water Action; Coalition for the Delaware River Watershed; Community Based Organization Partners; Congregation of St. Joseph.

Delta Institute; Ducks Unlimited; Earthjustice; Environment America; Environment Michigan; Environmental Defense Fund; Environmental Law & Policy Center; Franciscan Action Network; Freshwater for Life Action Coalition; Freshwater Future; Friends Committee on National Legislation; Genesee County Hispanic Latino Collaborative; Genesee County NOW; GreenFaith; GreenLatinos; Gulf Intracoastal Canal Association; Gulf Ports Association of the Americas; Headwaters Chapter, Izaak Walton League; Heart of the Lakes; Hispanic Association of Colleges and Universities; Hispanic Federation; Hoosier Environmental Council; Huron River Watershed Council; International Union of Operating Engineers; Lake Carriers Association; Land Trust Alliance; League of Conservation Voters; League of United Latin American Citizens; League of Women Voters of the United States.

MANA, A National Latina Organization; Michigan Environmental Council; Midwest Environmental Advocates; Milwaukee Riverkeeper; National Association of Clean Water Agencies; National Association of Flood & Stormwater Management Agencies; National Association of Hispanic Federal Executives; National Coalition Of Blacks for Reparations in America; National Conference of Puerto Rican Women, Inc.; National Ground Water Association; National Rural Water Association; National Wildlife Federation; Natural Resources Defense Council; Nature Abounds; North Atlantic Ports Association; Ohio Environmental Council; Orange County Sanitation District; Orange County Water District; Pacific Northwest Waterways Association; Physicians for Social Responsibility; Prairie Rivers Network; Realize America's Maritime Promise; Rural Community Assistance Partnership; San Francisco Public Utilities Commission; Save the Bay; The Bay Institute; The Nature Conservancy; U.S. Chamber of Commerce; U.S. Conference of Mayors; U.S. Great Lakes Shipping Association; Upper Mississippi River Basin Association; and Waterways Council, Inc.

Mrs. BOXER. You can tell from just the few I read what an amazing coalition we have. We can do this.

I have a fabulous committee that I am the ranking member of—fabulous on my side, wonderful on the Republican side. We really care about getting things done. I hope we will have a fabulous vote on this final passage and that the House will take up our bill, pass it, and not go back to square one and start arguing.

I say to my friends in this House, through this opportunity I have on the floor, this is an example of bipartisan ship. This is an example of good governance. This is an example you should follow because we avoided the fights, we worked together, and we worked it out. Let's get it done. Let's get it to the President's desk. Let's not wait for a lameduck. There is no reason. People should be able to know we did something good for them. We did something great for them.

This bill, while I am sure it isn't 100-percent perfect from anybody's eyes, is very solid, very strong, very good. I hope we will pass it with the biggest vote we can and the House will take it up.

Thank you so much for your patience.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank and acknowledge the work of the Senator from California, as well as the chairman of the Environment and Public Works Committee, not only on this WRDA bill but on previous matters relating to our water, resources, and our infrastructure—

Mrs. BOXER. And highways.

Ms. MURKOWSKI. Our highway bill. This has been a collaboration that has been recognized in the Senate. I think sometimes we joke that sometimes we have some polar opposites in the Senate on certain issues, but when there is a desire and a will to create something, to create legislation and make good things happen, that good will rises to the surface. I think we have seen that play out with our colleagues from California and Oklahoma.

Mrs. BOXER. May I make a comment through the Chair to my friend?

THE PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I just wish to thank you because you and Senator CANTWELL are also an example of a team that is working through the toughest of issues. If somebody from the press asked you how do you do it—and I am sure they ask Senator INHOFE all the time, how do you do it with something who is a polar opposite in so many other areas—well, you have to find that sweet spot. You never know if you are going to be able to do it, but if there is good will and there is also respect, you can find it. You have found

it in your committee. We have found it in ours.

I also thank you because in all of my work, you have always been there, being very helpful and supportive, so I thank you very much.

Ms. MURKOWSKI. I thank the Senator from California and do recognize that tough issues come to us. If they were easy, they wouldn't be here, and so it is our job to kind of thread that needle and do that.

I know the Senator mentioned the people of Flint being happy with a resolution here. It is not just the people of Flint and the communities you have named in California. I can tell you that when we successfully pass this, the people in the small communities of Craig, the Pribilof Islands, Seward, and Little Diomed are looking for this infrastructure that will allow them, as very small communities, to have an economy because they now have a port, a harbor, and some infrastructure they can rely on.

When we think we are not making a difference, all we need to do is look to measures such as this WRDA bill.

I commend my colleague for working with me, working with Senator SULIVAN, including many of the priorities we had tried to advance on behalf of the good people of Alaska.

KING COVE, ALASKA

Ms. MURKOWSKI. As we consider their bill—and I am pleased we have moved forward with this managers' amendment—I wish to speak to an amendment that is not part of a managers' package, and it is not an amendment I will call up and ask for consideration, but it is an issue I have presented to Members on the floor in the past. I wanted to take just a few minutes this evening to bring about, again, discussion about another community, a community in Alaska, a community that is in crisis.

We have heard a lot about communities in crisis—whether it is Flint, MI, whether it is those communities that have suffered the flooding in Louisiana, but I have a community in Alaska—a little, small community of less than 1,000 people—by the name of King Cove.

King Cove remains at risk, not because of flooding, not because of a failed water system but because of a decision that was made by our own government, a heartless decision made by the Federal Government. King Cove's problem is not contamination in its drinking water supply, it is something far more fundamental, and it is something that virtually all of our communities—whether you are in Colorado or California—take for granted. What the people in King Cove are asking for is a very simple road, a reliable access to medical emergency transportation. They simply want to be able to

reach proper care in time in the event of an injury or an illness.

So for those who aren't familiar with the small community of King Cove, it is a remote fishing community. It is about 625 air miles southwest of Anchorage. It is near the Alaska Peninsula. Eighty-five percent of the residents there are Alaska Natives. Many are Aleut and members of the federally recognized Agdaagux Tribe. As we have so many communities in the State of Alaska—in fact, 80 percent of our communities are not connected by road, but King Cove can only be reached by boat or by airplane. Often that is a challenge. The community is kind of nestled in this spit of land and is surrounded on one side by ocean and on the other by high volcanic oceans.

This is an area that isn't known for its weather. It is very high winds, huge storms, and dense fog all the way down to the ground. King Cove does have a gravel airstrip it can access, and the small planes that fly in and out regularly grapple with low visibility and very strong turbulence that comes down off the mountains, forces the planes down. You have gale-force crosswinds. It is not a place for beginner pilots. I shouldn't even say that because it makes it sound too light. These are very serious flying conditions, but that is how you get in and out.

I did mention it is accessible by boat, but if it is stormy in the air, it is also stormy on the water. Local mariners are facing the same conditions, plus you add in 12-foot to 14-foot seas to contend with.

Most of the time you are saying: I am not going to travel when the weather is that foul, but there are times when you have to travel, when a medical emergency occurs that is beyond the capacity or the capability of the local clinic there. Keep in mind, this is a very small clinic. You don't have a doctor that can just get in a car and provide services. We don't have a doctor there. We have a physician's assistant. We may have doctors come occasionally, but you don't have the medical care you need. If you have severe trauma or if you are a woman in labor, if you have any kind of a serious illness, King Cove Clinic just simply cannot provide the level of service and care you need.

So what do you do? The first step is to transport those who are sick and injured to the nearby community of Cold Bay. Cold Bay is host to a 10,000-foot-long all-weather runway. It is one of the longest runways we have in the State. It was built after World War II. It is almost always open because they don't get the same weather conditions. Here is the beauty of it. It is only 30 miles from where you are in King Cove. So really, the challenge here, for people who need to get out quickly, is not getting from Cold Bay to Anchorage—the 625 air miles—but from King Cove to Cold Bay, 30 miles. That is the toughest part of the journey there.

Having seen this firsthand, I know that for the people who live in King Cove—the Natives who live there—the best answer, really the only answer, is to do what virtually every other community would do, which is build this short connector road.

Keep in mind, we are talking about a distance of 30 miles between the two communities. But it is not even 30 miles I am talking about. What we are seeking is a short—about 10 to 11 miles—gravel, one-lane, noncommercial-use road. That is what we are talking about. That is all that is needed to connect two existing roads. There is one that runs out of King Cove and another that runs out of Cold Bay. We need to link these two communities to finally and fully protect the health and safety of nearly 1,000 Alaskans. What we need is a 10-mile, one-lane, gravel, noncommercial-use road.

One might say: Well, do it. Why haven't you built the road? The reason is we cannot secure permission from our own Federal Government because—and here is the catch—it would cross a small sliver of the Izembek National Wildlife Refuge that was designated back in the 1980s as Federal wilderness. They failed to consult with the Native people who were in King Cove at the time, but that designation was put in place. So we have been working through this for a period of years—actually, a period of decades.

We thought we had this resolved back in 2009. We overwhelmingly passed a lands bill through this Chamber that was signed into law by this President, and it gave the Department of the Interior the ability to approve a road for King Cove. It was a land exchange. And, quite honestly, it was an unbelievable deal. Alaskans offered a roughly 300-to-1 land exchange—a 300-to-1 land exchange—in the Federal Government's favor.

The people of King Cove said: We need 206 acres for a road corridor, and we, along with the State of Alaska, are willing to exchange 61,000 acres of our State lands and of our Native lands. Let me repeat that. They were willing to give back to the Federal Government the lands that were conveyed to the Natives upon settlement of their Native land claims so they could get a small 206-acre corridor. So between the Native lands and the State lands, a 300-to-1 land exchange was offered up—a pretty sweet deal.

Against all odds, the Secretary of the Interior rejected that offer. She did this on the day before Christmas Eve back in 2013. I think she was hoping that no one was going to pay attention. She decided against cherry-stemming these 206 acres—which, keep in mind, is about 0.07 percent of the refuge—because she said that somebody needs to speak up for the birds. Someone needs to speak up and represent the waterfowl. And she decided that protecting

the people of King Cove while expanding the Izembek Refuge by tens of thousands of acres was somehow just not worth it.

To this day, years later, I still struggle with how she could come to that decision. It was a horrible decision. It was cruel. It was coldhearted against the Alaskan Native people of King Cove who care deeply about these lands and have stewarded them for thousands of years.

It was baffling. It is not as if there are no roads in this area. Since World War II, we have had roads in this area. The birds have flown. They have used it as their feeding site. It is not as if this is this protected, pristine area. The Fish and Wildlife Service brags on its Web site that local waterfowl hunting is world famous and spectacular. Come on out. If you want to be a sportsman, come out and go hunt on the refuge here. But you can't have this 10-mile, one-lane, gravel, noncommercial-use road there because someone has to watch out for the birds.

The decision reflects a double standard when you think about refuges in other parts of the country. We have roads through our refuges throughout the country, whether in Florida, Maryland, Texas, Louisiana, North Carolina, Arizona, Montana, Missouri, Illinois, New Mexico, Nevada, or Washington State. So this would not be the first time you would have a small, narrow road through a refuge area.

It is also ignorant. It is ignorant of the fact that human lives have been lost in King Cove as medevacs were attempted in bad weather. We have had a total of 19 people who have died since 1980, either in plane crashes or because they didn't last before they could be taken out.

The decision of the Department of the Interior was cynical. It was callous. It devastated the people of King Cove, who finally thought help was on the way. It shattered the trust responsibility the Federal Government is supposed to have to our Native people, and it has left these people in the same situation they have been in for decades now. They are at the mercy of the elements. They have the potential to suffer needless pain, perhaps even death, if they should have a medical emergency.

People have said to me: Well, LISA, there are lots of places in Alaska where it is really tough to get in and out of, where weather shuts you down and you are not connected by a road. So why is King Cove so different, so special? It is not that they are so different or so special; it is that there is an easier answer that is right there. In many of the communities, there is not an easier answer. Again, we are talking about a small connector road that could be the answer here.

It has been nearly 1,000 days since Secretary Jewell decided just to wash her hands of this issue. She promised

the local residents she was going to figure out a way to help them gain reliable transportation to Cold Bay. Instead of working toward a real solution, she has decided to run the clock out. We have seen no engagement with local residents, no budget request, no administrative action, just one topical study of alternatives. And this alternative is one that has been examined before and rejected before as unworkable.

As chairman of the Energy and Natural Resources Committee, I held an oversight hearing earlier this year, and the Presiding Officer had an opportunity to hear from the residents of King Cove, to hear what they have gone through, the anguish this has caused their community. We heard about King Cove's decades-long fight for a lifesaving road from its mayor and from its spokeswoman of the Agdaagux Tribe. We heard strong support for the road from Alaska's Lieutenant Governor, a member of the Democratic Party and an Alaskan Native. We also heard from a representative of the National Congress of American Indians.

We also heard some really unsettling things. We heard about the Valium dispenser at the local medical clinic, where many of the residents who have such anxiety and stress about flying—because of the hazards of flying out of this little strip—are given two pills out of these dispensaries, one for the flight out of King Cove and one for when they return.

We also heard from a retired Coast Guard commander who led a mission to locate a plane crash that killed four individuals, including a fisherman who was being medevaced out because of an amputated foot. The commander told us about the horror of finding these bodies still upright, belted into their seats, with limbs that were frozen and could not be untangled—a memory you just don't ever forget.

King Cove has now had a total of 51 more medevacs—51 more medevacs—since Secretary Jewell's decision in December of 2013 when she rejected this road. Our U.S. Coast Guard has carried out 17 of those medevacs, risking their own crews to rescue those in need. We thank them for that, though that is not the Coast Guard's mission. But they are there when you call them.

Those patients who have been medevaced have been individuals in terrible pain and trauma. One man had dislocated both hips when a 600-pound crab pot fell on him. We have had elderly residents with internal bleeding or sepsis or apparent heart attacks. We had an infant baby boy who was struggling to breathe.

Just this past month—we think: Oh, summertime, August, good weather. This was a bad month for King Cove. No fewer than four medevacs have been carried out. One was an elderly woman

who arrived at the medical clinic with a hip fracture. She needed to be medevaced to Anchorage but had to wait for more than 40 hours because the heavy fog on the ground would not lift.

So that is what is happening in King Cove without a lifesaving road. And I know, Mr. President, that King Cove, AK, is a long way from where we are here. Many in this Chamber—most in this Chamber—will never go there. Most people in America will not ever go there. But as remote as they are, as small as this community is, I would remind my colleagues this is still an American community. These are Americans. These are people who deserve to have our help, and it is our job to assist them. They are not asking for much.

We should not let this continue. The people of King Cove are suffering, and it is entirely within our power to protect them. My amendment, and what I have offered in legislation and in amendments, is an opportunity, after decades of waiting and delay and frustration and pain, to finally authorize a short, one-lane, gravel, noncommercial-use road.

As I mentioned, I am not going to be raising my amendment to a vote on the WRDA bill, but I do want the Senate to understand it is well past time to help the good people of King Cove. We need to ensure they have reliable access to emergency medical transportation, and we need to do it this year so that we can put an end to the dangers, an end to the anxiety, an end to the suffering this community is enduring because of a decision by our own Federal Government.

With that, Mr. President, I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

CONSTITUTION WEEK

Mr. MCCONNELL. Mr. President, for the last 229 years, one document has shaped our system of government and embodied the character of our country. It has guided us through crisis and promoted our national ideals of equal justice, limited government, and the rule of law.

I speak, of course, of the U.S. Constitution. More than two centuries ago, the Founders met to write it in the same Pennsylvania State House, now called Independence Hall, where the Declaration of Independence was signed and where George Washington received his commission as commander of the Continental Army.

The Constitution was drafted in 1787 and signed in that year on September 17. That is why this coming week of September 17 to the 23 is Constitution Week, a time we set aside to commemorate this revered document.

During Constitution Week, we teach the history of our Constitution and of America's promise of liberty for all to the younger generations. One organization that has taken the lead in helping young Kentuckians learn about the Constitution is the Bryan Station chapter of the National Society Daughters of the American Revolution. Located in Lexington, the Bryan Station NSDAR will reach out to several schools in the area to help students understand the historical significance of our guiding document.

They will work to educate students of their rights and responsibilities as citizens. They will show them how the Constitution lays the foundation for our country's heritage of liberty. And they will encourage students to study the historical events which led to the drafting of the Constitution and its signing on September 17, 1787.

So in commemoration of Constitution Week 2016, I want to commend the Bryan Station NSDAR for their commitment to civic participation and civic education in the Commonwealth. I want to recognize all the students, teachers, and community leaders in Kentucky and across the Nation who are working to spread an understanding of the Constitution and the ideals it symbolizes.

I also want to especially recognize and thank the men and women in uniform who swear an oath to defend our Constitution, particularly those who serve in Kentucky at Fort Knox, Fort Campbell, the Blue Grass Army Depot, or as Reservists or members of the National Guard. Without their service and sacrifice, we would not enjoy the liberties enshrined in this historical document.

As Abraham Lincoln once said, ours is a government of the people, by the people, and for the people. The Constitution begins with the very words, "We the people." It ensures that, in America, power is dependent on the consent of the people. And that principle has helped to build a nation that represents the greatest hope for freedom around the world.

TRIBUTE TO MARGARET HOULIHAN SMITH

Mr. DURBIN. Mr. President, today I want to congratulate a former member of my Senate staff, Margaret Houlihan Smith. Margaret served as my Chicago director and previously as a senior member of my 1996 campaign team. Since 2004, Margaret has served as director of corporate and government affairs for United Airlines, responsible for advancing its legislative objectives

and protecting its commercial interests in Illinois.

Next week, Margaret is receiving the *Rerum Novarum* Award at St. Joseph College Seminary in Chicago. The *Rerum Novarum* Award, or Rights and Duties of Capital and Labor, is named after an encyclical written by Pope Leo XIII in 1891 that addressed issues facing the working class. Specifically, *Rerum Novarum*'s fundamental principles are respect for the dignity of every person and their labor, the right to organize and belong to a union, and the right to a living wage.

Every year, on behalf of St. Joseph College Seminary, the Seminary Salutes Committee honors men and women who have supported these ideals in the Chicagoland area. Well, I want to tell you that the committee couldn't have made a better choice than Margaret Houlihan Smith.

Margaret learned the importance of these values and public service from her father, Dan Houlihan. Known as Dan-the-man to his constituents—he represented the South Side of Chicago—the Beverly neighborhood—in the Illinois House of Representatives. Public service was in Margaret's blood.

So it is no surprise that, after graduating from St. Mary's College in Winona, MN, Margaret started right at the top in Illinois politics and began working for Michael Madigan, Speaker of the Illinois House of Representatives. In 1995, she helped run my first Senate campaign. And in 1996, Margaret agreed to be the director of my Chicago office. Her boundless energy, quick wit, and great judgment made her an outstanding member of my staff and set a high bar for those that followed.

One day, while working in my Chicago office, Margaret lost her voice. When she tried to talk, she croaked like a frog. Her doctor urged her to stop talking for about a week. But anyone that knows Margaret knows this would be a challenge. You see, Margaret is the definition of an Irish lass: a wonderful sense of humor and, above all, a great storyteller—so great that she never stops telling stories. And let me assure you, her doctor's urgings didn't stop her. But I couldn't be more proud that Margaret is still out there sharing stories and lending her voice to the issues that matter in her community.

Margaret is driven by a willingness to offer a helping hand and is one of the most generous people I have had the pleasure to know. In her spare time, she serves on the boards of Misericordia Heart of Mercy, Abraham Lincoln Presidential Library and Museum, Irish Fellowship of Chicago, the Civic Federation, and the Chicagoland Chamber of Commerce PAC Board. If that wasn't enough, Margaret is also a founding member of the Illinois Women's Institute for Leadership.

She is an extraordinarily accomplished professional, but it is her caring heart that makes Margaret such a deserving recipient of this award. For more than a decade, Margaret has served on the Seminary Salutes Committee, tirelessly advocating for the St. Joseph College Seminary. Year after year, she works to raise money and vocation awareness in Chicagoland. And because of her efforts, the Seminary Salutes annual fundraising event, which benefits the scholarship program for low-income students, continues to be a success. I am honored to congratulate her on all the work she has done for St. Joseph College Seminary.

Despite her many achievements, her proudest accomplishment is her family. Never forgetting where she comes from—a trait her father and his beloved wife of 50 years, Mary Alice Houlihan, instilled in her—Margaret lives in the Beverly neighborhood of Chicago with her husband, Jim, and their two children: 8-year-old son Jack and 6-year-old daughter Maeve.

Let me close with this: Margaret's father used to have a favorite saying—“He has a big hat size.” It was Dan's way to describe someone who was full of themselves. Well, Margaret has never forgotten those words and always stayed humble. I couldn't be more proud of the work she has done and the person she has become. And although her father is no longer with us, I know he feels the same way.

Congratulations, Margaret, on a well-deserved honor.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, for 2 years, President Obama's five eminently qualified nominees to the U.S. Court of Federal Claims have been awaiting a vote. This court has been referred to as the “keeper of the nation's conscience” and “the People's Court.” It was created by Congress approximately 160 years ago and embodies the constitutional principle that individuals have rights against their government. As President Lincoln said, “It is as much the duty of Government to render prompt justice against itself, in favor of citizens, as it is to administer the same between private individuals.” That is what this Court does: it allows citizens to seek prompt justice against our government.

Yet 2 years of obstruction by a single Senator, the junior Senator from Arkansas, has forced the court to operate without one-third of its allotted judges. While these five nominees have been waiting for a vote, another judge retired, leaving the court with only 10 judges for 16 seats, or a vacancy rate of 38 percent. This takes Senate Republican obstruction of judicial nominees to a new level.

The court's jurisdiction is authorized by statute, and it primarily hears mon-

etary claims against the U.S. Government deriving from the Constitution, Federal statutes, executive regulations, and civilian or military contracts. For example, the court has presided over such important cases as the savings and loan crisis of the 1980s and the World War II internment of Japanese-Americans. It also presides over civilian and military pay claims and money claims under the Fifth Amendment's Takings Clause.

I have heard no objections to the qualifications of any of the five nominees to this court. One of these nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the Court. He is endorsed by the Hispanic National Bar Association. He has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious honors program and has risen to become the Associate Deputy Attorney General in the Department. Mr. Bonilla should be confirmed without further delay.

Another nominee, Jeri Somers, also has a long record of public service. She served her country in the Air Force, retiring with the rank of lieutenant colonel. She spent over two decades serving first as a judge advocate general and then as a military judge in the U.S. Air Force and the District of Columbia's Air National Guard. In 2007, she became a board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Armando Bonilla and Jeri Somers are just two of the five nominees that Senate Republicans have been denying a confirmation vote. These are two individuals that have done right every step of the way in their careers and are willing to serve the American people on this important Court. They have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving from the Senate.

During the Bush administration, the Senate confirmed nine judges to the Court of Federal Claims, with the support of every Senate Republican. So far, during the Obama administration, only three Court of Federal Claims nominees have received confirmation votes. That is nine CFC judges during the Bush administration to only three so far in the Obama administration.

It appears that the Senate Republicans' obstruction playbook leaves no court behind. It spans from the very top, with their complete refusal to give a hearing and a vote to Chief Judge Merrick Garland, to the article III circuit and district courts, to the article I Court of Federal Claims, where citizens go to sue their government.

This blockade of all five CFC nominees makes no sense, especially because not a single Republican on the Senate Judiciary Committee raised a

concern about these nominees either during the committee hearings on these nominations 2 years ago or during the Committee debate 2 years ago or last year.

None of President Bush's nominees to the Court of Federal Claims spent longer than 4 months on the Senate floor before receiving a confirmation vote. Two of them waited only a single day. After 2 years, it is well past time for these five nominees to receive a vote so they can get to work on the shorthanded Court of Federal Claims.

RECOGNIZING THE VERMONT CENTER FOR EMERGING TECHNOLOGIES

Mr. LEAHY. Mr. President, Vermonters are proud of the innovation and creativity that generate successful businesses in our small State. And for years, Vermont's tech incubator, the Vermont Center for Emerging Technology, VCET, has been providing space for entrepreneurs to take the next steps in driving their startup businesses. As demonstrated in a recent profile of VCET in the New York Times, any objective observer can see Vermont as more than just an outdoor enthusiasts' playground—but also as an oyster community of emerging technologies and innovative thinking in building smart cities and the infrastructure to go with them.

It is no secret that Vermont is full of entrepreneurs eager to take the next steps in their respective fields. From ice cream to craft beverages, digital forensics to game programming, our State is home to many successful business endeavors. The Vermont Center for Emerging Technologies plays a key role in expanding Vermont's tech network while addressing the skilled labor shortage in the State. At its helm is president and fund manager David Bradbury, whose vision for the city of Burlington as an east coast Silicon Valley has driven the nonprofit's development and success.

Housed in a brick building in downtown Burlington, VCET is powered by a city-owned green energy grid with an enviable fast internet connection. The small but skilled team not only manages the Vermont Seed Capital Fund to administer initial funding for high-opportunity businesses and teams but also provides mentoring and advice to new startups. In collaboration with other Burlington-based companies and nonprofits, including BTV Ignite and Vermont HITECH, VCET encourages technology pioneers to dream big. With the help of local colleges offering courses in high growth fields, students learn the skills needed to thrive in a fast-changing economy. In turn, Vermont employers benefit from a larger pool of skilled technology workers, while employees gain access to better jobs and benefits.

The success of David's vision to grow Burlington into a technology hub while addressing the lack of skilled workers is rooted in something deeper than the rapidly expanding field of technology. Vermont's community and socially focused values bring neighbors together to benefit from shared experiences while providing local, sustainable, and accessible services. Corporate responsibility and attention to green energy reflect Vermont's commitment to lessening our environmental footprint while promoting energy conservation and efficiency. Whether encouraging Vermonters to pursue their passion for technology or forging new paths in the field, VCET is spurring economic development and technology jobs throughout our Green Mountain State.

I ask unanimous consent that a New York Times article from July 20, "A 'Smart' Green Tech Hub in Vermont Reimagines the Status Quo," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, July 20, 2016]

A "SMART" GREEN TECH HUB IN VERMONT REIMAGINES THE STATUS QUO
(By Constance Gustke)

Inside a plain brick building in Burlington lies the Vermont Center for Emerging Technologies, a buzzing hipster incubator that looks as if it could be in Silicon Valley. It is powered invisibly by forces that any city would envy: a green grid that is highly energy-efficient and a superfast one-gigabit internet connection.

"People would kill for this internet connection," said Tom Torti, president of the Lake Champlain Regional Chamber of Commerce. "For us to grow our tech network, we needed to double down on fiber network." The new Burlington economy is going to be knowledge- and skills-based, he added.

This digital superhighway runs through beautiful Burlington, a small city sandwiched between the distant Green Mountains and the 125-mile-long Lake Champlain. It is an outlier as far as emerging technology hubs and so-called smart cities go. But Burlington, which has a lower unemployment rate than Silicon Valley, is now spawning a wave of technology pioneers.

The technology center, called VCET, provides free advice, mentoring, seed money and gorgeous co-working spaces that are available to entrepreneurs for a low fee. Students can use these spaces free, so Max Robbins and Peter Silverman, 20-year-old college students, are starting their business, Beacon VT, there. It is similar to the dating site OkCupid, but for employment, matching students with employers.

"We're trying to give people an unfair advantage," said David Bradbury, president and fund manager at VCET. "There's nothing too big that you can't dream here. And the snowball is moving faster."

An ultrahigh-speed internet backbone even helped Burlington form a partnership with US Ignite, which aims to build the next generation of internet apps, to form BTV Ignite. Its goal is to mindfully build on the city's network and further innovation, said Michael Schirling, who heads BTV Ignite.

"Smart cities and new technologies have the potential to change everything," said

Mr. Schirling, a former Burlington police chief "When you put in the right building blocks, you get a collision of ideas, which can become self-generating. It's attitude and infrastructure."

A result is that Burlington, once a timber port, has a stunningly low unemployment rate of 2.3 percent. On the downside, the city is also experiencing a skilled-labor shortage; hundreds of coding jobs alone languish on job boards. Burlington was named a TechHire city by the White House in 2016 to help link local employers with local workers, and to help these workers get the skills they need for a fast-changing economy. The designation does not come with funding, but it does help Burlington get grants for free training.

The TechHire mandate in Burlington is to train 400 technology workers through 2020.

"We want younger people to know that there are career opportunities here," Mr. Torti said. "We're trying to grow our work force rather than importing it."

A nonprofit organization known as Vermont Hitec is a crucial part of that vision.

It works in partnership with local companies to offer boot camps online and in classrooms that teach skills such as medical coding and programming that lead to good-paying jobs with benefits.

Vermont Information Processing, which develops software for the beverage industry, has been working with Vermont Hitec so that it can retrain or recruit employees as its business grows and it becomes less interested in outsourcing.

Colleges like the University of Vermont, which offers a biotechnology program, and Champlain College are also helping solve the employment puzzle Champlain College offers degrees in high-demand careers like digital forensics and game programming, along with a special program for federal employees who can get online degrees in high-growth fields.

"We're responsive, nimble and entrepreneurial," said Don Laackman, president of Champlain College. "There's a connection between employment needs and sources offered."

Burlington got its first push into technology start-ups when IDX Systems, a health care software maker, was founded there in 1969. It was sold to General Electric about 10 years ago.

"IDX created a lot of wealth and talent, and these people could be angel investors," Mr. Bradbury said. "It was a tipping point."

The next wave of innovation has come from internet companies like MyWebGrocer, which offers digital grocery services, and Dealer.com, which offers digital marketing services for the auto industry. Dealer.com became a legend in Burlington after it was sold for \$1 billion a couple of years ago. Mike Lane, one of Dealer.com's founders and its former chief operations officer, who is now on the VCET board, is an angel investor who has funded eight start-ups. One of his investments is Faraday Inc., which uses data analytics to help companies target customers.

"In the future, there will be several \$50 million to \$100 million exits here," Mr. Lane said, "along with other larger ones mixed in."

He credits Vermont's community and socially conscious spirit with his success. "We didn't buy the philosophy that we had to be in a hot spot," said Mr. Lane, who returned to Vermont after working in Cambridge, Mass. "Even Zuckerberg realized that he could have been anywhere to build Facebook."

That can-do spirit also inspired Marguerite Dibble, 26, who began her firm GameTheory

while she was still a student at Champlain College. Its mission is to use gaming to inspire behavior changes, such as teaching teens financial literacy.

"In Burlington, I can call anyone and learn from their experience," said Ms. Dibble, who was born in a small Vermont town with no ZIP code. "The degrees of separation are lessened here. There's a shared Vermontiness."

The energy to power GameTheory's innovation comes from Burlington's green grid, which is owned by the city. The state has long been one of the country's greenest. But in 2014, Burlington upped the ante by turning only to wind, water and biomass to power the city—one of the first cities in the nation to do so. There are also incentives for reducing energy. Landlords, for example, can choose to have free energy audits, and more than 100 have done so.

Other Burlington businesses also work hard to save energy on their own. Seventh Generation, which makes environmentally conscious household products and was founded in Burlington, gives its employees bonuses for helping reduce greenhouse gases. Like many other companies in Burlington, Seventh Generation also aims to be socially responsible and was formed as a B Corp, which means it has to meet social, environmental, accountability and transparency standards.

With this focus on energy efficiency, the city's electricity rates have not risen in eight years, said Neale Lunderville, general manager of the Burlington Electric Department. "And there are no rate increases on the horizon," he said, "since we're not chasing the next kilowatt-hour."

Electric cars even have their own parking spaces with chargers.

Burlington will eventually become a net-zero city, said the mayor, Miro Weinberger. "Our isolation promotes a commitment to pride and place," he said.

The city that helped propel Senator Bernie Sanders also has its own nonprofit urban farm called the Intervale Center. The land was once an abandoned dumping ground with old tires and cars. That space now contains 350 acres with bee hives, commercial farms, greenhouses and other projects. Through its food hub, local foods are delivered to area businesses and individuals.

Intervale's farm incubator, a five-year program, even teaches new farmers the ropes, said Travis Marcotte, executive director of Intervale Center. "They then transition out of the Intervale," he said, "So we're spinning off whole farms."

It is a hopeful message, Mr. Marcotte said.

MAKE THE LAW WORK FOR EVERYONE WITH DISABILITIES

Mr. TILLIS. Mr. President, the constituencies in North Carolina are as varied as any in America. I am honored to represent America's largest Army Post—Fort Bragg—as well as 45 percent of the U.S. Marine Corps at Camp Lejeune and Cherry Point. Because of their presence and our proud military tradition, by 2020, one in every nine North Carolinians will be a veteran. We are also home to outstanding companies that serve our disabled citizens like the Winston-Salem Industries for the Blind. The confluence of these two communities—veterans and services for the disabled—and how each is treat-

ed by the Federal Government is of particular concern to me.

For decades, both the general disabled community and the disabled veterans' community have existed in a harmonious balance when it came to securing jobs and competitive contracts with the Federal Government. The Javits Wagner O'Day Act of 1938, the AbilityOne Program, and the Veterans Benefits, Health Insurance, and Information Technology Act of 2006 assist Americans who are blind, citizens with severe disabilities, and our U.S. military veterans through leveraging the procurement power of the U.S. Department of Veteran Affairs. Unfortunately, the recent *Kingdomware Technologies, Inc. v. United States Supreme Court* ruling reinterpreted these acts to preclude certain disabled groups from bidding for jobs and business with the Department of Veterans Affairs. These are not laws designed to build barriers to stop disabled veterans from bidding for work outside of the Veterans Administration or the blind for bidding for work within the VA, but that is what has happened.

I am asking my colleagues in Congress to take another look at this situation. Level the playing field. These laws should continue their mutual co-existence by maintaining set-aside opportunities that create sustainable employment opportunities for the 70 percent of blind or severely disabled Americans who are seeking jobs, in addition to competitive contract opportunities for veterans who take the initiative to start their own small businesses. Let's get this right.

ADDITIONAL STATEMENTS

RECOGNIZING MARION COUNTY'S COMMITMENT TO VETERANS

• Mr. BOOZMAN. Mr. President, I rise today to recognize Marion County, AR, on becoming the first Purple Heart County in Arkansas on November 15, 2015.

Created by George Washington in 1782, the Purple Heart is our Nation's oldest military medal. The Purple Heart is awarded to members of the Armed Forces who are wounded or killed in combat. These men and women are some of the finest heroes that our Nation has to offer.

Last year, Marion County chose to honor the service and sacrifice of our Purple Heart heroes in Arkansas by becoming the first Purple Heart County in Arkansas. Marion County's unwavering support of the heroic actions of our Purple Heart recipients stands as a reflection of the appreciation and gratitude of its residents.

Marion County recently held a celebration of its designation as Arkansas' first Purple Heart County that brought the community together to honor Pur-

ple Heart recipients. Showing our admiration for those who have served and sacrificed so much for our freedom is such a worthy endeavor, and this recognition is well deserved.

On behalf of all Arkansans, I echo the sentiments of the citizens of Marion County in saying how grateful we are for our veterans and their willingness to serve their country. There truly is no greater display of service and sacrifice than that.

I would like to take this opportunity to applaud Marion County for publicly recognizing our veterans and Purple Heart recipients by becoming Arkansas' first Purple Heart County. Arkansas is proud that our local communities are paying respect to our veterans and standing behind them.●

RECOGNIZING CRAWFORD COUNTY ADULT EDUCATION CENTER

• Mr. BOOZMAN. Mr. President, today I wish to recognize the Crawford County Adult Education Center as it celebrates its 50th anniversary this year.

Founded in 1966, the Crawford County Adult Education Center offers ongoing learning opportunities and helps prepare students for career advancement, postsecondary education, technological innovation, and life enrichment. Among many other services, the center offers classes in computer literacy, English as a Second Language, and citizenship, as well as courses that allow adult learners to earn their GED. It also provides students the opportunity to take college-level classes through Vincennes University.

While we strive to give our children the best educational opportunities available, it is important to recognize that some people in our communities are forced to put their educations on hold for various reasons. Adult education programs are an important resource in helping these individuals to better themselves, continue their educational development, seek out tools to help them advance in their careers, or learn new skills.

The Crawford County Adult Education Center lives up to those responsibilities and then some. It has helped many Crawford County residents realize their full potential and pursue their dreams.

It is never too late for anybody to set new goals or invest in themselves through continued education. As many who have benefitted from the services of the adult education center in Crawford County have attested, the excellent staff and volunteers play such a vital role in providing opportunities to citizens in all stages of life. Additionally, the results of the center's high-quality services and programs speak for themselves.

Let me again reiterate my gratitude for the wonderful work that the Crawford County Adult Education Center does each day. I congratulate the

center on achieving this milestone as it celebrates 50 years of service, and I look forward to hearing many more success stories as a result of the center's ongoing work.

RECOGNIZING THE IDAHO STATE POLICE

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in honoring the Idaho State Police, ISP, of Meridian, ID, for being selected as a recipient of the 2016 Secretary of Defense Employer Support Freedom Award, known as the Freedom Award.

The U.S. Department of Defense indicates that the Freedom Award is the highest recognition it gives to employers for "exceptional support of their National Guard and Reserve employees." The ISP is one of only 15 employers chosen this year for this national recognition out of the 2,424 nominations submitted by National Guard and Reserve Servicemembers. U.S. Defense Secretary Ash Carter stated, "Without the unfaltering support of employers like them, the men and women of the National Guard and Reserve would not be able to fulfill their vital roles in our National Security Strategy." The Freedom Award has been given to 220 employers over the past 20 years.

Guard and Reserve members or their family members nominate employers for the Freedom Award. This makes the award especially meaningful, as nominators have direct knowledge of their treatment at work. The Department reported that Army National Guard Sgt. Sara Breckon, who suffered a concussion during Active-Duty training, nominated the ISP for this year's award. She described to the Department how her supervisor went the extra mile working with her medical team to assist with her progressive return to work, successful therapy, and recovery. Her coworkers also assisted by donating 80 hours of personal leave so she could receive her pay. Sergeant Breckon told the department, "It is a privilege to work for ISP as they set the bar for all leaders in the military and civilian sectors."

The Department of Defense also noted that the Idaho State Police actively recruits Guardsmen and Reservists through the Hero2Hired program, and 18 percent of the Idaho State Police workforce has served or is serving in the U.S. Armed Forces. The ISP joins a group of four Idaho employers selected for the award since the Freedom Award was established.

Being recognized as a great employer of Guardsmen and women and Reservists is a distinct accomplishment. We commend the Idaho State Police for setting a model leadership standard. The men and women who serve in the Guard and Reserve and their families give immensely of their time and tal-

ents to serving our Nation. Their skills and commitment add great value to the workforce and our communities. This award is a tribute to the excellent treatment and regard Idaho employers have demonstrated to valued members of our communities. Congratulations to the Idaho State Police on this achievement.●

RECOGNIZING ELECTRIC MEMBERSHIP COOPERATIVE EMPLOYEES

• Mr. ISAKSON. Mr. President, today I would like to recognize and thank Steve Robinson, Wesley Thames, David Baskin, James Abbott, Andrew Harris, and Ian Hansman. They work for Cowetta-Fayette EMC, and Cobb EMC, and Carroll EMC, electric cooperatives in the great State of Georgia.

In July, these gentlemen traveled to Costa Rica as volunteers for the National Rural Electric Cooperative Association International Foundation. During their time in the town of Guanacaste, they helped construct an electric distribution system and worked alongside employees at the local electric co-op, Coopeguanacaste.

Along with local linemen, their volunteer efforts connected five families in Guanacaste with first-time access to electricity by building almost 2 kilometers of power lines. While working together, they shared safety and best construction practices with their counterparts at Coopeguanacaste.

Access to electric service for these families will improve their quality of life and allow them to compete in a growing and competitive economy. With electricity, these families can improve their livestock farming by preserving meats and dairy products, beginning their own businesses or selling at the market. This first-time access to electricity also will help with environmental conservation because residents will no longer need to burn wood and other traditional fuels for cooking and light.

National Rural Electric Cooperative Association International has been active in rural electrification development in Costa Rica since 1963, with direct involvement in the establishment of four electric cooperatives in Costa Rica. Today these co-ops serve approximately 200,000 consumer members.

Thanks to these volunteers, more families in the world now have a chance to a better life. Once again, thank you to these fine Georgians for their work, dedication, and selfless commitment to improving the lives of others.●

RECOGNIZING ROYAL MISSIONARY BAPTIST CHURCH

• Mr. SCOTT. Mr. President, I would like to congratulate and honor Royal Missionary Baptist Church in North

Charleston, SC, for their 100th anniversary, which will be celebrated on September 25, 2016.

Originally founded in 1916 by Rev. Handy Washington, the Royal Missionary Baptist Church was first housed in the home of Sister Brooks. In its early years, many of the members worked together to construct their own building in Burton Quarters. The church then purchased their Pearson Street property and today is blessed with both the Pearson Sanctuary and their Luella Street property to better serve God.

Rev. Isaac J. Holt, Jr., has served the church as its pastor since 1993. Under his leadership, the church has prospered and expanded to such an extent that it was necessary to add two new services and build an additional sanctuary. The church has faithfully upheld its motto, "The Church where Everybody is Somebody But Christ is Essential," and proudly credits the guidance of Jesus and the Holy Spirit for their success. I acknowledge with pleasure the church's influence in North Charleston and recognize their growth and success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on September 12, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bill:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on September 12, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. CORNYN).

MESSAGES FROM THE HOUSE

At 12:08 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1579. An act to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 246. An act to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution:

S. Con. Res. 46. Concurrent resolution expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 295. An act to reauthorize the Historically Black Colleges and Universities Historic Preservation program.

H.R. 921. An act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

H.R. 1301. An act to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes.

H.R. 3471. An act to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs.

H.R. 4576. An act to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes.

H.R. 4979. An act to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies.

H.R. 5104. An act to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

H.R. 5111. An act to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

H.R. 5484. An act to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, and for other purposes.

H.R. 5936. An act to authorize the Secretary of Veterans Affairs to enter into cer-

tain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.

H.R. 5937. An act to amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, and for other purposes.

The message further announced that pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), the Minority Leader appoints Mr. Steven L. Roberts of St. Louis, Missouri, to the Congressional Award Board.

The message also announced that pursuant to section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), the Minority Leader appoints Dr. Philip B. Stark of Berkeley, California, to the U.S. Election Assistance Commission Board of Advisors.

ENROLLED BILLS SIGNED

At 5:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1579. An act to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic".

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 295. An act to reauthorize the Historically Black Colleges and Universities Historic Preservation program; to the Committee on Energy and Natural Resources.

H.R. 921. An act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3471. An act to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 4979. An act to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies; to the Committee on Energy and Natural Resources.

H.R. 5104. An act to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5484. An act to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism,

and for other purposes; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3318. A bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on September 12, 2016, she had presented to the President of the United States the following enrolled bill:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2383. A bill to withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, and for other purposes (Rept. No. 114-349).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 2548. A bill to establish the 400 Years of African-American History Commission, and for other purposes (Rept. No. 114-350).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Timothy M. Ray, to be Lieutenant General.

Air Force nomination of Lt. Gen. Mark C. Nowland, to be Lieutenant General.

Air Force nomination of Maj. Gen. Jerry P. Martinez, to be Lieutenant General.

Army nomination of Maj. Gen. Paul M. Nakasone, to be Lieutenant General.

Army nomination of Maj. Gen. Aundre F. Piggee, to be Lieutenant General.

Navy nomination of Rear Adm. Charles A. Richard, to be Vice Admiral.

Navy nomination of Rear Adm. Philip G. Howe, to be Vice Admiral.

Air Force nomination of Col. Charles L. Plummer, to be Brigadier General.

Air Force nomination of Lt. Gen. Samuel A. Greaves, to be Lieutenant General.

Air Force nomination of Maj. Gen. Mark D. Kelly, to be Lieutenant General.

Army nomination of Col. Joseph F. Jarrard, to be Brigadier General.

Army nomination of Col. Laurel J. Hummel, to be Brigadier General.

Army nomination of Lt. Gen. Gustave F. Perna, to be General.

Army nomination of Lt. Gen. Daniel R. Hokanson, to be Lieutenant General.

Navy nomination of Vice Adm. James G. Foggo III, to be Vice Admiral.

Air Force nomination of Lt. Gen. John W. Raymond, to be General.

Mr. McCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Nathan J. Abel and ending with Bai Lan Zhu, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2016.

Air Force nominations beginning with Ebon S. Alley and ending with Kendra S. Zbir, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2016.

Air Force nominations beginning with Olujimisola M. Adelani and ending with Kellie J. Zentz, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2016.

Air Force nominations beginning with Steven S. Alexander and ending with Stacey Scott Zdanavage, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Air Force nomination of Rebecca L. Powers, to be Major.

Air Force nomination of William L. White, to be Major.

Air Force nomination of Anthony B. Mulhare, to be Colonel.

Air Force nominations beginning with Robert M. Clontz II and ending with Rebecca K. Kemmet, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Air Force nomination of Paul K. Clark, to be Major.

Air Force nomination of Anthony S. Robbins, to be Lieutenant Colonel.

Army nomination of Andrell J. Hardy, to be Lieutenant Colonel.

Army nomination of Hector I. Martinezpineiro, to be Colonel.

Army nominations beginning with Chattie N. Levy and ending with Lisa G. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Arthur J. Bilenker and ending with Inez E. Wright, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with John J. Brady and ending with Elizabeth A. Werns, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Richard J. Butalla and ending with Mark B. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Christopher B. Aasgaard and ending with William A. Socrates, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nomination of Paul V. Rahm, to be Colonel.

Army nominations beginning with Michael A. Dean and ending with Mark O. Worley, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Jonnie L. Bailey and ending with Ilona L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Gordon B. Chiu and ending with Paul A. Viator, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Scott B. Armen and ending with Jon S. Yamaguchi, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Thad J. Collard and ending with Michael L. Yost, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Ann M. B. Hall and ending with David W. Rose, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Garry E. Oneal and ending with Cristopher A. Young, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2016.

Army nominations beginning with Freddy L. Adams II and ending with D012362, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Alissa R. Ackley and ending with D003185, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Geoffrey R. Adams and ending with D005579, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Brian Bickel and ending with Melissa F. Tucker, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Kyle D. Aemisegger and ending with Sarah M. Zate, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nomination of John E. Shemanski, to be Major.

Army nominations beginning with Christopher D. Baysa and ending with Sarah A. Williams Brown, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Adrienne B. Ari and ending with Charles D. Zimmerman, Jr., which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Norman W. Gill III and ending with Michael A. Robertson, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Derron A. Alves and ending with Chad A. Weddell, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nomination of Chantil A. Alexander, to be Major.

Army nomination of Yevgeny S. Vindman, to be Lieutenant Colonel.

Army nomination of David G. Ott, to be Colonel.

Army nomination of Geoffrey J. Cole, to be Lieutenant Colonel.

Army nomination of Jeffrey D. McCoy, to be Colonel.

Army nominations beginning with Joseph T. Alwan and ending with Nicholas D. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Dustin M. Albert and ending with Jennifer E. Zuccarelli, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nominations beginning with Buster D. Akers, Jr. and ending with Michael T. Zell, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Army nomination of Richard L. Weaver, to be Colonel.

Army nomination of Gail E. S. Yoshitani, to be Colonel.

Army nomination of Richard A. Dorchak, Jr., to be Lieutenant Colonel.

Army nomination of Aristidis Katerelos, to be Major.

Army nomination of Scott C. Moran, to be Colonel.

Army nomination of Mona M. McFadden, to be Major.

Army nominations beginning with Nicole N. Clark and ending with Susan R. Singalewitch, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Army nomination of Clayton T. Herriford, to be Major.

Army nominations beginning with James R. Boulware and ending with Matthew S. Wysocki, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Army nomination of David E. Foster, to be Lieutenant Colonel.

Army nomination of Justin J. Orton, to be Major.

Army nomination of Tina R. Hartley, to be Colonel.

Army nomination of Melaine A. Williams, to be Colonel.

Army nomination of Anthony T. Sampson, to be Colonel.

Navy nominations beginning with Kenric T. Aban and ending with Eric H. Yeung, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Brent N. Adams and ending with Emily L. Zywickie, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Teresita Alston and ending with Erin K. Zizak, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Dylan T. Burch and ending with Luke A. Whittemore, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Brooke M. Basford and ending with Malissa D. Wickersham, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Ryan P. Anderson and ending with Scott A. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Jennifer D. Bowden and ending with Robert B. Wills, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nominations beginning with Bradley M. Baer and ending with Gregory J. Woods, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2016.

Navy nomination of Richard M. Camarena, to be Commander.

Navy nominations beginning with Julio A. Alarcon and ending with Jodi M. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Navy nominations beginning with Rolanda A. Findlay and ending with Daphne P. Morrisonponce, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2016.

Navy nomination of Russell A. Maynard, to be Captain.

Navy nomination of William J. Kaiser, to be Captain.

Navy nominations beginning with Nicole A. Aguirre and ending with Amy F. Zucharo, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Alice A. T. Alcorn and ending with Malka Zipperstein, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Julie M. C. Anderson and ending with Bradley S. Wells, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Benjamin D. Adams and ending with Michael F. Whittican, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Stephen K. Afful and ending with Alessandra E. Ziegler, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Scott E. Adams and ending with Charmaine R. Yap, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Raymond B. Adkins and ending with Gale B. White, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Paul I. Ahn and ending with Shannon L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nominations beginning with Dennis L. Lang, Jr. and ending with Yasmira Leffakis, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nomination of Karen J. Sankesritland, to be Lieutenant Commander.

Navy nominations beginning with Mark F. Bibeau and ending with Jason A. Laurion, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2016.

Navy nomination of Randall L. McAtee, to be Lieutenant Commander.

Navy nomination of John F. Capacchione, to be Captain.

Navy nomination of Stuart T. Kirkby, to be Commander.

Navy nomination of Carrie M. Mercier, to be Lieutenant Commander.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Mr. MCCAIN, Mr. DURBIN, and Mr. SCHATZ):

S. 3313. A bill to authorize assistance to Burma and to support a principled engagement strategy for a peaceful, prosperous, and democratic Burma that respects the human rights of all its people, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. CORNYN):

S. 3314. A bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes; to the Committee on Rules and Administration.

By Ms. MURKOWSKI:

S. 3315. A bill to authorize the modification or augmentation of the Second Division Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HEINRICH (for himself and Mr. FLAKE):

S. 3316. A bill to maximize land management efficiencies, promote land conservation, generate education funding, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE (for himself and Mr. HATCH):

S. 3317. A bill to prohibit the further extension or establishment of national monuments in the State of Utah except by express authorization of Congress; to the Committee on Energy and Natural Resources.

By Mr. PERDUE:

S. 3318. A bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes; read the first time.

By Mr. BROWN:

S. 3319. A bill to require the Administrator of the Environmental Protection Agency to appoint a harmful algal bloom coordinator; to the Committee on Environment and Public Works.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. 3320. A bill to waive the essential health benefits requirements for certain States; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself and Mr. PERDUE):

S. Res. 553. A resolution expressing the sense of the Senate on the challenges the

conflict in Syria poses to long-term stability and prosperity in Lebanon; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 554. A resolution honoring the life of Jacob Wetterling and the efforts of Patty Wetterling and the Wetterling family to find abducted children and support their families; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. Res. 555. A resolution congratulating the Optical Society on its 100th anniversary; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Mr. BOOKER, Mr. WHITEHOUSE, Mr. PETERS, and Ms. MIKULSKI):

S. Res. 556. A resolution expressing support for the designation of the week of September 12 through September 16, 2016, as "National Family Service Learning Week"; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself and Mr. BOOKER):

S. Res. 557. A resolution designating September 2016 as "School Bus Safety Month"; considered and agreed to.

By Mr. CASSIDY (for himself, Mr. VITTER, Mr. CORNYN, Mr. CRUZ, and Mr. LANKFORD):

S. Res. 558. A resolution honoring the memory and legacy of the 12 Louisiana citizens and 1 Texas citizen who lost their lives due to the tragic flooding in the State of Louisiana in August 2016; considered and agreed to.

ADDITIONAL COSPONSORS

S. 539

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 539, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 602

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 602, a bill to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, and for other purposes.

S. 624

At the request of Mr. BROWN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 689

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals

who provide certain medical services in a secondary State.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 1013

At the request of Mr. SCHUMER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1588

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1588, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2645

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2782

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr.

KIRK) was added as a cosponsor of S. 2782, a bill to amend the Public Health Service Act to provide for the participation of pediatric subspecialists in the National Health Service Corps program, and for other purposes.

S. 2791

At the request of Mr. FRANKEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2791, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs.

S. 2849

At the request of Mr. SASSE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2849, a bill to ensure the Government Accountability Office has adequate access to information.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2927

At the request of Mr. LANKFORD, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mr. ISAKSON), the Senator from North Carolina (Mr. TILLIS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 3056

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 3056, a bill to provide for certain causes of action relating to delays of generic drugs and biosimilar biological products.

S. 3179

At the request of Ms. HEITKAMP, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3183

At the request of Mr. MORAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3183, a bill to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable

consumer access to tickets for any given event, and for other purposes.

S. 3195

At the request of Mr. CASSIDY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3195, a bill to amend title XVIII of the Social Security Act to preserve Medicare beneficiary access to ventilators, and for other purposes.

S. 3198

At the request of Mr. HATCH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S.J. RES. 16

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 39

At the request of Mr. PAUL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S.J. Res. 39, a joint resolution relating to the disapproval of the proposed foreign military sale to the Government of the Kingdom of Saudi Arabia of M1A1/A2 Abrams Tank structures and other major defense equipment.

AMENDMENT NO. 4992

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of

amendment No. 4992 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 5004

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 5004 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 5038

At the request of Mrs. CAPITO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 5038 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 553—EXPRESSING THE SENSE OF THE SENATE ON THE CHALLENGES THE CONFLICT IN SYRIA POSES TO LONG-TERM STABILITY AND PROSPERITY IN LEBANON

Mrs. SHAHEEN (for herself and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 553

Whereas the stability of Lebanon, a pluralistic democracy in the Middle East, is in the interests of the United States and United States allies in the region;

Whereas the United States has provided more than \$2,000,000,000 in assistance to Lebanon in the past decade, including training and equipment for the Lebanese Armed Forces (LAF);

Whereas the conflict in Syria threatens stability in Lebanon as a result of violent attacks against Lebanese citizens perpetrated by combatants active in Syria, as well as a massive influx of refugees fleeing the conflict;

Whereas the United States has contributed more than \$5,500,000,000 in humanitarian assistance for victims of the conflict in Syria, including for refugees in Lebanon;

Whereas the people of Lebanon have shown great generosity in welcoming more than 1,000,000 refugees from Syria, a refugee population equal to ¼ of its native population;

Whereas Lebanon is hosting more refugees proportionally than any nation in the world;

Whereas the refugee crisis has challenged Lebanon's economy, which faces a national debt that is approximately 140 percent of

gross domestic product and underperforming economic growth;

Whereas the LAF have been called into direct conflict with the Islamic State in Iraq and al-Sham (ISIS) as a result of attacks carried out by the terrorist group in Lebanon;

Whereas the Syrian conflict has placed additional strains on the Government of Lebanon as it continues to confront political deadlock that has kept the presidency vacant for more than two years;

Whereas the unique political constitution of Lebanon hinges on that nation's distinct demographic and social equilibrium;

Whereas the prolongation of the Syrian conflict has the potential to upset the precarious social and political balance in Lebanon;

Whereas the constitution of Lebanon is further undermined by undue foreign influence, particularly by the Islamic Republic of Iran through its terrorist proxy Hizbollah;

Whereas the United Nations Security Council passed Resolution 1701 in 2006, which calls for the disarmament of all armed groups in Lebanon and stresses the importance of full control over Lebanon by the Government of Lebanon; and

Whereas Hizbollah continues to violate United Nations Security Council Resolution 1701, including by replenishing its stock of rockets and missiles in South Lebanon: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of bilateral United States assistance to the Government of Lebanon in building its capacity to provide services and security for Lebanese citizens and curbing the influence of Hizbollah;

(2) encourages continued coordination between the Department of State, the United Nations High Commissioner for Refugees, and humanitarian organizations to ensure that refugees from the conflict in Syria, including those in Lebanon, are supported in such a way as to mitigate any potentially adverse effect on their host countries;

(3) recognizes that it is in the interests of the United States to seek a negotiated end to the conflict in Syria that includes the ultimate departure of Bashar al-Assad, which would allow for the eventual return of the millions of Syrian refugees in Lebanon, Jordan, Turkey, and other countries around the world;

(4) supports full implementation of United Nations Security Council Resolution 1701; and

(5) recognizes the LAF as the sole institution entrusted with the defense of Lebanon's sovereignty and supports United States partnerships with the LAF, particularly through the global coalition to defeat the terrorist group ISIS.

SENATE RESOLUTION 554—HONORING THE LIFE OF JACOB WETTERLING AND THE EFFORTS OF PATTY WETTERLING AND THE WETTERLING FAMILY TO FIND ABDUCTED CHILDREN AND SUPPORT THEIR FAMILIES

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 554

Whereas Patty and Jerry Wetterling faced the unimaginable tragedy of having their 11-year-old son, Jacob Wetterling, abducted

near their home in Stearns County, Minnesota, on October 22, 1989;

Whereas Jacob Wetterling was taken at gunpoint and his disappearance remained unsolved for nearly 27 years;

Whereas Jacob Wetterling's body was not recovered until September of 2016;

Whereas Patty Wetterling bravely turned her grief into action and devoted her life to advocating for missing and exploited children;

Whereas Patty Wetterling has become a nationally recognized educator on child abduction and the sexual exploitation of children;

Whereas Patty Wetterling serves on the Board of Directors of the National Center for Missing and Exploited Children;

Whereas Patty Wetterling and her husband co-founded the Jacob Wetterling Resource Center to educate communities about child safety issues to prevent child exploitation and abductions;

Whereas Patty Wetterling authored the publication "When Your Child is Missing: A Family Survival Guide", along with 4 other families;

Whereas Patty Wetterling served for more than 7 years as Director of Sexual Violence Prevention for the Minnesota Department of Health;

Whereas the Star Tribune selected Patty Wetterling as one of the "100 Most Influential Minnesotans of the Century";

Whereas Patty Wetterling's efforts led to the passage of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Public Law 103-322; 108 Stat. 2038), a Federal law that requires States to implement a sex offender and crimes against children registry; and

Whereas Jacob Wetterling's memory lives on through the efforts of the Wetterling family: Now, therefore, be it

Resolved, That the Senate honors—

(1) the life of Jacob Wetterling; and

(2) the efforts of Patty Wetterling and the Wetterling family to prevent child exploitation and abductions across the United States.

SENATE RESOLUTION 555—CONGRATULATING THE OPTICAL SOCIETY ON ITS 100TH ANNIVERSARY

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 555

Whereas the Optical Society is the leading professional association in optics and photonics, supporting research and collaboration in the science of light;

Whereas the Optical Society was founded in 1916 in Rochester, New York, as the research catalyst for the science of light and has since become the leading voice for advancing the study and application of optics and photonics;

Whereas, today, the Optical Society connects 270,000 scientists, students, engineers, and business leaders in 177 countries around the world;

Whereas, over the course of the 100-year history of the Optical Society, 34 members of the society have been awarded the Nobel Prize in Physics, Chemistry, or Physiology or Medicine;

Whereas optics and photonics is the science of light, serving as the backbone for

modern national security applications, industrial controls, telecommunications, advanced manufacturing, health care, and consumer and business products;

Whereas a 2012 National Research Council study, entitled "Optics and Photonics: Essential Technologies for our Nation", outlined the utility of optics and photonics and their role in facilitating economic growth, recognizing their extraordinary impact on communications, information processing and data storage, defense and national security, energy, health and medicine, advanced manufacturing, and strategic materials;

Whereas the United States Government has recognized the importance of photonics, the contributions of photonics to economic development, and the benefits of public-private partnerships by recently announcing a consortium working with the Department of Defense known as the American Institute for Manufacturing Integrated Photonics; and

Whereas optics and photonics create more than \$3,000,000,000 in revenue annually in the United States and support more than 7,400,000 jobs; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Optical Society on its 100th anniversary;

(2) reaffirms the critical role that optics and photonics have played over the last 100 years and continue to play in the economy of the United States and the lives of the people of the United States; and

(3) recognizes the importance of continued investment in fundamental optics and photonics research.

SENATE RESOLUTION 556—EX-PRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF SEPTEMBER 12 THROUGH SEPTEMBER 16, 2016, AS "NATIONAL FAMILY SERVICE LEARNING WEEK"

Mr. CORNYN (for himself, Mr. BOOKER, Mr. WHITEHOUSE, Mr. PETERS, and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 556

Whereas family service learning is a method under which children and families learn and solve problems together in a multi-generational approach with active participation in thoughtfully organized service that—

(1) is conducted in and meets the needs of their communities;

(2) is focused on children and families solving community issues together;

(3) applies college and career readiness skills for children and relevant workforce training skills for adults; and

(4) is coordinated between the community and an elementary school, secondary school, institution of higher education, or family community service program;

Whereas family service learning—

(1) is multi-generational learning that involves parents, children, caregivers, and extended family members in shared learning experiences in physical and digital environments;

(2) is integrated into and enhances the academic achievement of the children or the educational components of a family service program in which the families may be enrolled; and

(3) encompasses skills, such as investigation, planning and preparation, action, re-

flection, demonstration of results, and sustainability;

Whereas family service learning has been shown to have positive 2-generational effects and encourages families to invest in their communities to improve economic and societal well-being;

Whereas, through family service learning, children and families are offered the opportunity to solve community issues and learn together, thereby enabling the development of life and career skills, such as flexibility and adaptability, initiative and self-direction, social and cross-cultural skills, productivity and accountability, and leadership and responsibility;

Whereas family service learning activities provide opportunities for families to improve essential skills, such as organization, research, planning, reading and writing, technology, teamwork, and sharing;

Whereas families participating together in service are afforded quality time learning about their communities;

Whereas adults engaged in family service learning serve as positive role models for their children;

Whereas family service learning projects enable families to build substantive connections with their communities, develop a stronger sense of self-worth, experience a reduction in social isolation, and improve parenting skills;

Whereas family service learning has added benefits for English language learners by helping individuals and families to—

(1) feel more connected with their communities; and

(2) practice language skills;

Whereas family service learning is particularly important for at-risk families because it—

(1) provides opportunities for leadership and civic engagement; and

(2) helps build the capacity to advocate for the needs of children and families; and

Whereas the value that parents place on civic engagement and relationships within the community has been shown to transfer to the child who, in turn, replicates values, such as responsibility, empathy, and caring for others; Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of September 12 through September 16, 2016, as "National Family Service Learning Week" to raise public awareness about the importance of family service learning, family literacy, community service, and 2-generational learning experiences;

(2) encourages people across the United States to support family service learning and community development programs;

(3) recognizes the importance that family service learning plays in cultivating family literacy, civic engagement, and community investment; and

(4) calls upon public, private, and nonprofit entities to support family service learning opportunities to aid in the advancement of families.

SENATE RESOLUTION 557—DESIGNATING SEPTEMBER 2016 AS "SCHOOL BUS SAFETY MONTH"

Mrs. FISCHER (for herself and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 557

Whereas approximately 480,000 public and private school buses carry 26,000,000 children

to and from school every weekday in the United States;

Whereas America's 480,000 public and private school buses comprise the largest mass transportation fleet in the Nation;

Whereas during the school year, school buses make more than 55,000,000 passenger trips daily and students ride these school buses 10,000,000,000 times per year as the Nation's fleet travels over 5,600,000,000 miles per school year;

Whereas in an average year, about 25 school children are killed in school bus accidents, with one-third of these children struck by their own school buses in loading/unloading zones, one-third struck by motorists who fail to stop for school buses, and one-third killed as they approach or depart a school bus stop;

Whereas The Child Safety Network, celebrating 28 years of national public service, has collaborated with the National PTA and the school bus industry to create public service announcements to reduce distracted driving near school buses, increase ridership, and provide free resources to school districts in order to increase driver safety training, provide free technology for tracking school buses, reduce on-board bullying, and educate students; and

Whereas the adoption of School Bus Safety Month will allow broadcast and digital media and social networking industries to make commitments to disseminate public service announcements designed to save children's lives by making motorists aware of school bus safety issues; Now, therefore, be it

Resolved, That the Senate designates September 2016 as "School Bus Safety Month".

SENATE RESOLUTION 558—HONORING THE MEMORY AND LEGACY OF THE 12 LOUISIANA CITIZENS AND 1 TEXAS CITIZEN WHO LOST THEIR LIVES DUE TO THE TRAGIC FLOODING IN THE STATE OF LOUISIANA IN AUGUST 2016

Mr. CASSIDY (for himself, Mr. VITTER, Mr. CORNYN, Mr. CRUZ, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 558

Whereas, during mid-August 2016, a historic flood swept through the southern part of the State of Louisiana, taking the lives of 13 people, damaging over 130,000 homes, displacing thousands of families, and causing over \$8,700,000,000 of material damages;

Whereas William Mayfield, 67, of Zachary, Louisiana, perished on August 12, 2016;

Whereas Linda Coco Bishop, 63, perished on August 14, 2016;

Whereas Brett Broussard, 55, of Baton Rouge, Louisiana, perished on August 15, 2016;

Whereas William F. "Bill" Borne, 58, of Baton Rouge, Louisiana, perished on August 16, 2016;

Whereas Richard James Jr., 57, of Baton Rouge, Louisiana, perished on August 15, 2016;

Whereas Samuel Muse, 54, of Greensburg, Louisiana, perished on August 13, 2016;

Whereas Kenneth Slocum, 59, of Tangipahoa Village, Louisiana, perished on August 14, 2016;

Whereas Earrol Lewis, 49, of Houston, Texas, perished on August 15, 2016;

Whereas Stacy Ruffin, 44, of Roseland, Louisiana, perished on August 13, 2016;

Whereas Alexandra "Ally" Budde, 20, of Hammond, Louisiana, perished on August 14, 2016;

Whereas Ordatha Hoggatt, 57, of Leesville, Louisiana, perished on August 14, 2016;

Whereas an unnamed woman, 93, of Denham Springs, Louisiana, perished on August 17, 2016;

Whereas an unidentified man of Denham Springs, Louisiana, perished on August 17, 2016; and

Whereas the people of the United States stand united with the people of Louisiana and the families of the victims—

(1) to support all individuals affected; and
(2) to pray for healing and restoration:
Now, therefore, be it

Resolved, That the Senate—

(1) honors the memory and legacy of the 12 Louisiana citizens and 1 Texas citizen who lost their lives in the August 2016 flooding;

(2) extends its heartfelt condolences and prayers to the families of the victims and to all affected individuals in the communities of the flooded parishes;

(3) recognizes the skill and sacrifice of the law enforcement officers, first responders, and volunteers who have demonstrated tremendous resolve throughout the recovery;

(4) commends the efforts of individuals who are working to care and provide for the injured and displaced;

(5) applauds the generous support, assistance, and aid provided by people across the United States; and

(6) pledges to continue to work together—
(A) to support Louisiana in its time of need.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5061. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 5062. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5063. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5064. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5065. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5066. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5061. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle B—Irrigation Rehabilitation and Renovation for Indian Tribal Governments and Their Economies

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the "Irrigation Rehabilitation and Renovation for Indian Tribal Governments and Their Economies Act" or the "IRRIGATE Act".

SEC. 8102. DEFINITIONS.

In this subtitle:

(1) **DEFERRED MAINTENANCE.**—The term "deferred maintenance" means any maintenance activity that was delayed to a future date, in lieu of being carried out at the time at which the activity was scheduled to be, or otherwise should have been, carried out.

(2) **FUND.**—The term "Fund" means the Indian Irrigation Fund established by section 8111.

(3) **INDIAN TRIBE.**—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

PART I—INDIAN IRRIGATION FUND

SEC. 8111. ESTABLISHMENT.

There is established in the Treasury of the United States a fund, to be known as the "Indian Irrigation Fund", consisting of—

(1) such amounts as are deposited in the Fund under section 8113; and

(2) any interest earned on investment of amounts in the Fund under section 8115.

SEC. 8112. DEPOSITS TO FUND.

(a) **IN GENERAL.**—For each of fiscal years 2017 through 2038, the Secretary of the Treasury shall deposit in the Fund \$35,000,000 from the general fund of the Treasury.

(b) **AVAILABILITY OF AMOUNTS.**—Amounts deposited in the Fund under subsection (a) shall be used, subject to appropriation, to carry out this subtitle.

SEC. 8113. EXPENDITURES FROM FUND.

(a) **IN GENERAL.**—Subject to subsection (b), for each of fiscal years 2017 through 2038, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this subtitle, not more than the sum of—

(1) \$35,000,000; and

(2) the amount of interest accrued in the Fund.

(b) **ADDITIONAL EXPENDITURES.**—The Secretary may expend more than \$35,000,000 for

any fiscal year referred to in subsection (a) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under subsection (a) in 1 or more prior fiscal years.

SEC. 8114. INVESTMENTS OF AMOUNTS.

(a) **IN GENERAL.**—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(b) **CREDITS TO FUND.**—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

SEC. 8115. TRANSFERS OF AMOUNTS.

(a) **IN GENERAL.**—The amounts required to be transferred to the Fund under this part shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(b) **ADJUSTMENTS.**—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

SEC. 8116. TERMINATION.

On September 30, 2038—

(1) the Fund shall terminate; and

(2) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

PART II—REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN IRRIGATION PROJECTS

SEC. 8121. REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN IRRIGATION PROJECTS.

(a) **IN GENERAL.**—The Secretary shall establish a program to address the deferred maintenance needs and water storage needs of Indian irrigation projects that—

(1) create risks to public or employee safety or natural or cultural resources; and

(2) unduly impede the management and efficiency of the Indian irrigation program.

(b) **FUNDING.**—Consistent with section 8113, the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$35,000,000 of amounts in the Fund, plus accrued interest, for each of fiscal years 2017 through 2038 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian irrigation projects described in section 8122 (including any structures, facilities, equipment, personnel, or vehicles used in connection with the operation of those projects), subject to the condition that the funds expended under this part shall not be—

(1) subject to reimbursement by the owners of the land served by the Indian irrigation projects; or

(2) assessed as debts or liens against the land served by the Indian irrigation projects.

SEC. 8122. ELIGIBLE PROJECTS.

The projects eligible for funding under section 8121(b) are the Indian irrigation projects in the western United States that, on the date of enactment of this Act—

(1) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management);

(2) are managed and operated by the Bureau of Indian Affairs (including projects managed, operated, or maintained under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.); and

(3) have deferred maintenance documented by the Bureau of Indian Affairs.

SEC. 8123. REQUIREMENTS AND CONDITIONS.

Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this part, the Secretary, in consultation with the Assistant Secretary for Indian Affairs and representatives of affected Indian tribes, shall develop and submit to Congress—

(1) programmatic goals to carry out this part that—

(A) would enable the completion of repairing, replacing, modernizing, or performing maintenance on projects as expeditiously as practicable;

(B) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating a project;

(C) ensure that the results of government-to-government consultation required under section 8125 be addressed; and

(D) would facilitate the construction of new water storage using non-Federal contributions to address tribal, regional, and watershed-level supply needs; and

(2) funding prioritization criteria to serve as a methodology for distributing funds under this part, that take into account—

(A) the extent to which deferred maintenance of qualifying irrigation projects poses a threat to public or employee safety or health;

(B) the extent to which deferred maintenance poses a threat to natural or cultural resources;

(C) the extent to which deferred maintenance poses a threat to the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating the project;

(D) the extent to which repairing, replacing, modernizing, or performing maintenance on a facility or structure will—

(i) improve public or employee safety, health, or accessibility;

(ii) assist in compliance with codes, standards, laws, or other requirements;

(iii) address unmet needs; and

(iv) assist in protecting natural or cultural resources;

(E) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(F) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(G) the ability of the qualifying project to address tribal, regional, and watershed level water supply needs; and

(H) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under section 8125.

SEC. 8124. STUDY OF INDIAN IRRIGATION PROGRAM AND PROJECT MANAGEMENT.

(a) **TRIBAL CONSULTATION AND USER INPUT.**—Before beginning to conduct the study required under subsection (b), the Secretary shall—

(1) consult with the Indian tribes that have jurisdiction over the land on which an irrigation project eligible to receive funding under section 8122 is located; and

(2) solicit and consider the input, comments, and recommendations of—

(A) the landowners served by the irrigation project; and

(B) irrigators from adjacent irrigation districts.

(b) **STUDY.**—Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Assistant Secretary for Indian Affairs, shall complete a study that evaluates options for improving programmatic and project management and performance of irrigation projects managed and operated in whole or in part by the Bureau of Indian Affairs.

(c) **REPORT.**—On completion of the study under subsection (b), the Secretary, acting through the Assistant Secretary for Indian Affairs, shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(1) describes the results of the study;

(2) determines the cost to financially sustain each project;

(3) recommends whether management of each project could be improved by transferring management responsibilities to other Federal agencies or water user groups; and

(4) includes recommendations for improving programmatic and project management and performance—

(A) in each qualifying project area; and

(B) for the program as a whole.

(d) **STATUS REPORT.**—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 2 years thereafter, the Secretary, acting through the Assistant Secretary for Indian Affairs, shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes a description of—

(1) the progress made toward addressing the deferred maintenance needs of the Indian irrigation projects described in section 8122, including a list of projects funded during the fiscal period covered by the report;

(2) the outstanding needs of those projects that have been provided funding to address the deferred maintenance needs pursuant to this part;

(3) the remaining needs of any of those projects;

(4) how the goals established pursuant to section 8123 have been met, including—

(A) an identification and assessment of any deficiencies or shortfalls in meeting those goals; and

(B) a plan to address the deficiencies or shortfalls in meeting those goals; and

(5) any other subject matters the Secretary, to the maximum extent practicable consistent with tribal and user recommendations received pursuant to the consultation and input process under this section, determines to be appropriate.

SEC. 8125. TRIBAL CONSULTATION AND USER INPUT.

Before expending funds on an Indian irrigation project pursuant to section 8121 and not later than 120 days after the date of enactment of this Act, the Secretary shall—

(1) consult with the Indian tribe that has jurisdiction over the land on which an irrigation project eligible to receive funding under section 8122 is located; and

(2) solicit and consider the input, comments, and recommendations of—

(A) the landowners served by the irrigation project; and

(B) irrigators from adjacent irrigation districts.

SEC. 8126. ALLOCATION AMONG PROJECTS.

(a) **IN GENERAL.**—Subject to subsection (b), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2038, each Indian irrigation project eligible for funding under section 8122 that has critical maintenance needs

receives part of the funding under section 8121 to address critical maintenance needs.

(b) **PRIORITY.**—In allocating amounts under section 8121(b), in addition to considering the funding priorities described in section 8123, the Secretary shall give priority to eligible Indian irrigation projects serving more than 1 Indian tribe within an Indian reservation and to projects for which funding has not been made available during the 10-year period ending on the day before the date of enactment of this Act under any other Act of Congress that expressly identifies the Indian irrigation project or the Indian reservation of the project to address the deferred maintenance, repair, or replacement needs of the Indian irrigation project.

(c) CAP ON FUNDING.

(1) **IN GENERAL.**—Subject to paragraph (2), in allocating amounts under section 8121(b), the Secretary shall allocate not more than \$15,000,000 to any individual Indian irrigation project described in section 8122 during any consecutive 3-year period.

(2) **EXCEPTION.**—Notwithstanding the cap described in paragraph (1), if the full amount under section 8121(b) cannot be fully allocated to eligible Indian irrigation projects because the costs of the remaining activities authorized in section 8121(b) of an irrigation project would exceed the cap described in paragraph (1), the Secretary may allocate the remaining funds to eligible Indian irrigation projects in accordance with this part.

(d) **BASIS OF FUNDING.**—Any amounts made available under this section shall be nonreimbursable.

(e) **APPLICABILITY OF ISDEAA.**—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this section.

SA 5062. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1____. PROJECTS OF NATIONAL SIGNIFICANCE.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended by adding at the end the following:

“(c) **PROJECTS OF NATIONAL SIGNIFICANCE.**—

“(1) **IN GENERAL.**—In the case of a project of national significance (as described in paragraph (2)) that has not been completed, subsection (a)(1) shall not apply.

“(2) **PROJECTS OF NATIONAL SIGNIFICANCE DESCRIBED.**—A project of national significance means a project for water resources development and conservation and related purposes authorized to be carried out by the Secretary that has a benefit-to-cost ratio equal to or greater than 3.5 to 1, as identified in a report of the Chief of Engineers or a Post Authorization Change Report.”.

SA 5063. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by

Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, between lines 18 and 19, insert the following:

SEC. 3008. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED FLOOD CONTROL DAMS.

(a) IN GENERAL.—If the Secretary determines that the project is feasible, the Secretary may carry out a project for the rehabilitation of a dam described in subsection (b).

(b) ELIGIBLE DAMS.—A dam eligible for assistance under this section is a dam—

(1) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;

(2) for which construction was completed before 1940;

(3) that is classified as “high hazard potential” by the State dam safety agency of the State in which the dam is located; and

(4) that is operated by a non-Federal entity.

(c) COST SHARING.—Non-Federal interests shall provide 35 percent of the cost of construction of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(d) AGREEMENTS.—Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

(1) to pay the non-Federal share of the costs of construction under subsection (c); and

(2) to pay 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to the project in accordance with regulations prescribed by the Secretary.

(e) COST LIMITATION.—The Secretary shall not expend more than \$10,000,000 for a project at any single dam under this section.

(f) FUNDING.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2017 through 2026.

SA 5064. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. PROTECTION OF CONGRESSIONAL OVERSIGHT.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency may not enter into an agreement related to re-

solving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law.

SA 5065. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1009 and insert the following:

SEC. 1009. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

SA 5066. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. McCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 65, between lines 5 and 6, insert the following:

SEC. 10. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

AUTHORITY FOR COMMITTEES TO MEET

Mr. RUBIO. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to

meet during the session of the Senate on September 13, 2016, at 10 a.m., in room SR-328A of the Russell Senate Office Building.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on September 13, 2016, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing and Urban Affairs is authorized to meet during the session of the Senate on September 13, 2016, at 10:30 a.m. to conduct a hearing entitled “The National Flood Insurance Program: Reviewing the Recommendations of the Technical Mapping Advisory Council's 2015 Annual Report.”

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on September 13, 2016, at 2:30 p.m., in room SR-253 of the Russell Senate Office Building to conduct a Subcommittee hearing entitled “Examining the Better Online Ticket Sales Act of 2016.”

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 13, 2016, at 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

PRIVILEGES OF THE FLOOR

Mr. GARDNER. Mr. President, I ask unanimous consent that my military fellow, Ashley Ritchey, be granted floor privileges for the remainder of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 131, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 131) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 131) was agreed to.

ENCOURAGING THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO ABIDE BY CONSTITUTIONAL PROVISIONS REGARDING THE HOLDING OF PRESIDENTIAL ELECTIONS IN 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 574, S. Res. 485.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 485) to encourage the Government of the Democratic Republic of the Congo to abide by constitutional provisions regarding the holding of presidential elections in 2016, with the aim of ensuring a peaceful and orderly democratic transition of power.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble and an amendment to the title.

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

Whereas the United States and the Democratic Republic of the Congo ("DRC") have a partnership grounded in economic development, investment, and mutual interests in security and stability, and marked by efforts to address the protracted humanitarian crisis facing the DRC;

Whereas, in 2006, the Government of the DRC adopted a new constitution with a provision limiting the President to two consecutive terms;

Whereas the constitution requires that elections be held in time for the inauguration of a new president on December 19, 2016, when the current presidential term expires;

Whereas events in the DRC over the last year and a half have called into serious question the commitment of the Government of the DRC to hold such elections on the required timeline, and President Joseph Kabila has not publicly committed to stepping down at the end of his term;

Whereas security and intelligence officials of the DRC have arrested, harassed, and detained peaceful activists (such as Fred Bauma and Yves Makwambala), members of civil society, political leaders, and others, and international and domestic human rights groups have reported on the worsening of the human rights situation in the DRC;

Whereas there are 12 presidential elections slated to take place on the continent of Africa by the end of 2017, and what transpires in the DRC will send an important message to leaders in the region;

Whereas President Barack Obama spoke with President Kabila on March 31, 2015, and "emphasized the importance of timely, credible, and peaceful elections that respect the Constitution of the DRC and protect the rights of all DRC citizens";

Whereas, on March 30, 2016, the United Nations Security Council unanimously adopted

Resolution 2277, which expresses deep concern with "the delays in the preparation of the presidential elections" in the DRC and "increased restrictions of the political space in the DRC" and calls for ensuring "the successful and timely holding of elections, in particular presidential and legislative elections on November 2016, in accordance with the Constitution";

Whereas many observers have expressed concern that failure to move ahead with elections in the DRC could lead to violence and instability inside the DRC, which could reverberate throughout the region;

Whereas, on June 23, 2016, the Department of the Treasury imposed sanctions against General Céléstin Kanyama, the Congolese National Police (PNC) Provincial police commissioner for Kinshasa, the capital city of the DRC; and

Whereas the Department of the Treasury noted that these sanctions send a "clear message that the United States condemns the regime's violence and repressive actions, especially those of Céléstin Kanyama, which threaten the future of democracy for the people of the DRC";
Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern with respect to the failure of the DRC to take actions required to hold elections in November 2016 as required by the Constitution of the DRC;

(2) recognizes that impunity and lack of effective rule of law undermine democracy, and that the arrest and detention of civil society activists and the harassment of political opponents close political space and repress peaceful dissent;

(3) reaffirms its support for democracy and good governance in sub-Saharan Africa;

(4) calls on the Government of the DRC and all other parties to respect the Constitution of the DRC and to ensure a free, open, peaceful, and democratic transition of power as constitutionally required;

(5) urges the Government of the DRC to demonstrate leadership and commitment to elections by accelerating concrete steps towards holding elections, including voter registration and protecting partisan political speech and activities;

(6) encourages the Government of the DRC and all other relevant parties to engage now in a focused, urgent discussion to advance the electoral process and reach consensus rapidly on the way forward by establishing a detailed electoral calendar for all elections and enabling the candidate selection and campaign process; and

(7) urges the President of the United States, in close coordination with regional and international partners, to—

(A) continuously verify that such necessary technical dialogue occurs and proceeds in a time and manner required to ensure the conduct of timely elections;

(B) use appropriate means to ensure these objectives, which may include imposition of additional targeted sanctions on individuals or entities responsible for violence and human rights violations and undermining democratic processes in the DRC at any point in the process; and

(C) continue United States policy with respect to providing support for the organizing of free, fair, and peaceful national elections.

Mr. GARDNER. Mr. President, I ask unanimous consent that the committee-reported amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and that the committee-reported title amendment be agreed to; and, finally, that the motions to reconsider be considered made

and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 485), as amended, was agreed to.

The committee-reported amendment to the preamble in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: "A resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016."

SCHOOL BUS SAFETY MONTH

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 557, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 557) designating September 2016 as "School Bus Safety Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 557) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING THE MEMORY AND LEGACY OF THE 12 LOUISIANA CITIZENS AND 1 TEXAS CITIZEN WHO LOST THEIR LIVES DUE TO THE TRAGIC FLOODING IN THE STATE OF LOUISIANA IN AUGUST 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 558, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 558) honoring the memory and legacy of the 12 Louisiana citizens and 1 Texas citizen who lost their lives due to the tragic flooding in the State of Louisiana in August 2016.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 558) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 3318

Mr. GARDNER. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3318) to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

Mr. GARDNER. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, SEPTEMBER 14, 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, September 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein until 11 a.m.; further, that the Democrats control the time from 10 a.m. until 10:30 a.m. and the majority control the time from 10:30 a.m. until 11 a.m.; further, that following morning business, the Senate resume consideration of S. 2848; further, that notwithstanding the provisions of rule XXII, all postcloture time with respect to amendment No. 4979 expire at 2:45 p.m. tomorrow; finally, that if cloture on S. 2848, as amended, if amended, is invoked, the time count as if cloture was invoked at 1 a.m., Wednesday, September 14.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Wednesday, September 14, 2016, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED NATIONS

CHRISTOPHER COONS, OF DELAWARE, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

RONALD H. JOHNSON, OF WISCONSIN, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

VALERIE BIDEN OWENS, OF DELAWARE, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CYNTHIA RYAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

THE JUDICIARY

DIANE GUJARATI, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE JOHN GLEESON, RESIGNED.

HOUSE OF REPRESENTATIVES—Tuesday, September 13, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 13, 2016.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE STATISTICS ARE DEVASTATING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, last month the Nation watched as our friends in Louisiana were inundated by record rainfall and unprecedented flooding. More than 7 trillion gallons of water fell in Louisiana and Mississippi over 8 days. Thirteen lives have been lost. More than 7,000 people were forced into 37 shelters across Louisiana. There has been an estimated \$110 million in agricultural losses, and 40,000 homes have been damaged.

Just a few weeks before the devastating floods in the South, in Ellicott City, Maryland, not too far away from here, nearly 6 inches of rain fell in less than 2 hours, resulting in a torrential flood, the likes of which NOAA has told us happens just once every 1,000 years. Officials say that 90 businesses and 107 homes were damaged and that infrastructure repairs are estimated to cost at least \$22 million.

These statistics are devastating, and, if we fail to better prepare ourselves for the severe impacts of manmade cli-

mate change, we will only see more disasters like this.

First responders and emergency professionals deserve our utmost praise and admiration, as do the kind citizens on the streets who help their neighbors escape the rushing waters, and the people all over the country who contribute what they can to help put broken cities back together. But we must stop putting our heroes in harm's way.

The science is clear, it is conclusive, and it is settled: these natural disasters aren't all natural. It is imperative that we work to limit our impact on the climate, but we must also prepare for the climate impacts that are now inevitable. Prioritizing disaster preparedness by being thoughtful about where and how we construct homes, businesses, and other vital infrastructure will save lives, will save homes, and will save money.

Devastating weather events are occurring with greater frequency than ever before. Today, the Northeast, Midwest, and upper Great Plains regions see 30 percent more heavy rainfall than they did in the first half of the 20th century, and manmade climate change is already impacting the lives of every single American.

Even if you are not one of the millions who have suffered from extreme heat, widespread drought, or catastrophic flooding, your tax dollars have gone to help those who have. Acting before disasters strike is the only way to reduce the strain on local, State, and Federal emergency response systems, especially as they gear up to handle the predictable and unpredictable changes that climate change will bring.

I am proud to say that my hometown of Chicago is among the 20 percent of global cities that have an adaptation plan to deal with the increased heat, urban flooding, and severe storms that climate change will bring. But it is vital that cities and towns across America also prepare. Responding to climate change demands urgent and decisive action.

This is not a coastal issue, and it is not a partisan issue. Rising seas and severe storms don't care if you are a Democrat or a Republican. All Americans are in this together, and all Americans—including Members of Congress—must be prepared to deal with climate impacts such as severe flooding. Together we must act to hasten the transition to a low-carbon future that protects our communities from the impacts of climate change. The

costs of not doing so, in lives, in trillions of dollars, and in changes to our way of life, are too great.

IRAN HAS NOT CHANGED ITS STRIPES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, since July 14, 2015, the Iranian regime has conducted four ballistic missile tests with not-so-subtle warnings to our ally and our best friend, the democratic Jewish state of Israel, which its goal was to wipe Israel off the map.

Also, since that date, we have learned that there have been side agreements between Iran and the International Atomic Energy Agency, the IAEA, that were not submitted to Congress for our review. The IAEA released a report on the possible military dimensions, known as PMD, of Iran's nuclear program that proved that Iran lied about its nuclear program in the past and continued to stonewall investigations into outstanding questions that remain; yet, the Iranian nuclear deal, the JCPOA, was allowed to move forward in spite of that.

Also, the Obama administration purchased 32 metric tons of heavy water from Iran. What makes this so egregious, Mr. Speaker, is that this purchase was arranged in order to prevent Iran from violating the very terms of the Iranian nuclear deal, the JCPOA. As if that were not bad enough, with the administration reselling the purchased heavy water to domestic and commercial buyers, well, that makes the U.S. a proliferator of Iran nuclear materials, all while legitimizing Iran as a nuclear supplier. Outrageous.

Also, Iran has renewed its interest and increased its presence in Latin America and throughout the Western Hemisphere. Iran's Rouhani will be visiting Cuba and Venezuela in the upcoming week.

We learned that the administration allowed the Iran, North Korea, and Syria Nonproliferation Act sanctions against Iran to sit on a desk during the negotiations, despite a legal mandate to provide these reports to Congress every 6 months. That was the law. It was ignored.

Also, Russia announced that it has resumed the sale of S-300s to Iran. And just last month, Iran announced that it deployed these S-300s, Russian surface-to-air missiles, around its Fordow nuclear site to safeguard it from attacks.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The administration announced a \$1.7 billion settlement on a 35-year dispute with Iran—conveniently the day after sanctions were lifted on its central bank. What a coincidence. And we learned that Iran plans to use this ransom money for its military budget and for the Islamic Revolutionary Guard Corps, the IRGC, the Quds Force, meaning the U.S. taxpayers not only are on the hook for a ransom payment to Iran, but we are also subsidizing its nefarious activities.

Where has this transparency been? When it comes to Iran and the nuclear deal, the JCPOA, there is an overwhelming sense that we are only beginning to scratch the surface of just how bad this deal really is. We need only to look back at what has happened with North Korea to understand the depth and the breadth of this failed Iranian policy because, as I keep repeating, Mr. Speaker, Iran has been following the North Korea playbook by the page, by the letter.

And what have we just witnessed a few days ago? Well, North Korea just conducted its second nuclear detonation since the JCPOA—the Iran nuclear deal—was made, and it is its fifth detonation in the last 10 years.

Mr. Speaker, the JCPOA has been a foreign policy disaster already, but the real ramifications are yet to come. Congress must take action. First, we must hold the administration accountable, and we must get the full truth behind the details of this JCPOA—the Iran nuclear deal—and the administration's Iran policy.

The supposed most transparent administration in history has been anything but, going out of its way to stonewall and misdirect Congress and our oversight responsibilities on this flawed and dangerous nuclear deal.

Second, Mr. Speaker, we must hold Iran accountable, and that means extending sanctions, expanding sanctions, renewing sanctions, and preventing Iran from being able to continue down this dangerous path.

These are the actions that we must take in Congress, Mr. Speaker, and I stand ready to work with my colleagues in a bipartisan manner to find the right way forward because Iran has not changed its stripes.

ZIKA IS A REAL THREAT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, it is almost as if the majority would prefer to go into the final stretch of the election season with fresh reminders of how dysfunctional things have become.

No action on commonsense gun control measures, no action on immigration or climate change, no action on the Zika virus that is taking a huge toll in the United States and Puerto

Rico and is poised to take an even bigger one.

Congress is still in denial that Zika is a real threat and that the next generation of children could be exposed to the disease with dangerous and debilitating birth defects. It is hard for me to articulate this out loud, but, in just a few weeks, the first group of children born with brain development and physical problems associated with the disease will be born in Puerto Rico.

We are looking at more than 15,000 reported cases of Zika in Puerto Rico and more than 2,000 pregnant women. At the current pace, Zika will infect a quarter of the island in the next year. This is the first mosquito-borne disease that successfully infects children in the womb through the placenta. It can be sexually transmitted. Humans give Zika to mosquitoes and then go on to infect other humans.

And Congress has the same response it has to almost everything—nothing. In this case, nothing flavored with a little partisan posturing over abortion in an election year. The issue for some people seems to be that we can fund research, prevention, and treatment as long as one of the most important proven and effective healthcare delivery mechanisms for women is excluded because Planned Parenthood is on the Republican hit list.

No matter that funding Planned Parenthood in Puerto Rico or anywhere else would be the prudent use of Federal funds if our goal is to prevent the spread of disease and prevent—that is prevent, not terminate—unwanted pregnancies during this crisis. Politics and elections always seem to trump good, sensible policies.

So nothing yet from Congress, despite the pleas from the Obama administration, the CDC, and the American people. But Congress is not the only place in denial about Zika.

Having spent time talking to people on the island of Puerto Rico, the people are also complacent about this disease and the impact it will have. Many suspect that it is all hype from Washington and yet another crisis to give the United States more control over the island of Puerto Rico.

Given the island's history, the point of view is not unreasonable that Congress just appointed an unelected control board, or junta, to take control of the island's government and finances.

For decades, the United States used Puerto Rico, and especially the island of Vieques, for target practice for our military. And for more than a decade, the United States has been denying the health and environmental impact of that bombing, including cancer and other diseases that people on the island know are real because their relatives are dying. And back in my mother's day, in the 1950s and the 1960s, family planning that came from the United States was forced sterilization.

So I understand why people are skeptical when so far it has been hard to demonstrate the consequences of the Zika virus and how it could make life any worse than it already is. But, again, in just a few weeks, when we see children born with mental and physical impairments, it will become clear that Zika is real.

Puerto Rico must rise to the challenge presented by Zika and bridge the deep ocean of distrust between the Puerto Rican people and the United States. That is why I spent a lot of my time over the past month meeting with public health experts, doctors, and scientists. Every one of them was Puerto Rican, not people sent from the U.S. Puerto Rico needs an integrated, comprehensive mosquito vector control center that Puerto Ricans are coming together to discuss, so it can be created quickly.

□ 1015

This is the mosquito tracking eradication that is deployed when a disease is detected so that resources can be concentrated on a neighborhood or city if an infectious disease like Zika is present. You saw it work in Miami.

Puerto Rico does not have access to contraception that you would expect in the 21st century, but Puerto Rican doctors, gynecologists, scientists, and experts are also strategizing about how to make modern, effective, reversible family planning more widely available so that women can delay pregnancy.

But while Puerto Ricans can drive the process of addressing Zika in Puerto Rico—and this will lead to much greater acceptance of those strategies by the Puerto Rican people and greater success in the long run—that does not get Congress off the hook.

Puerto Rico, like the United States, needs this Congress to fund the President's request for funding and also for the Federal Government to do its job. In Puerto Rico, this includes the Environmental Protection Agency addressing toxic landfills that dot the island, which are breeding grounds for mosquitoes but have been overlooked by the EPA.

A generation of children in Puerto Rico and all over the United States are counting on the U.S. Congress to protect them from the Zika virus, and I hope this Congress puts politics aside and rises to the occasion. They are American citizens on the island of Puerto Rico. They will be coming to the United States when they need health care.

Mr. Speaker, I include in the RECORD the op-ed piece I wrote for The Hill newspaper on Zika and Puerto Rico.

[Sept. 12, 2016]

U.S. AND PUERTO RICO MUST COOPERATE ON
ZIKA

(By Rep. Luis V. Gutiérrez)

The rapid spread of the Zika virus in Puerto Rico is a very, very big problem for the

U.S. and Puerto Rico but the colonial relationship between the U.S. and Puerto Rico is making it a lot worse. The reason this matter is so important to the United States—beyond the obvious concern for the well-being of our fellow citizens in Puerto Rico, of course—is that thousands of U.S. tourists and visitors go back and forth to Puerto Rico and thousands of Puerto Ricans leave the Island permanently for life in the U.S., driven out by the financial crisis gripping the Island. Zika is the first mosquito-borne virus known to cause birth-defects and to be sexually transmitted, so an outbreak of the magnitude that has already hit Puerto Rico is a public health crisis for the United States as well.

If you talk to average Puerto Ricans on the Island as I often do, they are not experiencing Zika as a big issue. They do not think the threat is real. Most people who are infected feel no symptoms and the negative consequences only affects pregnant women—or so most people think. Puerto Ricans, having lived with mosquito transmitted diseases for decades, have become immune to dire warnings from so-called experts and some are resigned to the false notion that nothing can be done.

Even with 13,791 cases reported, an estimated 2,000 pregnant women already infected and a disease trajectory that indicates 20–25% of the population will be affected this year, Puerto Rico has resisted guidance or help coming from Washington.

Why? The colonial attitude of the U.S. towards Puerto Rico and the understandable response to such treatment effects the psyche of the population. A half-century of Navy target practice bombing on the inhabited Island of Vieques (among other places in and around Puerto Rico) was followed by decades of U.S. government denials that cancers and environmental destruction in Vieques were connected to the U.S. government's actions. History is informative: Previous public health interventions from Washington included forced sterilization of women of my mother's generation. This treatment as second-class (at best) citizens of the United States deeply impacts the Puerto Rican psyche, with long term effects. And this is helping Zika spread.

Now, a control board imposed by the U.S. government through Congress' PROMESA legislation is preparing to take over decision-making that will determine the future of all Puerto Ricans living on the Island. Distrust of Washington is at an all-time high in Puerto Rico, based on my observations.

And unfortunately, this is making it harder for health officials to do what needs to be done to control the Zika outbreak. Unlike in Miami, Florida, there was a swift and sharp backlash from Puerto Ricans when the idea of spraying Naled—an insecticide—was raised. The CDC (Centers for Disease Control and Prevention) sent a shipment to the Island in anticipation of the Island requesting help, but the backlash in local media ranged from basic environmental concerns all the way up to elaborate conspiracy theories that a fictitious colonial genocide of the Puerto Rican people was at hand.

In reality, CDC Director Dr. Tom Frieden has personally assured me that Naled is a pesticide used widely for a long time—including in Miami and other U.S. cities—with very few consequences for people. The consequences for the environment and other insects—including bees—can be minimized through sensible application of Naled. But, in this era of deep distrust, none of the facts are reassuring to Puerto Ricans. The Naled

shipment, if it is still in Puerto Rico, remains unused. Due to years of random unchecked chemical pesticide use by private providers, mosquitos in Puerto Rico are highly resistant to common chemical strategies. Naled was one of the only effective options currently available. Mosquitos breed quickly, bite quietly and thrive in urban and rural areas—sometimes hitting four or five people in a single meal—so the spread of the disease in Puerto Rico is happening astonishingly quickly.

Part of the problem can be addressed if the CDC and Puerto Rico work together to build on the success they have had in addressing the Dengue Fever virus, another mosquito-borne disease that—like Chikungunya—has hit Puerto Rico hard. The CDC scientists have provided research and resources to combat Dengue for over 35 years.

An important first step would be for Puerto Rico to create an integrated, comprehensive mosquito control center, but given the financial crisis in Puerto Rico, this will only happen if the federal government funds it and the Puerto Rican people accept it. A group of international and local technical experts in vector control management met in San Juan in May of 2016 and came to this same conclusion. The potential to control and eliminate the Zika-carrying mosquito from Puerto Rico is possible with a well-funded mosquito control center that implements an integrated comprehensive vector management approach using safe, effective and innovative strategies. Miami and every major U.S. jurisdiction has a vector control unit and Miami's sprang into action to address the outbreak there, including spraying with Naled. Such a unit provides the infrastructure and expertise to address an outbreak like Zika, manage its spread, and is constantly working to provide protection from mosquitoes that cause diseases like Dengue and Chikungunya, which are endemic in Puerto Rico.

The Environmental Protection Agency (EPA) could help by addressing the crisis of more than two dozen toxic municipal landfills that seem to be flying under EPA's radar. These are breeding grounds for mosquitos and the Island's government needs help to address these hazards, as I and others have noted to EPA Administrator Gina McCarthy.

This must be combined with an investment to address the immediate needs of those infected and to help women avoid or delay pregnancy. Access to modern, effective, reversible birth control has been late in coming to the public health system in Puerto Rico, but access is growing. Women's reproductive health is a critical need, but for Republicans in Congress, contraception and women's health care are lightning rods that tend to induce divisiveness or paralysis or both.

The most important thing Congress can do is stop squabbling and fund the President's request for a national strategy to fight Zika, which would include funding to help Puerto Rico address the 17 disease at ground zero. Doing nothing is what this Congress is good at, but there comes a time when Republican leaders need to put their country before their party—even in an election year—and let the resources and experts of the federal government fight this disease.

Let us prevent as best we can an outbreak that will be tremendously costly in lives and hardship in the decades to come. Congress must act now. The CDC must be allowed to act now. The next generation, the future of Puerto Rico, is likely to be born with re-

duced brain capacity, birth defects and a range of developmental disabilities. Let's face it, in the arena of evolution—the mosquitos are winning. Puerto Rico—and Puerto Ricans—must understand how serious this really is and address it aggressively with all tools at their disposal, including help from the federal government. We need to act in concert for the good of Puerto Rico and the United States.

MENTAL HEALTH CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, over the weekend, The Denver Post Editorial Board published a piece supporting the Helping Families in Mental Health Crisis Act, H.R. 2646. Their endorsement joins 72 other papers, including The Wall Street Journal, The Washington Post, and the National Review.

I thank my colleagues from Colorado, Representative MIKE COFFMAN and SCOTT TIPTON, who were both cosponsors of H.R. 2646. Their State, unfortunately, is all too familiar with the realities of mental illness and the tragedies that come along when there is no treatment for those who suffer from it.

In Colorado, every 8 hours, one person dies by suicide. Their suicide rate is one of the highest in the country. Sadly, Colorado has also witnessed more mentally troubled mass killers than most, including James Holmes, who, in 2012, took 12 innocent lives at a movie theater in Aurora; and Eric Harris and Dylan Klebold, who murdered 12 of their fellow students, one teacher, and went on to take their own lives at Columbine High School in 1999.

Mental health and the tragedies that occur before treatment are not restricted to one State, however. The Denver Post recognizes this when they report that “more than 11 million adults suffer from a mental illness, and almost half of them do not seek treatment or cannot find it.”

Mr. Speaker, since the facts make it clear that major mental health reform is needed for our entire Nation, reform must be a priority for all elected Members of Congress on both sides of the Capitol, for we represent the entire Nation.

The House heard the American people when we passed H.R. 2646 in July with overwhelming, near unanimous bipartisan support. If the Senate won't listen to the House, or me, maybe they should listen to The Denver Post Editorial Board. They write:

“One of the best attempts to improve America's mental health crisis in decades will stall if the U.S. Senate does not get its act together before it goes on another month-long break. Freshly back from vacation, senators should pass . . . Helping Families in Mental Health Crisis Act . . . the bill sailed

through the House with overwhelming bipartisan support . . . its prospects in the Senate are murky . . . Congress is tantalizingly close to accomplishing something that will address the nation's deplorable treatment of the mentally ill. It should not fall victim to the hyperpartisan gun debate."

Mr. Speaker, if the Senate won't listen to *The Denver Post*, *The Wall Street Journal*, or *The Washington Post*, will they listen to the voice of the American people?

We have the daily addition of 118 lives lost to suicide. Since September 1, it has been 1,400. Since the House passed the bill, over 8,000 people have died of suicide. There is also the daily addition of 959 families who join thousands mourning individuals with mental illness who have lost their life in one form or another. Since we passed the bill, the total lives lost is 65,212.

More lives will be lost if we do not fix this broken mental health system that is so desperately in need of repair. It is time that the Senate listen to the voices of the millions who are crying out for help. And for today's new total of 959 more lives, tomorrow is too late.

Millions of Americans are pleading with the Senate: do not go home at the end of this month without passing a bill that the House can also pass and get signed into law. The *Helping Families in Mental Health Crisis Act* is just that law. We need the Senate to vote this week, not another day. Where there is help, there is hope.

NATIONAL LANDS AND MONUMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. O'ROURKE) for 5 minutes.

Mr. O'ROURKE. Mr. Speaker, I rise today to discuss our national lands and monuments and explore both our accomplishments and some of our future opportunities.

As you know, the *Antiquities Act* was passed 110 years ago. Ten years later, in 1916, the *National Park System* was created. And since then, there have been 151 national monuments created, 84 of them by Republican Presidents—the majority of those by Republican Presidents—showing that this act and its impact is truly bipartisan and American in every sense.

I would also like to call your attention to the accomplishments of our current President, Barack Obama, whom historian Douglas Brinkley calls a Theodore Roosevelt for the 21st century, owing to his commitment to preserving our national heritage, protecting our public places, and ensuring that, whether it is of importance because of its value for wilderness, cultural, or historical impact, we are ensuring all Americans have a chance to enjoy and appreciate our heritage.

I also rise today, Mr. Speaker, to suggest a way that the President can con-

tinue this legacy and set the stage for the next 100 years.

Castner Range, pictured behind me, in El Paso, Texas, is 7,000 acres in the heart of the Chihuahuan Desert rising into Rocky Mountain peaks that start at the southern end of that national mountain chain and has rare plant and animal species that distinguish it as a place worthy of preservation.

Ending in 1966, Castner Range was used as a bombing range, but in the 50 years since then, it has been preserved in its natural state. This is an incredible opportunity to ensure that we pass on Castner Range and all that it means to us as a country to not just this generation, but the generations that follow.

Castner Range, beyond the rare plant and animal species, has 10,000 years of recorded human history. There are petroglyphs dating back to 8,000 years ago, literally showing the impressions that this land made on the first Americans who were neither U.S. citizens, Mexican citizens, or really had any citizenship at all. That is particularly poignant, given the fact that Castner Range is part of the world's largest binational community.

El Paso, with its sister city, Ciudad Juarez in southern New Mexico, join 3 million people of two countries, two cultures, two traditions, two languages and become one at this point. Furthermore, El Paso, Texas, is 85 percent Mexican American and happens to be one of the poorest communities in our country.

This is a chance for this President to open up public lands to ensure that we have access and participation by everyone in this country and to ensure that our national monument visitors reflect the communities and the growing, changing demographics in this country.

I also think that it is important to know that this community is unified in ensuring that we protect, preserve, and pass on Castner Range to future generations. Twenty-seven thousand El Pasoans have signed letters to the President. Despite its relative poverty, \$1.5 million has been raised by individual donors to complement whatever Federal investment is necessary. The largest school district has made a commitment to ensure that every fourth grader has access to Castner Range, should it be preserved, that it is part of their curriculum, and that they travel to Castner Range to explore and appreciate its wonder.

Lastly, Mr. Speaker, here are some larger themes that the preservation of Castner Range could tie into. It is a cold war relic. It is also a former artillery site. Following the President's recent travel to Laos, which saw more armaments rain down on it than any other part of the world, we have a chance to develop the model of how to turn former conflict sites into places of

public use, into examples of peace, and into standards for preservation. That could happen in the United States, where we can set the world standard, and it can happen here at Castner Range.

There are a few national monument ideas that I think make a lot of sense. There is the expansion of the Grand Canyon, Bears Ears, and Gold Butte. And then there is Castner Range. I think the President's attention to these areas and the ability to offer access to more Americans to ensure everyone has a chance to access our national parks and national monuments and to set the standard for preservation and the future of American cities is too good of an opportunity for this President to pass up.

AMERICA'S FINANCIAL OUTLOOK WORSENS WITH FY 2017 CR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, I have given numerous House floor speeches warning of a looming and debilitating American insolvency and bankruptcy.

In order to drive home the dangers, I have cited Greece, where young adult unemployment nears 50 percent, overall unemployment approximates the worst America suffered during the Great Depression, and public pensions have been slashed by almost 50 percent.

I have cited Venezuela, where inflation last year was 275 percent, is estimated at 720 percent this year, and deadly street and food riots are common.

I have cited Puerto Rico's default on \$70 billion in debt, credit rating cut to "junk bond status," abysmal labor participation rate of less than 40 percent, and closure of over 100 schools.

While House Republicans can boast that they helped cut the \$1.3 trillion deficit that we inherited in 2011 to \$439 billion in 2015, that boast now rings hollow. According to the nonpartisan Congressional Budget Office, the fiscal year 2016 deficit is ballooning by \$151 billion, to \$590 billion.

Absent correction, the CBO warns that in 2024, America will embark on an unending string of trillion-dollar-a-year deficits. Absent correction, the CBO warns that America's debt service cost will increase within a decade by \$464 billion per year, to roughly \$712 billion per year—more than what America spends on national defense. Which begs the question: Where will the money for a \$720 billion a year annual debt service payment come from?

Mr. Speaker, America's financially irresponsible conduct has caused both America's Comptroller General and the Congressional Budget Office to repeatedly warn in writing that America's financial path is "unsustainable." I

agree with the Comptroller General and CBO warnings and I am convinced that, absent major changes in the economic understanding and backbone of Washington's elected officials, a debilitating American insolvency and bankruptcy is a certainty within three decades, a probability within two decades, and a dangerous risk over the next 10 years.

All of this brings us to the continuing resolution spending bill that Congress will soon vote on. According to the CBO, this continuing resolution spending bill, plus so-called mandatory spending, increased Federal Government spending by \$150 billion and blows fiscal year 2017 Federal Government spending through the \$4 trillion mark—a new record high amount of spending.

This CR spending bill ignores economic reality and fails to prudently restrain Federal Government spending to reflect America's tax revenue. This CR spending bill reflects Washington and special interest group greed and shortsightedness and continues the worst generational theft in American history by again breaking into our kids' piggy banks and stealing money we don't have and will never pay back, callously letting our children suffer the consequences.

□ 1030

Mr. Speaker, economic principles don't care if you are a family, a business, or a country. If you borrow more money than you can pay back, you go bankrupt. Americans are rightfully angry at Washington elected officials who are all too willing to sacrifice America's future for today's special interest campaign contributions.

Mr. Speaker, I can't speak for anyone else, but as for me, MO BROOKS, from Alabama's Fifth Congressional District, I vote for financial responsibility and prosperity and against a debilitating American bankruptcy, insolvency, and resulting economic depression.

As such, and although this continuing resolution admittedly spends money on lots of good things, I will vote against it because it is financially irresponsible. I will not vote for a debilitating insolvency and bankruptcy of America that will damage so many Americans for so many years to come.

FUND THE ZIKA PUBLIC HEALTH CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, today, at 12:30 p.m., I will be convening an emergency press conference from the U.S. Capitol on Zika. This is a bipartisan press conference of Floridians, Democrats, and Republicans who are concerned about their State. Please join us.

We will send out a clarion call to our fellow Members of Congress to help Floridians by passing a clean Zika bill—no riders, no poison pills, just a clean Zika bill. Our Governor, Governor Scott, will visit Congress tomorrow, and I hope he will urge Congress to act.

Life is too precious, and we should not be playing political football with unborn children and whatever else science will reveal to us about Zika. There is so much yet to be discovered, but we do know this: we are gambling with the developing brain of an unborn fetus.

Florida's 24th Congressional District, which I proudly represent, is the epicenter of the Zika epidemic in America. The district's small boutique community was where they discovered the first local mosquito-borne transmission.

A travel advisory has been put in place to warn pregnant women against coming to this American neighborhood. This is the first time in a long time that an American city has received a travel advisory. It is hurting businesses. It has a huge economic impact that is devastating to this robust business district in Miami. Tourism is down, restaurants are on the verge of closing, and the crowded tourist attractions are literally abandoned.

This public health crisis has grown so serious that one of Florida's major newspapers, the Miami Herald, has created a daily tracker to monitor the virus' spread across our State. I spent most of our 7-week recess working to educate residents in my district about how to protect themselves against this terrible and rapidly spreading virus. Whip HOYER joined me on an occasion.

So Miami is the epicenter. It has evolved into an open laboratory where the CDC is working closely with local health officials and county officials. For weeks, a CDC response team has been on the ground in Miami working to control, contain, and defeat the virus and to educate the community on mosquito control.

The CDC is literally using Miami to teach the Nation how to cope with the Zika virus. They have said to me: We have to use every tool in the toolbox, and that requires adequate funding. They have said: We cannot lose this battle; it is too dangerous. Determining what works and what doesn't work requires adequate funding.

It is sexually transmitted, but how long does the virus live in semen? How long does the virus live in the blood? Should we stop blood donations in affected areas?

The Zika virus has been found in tears and saliva. Research shows that it causes blindness and brain disorders and could cause Alzheimer's in adults. So many questions. So many questions.

We cannot afford to delay much-needed scientific research, but that re-

quires adequate funding. We need resources to help develop a vaccine, to develop medications to stymie the virus. We need resources to find out how long it takes for a pregnant woman to get results from her Zika test. They need to determine how long the Zika virus lives in the body.

The fever, the chills we can deal with, but we can't gamble with the developing brain of an unborn fetus. The bottom line is: the threat of Zika is grave to pregnant women.

There are so many unanswered questions, and it requires funding. We need a clean Zika bill—no poison pills, no riders, just a bill addressing the Zika virus.

Many people who live in Florida are living in fear because there is so much more to be learned about the virus. It is my State now, my beautiful State of Florida. There are 27 of us serving in the House. Many of us have taken votes to help you when your State needed help. I ask you today, my colleagues, to help my State, my district.

And please note, this epidemic has already begun to start in other States. We cannot pretend it does not exist. Please bring a clean bill to the floor.

The people of America are depending on each of us. The unborn children of America are depending on each of us. Let's put our children's future first. Mosquitoes carrying Zika must be dealt with now, and that requires the political will to do the right thing.

NOMINATIONS FOR U.S. SERVICE ACADEMIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, one of the most meaningful things a Member of Congress does is nominate some of the best and brightest students from our congressional district to serve our Nation's service academies.

U.S. service academy graduates receive a first-rate undergraduate education with options to pursue advanced degrees. They spend a minimum of 5 years serving their country on Active Duty as a military officer and are provided with an education and experience that will provide a world of career opportunities.

The full 4-year scholarship is valued at more than \$350,000, which includes tuition, room and board, medical and dental care, and also a monthly salary. Students learn discipline, moral ethics, and teamwork in a structured environment that fosters leadership and character development.

Last year, I had the privilege of nominating 20 high school seniors for admission to one or more academies. Half of the young men and women that I nominated received admission to at least one service academy.

Calling each nominee in my district, as I am doing here, to tell them that they have been selected to these prestigious institutions was one of the most special moments of my freshman year in Congress. I hope to make many more phone calls this year. This is a picture of me calling Drew Polczynski last year to tell him he had been accepted to West Point.

If you are highly motivated, looking for a challenge in your life, and want to serve your country, I hope you will consider attending a U.S. Service Academy.

I will be hosting information sessions throughout my district this year. These sessions are a great opportunity for students to explore the possibility of attending one of several prominent academic institutions and meet with admissions representatives. I hope students and their family will attend these events throughout the Second Congressional District.

If you are interested in a congressional nomination, please contact my office in Charleston at (304) 925-5964, or my office in Martinsburg at (304) 264-8810, and ask for the individual who oversees academy applications.

HUMANITARIAN CRISIS IN SYRIA

Mr. MOONEY of West Virginia. Mr. Speaker, this past weekend I met with members of the Syrian community in Charleston, West Virginia, to discuss ways that the Federal Government can help the ongoing humanitarian crisis in Syria. This is us meeting.

In particular, we discussed H.R. 5732, the Caesar Syria Civilian Protection Act of 2016. The bill would hold Syrian human rights abusers accountable for their crimes. The bill would impose sanctions on individuals who do business with dictator al-Assad's brutal regime and would require the President to publish a list of people who are complicit in the grave human rights violations that have occurred and continue to unfold in Syria.

Despite promises and agreements to the contrary, chemical weapons are still being used regularly by the Assad regime in Syria. We cannot look the other way while innocent children are murdered.

I am a proud cosponsor of this critical bill, and I thank my colleagues, Congressman ELIOT ENGEL and Chairman ED ROYCE, for introducing it. I encourage the leadership here in the House to bring the bill to the floor for a vote immediately.

The innocent Syrian people have suffered enough. The current civil war has resulted in 4 million refugees and nearly 500,000 killed.

My mother fled Fidel Castro's Communist Cuba after being unjustly thrown in jail by Fidel Castro's tyrannical Communist regime. We must protect persecuted individuals who have no one to stand up for them.

ENSURING SAFETY, QUALITY, AND RELIABILITY FOR OUR VETERANS WITH PHYSICAL DISABILITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 3471, the Veterans Mobility Safety Act, a bill I am proud to cosponsor. This legislation would set minimum standards for any individual or company installing or selling mobility products to veterans through a Department of Veterans Affairs equipment program.

These products are used by disabled veterans to increase their mobility and their overall quality of life, but the VA does not currently require vendors who make or repair the products to meet a certain level of certification. Standards in this legislation would help guarantee safety, quality, and reliability.

It is critical that our veterans who have given so much for our country have the best available equipment to accommodate any physical disability. I urge my colleagues to support this bill.

SUPPLYING STUDENTS WITH SKILLS BUSINESSES NEED

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act, a bill I am proud to cosponsor; and I wish to recognize my colleague from Pennsylvania, G.T. Thompson, for his work on that bill.

This bipartisan legislation would provide State and local educators with greater control and flexibility with respect to career and technical education programs; and it takes an important step in closing the skills gap faced by American employers and manufacturers.

In order to succeed in the modern workforce, students need to emerge with the skills that State and local businesses need. The Strengthening Career and Technical Education for the 21st Century Act does just that, encouraging greater student involvement in work-based learning and, in the classroom, emphasizing the development of employability skills and the importance of attaining credentials.

As co-chair of the 21st Century Skills Caucus, I have been working on legislation with similar goals, and I am very proud to see provisions I have advocated for included in this bill.

I urge my colleagues to support this bill.

HALTING TAX INCREASES

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act. This legislation would put taxpayers' hard-earned dollars back into their own

pockets. It would lower the required percentage of income that must be spent to qualify for a tax deduction for medical costs.

Americans should be able to deduct high-cost medical expenses, and this legislation would reduce the required percentage from 10 percent to 7.5 percent of adjusted gross income.

I urge my colleagues to support this bill to provide middle class families and seniors with deserved tax relief, as they have already had to spend a significant amount of their income on these expenses.

□ 1045

RICHLAND BOROUGH CELEBRATES 100 YEARS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to congratulate Richland Borough, Lebanon County, of my district, on 110 years of incorporation.

On September 17, 1906, Richland became its own municipality, breaking from Millcreek Township, gaining its name from the fertile soil in the area.

Richland is home to the inventor of the air pump used by Henry Ford on the Model T and will celebrate this and the rest of its impressive history this weekend.

I wish to also recognize the Lebanon Daily News for a great article on the history of Richland Borough. Gary Althaus of the Richland Heritage Society and many others have been organizing a series of events that will take place this upcoming Saturday.

A little bit more brief history: August 9, 1906, the citizens of Richland held a public meeting on the subject of the advantages of a borough. On August 12, the plan was put in circulation, and by 11 p.m., it had 50 signatures. Then on August 16, 1906, Mr. Holstein took the petition to the county courthouse and presented it before the court, and on September 17, the presiding judge granted the charter. On February 25, 1907, the first Richland Borough Council meeting was organized at the Union House, which then became the place of many meetings, including borough council meetings thereafter.

Congratulations to Richland Borough and all its residents. I am very proud to represent you in the United States Congress.

CONGRATULATING DR. BILL HOGARTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to congratulate Dr. Bill Hogarth, a former director of our Nation's National Marine Fisheries Services. Dr. Hogarth recently retired as director of the Florida Institute of Oceanography based at the University of South Florida in St. Petersburg. Not only do I

recognize Dr. Hogarth on his retirement, but also on two honors that he recently received.

First, the American Fisheries Society last month honored Dean Hogarth—as he is known to so many—with the Carl R. Sullivan Fishery Conservation Award, one of our Nation's premier awards in fisheries sciences. The award recognizes Dean Hogarth's long career and leadership in preserving some of the world's most threatened marine species. It recognizes his passionate advocacy for environmental protections and his role in leading Florida's scientific response to the Deepwater Horizon oil spill in 2010.

The second honor for Dean Hogarth in early September was bestowed upon him by the University of South Florida's Board of Trustees when it voted to name its newest research vessel in his namesake to recognize Dean Hogarth's passionate pursuit of funding for a new boat to replace the university system's more than 40-year-old research vessel.

For those of my colleagues who have had the opportunity to work with and meet Dean Hogarth over his long career, you know of his humble nature, his laugh, and, most notably, his deep southern drawl. You also know of his spirited passion for all issues related to fisheries and the oceans.

Dean Hogarth's first job was as a biologist and manager of ecological programs for Carolina Power & Light, and he later served as director of the North Carolina Division of Marine Fisheries.

His national and international stature grew in 1994, when he joined the National Marine Fisheries Service where he rose from a regional leader to be appointed by President George W. Bush to serve as the agency's director from 2001 to 2007. Recognizing his leadership on national and international fisheries issues at a most critical juncture for the commercial and recreational fishing industries, President Bush appointed Dean Hogarth to represent our Nation as U.S. Commissioner and Chairman of both the International Whaling Commission and the International Commission for Conservation of the Atlantic.

During his tenure as director of NMFS, Dr. Hogarth worked with this Congress to update Federal fisheries laws to rebuild U.S. fisheries and set the recreational and commercial fishing industries on a new and sustainable course. In 2007, Dr. Hogarth retired from Federal service and joined the University of South Florida as interim dean, and then dean of the College of Marine Science in St. Petersburg.

Recognizing his leadership skills, Dr. Hogarth was then appointed in January 2011 as director of the Florida Institute of Oceanography, a consortium of more than 30 scientific and educational institutions across Florida. The USF president then called upon Dean Hogarth's

leadership skills once again and asked him to assume a dual role, adding to his responsibilities the job of regional chancellor of USF-St. Petersburg from August 2012 to June 2013.

USF and the Florida Institute of Oceanography made national and international headlines following the 2010 explosion of the Deepwater Horizon oil rig. Dr. Hogarth led a scientific response that focused on the immediate aftermath of the spill, including the path of the oil plume both above the water and in the Gulf's deepest reaches and currents. It focused also on the impact of the spill on fisheries and other wildlife and the response of the research community in the five-State region to address short- and long-term environmental concerns.

One of his final acts as director of the Institute of Oceanography before his official retirement on July 31 was to work with the Florida State legislature, our Governor, the university, and the city of St. Petersburg to secure funding to replace the 40-year-old Research Vessel *Bellows*. This ship, managed by the Institute of Oceanography, is a great resource to faculty and students alike, giving them invaluable assets to the Gulf of Mexico and other research waterways in pursuit of their studies. The new ship will now be named rightfully the *RV William T. Hogarth* and will continue to provide a path to sea for thousands of Florida students and educators.

Dean Hogarth will always be known to me as an educator. It is personal to me because he serves as a key advisory on fisheries issues that are so critical to our State and to our community. I will always call him Dean, as will so many others, and we look forward to his continued counsel in retirement.

Mr. Speaker, I hope that my colleagues will join me in thanking a most special person who has dedicated much of his career to one of the great interests of our Nation: our fisheries, our marine sciences, and our oceans. Dr. Hogarth is a national champion of our Nation's critical assets, our oceans. It is an honor for me to recognize him today, and I ask my colleagues to do the same. We wish him very well in retirement and we thank him for his service.

HURRICANE IKE ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. WEBER) for 5 minutes.

Mr. WEBER of Texas. Mr. Speaker, today marks 8 years since Hurricane Ike made landfall over Galveston, Texas. This Category 4 storm ripped through communities in the city of Galveston and Galveston County, making its way inland through the Houston region. The storm caused over 100 fatalities, washed away homes, flooded communities, and shut down much of

the region's energy production. In total, this hurricane cost \$37.5 billion nationwide, making it the third costliest hurricane in United States history. Even though Hurricane Ike caused extensive damage, we know it could have been much worse.

The effects of another major hurricane on the Houston region and our Nation would absolutely be devastating. Over 6 million people call this area home, and many of them work in critical economic sectors like health care and energy refining. The impact would be felt in every congressional district across the country. For example, according to reports published immediately after Hurricane Ike made landfall, gas prices spiked between 30 and 60 cents per gallon across many States due to the disruption in energy production in the Houston region.

We do not know, Mr. Speaker, when the next big storm will hit our shores, which is why it is of paramount importance for Congress, the Federal Government, and our State to prioritize funding for coastal protection along the Texas coast. Progress on a comprehensive Federal evaluation of our coastal vulnerabilities is long overdue. I am grateful, Mr. Speaker, that the Texas General Land Office and the Army Corps of Engineers are moving forward in partnership on the Coastal Texas Protection and Restoration Study. Once completed, this study will make the case for coastal infrastructure projects that would qualify for Federal dollars and would protect our vulnerable coastal communities, our energy infrastructure, maritime industries, and, most importantly, major population centers.

I am doing everything I can, Mr. Speaker, to make sure a Federal study of our coast is completed expeditiously. Along with Senator CORNYN, I have introduced the COAST Act, which is actually the Corps' Obligation to Assist in Safeguarding Texas Act. If enacted, this legislation would require the Army Corps to take into consideration existing studies and data already available to help expedite the Federal Government's work. This legislation would also immediately authorize any projects should they be justified.

Mr. Speaker, I will continue to work with all relevant Federal, State, and local leaders to expedite Federal work to protect the Texas Gulf Coast from dangerous storms. This is a critical Federal interest and should be a national priority.

Mr. Speaker, you know that is right.

COMBATING DRUG EPIDEMIC

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier this summer, I

was proud to vote in favor of a package of bills intended to crack down on the epidemic of heroin use and opioid abuse across our Nation. I was even happier to see that legislation pass the House and Senate with broad bipartisan support before being signed into law by the President.

The Comprehensive Addiction and Recovery Act will help make grant funding available to State and local governments, create a task force to review physician prescribing guidelines and make sure babies born opioid-dependent receive quality care.

While this is a step in the right direction, I continue to be impressed by the efforts of community members in my district to help turn the tide against this epidemic.

Townhall meetings have been held across Pennsylvania's Fifth Congressional District in places such as Bradford, McKean County; and Ridgway, Elk County. Another meeting is planned for this evening in Centre County. These meetings, along with hearings held across the State by the Pennsylvania House Majority Policy Committee, are great steps in the battle against drugs and saving lives.

PROVIDING OPPORTUNITIES

Mr. THOMPSON of Pennsylvania. Mr. Speaker, later today on this House floor, we will be considering what I would very accurately describe as an opportunity bill.

We hear the media talk about how in the middle of this campaign election season that Congress really is not productive. I would argue to the contrary, and I point to this bill. It is a bill I am very proud of.

Mr. Speaker, we all know individuals in our communities, perhaps in our own families, who are in need of opportunity. We probably know young people who, as they go off this time of year to school, are not inspired. Maybe their heads are on their desk. They don't learn in the typical fashion that traditional education teaches of lecture and classrooms, but if you put them in an environment where they can use their hands and do applied academics—career and technical education training—they are inspired, they look forward to getting out of bed in the morning, and they excel.

We probably all know people—perhaps we are related to folks—who find themselves this morning stuck in unemployment. As we gathered around the breakfast table, they were gathered around the breakfast table just trying to figure out how to make ends meet since they have lost their job for whatever reasons, probably no fault of their own, and they need a strategy to be able to get back on their feet. They need a strategy to be able to provide for their families. A greater opportunity is what they are seeking.

We probably know folks as well—certainly people who we serve and people

in our communities—who have been stuck in the web of poverty for generations, intergenerational poverty, with no exit ramp and with no exit strategy.

This opportunity bill today is one that I encourage all of my colleagues to support. The culture today has so much emphasis on the theory that people need a 4-year degree to be successful in this country. However, we have a huge gap of technical and vocational jobs that are good-paying jobs and family-sustaining jobs that aren't being filled. Job creators cannot find individuals who are qualified and trained to be able to fill those positions. I call that the skills gap. Today we can take a tremendous step in closing the skills gap.

I have introduced a bill that will be considered on the floor today, the Strengthening Career and Technical Education for the 21st Century Act, which, incidentally, is scheduled later today for a vote. This legislation reauthorizes and modernizes—more importantly, modernizes—the Carl D. Perkins Career and Technical Education Act to help more Americans enter the workforce with the skills necessary to compete and succeed in high-wage, high-demand careers.

Mr. Speaker, this is a good bill. It starts career awareness earlier recognizing that kids have access to technology and will begin to provide career and technical education awareness in the lower middle schools. It brings business and industry to the table so when we invest and do offer career and technical education training, it leads to a job at the end of the day, whether it is a result of a certificate earned, a credential that is provided, or training that is completed, and it serves individuals of all ages.

So I just ask and encourage my colleagues to join me in supporting the Strengthening Career and Technical Education for the 21st Century Act on this House floor later today.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Wayne Lomax, The Fountain of New Life, Miami Gardens, Florida, offered the following prayer:

God, we thank You for the men and women who serve as Members of the United States Congress.

Though we have many needs in our Nation—better schools, better jobs, safer streets, fairer laws, better health care, and peaceful relationships with our neighbors at home and our neighbors abroad—today, we pause to pray for each other.

It is easy to forget that back home our Congressmen and -women have daughters who dance, sons who sing, mothers with mild strokes, fathers who slip and fall, siblings who struggle with addiction, and neighbors in homeless shelters, while our spouses and significant others hold down the fort.

We acknowledge that alongside our hopes and dreams are our personal struggles and fears—even our shortcomings and our sins.

So, as Jesus taught us, forgive us our debts and give us our daily bread.

Bless us with good sense and humble hearts as we serve to Your honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. LANGEVIN) come forward and lead the House in the Pledge of Allegiance.

Mr. LANGEVIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND WAYNE LOMAX

The SPEAKER. Without objection, the gentlewoman from Florida (Ms. WILSON) is recognized for 1 minute.

There was no objection.

Ms. WILSON of Florida. Mr. Speaker, today, I rise to welcome the very gracious and accomplished Pastor Wayne Lomax to the House floor as our guest chaplain.

Pastor Lomax is the founder and senior pastor of the mega church, The Fountain of New Life, located in Miami Gardens, Florida. He is also a proud member of the 5000 Role Models of Excellence Project, a mentoring program for boys of color.

Nearly 20 years ago, in his living room, with just 8 people, Pastor Lomax founded The Fountain of Pembroke Pines, now The Fountain of New Life. Today, it is one of the largest churches in Florida and is an indispensable community partner.

The church's humble beginnings and continuous growth are testaments to

Pastor Lomax's unwavering leadership and strong faith. He is truly a man of all seasons—a true man of God who tackles issues, including hunger, poverty, and crime, in the Miami-Dade County community.

Pastor Lomax also served as pastor of the York Street Baptist Church in Louisville, Kentucky, and as assistant pastor of the Mount Olive Baptist Church in Fort Lauderdale, Florida. He graduated from The University of North Carolina at Chapel Hill and The Southern Baptist Theological Seminary.

He is the proud husband of his beautiful wife, Teresa. They have three beautiful children: Christopher, Marcus, and LeReine.

Mr. Speaker, I ask everyone to join me in thanking Pastor Lomax for leading today's opening prayer and to thank him for his outstanding service to the south Florida community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RIBBLE). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATIONS TO MISS AMERICA SAVVY SHIELDS

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to recognize your new Miss America, our very own Miss Arkansas, Savvy Shields.

On Sunday night, Savvy became the third Miss Arkansas—and the second from the Third District of Arkansas—to win this prestigious title, receiving a preliminary talent award as well.

Savvy will spend her year of service traveling across the Nation as an advocate for not only her charitable platform of "Eat Better, Live Better," but also the Children's Miracle Network. In this way, Savvy will continue her work as an advocate for healthy eating as a way to dramatically change health outcomes in our communities.

I speak on behalf of the Third District and the State of Arkansas in congratulating Savvy on representing her hometown of Fayetteville, the University of Arkansas, and the entire "Natural State" so well on the national stage. I would like to also congratulate Savvy's parents, Todd and Karen Shields, on the beginning of what will truly be a remarkable year.

Savvy will represent all of us with the grace, poise, and confidence that earned her this crown. Congratulations, Savvy, Miss America 2017.

PERKINS CONSIDERATION

(Mr. LANGEVIN asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, in July, the Education and the Workforce Committee unanimously reported H.R. 5587, Strengthening CTE—or, its full name, Career and Technical Education—for the 21st Century Act. Later today, the full House will consider it here on the floor.

I am so proud to be an original cosponsor of this bipartisan bill that reauthorizes important career and technical education programs to reflect the demands of the modern economy. I particularly want to salute and recognize my colleague and partner in this effort, G.T. THOMPSON from Pennsylvania, and also KATHERINE CLARK from Massachusetts, for their efforts. This bill makes important investments in skills, training, and career exploration.

H.R. 5587 expands two of my long-standing priorities: the role of school counselors in helping students find a career path that best fits their skill and access to work-based learning to bridge the gap between the classroom and the workplace. Students will be able to tailor their classes to learn the skills that they know employers are looking for. It is time to close the skills gap and give students the tools to succeed.

I want to also commend the chairman and ranking member of the full committee and all those who had a hand in bringing the bill to the floor that we will be voting on later today.

THE OBAMA LEGACY: A HEROIN AND OPIOIDS CRISIS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, The Washington Examiner has released the newest part of a series: "The Obama legacy—A raging problem with heroin and opioids."

Last year, the President announced a new effort to address the new public health crisis. This week, The Washington Examiner revealed:

"... the crisis had been building for five years at that point, and critics say Obama's reactions were too little and too late. Some say his government even contributed to the crisis by approving painkillers liable to abuse. . . .

"Prescription painkiller and heroin overdose deaths have risen to all-time highs. From 2009–2014, the rate of overdose deaths from heroin abuse increased by 240 percent. . . .

"When you add painkiller overdose deaths to the heroin numbers, the rate of overall deaths increased 25 percent from 2009. . . .

"In 2014, more than 14,000 people died of overdoses, the biggest total since the CDC began collecting data in 1999."

This is a failing legacy of destruction of families.

I am grateful that Congress acted to address the opioid crisis, passing the bipartisan Comprehensive Addiction and Recovery Act, enabling local communities to develop local solutions.

In conclusion, God bless our troops, and may the President, by his actions, never forget September 11th in the global war on terrorism.

Congratulations, Miss South Carolina, Rachel Wyatt of Clemson, first runner-up for Miss America.

WE NEED ACTION

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, the water crisis in my hometown of Flint continues: a population of 100,000 people who, a year after this crisis, became well known, became public, and still can't drink their water.

In Flint—just so my colleagues understand—a year later, people are still drinking from bottled water because of callous actions by the State government that led to the poisoning of a population of 100,000 people.

Flint is a community in absolute crisis, facing a disaster, and you would expect there would have been immediate action, despite the fact that I have come to this podium time and time again. I have filed legislation. I have spoken to Members. I have spoken to leadership. And what do we get? A couple of hearings, and a lot of sympathy.

We need action. The people of Flint deserve a response to this crisis that is equal to the gravity of the crisis. We have a way to get it done. A bipartisan bill that is moving through the Senate includes help for Flint. We need to take up this legislation, just like we need to take up legislation to deal with Zika and opioids and everything else. It is beyond my comprehension that this crisis could continue and we have yet to take action in the House of Representatives to address it.

RECOGNIZING JOSEPH BROOM, GEORGIA NATIONAL GUARD

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Savannah, Georgia's Specialist Joseph Broom of the Georgia National Guard and a student at Armstrong State University.

Specialist Broom was chosen to represent the entire Army National Guard at the U.S. Army Best Warrior Competition.

I am incredibly proud of Specialist Broom's accomplishment and could not be more enthusiastic for his final competition, starting September 26. To qualify for the championship competition, Specialist Broom completed and

succeeded at the brigade, State, regional, and national levels. Each competition was extremely physically and mentally straining.

During the national competition, participants ran more than 4 miles over rough terrain, completed a demanding obstacle course, and navigated land during day and night.

I rise today to congratulate Specialist Joseph Broom for his accomplishment, and I wish him the best of luck on September 26.

COMMEMORATING THE LIFE OF STEWART LEVY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise to commemorate the life and legacy of Stewart Levy, a wonderful and warm humanitarian, a Buffalo civic leader, and my friend. Stewart Levy's love of family, friends, and community was always on display—clearly evident—and always inspiring.

Mr. Levy first came to Buffalo to work in a local recording industry. He quickly established himself as a leader and fixture in that industry. He would host at his home, as overnight guests, the likes of Frankie Avalon, Sammy Davis, Jr., and Pat Boone.

Mr. Levy ran for mayor of Buffalo in 1973, as a Republican in a heavily Democratic Buffalo. Though unsuccessful, his campaign tagline, "For the Love of Buffalo," reflected Stewart's pride and civic purpose. He inspired everyone he touched. He was charismatic and kind, interested and interesting, and insatiably curious. His mind and his enthusiasm never aged.

I remember thinking the last time I saw and visited with him that Stewart Levy was gifted with that rare quality—so rare—that made you look forward to the next opportunity you had to see and visit with him again.

To Stewart's wife, Faye, and sons, Jordy and Mitchell, thank you for sharing him with us. Stewart Levy will be missed, but there will always be light and inspiration to guide us from the love and friendship that he gave us.

AMERICA SUPPORTS HELPING FAMILIES IN MENTAL HEALTH CRISIS

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, during a time when our Nation seems so divided, polarized, and unable to come together on any issue, there is one thing on which most of America agrees, by policy, politics, and polling.

In April, a national mental health survey found that 86 percent of Ameri-

cans support the Helping Families in Mental Health Crisis Act. When it comes to mental health, Democrats, Republicans, and Independents agreed that H.R. 2646 is the answer.

In July, the House followed America's call and came to pass the bill 422-2 to provide more hospital beds, more psychiatrists, psychologists, and reform our broken system. Now, the American people wait for the Senate to join us in passing this badly needed legislation.

Millions of Americans are saying: please do not leave Washington without passing the bill so that the House can concur and we can get it signed into law. Every day they don't, 959 new families mourn the loss of a loved one who suffered from mental illness. And every day, 118 families mourn a new death by suicide. Every day the Senate waits, we delay reform.

Pass H.R. 2646. Where there is help, there is hope.

□ 1215

A BETTER WAY TO IMPROVE HEALTH CARE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, as any hard-working American knows, health insurance costs and regulations impact all of us on a daily basis. Americans need patient-centered solutions to address our healthcare system's key problems, and House Republicans have a better way than the so-called Affordable Care Act to improve health care.

Our plan gives Americans more control and more choices. It makes sure they never have to worry about being turned away or having their coverage taken away, regardless of age, income, medical conditions, or circumstances. Our plan clears out the bureaucracy to accelerate the development of life-saving devices and therapies, and it protects Medicare for today's seniors and preserves the program for future generations.

This reform can't come soon enough. According to a report by the Kaiser Family Foundation, most North Carolinians are projected to have just one insurer's plan to choose from in the 2017 Federal individual health exchange.

I will not rest until ObamaCare is repealed and we have returned control of medical decisions to doctors and their patients.

THE CLANKING BAGS OF FILTHY LUCRE TO IRAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, during negotiations with the criminal

Ayatollah, the U.S. paid Iran, the world's largest state sponsor of terror, a \$400 million ransom to free hostages. Shockingly, the administration now has made two additional payments, totaling \$1.3 billion.

Speculation is our government may have used underhanded and sneaky tactics, multiple hard currencies, and precious metals to hide the filthy lucre from Americans.

The government's payments of bags of clanking coins to the outlaw nation will not go to build roads and bridges and hospitals. Instead, it is going to Iran's corrupt military and helping radical terrorists continue to spread murder and aggression.

Illusionaries say that the Iranian nuclear bribe deal will help us live together in peace and harmony. Peace is not what the rogue nation wants. They want death to America.

Why did our government pay off the Ayatollah to preach hate and prepare for war? We don't need to pay Iran to hate us. They will do it for free.

And that is just the way it is.

CONGRESS NEEDS TO ADDRESS THE ZIKA PUBLIC HEALTH CRISIS

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, here we are debating various issues. Soon we will be going into debate on veterans bills, on tax cut bills. Yet this body has continually failed to act on addressing the Zika health crisis that has already impacted over 3,000 Americans in States like Texas and Florida, and it will only continue to get worse until we put the resources we need into our public health to prepare vaccinations, to deal with mosquito control.

This is the type of issue that doesn't solve itself. And it is amazing that, when people look to the United States Congress for leadership, rather than acting on funding Zika, months after the initial request by the President of the United States, we continue to discuss topics which are not going to become law, bills that would be vetoed if they pass the Senate, won't pass the Senate, and, obviously, don't address the immediate public health crisis that is affecting thousands of Americans and will affect even more until this body decides to address it.

CONGRATULATING THE STATE COLLEGE SPIKES ON THEIR NEW YORK-PENN LEAGUE CHAMPIONSHIP

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the players, coaches, and staff of

the State College Spikes on their 2-1 win over Hudson Valley last night to capture the New York-Penn League Championship.

The New York-Penn League is a Class A Short Season baseball league which includes teams from across Pennsylvania, New York, Maryland, Massachusetts, Ohio, Vermont, West Virginia, and Connecticut.

The championship represents the end of a great season for State College. The team set a regular season club record for wins at 50. Tommy Edman, a draft pick of the St. Louis Cardinals in June, also set the Spikes' single season runs scored record with 61.

Earlier this year, I had the chance to meet with the members of the Spikes' management in my office here in Washington, D.C., and I was happy to have the opportunity to learn more about the organization and their players.

I know how much the team contributes to the community and to the economy of State College. I wish them the best of success next year.

CONDEMNING NICARAGUA'S REPRESSIVE ACTIONS AND HUMAN RIGHTS VIOLATIONS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to condemn the repressive actions and human rights abuses perpetrated by Daniel Ortega in Nicaragua. Ortega has forced the Nicaraguan Supreme Court to not recognize the leaders of two opposition political parties. He has removed 28 deputies and alternates from the National Assembly. He has chosen his wife to be his running mate in the upcoming illegitimate elections in order to continue the Ortega dynasty and has sent his thugs to break up peaceful marches by Nicaraguan civil society, who are demanding inclusive elections with international and domestic observers.

Mr. Speaker, there must be consequences for these actions, and that is why I introduced the bill, H.R. 5708, the NICA Act, alongside my friend Congressman ALBIO SIREs of New Jersey, to ensure that the United States will oppose any loans to this decrepit regime.

We must show the Nicaraguan people that we stand with them in solidarity and support their efforts to convene free, fair, and transparent elections.

HONORING THE SERVICE AND MEMORY OF OFFICER BRADLEY M. FOX

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEHAN. Mr. Speaker, I rise today to honor the service and memory of Officer Bradley M. Fox of the Plymouth Township of Pennsylvania Police Department.

Four years ago today, on the eve of his 35th birthday, Brad was shot and killed in the line of duty. He died protecting the community and the country he served, first as a United States Marine with two tours of combat duty in Iraq, then for 7 years as a Plymouth Township Police Officer.

Brad was a cop's cop. He was respected by his colleagues for his professionalism, and he was admired for his love for life, his love of sports, and, particularly, his love for his growing family.

Brad leaves behind his wife, Lynsay, and his daughter, Kadence, and a son, Brad, Jr., born just months after his father's tragic death. He left behind friends and family who loved him and cherished his memory, and a community that will be forever grateful for his sacrifice.

Semper fi, Brad, and thank you for your life and your service.

CELEBRATING PATRIOT WEEK

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to urge my colleagues to join me in celebrating what makes our Nation the greatest country in the world by recognizing Patriot Week, currently going on this week. My resolution, H. Con. Res. 58, does just that.

This is a cause that is very close to my heart, as I have always been in awe of the work of our Founding Fathers. In fact, when I was the Senate majority leader of Michigan in 2009, we became the first legislative body to recognize Patriot Week. Since then, events have spread to at least 10 States, where people of all ages have reflected on the work of great Americans who furthered the cause of liberty and our founding principles.

Patriot Week formally begins on September 11, paying tribute to those who lost their lives in the terrorist attacks of 9/11, and ends on September 17, by celebrating Constitution Day. Each day focuses on a different set of American values, people, and our most precious founding documents.

Mr. Speaker, in this time when our Nation has become so divided, we must renew our American spirit and let it endure for generations to come. We are blessed to live in the greatest Nation on Earth, and we owe it to all of the brave men and women who paved the way for us to get here.

I urge my colleagues to join me in participating in Patriot Week and supporting my resolution, H. Con. Res. 58.

DAR CONSTITUTION WEEK

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, on September 17, 1787, the United States Constitution was signed by 39 inspired men who changed the course of history.

As a nation, we celebrate Constitution Week from September 17 to September 23 this year to remember the legacy and freedoms we all enjoy. The signing of the Constitution 229 years ago created a Republic that has withstood the test of time and that has proven that it was destined for greatness.

To this day, the United States Constitution stands as a testament to the tenacity of Americans throughout history to establish justice, to ensure domestic tranquility, to provide for the common defense, to promote the general welfare, and to secure the blessings of liberty. The Constitution has withstood the test of the Civil War, the Great Depression, and many other challenges.

We are blessed to live in a nation where we can all pursue happiness and safety and freedom, and I ask my colleagues to join me and the Daughters of the American Revolution in celebrating the Constitution and what it has done for each and every American during Constitution Week.

REAUTHORIZATION OF THE PERKINS CAREER AND TECHNICAL EDUCATION PROGRAM

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today I rise in support of H.R. 5587, which reauthorizes the Perkins Career and Technical Education program through the year 2022.

Career and technical education programs help provide the vocational training needed to ensure our students have the technical skills to engage the world with the technology of today and tomorrow.

This reauthorization does more than provide funding for the next 5 years. It also gives structural changes to decrease the burden on local districts and increase engagement with local businesses and higher education partners.

More importantly, H.R. 5587 puts up additional barriers between politicians and students, preventing Sacramento and Washington from interfering with our educators.

Mr. Speaker, not every student is bound for college, but every student should leave high school with the knowledge and skills necessary to join today's workforce and have all the options available to them.

OUR DEALINGS WITH IRAN ARE A THREAT TO NATIONAL SECURITY

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Mr. Speaker, one would think that, after receiving pallets stacked high with international currency shrouded in secrecy and the associated benefits of this administration's flawed nuclear deal, the leadership in Iran would want to change their ways. But when it comes to Iran, logic doesn't apply.

In fact, Mr. Speaker, the opposite has happened. Iran has become more confrontational. Tehran continues to develop and test ballistic missile technology, deploy advanced surface-to-air defenses at a "peaceful" nuclear site, and harass our naval vessels on the open seas.

The leaders in Tehran and in the IRGC are continuing down the same old path of aggression as they did before the nuclear deal. But now, Mr. Speaker, they have fresh resources and a renewed sense the United States won't seek to hold them accountable, both courtesy of the Obama administration.

Mr. Speaker, it is time for the administration to wake up and realize that their policies and dealings with Iran are further threatening our national security.

□ 1230

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF PRIVILEGES OF THE HOUSE

Mr. FLEMING. Mr. Speaker, pursuant to clause 2 (a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

House Resolution 828—impeaching John Andrew Koskinen, Commissioner of the Internal Revenue Service, for high crimes and misdemeanors.

Resolved, that John Andrew Koskinen, Commissioner of the Internal Revenue Service, is impeached for high crimes and misdemeanors and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against John Andrew Koskinen, Commissioner of the Internal Revenue Service, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

Article 1.

John Andrew Koskinen, in his conduct while Commissioner of the Internal Revenue Service, engaged in a pat-

tern of conduct that is incompatible with his duties as an Officer of the United States, as follows:

Commissioner Koskinen failed in his duty to respond to lawfully issued congressional subpoenas. On August 2, 2013, the Committee on Oversight and Government Reform of the House of Representatives issued a subpoena to Secretary of the Treasury Jacob Lew, the custodian of Internal Revenue Service documents. That subpoena demanded, among other things, "all communications sent or received by Lois Lerner, from January 1, 2009, to August 2, 2013." On February 14, 2014, following the Senate's confirmation of John Andrew Koskinen as Commissioner of the Internal Revenue Service, the Committee on Oversight and Government Reform of the House of Representatives reissued the subpoena to him.

On March 4, 2014, Internal Revenue Service employees in Martinsburg, West Virginia, magnetically erased 422 backup tapes, destroying as many as 24,000 of Lois Lerner's emails responsive to the subpoena. This action impeded congressional investigations into the Internal Revenue Service targeting of Americans based on their political affiliation. The American people may never know the true culpability or extent of the Internal Revenue Service targeting because of the destruction of evidence that took place.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial and removal from office.

Article 2.

John Andrew Koskinen engaged in a pattern of deception that demonstrates his unfitness to serve as Commissioner of the Internal Revenue Service. Commissioner Koskinen made a series of false and misleading statements to Congress in contravention of his oath to tell the truth. Those false statements included the following:

(1) On June 20, 2014, Commissioner Koskinen testified that "since the start of this investigation, every email has been preserved. Nothing has been lost. Nothing has been destroyed."

(2) On June 23, 2014, Commissioner Koskinen testified that the Internal Revenue Service had "confirmed that backup tapes from 2011 no longer existed because they have been recycled, pursuant to the Internal Revenue Service normal policy." He went on to explain that "confirmed means that somebody went back and looked and made sure that in fact any backup tapes that had existed had been recycled."

(3) On March 26, 2014, Commissioner Koskinen was asked during a hearing before the Committee on Oversight and Government Reform of the House of Representatives, "Sir, are you or are you not going to provide this committee all of Lois Lerner's emails?" He answered, "Yes, we will do that."

Each of those statements was materially false. On March 4, 2014, Internal Revenue Service employees magnetically erased 422 backup tapes containing as many as 24,000 of Lois Lerner's emails. On February 2, 2014, senior Internal Revenue Service officials discovered that Lois Lerner's computer hard drive had crashed, rendering hundreds or thousands of her emails unrecoverable. Commissioner Koskinen's false statements impeded and confused congressional investigations into the Internal Revenue Service targeting of Americans based on their political affiliation.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

Article 3.

John Andrew Koskinen, throughout his tenure as Commissioner of the Internal Revenue Service, has acted in a manner inconsistent with the trust and confidence placed in him as an Officer of the United States, as follows:

During his confirmation hearing before the Senate Committee on Finance, John Andrew Koskinen promised, "We will be transparent about any problems we run into; and the public and certainly this committee will know about those problems as soon as we do."

Commissioner Koskinen repeatedly violated that promise. As early as February 2014 and no later than April 2014, he was aware that a substantial portion of Lois Lerner's emails could not be produced to Congress. However, in a March 19, 2014, letter to Senator WYDEN of the Senate Committee on Finance, Commissioner Koskinen said, "We are transmitting today additional information that we believe completes our production to your committee and the House Ways and Means Committee. . . . In light of these productions, I hope that the investigations can be concluded in the very near future." At the time he sent that letter, he knew that the document production was not complete.

Commissioner Koskinen did not notify Congress of any problem until June 13, 2014, when he included the information on the fifth page of the third enclosure of a letter to the Senate Committee on Finance.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment and trial, and removal from office.

Article 4.

John Andrew Koskinen has failed to act with competence and forthrightness in overseeing the investigation into Internal Revenue Service targeting of Americans because of their political affiliations as follows:

Commissioner Koskinen stated in a hearing on June 20, 2014, that the Internal Revenue Service had "gone to great lengths" to retrieve all of Lois Lerner's emails. Commissioner Koskinen's actions contradicted the assurances he gave to Congress.

The Treasury Inspector General for Tax Administration found over 1,000 of Lois Lerner's emails that the Internal Revenue Service had failed to produce. Those discoveries took only 15 days of investigation to uncover. The Treasury Inspector General for Tax Administration searched a number of available sources, including disaster backup tapes, Lois Lerner's BlackBerry, the email server, backup tapes for the email server, and Lois Lerner's temporary replacement laptop. The Internal Revenue Service failed to examine any of those sources in its own investigation.

Wherefore, John Andrew Koskinen, by such conduct, warrants impeachment, trial, and removal from office.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Louisiana will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PROVIDING FOR CONSIDERATION OF H.R. 3590, HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 858 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 858

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 858 provides for consideration of H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act and the Restoring Access to Medication Act.

The rule provides for 1 hour of debate equally divided among the majority and minority of the Committee on Ways and Means. As is standard with all legislation pertaining to the Tax Code, the Committee on Rules has made no further amendments in order. However, the rule affords the minority the customary motion to recommit.

Under the rule, we will be considering a bill to prevent one of the most significant tax increases imposed on the American people by the Affordable Care Act. The bill advanced through regular order and was favorably reported out of the Committee on Ways and Means.

H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act, amends the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care. This increase was created by the Affordable Care Act and is another example of how the law is hurtful to average Americans. Our Nation's seniors should not bear the burden of paying for the Affordable Care Act.

H.R. 3590 is commonsense policy that will provide relief to American families while promoting consumer-driven health care. Under current law, Americans aged 65 or older can deduct out-of-pocket medical expenses to the extent that such expenses exceed 7.5 percent of an individual's adjusted gross income. However, as part of the Affordable Care Act, this 7.5 percent threshold will increase to 10 percent January 1, 2017, for those age 65.

H.R. 3590 would restore the pre-Affordable Care Act threshold of 7.5 percent for all Americans and is a meaningful step toward easing the burden of rising medical expenses in communities across the country. This will provide broad-based tax relief to middle- and low-income families as they continue to struggle in difficult economic times.

The administration raised the AGI threshold from 7.5 to 10 percent in

order to help pay for the Affordable Care Act's price tag. The result of this policy is an almost \$33 billion tax increase over the next decade that will be shouldered by the middle class and senior citizens.

According to Americans for Tax Reform, over 10 million families used this tax provision in 2012 with an average of \$8,500 in medical expenses claimed, and more than half the families that used that provision made less than \$50,000 a year. This legislation permanently lowers the adjusted gross income threshold from 10 percent to 7.5 percent for all taxpayers, regardless of their age.

We are reminded daily of the shortcomings of the Affordable Care Act: the double-digit health insurance premium increases; less consumer choice as insurers abandon the exchanges; and increasingly narrow networks across the country. Due to the rising burden for families of out-of-pocket costs, the average deductible for an employer-sponsored health plan surged nearly 9 percent in 2015 to now more than \$1,000. Beginning in 2017, the President's health law will increase the tax burden on our seniors, and this is a cost many will struggle to bear. This increase will have a disproportionate impact on seniors who are more likely to take advantage of this deduction.

According to the National Center for Policy Analysis, the average senior spends over \$4,888 a year on medical expenses, twice as much as the average non-elderly adult. Typically, seniors no longer have an increase in income, instead relying on their savings. Congress must take steps to strengthen our citizens' ability to save their hard-earned dollars, not constrain it.

What is most egregious about the timing of the tax increase hidden within the thousands of pages of the Affordable Care Act is the cynical nature of its placement.

□ 1245

When the Affordable Care Act passed in the middle of the night and people famously said they had to pass the bill in order for people to find out what was in it, they used the maneuver to pay for the high cost of the bill by making the so-called benefits of the legislation take place immediately and having the costs of the legislation, the egregious tax increases that everyone knew would be unpopular, not take effect until 7 years after the passage of the bill. But that day is now upon us. It is calendar year 2017.

Those 7 years allowed for three election cycles to take place. Democrats in the House and Senate, and certainly the Democrat in the White House, knew that they could not withstand an election after the American people discovered all of the new taxes hidden in the Affordable Care Act, so they wrote the bill in a way that ensured that they could get through their reelections—especially the Presidential election in

2012—without having to defend significant tax increases.

For Democrats in the House, it didn't work, and the American people rose up, and after the 2010 election, Republicans resumed the majority of the House less than a year after the Affordable Care Act's passage; but the President and Democratic Senators were able to avoid having to defend the tax increases that they supported since those increases had not gone into effect.

Well, now the full cost, the full cost of these tax increases is about to bear down on American families, and when families across the country see how much more of their income is going to be taken out of their paychecks and given to bureaucrats in Washington, the anger will be as palpable this year as it was in 2010.

As we have learned, a Washington-centered approach to delivering high-quality affordable health care cannot work. While we are committed to large-scale reform of the healthcare system, there are people who cannot wait, and that is why we are taking action now. H.R. 3590 is just one example of the work that our Conference is doing to promote Member-driven solutions in order to improve health care for our citizens and ensure that they have greater access to quality care at a truly affordable price. H.R. 3590 will add on to this progress and make certain that we protect Americans from the mounting costs of the Affordable Care Act and preserve one of the few tools that they have at their disposal to contain high medical expenses.

H.R. 3590 will help the middle class and help seniors by preserving one tool to help soften the blow of rising healthcare costs. At this point in time, our citizens cannot withstand another chunk of their savings going into the Federal coffers in order to pay for a failed experiment that the administration has gone to astronomical lengths to prop up. In today's climate of ever-increasing healthcare costs, we must do whatever we can to provide relief to taxpayers and put in place reforms to promote a return to consumer-driven health care. This important legislation can help reverse the trend of Washington-directed, one-size-fits-all healthcare policy. This bill is concrete proof of the actions that can be taken to return power to individuals.

I encourage our colleagues to stand up for the middle class and senior citizens and support H.R. 3590.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to the rule for consideration of H.R. 3590, and to the bill.

They say you can't have your cake and eat it too, but that is exactly what Republicans are trying to do with this

bill. They are trying to keep the benefits of ObamaCare and repeal the costs of ObamaCare. They are saying we are going to continue subsidies for middle-income and lower-income people, every expense associated with ObamaCare, and yet we are going to reduce the funding. We are going to increase our deficit by over \$30 billion.

At a time when the deficit continues to add to our national debt, when many of us are calling for going the opposite direction, trying to balance our budget, I am a proud sponsor of a balanced budget amendment. Digging this \$30 billion hole will make it even harder to balance the budget.

If the Republicans are serious about cutting \$30 billion in revenue, let's show where they are going to cut \$30 billion in costs. Whether it is from the Affordable Care Act or whether it is other items, it is not intellectually honest to simply say we are going to cut money, but we are not going to tell you where it is coming from.

This bill would add \$33 billion to the deficit. And we all like tax cuts, Mr. Speaker. I mean, who wouldn't want to cut taxes for everybody? It is always a question of: How are you going to pay for it?

The Republicans failed to pay for this \$33 billion in that bill. In fact, by giving tax cuts today, they are making our next generation, our children, even more beholden to today's debt and the legacy of debt that they are leaving for the next generation.

The revenue generated by this provision is an important part of trying to reduce our deficit and balance our budget. Removing that will simply create a hole of over \$30 billion in a deficit that is already over \$400 billion.

H.R. 3590 would increase the deficit by establishing the itemized deduction threshold at 7.5 percent for all taxpayers. If Congress continues to roll back pay-fors on a law that costs money to implement, it is going to continue to increase our deficit. There have been a number of other measures that have been brought before this body that have also increased our deficit.

At a time when numerous significant public health crises need to be addressed—the Zika virus, opioid addiction, the water in Flint—we are actually discussing a bill that increases the deficit by \$33 billion and doesn't even deal with any of these crises, making it even harder to try to find the scarce resources that we have and divert them from existing operational programs or other revenue generators to address the Zika public health crisis, the opioid addiction, or the Flint water crisis.

While H.R. 3590 sets out nice tax cuts, it doesn't pay for them. The reality of this bill is that the higher a household's income, the more likely it is to get a tax cut. According to the con-

gressional Joint Committee on Taxation, if H.R. 3590 were to become law, taxpayers with over \$100,000 of income would receive two-thirds of this tax cut at the expense of their own children, who would then be forced to inherit a nation even deeper in debt.

When you spend money you don't have, that is a future tax increase. So effectively what this bill does is it trades a tax cut today for a tax increase tomorrow. If you ask me, Mr. Speaker, this country has done too much of that already.

It would be one thing if this tax cut were paid for. We could weigh the pros and the cons. We could weigh the costs and the benefits, a \$32 billion tax cut. I agree with what my colleague said. It would be a wonderful thing to do. It would be a wonderful way to help families afford health care and increase the deductibility level.

But what's the tradeoff, Mr. Speaker? There are tradeoffs in this world. You can't have your cake and eat it too. Where are you going to cut \$33 billion because this tax cut is so justified? Maybe there is a program we can agree to cut. I would probably support it today if we decreased defense spending by \$33 billion over 10 years and that was the pay-for. I wouldn't have a problem with that. I would much rather give the money to middle class families than continue to spend more than the rest of the world combined on our military.

And look how cavalier this body is about adding \$33 billion to the deficit. All in a day's work, Mr. Speaker. Apparently, we are impeaching an IRS Commissioner and we are adding \$33 billion to the deficit. We wonder why, when the American people look at this body, its approval rating is so low. Twelve percent is what I saw last. In 1 day, we are adding \$33 billion to the deficit while not addressing critical issues with Zika and Flint.

In Flint, for example, a year has gone by since a doctor first raised a red flag about the city's water supply, and we have not appropriated or replaced the corroded water pipes. There is still water being trucked in. While Flint families are continuing to rely on bottled water, on trucked in water, Congress is increasing the deficit even more.

Or we can examine the abuse of prescription opioids, an epidemic that is sweeping this country. Now, we passed a lowest common denominator bill, a bill, of course, I supported. It has some good statistics and good coordination, but it doesn't substantively do anything to address the fact that opioids were involved in 28,647 tragic deaths last year alone, the most on record.

In May, we heard Members from both sides of the aisle come to the floor and speak eloquently about how addiction is ravaging families back home, and I share those stories from Colorado. But

when the President submitted a proposal that would have provided \$1.1 billion in funding to actually address this epidemic, Congress did nothing. So here we are increasing the deficit by \$33 billion, where, if we simply took \$1 billion of that and addressed the opioid crisis, \$1 billion of it and addressed Zika, then we could simply use the rest to reduce the deficit.

We are happy to spend money we don't have. The Republicans are happy to spend money we don't have when it comes to tax cuts; but when it goes to public health, when it goes to lead in pipes, when it goes to reducing prescription drug abuse, there is no money for that. Instead, this body passed a package of bills with no funding.

And then there is Zika. In the pantheon of public health emergencies, Zika is particularly pressing. Almost 19,000 Americans have already contracted Zika, including 1,800 pregnant women. The numbers are likely higher because we don't know all of the diagnoses in all of the cases, and four or five people only have mild symptoms and might not be diagnosed.

In pregnancies, Zika, as we know, can be especially devastating and, I might add, costly to taxpayers for the lifetime of the child. A fetus is susceptible to severe cognitive impairments caused by the virus, including microcephaly. So far there are upwards of 20 cases of microcephaly in the U.S., and that number is set to increase with the prevalence of Zika, which only Congress can act to stem.

The administration declares Zika to be a public health emergency in Puerto Rico, where one in four people are estimated to become infected over in the next year. Florida is grappling with an upsurge in cases, prompting the CDC to issue its first ever domestic travel warning within our own country to our own State of Florida.

We need to learn more. The virus has been around for decades, but few comprehensive studies exist as it made the transition from Africa to South America. We know very little about the likelihood a fetus will contract Zika or what the factors are that affect that and the long-term implications of exposure to the virus as an infant.

This knowledge gap isn't for lack of qualified talented researchers. I was fortunate to visit the CDC's Division of Vector-Borne Diseases with Representative BUCK just a few weeks ago to see firsthand the research they are doing into viruses such as Zika, but they need the ability and the resources to focus on this imminent public health crisis.

At a CDC laboratory, the Division of Vector-Borne Diseases relies on Federal funding to produce cutting-edge science that saves lives. If this body were to approve the requested amount to fight Zika, it is likely we would know already a lot more about this scary virus.

Relevant to my district is another recent and unprecedented outbreak of a mosquito-borne virus: West Nile. At 28 human cases, it is the highest incidence of the virus in the State. Cities such as Los Angeles, Dallas, and Phoenix are also being hit hard. That is also directly affected by the public health for vector-borne viruses.

Funding will also be essential to reduce the building diagnostic backlog or develop a simpler method of testing. The testing process for Zika is cumbersome and costly. In places with local transmission like Florida and Puerto Rico, results have started to take upwards of a month to come back, leaving families in an ongoing chronic state of uncertainty and agony. Appropriating dollars to deal with this emergency is critical to develop a vaccine.

With public health experts pleading for funding to combat Zika, President Obama sent Congress a \$1.9 billion funding request to combat the virus on February 22. Well, now it is September 13, 204 days since the request, and thousands of victims later. While the Senate approved \$1.1 billion to combat the virus, House leadership has not shown any appetite for this measure. In the meantime, agencies like Health and Human Services are desperately trying to transfer money from other accounts just to make ends meet.

I am frustrated, Mr. Speaker, that here we are discussing a bill that adds \$33 billion to our deficit that we don't have when we can least afford to do so, when we are not even talking about these much smaller ticket items that are urgent and that are emergencies. It is frustrating that this body continues to promulgate a double standard around offsetting the cost of legislation.

Expenditures and revenues are two sides of the same coin. If you reduce revenues by \$2 billion, it has the exact same impact on the deficit as increasing expenditures by \$2 billion. They are the same thing. Yet here we are creating massive fiscally irresponsible holes in our deficit, moving further away from ever balancing it, when we are not even looking at these much smaller ticket items that are much more important and are critical emergencies. We are discussing a bill that adds \$33 billion to our deficit.

We continue to avoid dealing with Flint, with opioids, and with Zika, at a small fraction of the cost of this bill, Mr. Speaker. Just give us 10 percent of the cost of this bill—\$3 billion—and think of the progress we can make on Flint and opioids and Zika. Instead, we are spending \$33 billion in tax expenditures to increase our deficit by over \$33 billion. This isn't the way to balance the budget. This isn't the way to run a country.

□ 1300

Mr. Speaker, if we defeat the previous question, I will offer an amend-

ment to the rule to bring up legislation that would allow those with outstanding student debt to refinance their existing high interest rates to lower interest rates. Mr. Speaker, every one of us has constituents who are struggling with student debt. This legislation gives us an opportunity to provide immediate relief.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I think what is frustrating in consideration of this deficit-busting, irresponsible, Republican tax-and-spend bill is a double standard. We have a bill before us that would increase the deficit by over \$33 billion, yet we are not even allowed to consider these much smaller ticket items that are pressing national emergencies.

Children in Flint still can't bathe or drink tap water because of toxic lead; families in New Hampshire are receiving little help for the opioid addictions ravaging their communities; pregnant women in south Florida are living in fear of the serious health consequences and birth defects related to Zika; and yet there is \$33 billion for a tax cut for the wealthy.

What piece am I missing here, Mr. Speaker? How is it that there is \$33 billion for a tax expenditure, but there is not even \$1 billion or \$2 billion or \$3 billion to address these pressing issues like Zika or lead or opioids?

A dollar is a dollar. Whether you expend it as a decrease in revenue or an expenditure, it has the exact same economic impact. It increases our budget deficit, already over \$400 billion; and here we have a bill that would increase it by over \$30 billion.

If we are going to move towards balancing the budget, Mr. Speaker, of course, we need to look at expenditures and we need to look at revenues. That is the only way you are ever going to get there. And it is the exact wrong direction to be decreasing net revenues without even talking about what expenditures you are going to cut.

Again, it would be one thing if we knew what the tradeoffs were, if this bill had an offset for the \$33 billion and we said: You know what? This is a worthy tax cut.

The gentleman made a good case for it. Of course, we want to increase deductibility of healthcare expenses. I don't think there is a single person in this body who wouldn't want to do it.

The question is: What is the tradeoff? Where is that \$33 billion going to come from?

And let's work together to find a way to pay for it. Right? I mean, let's look

at spending less on our military rather than spending more than the rest of the world combined.

You know what? If we cut just \$3 billion a year from our bloated military budget, we could fully pay for this tax cut. Sign me up, Mr. Speaker. That would be paid for, and I would support it.

There might be other areas that we could find to work together to pay for this tax cut, but when you are asking us, Mr. Speaker, to say: You know what? I want to pay for this tax cut by mortgaging your children's future, you are not going to get a lot of takers among us fiscally responsible Democrats.

I guess Republicans don't care about the deficit, don't care about mortgaging the future, don't care about leaving our kids further in debt. But you know what? Democrats do. That is why I oppose this bill. Our children are already inheriting an enormous legacy of debt. The last thing we should be doing is adding \$33 billion more to that.

I have nothing against this particular expenditure. If there is a way to pay for it, we could do that. We could work with Republicans on it. I would be happy to work with Republicans on it. There are always tradeoffs in life. Nothing comes free. There is no expenditure that is free. There is no reduction in revenue that is free. A dollar is a dollar. Families across our country know that when they are balancing their checkbooks at the end of the month. They know that if they spend more money or they get a bonus at work, it goes into the same pot. And if they get a cut in their salary, that means they have less money to spend.

That is what it should mean to this Congress. If we are going to be taking in \$33 billion less, we should spend \$33 billion less. We should pay for any tax cut or expenditure on the revenue side and make sure that it doesn't go to mortgaging our children's future by increasing our already bloated budget deficit and contributing to our national debt.

If it wasn't so serious, Mr. Speaker, it would almost be humorous when we hear around raising the debt ceiling time from our Republican friends, Oh, we don't want to increase the debt ceiling, oh, no. The debt ceiling. The debt ceiling. We are not going to increase the debt ceiling.

Well, you know why the debt ceiling reaches its cap, Mr. Speaker?

The reason the debt ceiling needs to be increased is because Congress spends more than it has.

It is too late to complain after the fact, Mr. Speaker. It is too late to complain after the fact. If you, Congress, spend more than you take in, yes, you are going to need to increase the debt ceiling. It is not rocket science. I think even my kindergartener could do the

math. It is addition and subtraction. Yet here we are saying: You know what? Let's cut government revenues by \$33 billion.

Well, you know what, Mr. Speaker?

If this bill were to become law, we would reach the debt ceiling even earlier. And, of course, Congress would have to blow the lid on the debt ceiling and increase the national debt. It is math. It is simple math, Mr. Speaker, and families across our country understand simple math. They balance their checkbooks.

My home State of Colorado requires a balanced budget every year, just as many other States across the country do. I support a balanced budget amendment here. I think that Congress, like families across our country, like our States, should balance our budget. But even in the absence of that requirement, Congress should act responsibly to do it. And this bill is the opposite. It increases our deficit by over \$30 billion. It doesn't pay for it. It mortgages our children's future for a tax expenditure today. It is the wrong way to go for our country.

So while, of course, my Democratic colleagues and I share concern about ensuring access to affordable health care and would be happy to talk about tradeoffs that are involved with any reduction in revenues, H.R. 3590 is simply not the way to do it.

I strongly urge my colleagues to vote "no" and defeat the previous question and to vote "no" on this restrictive, misguided rule.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is perhaps a fundamental, philosophic difference between the gentleman and myself. Taxes that are taken from people are just that: it is money that is taken from people under penalty of law. These are not expenditures of the government that we are talking about. We are talking about taking people's money from them, sometimes forcibly. And in this case, in order to fund what?

Well, I don't know how many people here remember when the Affordable Care Act passed late that night in March of 2010. I don't know how many people were paying attention to section 9013 of the law, for which they either voted "yea" or "nay." But let me just remind people what section 9013 said.

Mr. Speaker, this is one of the underlying problems that the Affordable Care Act has had since the get-go. You ask yourself: Why is a law that is giving people stuff so marginally unpopular? And why has that unpopularity persisted over all of this time?

Well, one of the reasons for that is the coercive nature of the Affordable Care Act. I mean, the fact that there is an individual mandate: You have to buy it, or we are going to penalize you through the Tax Code.

But one of the other reasons was the very duplicitous way in which this bill was passed: We are going to give you stuff today, and then we are going to figure out kind of how to pay for it later.

But just listen to the language of section 9013 that was voted on in this House late in the night in March of 2010:

"(a) In General.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking '7.5 percent' and inserting '10 percent'."

Okay. Well and good. We follow that. That is what we have been discussing.

The next section:

"(b) Temporary Waiver of Increase for Certain Seniors.—Section 213 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection"—okay. And now here comes the new subsection:

"(f) Special Rule for 2013, 2014, 2015, and 2016.—In the case of any taxable year beginning after December 31, 2012, and ending before January 1, 2017, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent' if such taxpayer or such taxpayer's spouse has attained age 65 before the close of such taxable year.'"

Mr. Speaker, if there was ever a case of hide the ball, if there was ever a case of let's not be honest with people about what we are actually passing, this bill was it.

So today we are going to consider a bill from the gentlewoman from Arizona (Ms. MCSALLY) to protect seniors from this tax increase that is on automatic pilot. The skids are greased, and it is going to hit people January 1, 2017, if the Congress doesn't do something.

Mr. Speaker, today's rule provides for the consideration of an important bill to undo one of the most harmful tax increases on the middle class created by the Affordable Care Act.

I want to thank Ms. MCSALLY for this legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 858 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1434) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in

the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1434.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee

on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 5620, VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 859 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 859

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment,

and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 859, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward, on behalf of the Rules Committee today, this rule that provides for consideration of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016.

The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Veterans' Affairs Committee and also provides a motion to recommit.

Additionally, the rule makes in order several amendments, representing ideas from both sides of the aisle. Yesterday the Rules Committee received testimony from the chairman and ranking member of the Veterans' Affairs Committee and heard from numerous Members on behalf of amendments offered.

H.R. 5620 includes provisions of the House-passed versions of H.R. 1994, the VA Accountability Act; H.R. 280, the legislation related to bonuses paid to VA employees; language from H.R. 5083, the VA Appeals Modernization Act; and H.R. 4138, legislation related to relocation payments for VA employees.

The VA Accountability First and Appeals Modernization Act continues efforts by this Congress to reform the VA and address the bureaucratic mess that has plagued its operations for far too long.

□ 1315

The bill builds on meaningful steps to restore accountability to the Department of Veterans Affairs and ensure it is appropriately providing veterans with the resources and care they deserve.

We have heard time and time again that the Department of Veterans Affairs has failed to hold individuals accountable for their actions. In the circumstances when the VA has tried to take appropriate disciplinary action against an employee, the process is rarely efficient or meaningful. That is just simply unacceptable, Mr. Speaker.

In fact, a recent study done by the GAO found that on average it takes 6 months to a year—or even longer—to remove a permanent civil servant in the Federal Government. This is ridiculous on its own. Imagine a private business having underperforming employees but not being able to remove them from their positions and, in some circumstances, even being forced to give them raises or bonuses.

Examples range from the typical poor-performing employee to the absurd. Projects continue to be mismanaged and cost overruns abound. Then there are the cases bordering on the absurd.

In one case, the VA helped a veteran, who was an inpatient of the substance abuse clinic, purchase illegal drugs. This employee continued to work at the VA for over a year before removal proceedings even started. Mr. Speaker, did you catch that? It was a year before the proceedings even started. This is amazing.

Another VA employee, a nurse in this case, showed up to work intoxicated and participated in a veteran's surgery while under the influence. Yet another VA employee participated in an armed robbery.

This behavior would not slide in the private sector, and we certainly shouldn't stand for it when it comes to our Nation's heroes who have put their lives on the line to serve our country.

VA officials have even stated in testimony that the process for removing employees is too difficult and lengthy. This means that problem employees continue to work for the VA and interact with veterans. These employees aren't providing services to the agency, and they aren't providing services to our Nation's veterans.

Employees like this need to be removed in a timely way. At the very least, employees need to receive discipline appropriate to the misconduct in a way that discourages poor performance or behavior in the future, but that is just not happening right now.

Let me be clear—and I want to again emphasize because it may even come up here in just a moment—this is not a broadside attack on all VA employees. This is not something that says that all VA employees are bad. In fact, it is far from it.

My office, Mr. Speaker—yours as well, and many others—deal with the VA in a very constructive way, helping many of our veterans get what they need. There are hardworking and wonderful individuals at the VA who are doing all they can to help our Nation's veterans. In northeast Georgia, my office has a good working relationship with our local VA and especially in Augusta and Atlanta in the places we need.

This is not an issue of all of the employees. In fact, we have actually heard from employees of the VA. They say we need these changes because they are tired of being dragged down by the anchors of the bad employees.

Those employees who are doing work well, they are just hindered by this bureaucracy—and it has got to stop—by a system that fails to remove or discipline those poorly performing counterparts. That is not fair to these hardworking individuals who are, in fact, doing their jobs. Most importantly, it is not fair to the veterans. But I am going to take it a step further as well—it is not fair to the taxpayers.

That is why this bill, the VA Accountability First and Appeals Modernization Act, will take steps to address this problem. The bill will provide improved protections for whistleblowers. It will restrict bonuses for supervisors who retaliate against whistleblowers and strengthen accountability of VA senior executive service employees.

It would expand senior executive service removal authority and create an expedited removal system that would include an appeals process. It would also eliminate bonuses for VA senior executive service employees for 5 years and streamline authority for the Secretary of the VA to rescind employee bonuses. I wish these steps weren't necessary, but the ongoing problems plaguing the VA demand strong action.

Our veterans deserve better, and we have to take steps to be served by this agency that is supposed to be providing them assistance.

In addition to the problems with the VA employee misconduct, the VA's current appeals process is unquestionably broken. As of June 1, 2016, there were almost 457,000 appeals pending in the VA, an increase of over 80,000 pending appeals from the preceding year. In fact, in the Atlanta regional office, there are about 16,500 appeals pending with an approximate 3-year wait time; and the backlog is growing. Caseworkers in my Gainesville office have been told that cases from 2013 are, in some cases, just getting on the desk of VA employees.

Appeals issues are the most common types of cases that my district office sees. We have some great caseworkers in my Georgia office, but they are not able to speed up the process. They only

help navigate the red tape and bureaucracy.

My office is always willing to help veterans in need, and we stand by ready to help when we can. But it shouldn't take a congressional office to get answers from the VA. The VA should be answering veterans in a timely manner. This process needs to be fixed. As a current, still active member of the United States Air Force Reserve, this is just not what we need.

Mr. Speaker, could you think about what we could do with our caseworkers if they were not bogged down in this kind of inefficiency dealing with the VA that we have addressed in this Congress on other occasions with funding and with other issues, and they are still dealing with this?

When a veteran appeals a claim, they shouldn't have to wait for years for an answer. But the current system has led to a backlog that leaves many veterans in limbo.

This bill takes steps in the right direction. H.R. 5630 would streamline the appeals process and help clear the massive backlog of appeals currently stuck and clogging the system.

Under the bill, veterans will be able to obtain faster decisions and will be able to retain the original effective date of their claims throughout the appeals process. It will protect veterans' due process rights while updating the antiquated appeals process for VA disability benefits.

This is a good bill, Mr. Speaker. It is something that we need to address. We can make all the excuses in the world we want. We have funded this. As my Senator from Georgia has stated, who is the chairman of the Senate Veterans' Affairs Committee, money is no longer the biggest issue. They have the resources, and they have the will of the Congress. The question is: Will we give them the tools and will the Secretary, more importantly, actually act upon those? That, I have questions about, but we are here today to pass this rule and to get this bill to help those who need help the most, and that is our veterans.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia. I want to point out that with regard to procedures and regular order and how this body works, there is a difference between these two bills, the one that I discussed previously under the other rule and this one. The deficit bill, the \$30 billion increase in the deficit that the Republicans want to do, that came through what we call regular order, meaning it was marked up in the Ways and Means Committee. That is normally how things work around here. A bill goes through committee, then it comes to the Rules Committee, and then it goes to the floor.

This bill, however, sort of magically appeared in Rules Committee. It didn't

go through the committee of jurisdiction which, at the very least, would include the Veterans' Affairs Committee. It might include other committees as well. It simply appeared and was referred to the floor. So what that means is Members of Congress and a committee did not have a chance to amend it. We don't even know if it would have had a vote in committee and whether it cleared committee. Instead, it just sort of appeared right now.

So, look, we all deeply care, of course, about veterans. I agree with much of what my colleague from Georgia said about the need for the VA to do better.

In Colorado, I have been very involved with our long-overdue, new veterans hospital in Aurora. We have been working many years on getting this completed. In fact, delays have cost taxpayers over \$300 million. It continues to leave many who served in our Armed Forces, including many of my constituents, without the convenient, quality care that they were promised.

So I join my colleagues, Mr. PERLMUTTER, Mr. COFFMAN, and many others from our entire Colorado delegation, in, of course, wanting to improve the quality of services at the VA. We had issues as well with fraudulent overbilling and mislabeling of the amount of time that patients waited out of our Fort Collins facility.

There are a number of problems with this bill, but one of them that I want to briefly mention is that it can actually lead to less accountability in the VA because it could lead to the punishment of whistleblowers, of employees who speak up against mismanagement.

When you are looking at passing a thoughtful human resources policy or personnel policy—and I don't dispute that we need to work with the VA to come up with a better way of doing it—you want to make sure that somebody who is a whistleblower is adequately protected. If somebody comes forward and says, you know what, we are doing mislabeling of timesheets, or, you know what, I know why this project is \$300 million over budget, and this might be because of X, Y, or Z, it doesn't always rise to the Federal level of whistleblower.

We just want good employees to not feel that they can be fired for coming forward with the truth about misconduct. This bill does not do that. In fact, it will make those who have useful information that can lead to systemic improvements at the VA more hesitant to come forward with that information.

The bill removes a due process protection for VA employees and reduces the amount of time they have to respond to a termination by two-thirds, from 30 days to 10 days. We all want to move expeditiously, but it seems like 30 days is a reasonable timeframe. There is no evidence given as to why

that 20-day reduction is needed. I haven't heard any.

It also eliminates a requirement that supervisors provide specific examples of poor performance when an employee is terminated—of course, there should be reasons given—opening the door for unnecessary firings and leaving VA employees with no recourse or rebuttal.

In any organization, employee morale is critical. And to create an environment of paranoia in any enterprise—a company, an agency—is not conducive to furthering the mission. Creating this kind of uncertainty and chaos from a personnel perspective within the VA would likely only make our services to veterans even harder to provide and worse by decreasing employee morale, therefore, making it harder to attract the type of quality caregivers and administrators that we need to facilitate the VA program.

Look, this bill is an attempt to make long-overdue reforms. I wish that it was a thoughtful, bipartisan attempt. I wish it had gone through committee. I wish the committee had worked on it, marked it up, and reported it out with bipartisan support; but that is not what has happened here.

This bill appeared at the last minute, throws away basic rights of employees, reduces morale, endangers whistleblowers, and does very little to improve the quality of services of the VA or, frankly, the accountability of the employees of the VA, both at the management level and at the worker level.

Like a lot of ideas that we debate here, of course, there is a kernel of an idea here. Yes, we want to work together to reform the VA. We agree with that. My colleague from Georgia gave a lot of reasons. I could give my own. I mentioned the price overrides in our hospital in Aurora. I have mentioned the manipulated timesheets in Fort Collins. I have mentioned, like my colleague from Georgia, just the individual cases where I have had constituents that we have had to help navigate an overly complex bureaucracy and they shouldn't have to go to their Member of Congress.

For men and women who have served our country, for men and women who were injured in the line of duty, for men and women who are disabled from a service-related injury, we owe them our very best. They stood up and defended our freedom, and we owe them all the highest quality of care to take care of them through our VA system, or through Veterans Choice, and the other types of programs that serve our veterans' community. Of course, we need to reform and do better in the VA.

Again, rather than this kind of irresponsible, appeared-out-of-nowhere magical bill that would actually penalize the very whistleblowers that we need to tell us about misconduct and would decrease morale even further in an agency where it has already been

impacted, let's start fresh. Let's work together. Let's go back to committee. Let's come up with a thoughtful approach to improving the VA. And let's make this happen.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, this has to be the slowest magic trick I have ever seen in my life. This actually, as written, was introduced and also noticed for amendment 2 months ago—sort of a delay in timing. That is a pretty good magic trick. I guess in the last 2 months, you haven't had a chance to read it. Oh, well.

Mr. POLIS. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from Colorado.

Mr. POLIS. In those 2 months, why wasn't there a time for this to go through the committee process and regular order?

Mr. COLLINS of Georgia. Mr. Speaker, I reclaim my time.

The vast bulk of this bill did. H.R. 1994 passed out of this House. Frankly, this is a good bill that needs to move forward, and it is a protection of bad workers at the expense of the veterans. If you want to vote against this then that is what you are saying. You are wanting to vote to protect bad workers instead of getting the VA where it needs to go.

Sixteen whistleblower groups have said this is the strongest whistleblower protection they have ever seen. So this idea that you are punishing whistleblowers is, again, just a myth.

I just have one thing, Mr. Speaker, before I yield to the gentleman from Oregon. Thirty days to respond to showing up drunk for surgery in one of the examples that I gave? You don't need 30 days to respond to that. You need to be fired immediately. So I am not sure what the argument is here.

I will agree with my friend from Colorado that we need to fix this. I think we may have different ways to go about it. But again, at the expense of the good workers at the VA, we need to address this.

I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

□ 1330

Mr. WALDEN. Mr. Speaker, I thank my good friend and the gentleman for yielding and for his comments. You are so spot on.

On Saturday morning in Medford, Oregon, I met with about 40 veterans who are furious about the delays in getting access to care, and the fact that they can't maintain providers at the local facility. And, by the way, that is not unique just there. I don't know about you, but I am hearing all across my district, all across Oregon, that these clinics and hospitals are having trouble recruiting people, keeping people. Morale is already bad, and part of it is because there is this lack of discipline.

I agree, Mr. COLLINS, that if you are a surgeon and you showed up drunk for the surgery, we are going to give you 30 days to dry out and explain yourself? Are you kidding me? If you were a pilot and showed up drunk for the flight, I can tell you what happens, right? You are done. And so this is part of the problem.

The people I represent, the veterans, as you say, the men and women who have fought for our freedom, as you have done, they want action, not delay. They want access to care in a timely manner. Everything in this bill, interestingly enough, came up in our discussion from them. How come you are paying bonuses to people that aren't doing their job? Why do they get bonuses at all? Isn't that what we pay them to do? This bill fixes that. Why is it when we raise complaints internally, you know, there is retribution? This bill protects whistleblowers. Why isn't there more transparency about what happens inside the VA? This bill gets at that.

Accountability and transparency will lead us to a better VA, and the dedicated men and women who work in those facilities will feel better about their organization if they know the people who are letting down the veterans that are around them are somehow held accountable. That is true in any organization. I was a small-business owner for 21 years with my wife. This wasn't a you show up drunk on the job and we will talk about it in a month. That is not how this works, and nobody expects that kind of thing.

So, look, we need to reform the VA. We need to take care of our men and women in uniform. We need to claw back the bonuses. We need to get this ship righted. We have helped 5,000 veterans out of my office over the last number of years—5,000.

Ask yourself this: Why do we all have to have staff in our district offices to help veterans work their way through the bureaucracy to get the help that they have earned and deserve? Yet we all do because we care and we want to help. But somewhere you have to back up and go: Why do we all have to hire people to help these veterans get to that point? That shouldn't be necessary. They ought to be embraced by the agency. They ought to be cared for immediately, and it should be a complete last resort that they have to actually track down their Member of Congress to say: "Can you help bust through the bureaucracy because my loved one doesn't get access to care?" or "I can't get access to care."

This is fundamentally a broken system that needs repair. I think we all agree on that. That is not a partisan issue. None of this should be. We should protect whistleblower rights. This bill does that. We should recoup the bonuses when they were given to undeserving employees, and we should

increase transparency. But most of all, we should start with what matters most, and that is the veteran, and build everything out from there. That should be our foremost commitment and our starting place, what is best for that veteran and that veteran's family.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I thank the gentleman from Colorado, and I want to thank the gentleman from California (Mr. TAKANO), my colleague and the ranking member, for his work on this important issue as well.

Mr. Speaker, I was disappointed to see that my amendment was not made in order. I would like to take this opportunity, really, to expand on something the gentleman from Oregon (Mr. WALDEN) had to say.

Congressman TAKANO and I had simply offered an amendment that would ensure we could improve the process for removing employees for misconduct or performance that warrants removal. It is reprehensible, and it ought to take action.

This amendment that we introduced mirrored legislation introduced by our colleagues Senator JOHNNY ISAKSON and Senator RICHARD BLUMENTHAL. They have developed, by contrast, a bipartisan bill, the Veterans First Act, which will be a critical step to achieving true accountability that the VA so desperately needs to be an efficient agency for the men and women who serve this Nation. It has more than 44 cosponsors, including Senator BOOZMAN, Senator BLUNT, Senator ROUNDS, Senator DAINES. All have supported language that we merely requested be in the bill to improve accountability at the VA that is sorely needed, while also protecting—and we have heard this a lot from our colleagues on the other side—due process: the due process of the whistleblower, the due process of people who are employed in the Federal Government.

We have a bipartisan-supported bill in the Senate that will take much-needed steps for comprehensive due process and accountability within the VA. This is what the American people despise. Here we are in total agreement on what we need to do with veterans, but because of talking points, in the House we are at a difference for political messaging. We shouldn't make veterans the point of political messaging.

We ought to make sure that the veterans get the kind of service that they need, and when we have a bill in the Senate that is bipartisanship approved and accepted and does just that, that is the kind of bill that we ought to embrace.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do appreciate my friend from Connecticut, and the issue

was there were two Takano amendments. One is made in order that does a similar thing, but also to simply say that the Senate bill, which was reported out in May, has never been taken up in the Senate because they have had significant opposition to it. In fact, the only way they got it reported out was union groups and others, they had to make changes to it to get their agreement.

I think at this point we are putting veterans first, not these outside interest groups. I think we just need to understand that the Senate bill has not moved. The Senate bill, in fact, has not passed out of the Senate and shows no hope of passing out of the Senate at this point, and so why should we take that, frankly, product and come over here when we have a bill that can move.

We are offering as many of these amendments as possible. We are going to be voting on my friend from California's amendment as well today. These are the kinds of things where I think we just need to look at this bill for what it is. It is helping veterans. The bottom line is not just simply saying this is what we are doing. This is coming from VA employees, VA employees who are saying help us not be, you know, categorized with all the other things that are going on and with those that are actually bringing what we do down, and also trying to help the appeals process in this situation.

So I appreciate the words of the Members, Mr. Speaker, coming forward on this, but let's also be very honest with what is happening in both Chambers of the bicameral legislature. We have one bill over there that is not going anywhere that was reported out. We have an amendment that will be voted on today that reflects the gentleman from California's concern. We will see how that will be decided by this body. We are moving forward on a bill that will actually help, and we encourage everybody to be a part of that.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Ms. SLAUGHTER) will control the remainder of the time of the minority.

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. TAKANO), the distinguished ranking member of the Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Speaker, I thank the gentlewoman from New York for yielding me time.

Mr. Speaker, I rise in opposition to this rule and the underlying bill. All of us, Democrats and Republicans, believe in the need for stronger accountability for employees at the VA to ensure that our veterans get the care they deserve. Unfortunately, this legislation will fall short of that goal and, in doing so, set

accountability efforts back for at least a year, if not more.

Our Senate colleagues have a bipartisan bill that includes accountability provisions that could serve as a foundation for legislation in the House. It doesn't mean it is perfect; it doesn't mean in its current form it would be voted out of the Senate; but it is a far more bipartisan approach than the one that is before us today. We have an opportunity to advance language that both parties in both Chambers can agree to and would contribute to a more accountable and more effective VA.

H.R. 1994 and the current bill before us, H.R. 5620, both contain flawed accountability tools, tools which, if the VA used them, would likely result in adverse judgments in the courts and cost a lot of time and money pursuing with the likely result of those employees being reinstated.

Democrats are ready to work with the majority to find the right path forward. That is why 75 Democratic or bipartisan amendments were submitted to the Committee on Rules. Unfortunately, only 22 amendments were made in order to be considered by the full Chamber.

One of my amendments not made in order included a crucial fix to support and protect student veterans who have their education cut short by a school's abrupt closure. When a college or university like ITT Tech or Corinthian shuts its doors on short notice, student veterans enrolled at these institutions are routinely left with their GI Bill and Yellow Ribbon benefits severely weakened or even depleted and with no degree or job prospects to show for it. There is urgency to put a fix in place, and my amendment would do that.

There are no means in place for a student veteran enrolled at one of these institutions to get any part of their educational benefits restored, and many also lose their housing benefits, which student veterans depend on as a crucial source of housing support.

The bipartisan amendment I submitted with Representative SUSAN BROOKS would have restored post-9/11 GI Bill benefits and training time to veterans who are negatively affected by a school's sudden closure, and it would also allow the VA to continue paying student veterans a monthly housing stipend for a short time following a permanent school closure.

There are even more important amendments that this House won't get to consider.

Congresswoman DELBENE from Washington State offered an amendment to update the Advisory Committee on Minority Veterans, including LGBT representatives, and ensure that this committee better addresses the needs of all minorities.

My colleague, Congressman WALZ, offered an amendment to extend the

original deadline issued by the Agent Orange Act of 1991 to ensure that Vietnam veterans exposed to Agent Orange receive just compensation and care.

Another colleague on the House Committee on Veterans' Affairs, Congresswoman KUSTER, offered an amendment to help improve access to care for veterans and strengthen the healthcare workforce by creating a pilot program to train physician assistants who agree to work at the VA in underserved communities.

She also submitted an amendment to address the opioid crisis by creating a pilot program that improves pain management for veterans suffering from opioid addiction and chronic pain. It also requires the VA to assess its ability to treat opioid dependency. It also requires increased access to opioid overdose reversal medication at VA facilities.

Access to care and reducing opioid addiction are some of the most pressing issues facing veterans today, yet neither of her amendments were made in order.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. TAKANO. Instead, the majority has once again introduced a partisan bill that violates the due process rights of VA employees and includes several provisions that are likely to be overturned by our justice system, which is why the Department of Justice, Office of Personnel Management, and the VA itself have all raised serious objections.

Even though 30 percent of VA employees are veterans themselves, the majority is treating their constitutional rights as inconvenient obstacles to evade instead of fundamental civil service protections to uphold.

Finally, I believe that the majority's efforts to institute new whistleblower provisions would be overturned for the same reason that the U.S. Attorney General's office said it would not defend an unconstitutional section of the Choice Act. It violates the Appointments Clause in the Constitution by allowing lower level government employees to have the final decisionmaking authority to decide whether an employee will be fired.

These are more than minor legal concerns. They are reasons why VA employees who commit misconduct will not be held accountable when their terminations are challenged in court. We can pass H.R. 5620, but we will be right back here a year from now or 2 years from now when the law is deemed unconstitutional.

I urge my colleagues to oppose the rule and the underlying bill.

□ 1345

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I feel for the passion of my friend from California, but let's also get back to some issues of fact here. His amendment that was not made in order would not have helped the ITT Tech students. In fact, the VA itself has already said it wouldn't. By the way, it also costs \$50 million. It wouldn't help the very ones we are claiming it would help, but the VA says this, not us.

Again, are we wanting to help somebody or make, again, a political statement about a bill that you are trying to figure out a way to vote against?

Maybe that is what we are doing here.

Also, this issue of bipartisanship. Thirty pieces of legislation have been passed on VA, of which 29 have had Democrat or bipartisan provisions added in them in this Congress. By the way, the Senate has passed none of those. If you want to know who is actually working to fix the problems in the VA, it is the House.

To keep bringing up and having a baseline and say we need the baseline of a Senate bill that can't move, I mean, that is like saying that I still want to play football for the Atlanta Falcons. It is not happening. It is a great, I guess, aspirational goal, but they haven't called me lately.

So let's move something that actually works. This idea that it is going to be struck down in court, I am an attorney; it is conjecture. You don't have a ruling that says that. You can say it all you want. I can go to the good judge from Texas, Mr. Speaker. Nobody has made a ruling. So it is conjecture. It sounds good in an argument if you are trying to find a reason to vote against it.

This bill would harm veterans because veterans make up 35 percent of the VA's workforce. This one is the one that bothers me a little bit. As someone who still serves, when you go through training and you work—and many in this room have served—you are trained in the military to the highest expectations of your service every day. And if you are forced to work with people who do not live up to those expectations, then the immediate punishment in the military is real, severe, and actual. This is ridiculous. We are lowering the standard for appeal when you have done something.

There has been this argument that we are just picking on the low-level employees. No, it is not. It is for everyone all the way up the chain.

In my own home State, Mr. Speaker, we had a gentleman who was directly implicated in the scheduling issues in Augusta and asked for a transfer to Atlanta because he was not liking the working conditions in Augusta. He should have never got a transfer to Decatur. He should have been fired and prosecuted.

Now, if we want to keep coming up with reasons to vote against this bill, fine and dandy. Keep it up.

When we look at the honesty here of the questions and we look at how we are discussing this and some of the amendments that were made in order, let's go back to the amendments. Sixteen Democrat amendments made in order, five Republican, one bipartisan. Many of the applications had dual meaning. They were doing basically the same thing, so we made some in order. And then some of the amendments that were not made in order would not have done what they said they were going to do anyway.

So we are about a rule, about a bill. If you want to vote against it, if you would rather put the appeals process of bad employees ahead of VA actual services and veterans who need it, then vote against it. But you just framed it.

Go spin that one to your local veterans service organizations who support these kinds of measures. Go spin that one to them. It is not going to work. They are not buying it. I have been there for a while.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is not a serious proposal to reform the Department of Veterans Affairs, although we certainly know that needs to be done. I think a major bill should be in order to get that done. And the Veterans Administration is vastly overstretched and we are concerned for the safety and healing of the veterans. My personal hope is that we can get them out of the building business and just do the business of taking care of veterans' health and concerns.

We should also be voting on a bill that includes the funding that we need to address the Zika virus. The head of the Centers for Disease Control, Tom Frieden, recently warned that, "The cupboard is bare. Basically, we are out of money and we need Congress to act."

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would fully fund the administration's request to address this public health crisis. This request was made more than 7 months ago to help combat the spread of this virus, when I think we would have done better to control it and accelerate research into finding a vaccine. We have, instead, just been left behind in trying to get caught up on some of that. Over that time, the virus is spreading at an alarming rate, as the range of mosquito transmission far exceeds the initial estimates. It is beyond time for us to finally act. Just today, I read that they have discovered that the Zika virus can cause brain damage to adults, not just to fetuses.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extra-

neous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote "no" on ordering the previous question, the rule, and the underlying bill.

Mr. Speaker, I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I guess, as they always try to say, you start off with something positive. So I will start with positive.

I agree with the gentlewoman from New York: they need to get out of the building business. They have proved totally incompetent. I agree completely. But then let's get back to the bill. Let's get back to what we have talked about.

What is amazing to me in this whole rules debate, and I am sure will happen in the general debate on this bill, is there is going to be a lot of reasons given to vote "no" and to say this due process or this employee or that. But the bottom line is, when you look at the evidence, I understand we all have constituencies that have different opinions, but at the Veterans Administration there is only one constituency that matters, and that is the veteran who has served, who is to be served, and to have their dedication honored.

To actually come before this body and advocate for a bill that can't pass the Senate after it has been watered down, that can't move forward, to advocate to say that we are making every excuse in the world like, You are going to make them at-will employees at the VA—I heard this last night. No, you are not. There is still the same hiring programs. It is just that, if you do something wrong, there is going to be a process to actually remove you. Frankly, Mr. Speaker, if the Secretary at the VA can't do the things he should do, then maybe he should be removed.

At this point in time, this House and the Senate, this Congress, and even this administration, have acted. We have provided funds, we have provided resources, and we have provided direction. But you cannot continue to keep building on a faulty foundation. If you can't get rid of the bad actors in this, if you can't have an appeals process in which somebody can get an answer in a shorter time than 3 years, there is a problem.

Here is the framing of that, Mr. Speaker. If you believe that is okay, then vote "no" on the previous question, vote "no" on the rule, and vote "no" on the bill. If you think the Senate can pass something, wait for them. But as they say, for such a time as this, you have a moment. It is a mo-

ment of choosing. It is a time to decide: Are we going to continue to make excuses or are we going to put the veterans first—and those veterans who actually work within the VA system, who are tired of watching others abuse it?

To actually say, again, Mr. Speaker, that you are going to harm the veterans who work for the VA by disciplining bad employees is an affront to every veteran who works at the VA, every Active Duty servicemember, every reservist and guardsman who have lived to the highest standards of honor and integrity and doing their job.

There are bad actors everywhere, even in the military; and when found, they are handled efficiently and quickly. That exists everywhere else except here.

So if you want to continue the status quo, then make speeches. If you want to move something forward and work toward a solution, then you vote "yes" on the previous question, you vote "yes" on the rule, and you vote "yes" on the bill.

Then you can go home to your veterans service organizations and people trying to get help and say: I tried to move something. I am actually moving for you.

Or you can go back and say: You know, I am protecting the employees and the unions and the appeals process and due process while all at the point in time our veterans are dying because they can't get services.

Easy choice, Mr. Speaker. Easy choice.

With that, I challenge my colleagues to continue to work on this issue. We can disagree, but that disagreement should never stop us from helping the veterans who need help to lower their appeals time, to get the sufficient organization that they deserve and this country deserves. Not just our veterans, but our taxpayers, the citizens who look up to this Government, they deserve a functioning, operating system that meets the needs to the highest integrity that they have been given charge to.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 859 OFFERED BY
MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee

on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 859, if ordered; ordering the previous question on House Resolution 858; and adopting House Resolution 858, if ordered.

The vote was taken by electronic device, and there were—yeas 237, nays 170, not voting 24, as follows:

[Roll No. 498]

YEAS—237

Abraham	Collins (NY)	Goodlatte
Aderholt	Comstock	Gosar
Allen	Conaway	Gowdy
Amash	Cook	Granger
Amodei	Costello (PA)	Graves (GA)
Babin	Cramer	Graves (LA)
Barletta	Crawford	Graves (MO)
Barr	Crenshaw	Griffith
Barton	Culberson	Grothman
Benishek	Curbelo (FL)	Hanna
Bilirakis	Davidson	Hardy
Bishop (MI)	Davis, Rodney	Harper
Bishop (UT)	Denham	Harris
Black	Dent	Hartzler
Blackburn	DeSantis	Heck (NV)
Blum	Diaz-Balart	Hensarling
Bost	Dold	Herrera Beutler
Boustany	Donovan	Hice, Jody B.
Brady (TX)	Duffy	Hill
Brat	Duncan (SC)	Holding
Bridenstine	Duncan (TN)	Hudson
Brooks (AL)	Ellmers (NC)	Huelskamp
Brooks (IN)	Emmer (MN)	Huizenga (MI)
Buchanan	Farenthold	Hultgren
Buck	Fitzpatrick	Hunter
Bucshon	Fleischmann	Hurd (TX)
Burgess	Fleming	Hurt (VA)
Byrne	Flores	Issa
Calvert	Forbes	Jenkins (KS)
Carter (GA)	Fortenberry	Jenkins (WV)
Carter (TX)	Fox	Johnson (OH)
Chabot	Franks (AZ)	Jolly
Chaffetz	Frelinghuysen	Jones
Clawson (FL)	Garrett	Jordan
Coffman	Gibbs	Joyce
Cole	Gibson	Katko
Collins (GA)	Gohmert	Kelly (MS)

Kelly (PA)	Newhouse	Shimkus
King (IA)	Noem	Shuster
King (NY)	Nugent	Simpson
Kinzinger (IL)	Nunes	Smith (MO)
Kline	Olson	Smith (NE)
Knight	Palmer	Smith (NJ)
Labrador	Paulsen	Smith (TX)
LaHood	Pearce	Stefanik
LaMalfa	Perry	Stewart
Lamborn	Pittenger	Stivers
Lance	Pitts	Stutzman
Latta	Poe (TX)	Thompson (PA)
LoBiondo	Poliquin	Thornberry
Long	Posey	Tiberi
Loudermilk	Price, Tom	Tipton
Love	Ratcliffe	Trott
Lucas	Reed	Turner
Luetkemeyer	Reichert	Upton
Lummis	Renacci	Valadao
MacArthur	Ribble	Walberg
Marchant	Rice (SC)	Walden
Marino	Rigell	Walker
Massie	Roby	Walorski
McCarthy	Roe (TN)	Walters, Mimi
McCaul	Rogers (AL)	Weber (TX)
McClintock	Rogers (KY)	Webster (FL)
McHenry	Rohrabacher	Wenstrup
McKinley	Rokita	Westerman
McMorris	Rooney (FL)	Westmoreland
Rodgers	Ros-Lehtinen	Williams
McSally	Roskam	Wilson (SC)
Meadows	Ross	Wittman
Meehan	Rothfus	Womack
Messer	Rouzer	Woodall
Mica	Royce	Yoder
Miller (FL)	Russell	Yoho
Miller (MI)	Salmon	Young (AK)
Moolenaar	Sanford	Young (IA)
Mooney (WV)	Scalise	Young (IN)
Mullin	Schweikert	Zeldin
Mulvaney	Scott, Austin	Zinke
Murphy (PA)	Sensenbrenner	
Neugebauer	Sessions	

NAYS—170

Adams	Doyle, Michael	Lofgren
Aguilar	F.	Lowenthal
Ashford	Edwards	Lowey
Bass	Ellison	Lujan Grisham
Beatty	Engel	(NM)
Becerra	Eshoo	Lynch
Bera	Esty	Maloney,
Beyer	Farr	Carolyn
Bishop (GA)	Foster	Maloney, Sean
Blumenauer	Frankel (FL)	Matsui
Bonamici	Fudge	McCollum
Boyle, Brendan	Gabbard	McDermott
F.	Galleo	McGovern
Brown (FL)	Garamendi	McNerney
Brownley (CA)	Graham	Moore
Bustos	Grayson	Moulton
Butterfield	Green, Al	Murphy (FL)
Capps	Green, Gene	Nadler
Capuano	Grijalva	Napolitano
Cárdenas	Gutiérrez	Neal
Carney	Hahn	Nolan
Carson (IN)	Hastings	Norcross
Cartwright	Heck (WA)	O'Rourke
Castro (TX)	Higgins	Pallone
Chu, Judy	Himes	Pascarella
Clark (MA)	Honda	Perlmutter
Clarke (NY)	Hoyer	Peters
Clay	Huffman	Peterson
Cleaver	Jackson Lee	Pingree
Clyburn	Jeffries	Pocan
Cohen	Johnson (GA)	Polis
Connolly	Johnson, E. B.	Price (NC)
Conyers	Kaptur	Quigley
Cooper	Keating	Rangel
Courtney	Kelly (IL)	Rice (NY)
Crowley	Kennedy	Richmond
Cuellar	Kildee	Roybal-Allard
Cummings	Kilmer	Ruiz
Davis (CA)	Kind	Ruppersberger
Davis, Danny	Kuster	Ryan (OH)
DeFazio	Langevin	Sánchez, Linda
DeGette	Larsen (WA)	T.
Delaney	Larson (CT)	Sanchez, Loretta
DeLauro	Lawrence	Sarbanes
DelBene	Lee	Schakowsky
DeSaulnier	Levin	Schrader
Deutch	Lewis	Scott (VA)
Dingell	Lieu, Ted	Scott, David
Doggett	Lipinski	Serrano
	Loeback	Sherman

Sinema Titus Visclosky LoBiondo Peterson Smith (NE) Tonko Vela Watson Coleman
Sires Tonko Walz Long Pittenger Smith (NJ) Torres Velázquez Welch
Slaughter Torres Wasserman Smith (TX) Smith (TX) Tsongas Visclosky Wilson (FL)
Smith (WA) Tsongas Schultz Love Poe (TX) Stefanik Steward Van Hollen Wasserman Yarmuth
Speier Van Hollen Waters, Maxine Lucas Poliquin Steward Vargus Vargus Vargus
Swalwell (CA) Vargas Watson Coleman Luetkemeyer Posey Stivers
Takano Veasey Welch Lummis Price, Tom Ratcliffe
Thompson (CA) Vela Wilson (FL) MacArthur Marchant Reed
Thompson (MS) Velázquez Yarmuth Maro Reicher Tiberi
Thompson (PA) Thornberry

NOT VOTING—24

Brady (PA) Hinojosa Payne
Castor (FL) Israel Pelosi
Cicilline Johnson, Sam Pompeo
Costa Kirkpatrick Rush
DesJarlais Luján, Ben Ray Schiff
Duckworth (NM) Schiff
Fincher Meeks Sewell (AL)
Guinta Meng Wagner
Guthrie Palazzo

□ 1419

Mr. LOEBSACK and Mrs. NAPOLITANO changed their vote from “yea” to “nay.”

Mr. ZINKE changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 169, not voting 21, as follows:

[Roll No. 499]

YEAS—241

Abraham Costello (PA) Grothman
Aderholt Cramer Hanna
Allen Crawford Hardy
Amash Crenshaw Harper
Amodei Culberson Harris
Babin Curbelo (FL) Hartzler
Barletta Davidson Heck (NV)
Barr Davis, Rodney Hensarling
Barton Denham Herrera Beutler
Benishek Dent Hice, Jody B.
Bilirakis DeSantis Hill
Bishop (MI) Diaz-Balart Holding
Bishop (UT) Dold Hudson
Black Donovan Huelskamp
Blackburn Duffy Huizenga (MI)
Blum Duncan (SC) Hultgren
Bost Duncan (TN) Hunter
Boustany Ellmers (NC) Hurd (TX)
Brady (TX) Emmer (MN) Hurt (VA)
Brat Farenthold Issa
Bridenstine Fitzpatrick Jenkins (KS)
Brooks (AL) Fleischmann Jenkins (WV)
Brooks (IN) Fleming Johnson (OH)
Buchanan Flores Jolly
Buck Forbes Jones
Bucshon Fortenberry Jordan
Burgess Foxx Joyce
Byrne Franks (AZ) Katko
Calvert Frelinghuysen Kelly (MS)
Carter (GA) Garrett Kelly (PA)
Carter (TX) Gibbs King (IA)
Chabot Gibson King (NY)
Chaffetz Gohmert Kinzinger (IL)
Clawson (FL) Goodlatte Kline
Coffman Gosar Knight
Cole Gowdy Labrador
Collins (GA) Granger LaHood
Collins (NY) Graves (GA) LaMalfa
Comstock Graves (LA) Lamborn
Conaway Graves (MO) Lance
Cook Griffith Latta

Adams Edwards
Agullar Ellison
Ashford Engel
Bass Eshoo
Beatty Esty
Becerra Farr
Bera Foster
Beyer Frankel (FL)
Bishop (GA) Fudge
Blumenauer Gabbard
Bonamici Gallego
Boyle, Brendan Garamendi
F. Graham
Brown (FL) Grayson
Brownley (CA) Green, Al
Bustos Green, Gene
Butterfield Grijalva
Capps Gutiérrez
Capuano Hahn
Cardenas Hastings
Carney Heck (WA)
Carson (IN) Higgins
Cartwright Himes
Castor (FL) Honda
Castro (TX) Hoyer
Chu, Judy Huffman
Clark (MA) Jackson Lee
Clarke (NY) Jeffries
Clay Johnson (GA)
Cleaver Johnson, E. B.
Clyburn Kaptur
Cohen Keating
Connolly Kelly (IL)
Conyers Kennedy
Cooper Kildee
Costa Kilmer
Courtney Kind
Crowley Kuster
Cuellar Langevin
Cummings Larsen (WA)
Davis (CA) Larson (CT)
Davis, Danny Lawrence
DeFazio Lee
DeGette Levin
Delaney Lewis
DeLauro Lieu, Ted
DeBene Lipinski
DeSaulnier Loebach
Deutch Lofgren
Dingell Lowenthal
Doggett Lowery
Doyle, Michael Lujan Grisham
F. (NM)

NAYS—169

Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schradler
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus

Smith (NE) Smith (NJ) Smith (TX) Stefanik Steward Stivers
Stutzman Thompson (PA) Thornberry Tiberi Tipton Trott Turner Upton Valadao Wagner Walberg Walden Walker Walorski Walters, Mimi Walz Weber (TX) Webster (FL) Wenstrup Westernman Westmoreland Williams Wilson (SC) Wittman Womack Woodall Yoder Yoho Young (AK) Young (IA) Young (IN) Zeldin Zinke

NOT VOTING—21

Brady (PA) Israel Payne
Cicilline Johnson, Sam Pelosi
DesJarlais Kirkpatrick Pompeo
Duckworth Luján, Ben Ray Rush
Fincher (NM) Schiff
Guinta Meeks Sewell (AL)
Guthrie Meng
Hinojosa Palazzo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1426

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3590, HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 858) providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 171, not voting 23, as follows:

[Roll No. 500]

YEAS—237

Abraham Carter (GA) Ellmers (NC)
Aderholt Carter (TX) Emmer (MN)
Allen Chabot Farenthold
Amash Chaffetz Fitzpatrick
Amodei Clawson (FL) Fleischmann
Babin Coffman Fleming
Barletta Cole Flores
Barr Collins (GA) Forbes
Barton Collins (NY) Fortenberry
Benishek Comstock Foxx
Bilirakis Conaway Franks (AZ)
Bishop (MI) Cook Frelinghuysen
Bishop (UT) Costello (PA) Garrett
Black Cramer Gibbs
Blackburn Crawford Gibson
Blum Crenshaw Gohmert
Bost Culberson Goodlatte
Boustany Curbelo (FL) Gosar
Brady (TX) Davidson Gowdy
Brat Davis, Rodney Granger
Bridenstine Denham Graves (GA)
Brooks (AL) Dent Graves (LA)
Brooks (IN) DeSantis Graves (MO)
Buchanan Diaz-Balart Griffith
Buck Dold Grothman
Bucshon Donovan Hanna
Burgess Duffy Hardy
Byrne Duncan (SC) Harper
Calvert Duncan (TN) Harris

Hartzler	McKinley	Russell	Peters	Sarbanes	Tonko	Hardy	McClintock	Royce
Heck (NV)	McMorris	Salmon	Peterson	Schakowsky	Torres	Harper	McHenry	Russell
Hensarling	Rodgers	Sanford	Pingree	Schrader	Tsongas	Harris	McKinley	Salmon
Herrera Beutler	McSally	Scalise	Pocan	Scott (VA)	Van Hollen	Hartzler	McMorris	Sanford
Hice, Jody B.	Meadows	Schweikert	Polis	Scott, David	Vargas	Heck (NV)	Rodgers	Scalise
Hill	Meehan	Scott, Austin	Price (NC)	Serrano	Veasey	Hensarling	McSally	Schweikert
Holding	Messer	Sensenbrenner	Quigley	Sherman	Vela	Herrera Beutler	Meadows	Scott, Austin
Hudson	Mica	Sessions	Rangel	Sinema	Velázquez	Hice, Jody B.	Meehan	Sensenbrenner
Huelskamp	Miller (FL)	Shimkus	Rice (NY)	Sires	Visclosky	Hill	Messer	Sessions
Huizenga (MI)	Miller (MI)	Shuster	Richmond	Slaughter	Walz	Holding	Mica	Shimkus
Hultgren	Moolenaar	Simpson	Roybal-Allard	Smith (WA)	Wasserman	Hudson	Miller (FL)	Shuster
Hunter	Mooney (WV)	Smith (MO)	Ruiz	Speier	Schultz	Huelskamp	Miller (MI)	Simpson
Hurd (TX)	Mullin	Smith (NE)	Ruppersberger	Swalwell (CA)	Waters, Maxine	Huizenga (MI)	Moolenaar	Sinema
Hurt (VA)	Mulvaney	Smith (NJ)	Ryan (OH)	Takano	Watson Coleman	Hultgren	Mooney (WV)	Smith (MO)
Issa	Murphy (PA)	Smith (TX)	Sánchez, Linda T.	Thompson (CA)	Welch	Hunter	Mullin	Smith (NE)
Jenkins (KS)	Neugebauer	Stefanik	Sanchez, Loretta	Thompson (MS)	Wilson (FL)	Hurd (TX)	Mulvaney	Smith (NJ)
Jenkins (WV)	Newhouse	Stewart		Titus	Yarmuth	Hurt (VA)	Murphy (PA)	Smith (TX)
Johnson (OH)	Noem	Stutzman				Issa	Neugebauer	Stefanik
Jolly	Nugent	Thompson (PA)	Brady (PA)	Hinojosa	Palazzo	Jenkins (KS)	Newhouse	Stewart
Jones	Nunes	Thornberry	Cicilline	Israel	Payne	Jenkins (WV)	Noem	Stivers
Jordan	Olson	Tiberi	Clarke (NY)	Johnson, Sam	Pelosi	Johnson (OH)	Nugent	Stutzman
Joyce	Palmer	Tipton	DesJarlais	Kirkpatrick	Pompeo	Jolly	Nunes	Thompson (PA)
Katko	Paulsen	Trott	Duckworth	Lujan, Ben Ray	Rush	Jones	Olson	Thornberry
Kelly (MS)	Pearce	Turner	Fincher	(NM)	Schiff	Jordan	Palmer	Tiberi
Kelly (PA)	Perry	Upton	Guinta	Meeks	Sewell (AL)	Joyce	Paulsen	Tipton
King (IA)	Pittenger	Valadao	Guthrie	Meng	Stivers	Katko	Pearce	Trott
King (NY)	Pitts	Wagner				Kelly (MS)	Perry	Turner
Kinzing (IL)	Poe (TX)	Walberg				Kelly (PA)	Pittenger	Upton
Kline	Poliquin	Walden				King (IA)	Pitts	Valadao
Knight	Posey	Walker				King (NY)	Poe (TX)	Wagner
Labrador	Price, Tom	Walorski				Kinzing (IL)	Poliquin	Walberg
LaHood	Ratcliffe	Weber (TX)				Kline	Posey	Walden
LaMalfa	Reed	Webster (FL)				Knight	Price, Tom	Walker
Lamborn	Reichert	Wenstrup				Labrador	Ratcliffe	Walorski
Lance	Renacci	Westerman				LaHood	Reed	Walters, Mimi
Latta	Ribble	Westmoreland				LaMalfa	Reichert	Weber (TX)
LoBiondo	Rice (SC)	Williams				Lamborn	Renacci	Webster (FL)
Long	Rigell	Wilson (SC)				Lance	Ribble	Wenstrup
Loudermilk	Roby	Wittman				Latta	Rice (SC)	Westerman
Love	Roe (TN)	Womack				LoBiondo	Rigell	Westmoreland
Lucas	Rogers (AL)	Woodall				Long	Roby	Williams
Luetkemeyer	Rogers (KY)	Yoder				Loudermilk	Roe (TN)	Wilson (SC)
Lummis	Rohrabacher	Yoho				Love	Rogers (AL)	Wittman
MacArthur	Rokita	Young (AK)				Lucas	Rogers (KY)	Womack
Marchant	Rooney (FL)	Young (IA)				Luetkemeyer	Rohrabacher	Woodall
Marino	Ros-Lehtinen	Young (IN)				Lummis	Rokita	Yoder
Massie	Roskam	Zeldin				MacArthur	Rooney (FL)	Yoho
McCarthy	Ross	Zinke				Marchant	Ros-Lehtinen	Young (AK)
McCaul	Rothfus					Marino	Roskam	Young (IA)
McClintock	Rouzer					Massie	Ross	Young (IN)
McHenry	Royce					McCarthy	Rothfus	Zeldin
						McCaul	Rouzer	Zinke

NAYS—171

Adams	DeGette	Kelly (IL)
Aguilar	Delaney	Kennedy
Ashford	DeLauro	Kildee
Bass	DelBene	Kilmer
Beatty	DeSaulnier	Kind
Becerra	Deutch	Kuster
Bera	Dingell	Langevin
Beyer	Doggett	Larsen (WA)
Bishop (GA)	Doyle, Michael F.	Larsen (CT)
Blumenauer	Edwards	Lawrence
Bonamici	Ellison	Lee
Boyle, Brendan F.	Engel	Levin
Brown (FL)	Eshoo	Lewis
Brownley (CA)	Esty	Lieu, Ted
Bustos	Farr	Lipinski
Butterfield	Foster	Loebsack
Capps	Frankel (FL)	Lofgren
Capuano	Fudge	Lowenthal
Cárdenas	Gabbard	Lowe
Carney	Galleo	Lujan Grisham
Carson (IN)	Garamendi	(NM)
Cartwright	Graham	Lynch
Castor (FL)	Grayson	Maloney,
Castro (TX)	Green, Al	Carolyn
Chu, Judy	Green, Gene	Maloney, Sean
Clark (MA)	Grijalva	Matsui
Clay	Gutiérrez	McCormack
Cleaver	Hahn	McDermott
Clyburn	Hastings	McGovern
Cohen	Heck (WA)	McNerney
Connolly	Higgins	Moore
Conyers	Himes	Moulton
Cooper	Honda	Murphy (FL)
Costa	Hoyer	Nadler
Courtney	Huffman	Napolitano
Crowley	Jackson Lee	Neal
Cuellar	Jeffries	Nolan
Cummings	Johnson (GA)	Norcross
Davis (CA)	Johnson, E. B.	O'Rourke
Davis, Danny	Kaptur	Pallone
DeFazio	Keating	Pascarell
		Perlmutter

NOT VOTING—23

Brady (PA)
Cicilline
Clarke (NY)
DesJarlais
Duckworth
Fincher
Guinta
Guthrie
Hinojosa
Israel
Johnson, Sam
Kirkpatrick
Lujan, Ben Ray
(NM)
Meeks
Meng
Palazzo
Payne
Pelosi
Pompeo
Rush
Schiff
Sewell (AL)
Stivers

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1432

So the previous question was ordered.
The result of the vote was announced as above recorded.

Stated against:

Ms. CLARKE of New York. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: Rollcall No. 500, “nay.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 169, not voting 23, as follows:

[Roll No. 501]

AYES—239

Calvert	Duncan (SC)
Carter (GA)	Duncan (TN)
Carter (TX)	Ellmers (NC)
Chabot	Emmer (MN)
Chaffetz	Farenthold
Clawson (FL)	Fitzpatrick
Coffman	Fleischmann
Cole	Fleming
Collins (GA)	Flores
Collins (NY)	Forbes
Comstock	Fortenberry
Conaway	Fox
Cook	Franks (AZ)
Costello (PA)	Frelinghuysen
Cramer	Garrett
Crawford	Gibbs
Crenshaw	Gibson
Culberson	Gohmert
Curbelo (FL)	Goodlatte
Davidson	Gosar
Davis, Rodney	Gowdy
Denham	Granger
Dent	Graves (GA)
DeSantis	Graves (LA)
Diaz-Balart	Graves (MO)
Dold	Griffith
Donovan	Grothman
Duffy	Hanna

NOES—169

Adams	Davis, Danny	Johnson, E. B.
Aguilar	DeFazio	Kaptur
Ashford	DeGette	Keating
Bass	Delaney	Kelly (IL)
Beatty	DeLauro	Kennedy
Becerra	DelBene	Kildee
Bera	DeSaulnier	Kilmer
Beyer	Deutch	Kind
Bishop (GA)	Dingell	Kuster
Blumenauer	Doggett	Langevin
Bonamici	Doyle, Michael F.	Larsen (WA)
Boyle, Brendan F.	Edwards	Larsen (CT)
Brown (FL)	Ellison	Lawrence
Brownley (CA)	Engel	Lee
Bustos	Eshoo	Levin
Butterfield	Esty	Lewis
Capps	Farr	Lieu, Ted
Capuano	Foster	Lipinski
Cárdenas	Frankel (FL)	Loebsack
Carney	Fudge	Lofgren
Carson (IN)	Gabbard	Lowenthal
Cartwright	Galleo	Lowe
Castor (FL)	Garamendi	Lujan Grisham
Castro (TX)	Graham	(NM)
Chu, Judy	Grayson	Lynch
Clark (MA)	Green, Al	Maloney,
Clarke (NY)	Green, Gene	Carolyn
Clay	Grijalva	Maloney, Sean
Cleaver	Gutiérrez	Matsui
Clyburn	Hahn	McCormack
Cohen	Hastings	McDermott
Connolly	Heck (WA)	McGovern
Conyers	Higgins	McNerney
Cooper	Himes	Moore
Costa	Honda	Moulton
Courtney	Hoyer	Murphy (FL)
Crowley	Huffman	Nadler
Cuellar	Jackson Lee	Napolitano
Cummings	Jeffries	Neal
Davis (CA)	Johnson (GA)	Nolan
		Norcross

O'Rourke	Sánchez, Linda	Titus
Pallone	T.	Tonko
Pascarell	Sánchez, Loretta	Torres
Perlmutter	Sarbanes	Tsongas
Peters	Schakowsky	Van Hollen
Peterson	Schrader	Vargas
Pingree	Scott (VA)	Veasey
Pocan	Scott, David	Vela
Polis	Serrano	Velázquez
Quigley	Sherman	Visclosky
Rangel	Sires	Walz
Rice (NY)	Slaughter	Wasserman
Richmond	Smith (WA)	Schultz
Roybal-Allard	Speier	Watson Coleman
Ruiz	Swalwell (CA)	Welch
Ruppersberger	Takano	Wilson (FL)
Ryan (OH)	Thompson (CA)	Yarmuth
	Thompson (MS)	

NOT VOTING—23

Brady (PA)	Israel	Payne
Ciilline	Johnson, Sam	Pelosi
DesJarlais	Kirkpatrick	Pompeo
Duckworth	Luján, Ben Ray	Price (NC)
Fincher	(NM)	Rush
Guinta	Meeks	Schiff
Guthrie	Meng	Sewell (AL)
Hinojosa	Palazzo	Waters, Maxine

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1438

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall Nos. 498, 499, 500, and 501.

RESIGNATIONS AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM AND COMMITTEE ON NATURAL RESOURCES

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committee on Oversight and Government Reform and the Committee on Natural Resources:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 13, 2016.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: I, Matthew A. Cartwright, am submitting my resignation from the Committee on Oversight and Government Reform and the House Committee on Natural Resources effective immediately. It has been a privilege and honor to have served on these committees as they fought to make government more accountable, transparent, and effective and worked to protect our environment and natural resources.

I look forward to working to shape spending that can have a tremendous effect on the lives of seniors, veterans, children, students, commuters, federal workers, federal contractors, and military service personnel with my new assignment to the House Committee on Appropriations. I will be a powerful voice for a budget that invests in America, creates more good-paying jobs, and strengthens hard-working families.

Sincerely,

MATT CARTWRIGHT.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 862

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Mr. Cartwright.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5587) to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strengthening Career and Technical Education for the 21st Century Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Effective date.
Sec. 5. Table of contents of the Carl D. Perkins Career and Technical Education Act of 2006.
Sec. 6. Purpose.
Sec. 7. Definitions.
Sec. 8. Transition provisions.
Sec. 9. Prohibitions.
Sec. 10. Authorization of appropriations.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

Sec. 110. Reservations and State allotment.
Sec. 111. Within State allocation.
Sec. 112. Accountability.
Sec. 113. National activities.
Sec. 114. Assistance for the outlying areas.
Sec. 115. Tribally controlled postsecondary career and technical institutions.
Sec. 116. Occupational and employment information.

PART B—STATE PROVISIONS

Sec. 121. State plan.
Sec. 122. Improvement plans.
Sec. 123. State leadership activities.

PART C—LOCAL PROVISIONS

Sec. 131. Local application for career and technical education programs.
Sec. 132. Local uses of funds.

TITLE II—GENERAL PROVISIONS

Sec. 201. Federal and State administrative provisions.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSEY ACT

Sec. 301. State responsibilities.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect beginning on July 1, 2017.

SEC. 5. TABLE OF CONTENTS OF THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.

Section 1(b) is amended to read as follows:
“(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

“Sec. 1. Short title; table of contents.
“Sec. 2. Purpose.
“Sec. 3. Definitions.
“Sec. 4. Transition provisions.
“Sec. 5. Privacy.
“Sec. 6. Limitation.
“Sec. 7. Special rule.
“Sec. 8. Prohibitions.
“Sec. 9. Authorization of appropriations.
“TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

“PART A—ALLOTMENT AND ALLOCATION

“Sec. 111. Reservations and State allotment.
“Sec. 112. Within State allocation.
“Sec. 113. Accountability.
“Sec. 114. National activities.
“Sec. 115. Assistance for the outlying areas.
“Sec. 116. Native American programs.
“Sec. 117. Tribally controlled postsecondary career and technical institutions.

“PART B—STATE PROVISIONS

“Sec. 121. State administration.
“Sec. 122. State plan.
“Sec. 123. Improvement plans.
“Sec. 124. State leadership activities.

“PART C—LOCAL PROVISIONS

“Sec. 131. Distribution of funds to secondary education programs.
“Sec. 132. Distribution of funds for postsecondary education programs.
“Sec. 133. Special rules for career and technical education.

"Sec. 134. Local application for career and technical education programs.
 "Sec. 135. Local uses of funds.

"TITLE II—GENERAL PROVISIONS
"PART A—FEDERAL ADMINISTRATIVE
PROVISIONS

"Sec. 211. Fiscal requirements.
 "Sec. 212. Authority to make payments.
 "Sec. 213. Construction.
 "Sec. 214. Voluntary selection and participation.
 "Sec. 215. Limitation for certain students.
 "Sec. 216. Federal laws guaranteeing civil rights.
 "Sec. 217. Participation of private school personnel and children.
 "Sec. 218. Limitation on Federal regulations.
 "Sec. 219. Study on programs of study aligned to high-skill, high-wage occupations.
"PART B—STATE ADMINISTRATIVE PROVISIONS
 "Sec. 221. Joint funding.
 "Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
 "Sec. 223. State administrative costs.
 "Sec. 224. Student assistance and other Federal programs."

SEC. 6. PURPOSE.

Section 2 (20 U.S.C. 2301) is amended—
 (1) in the matter preceding paragraph (1)—
 (A) by striking "academic and career and technical skills" and inserting "academic knowledge and technical and employability skills"; and
 (B) by inserting "and programs of study" after "technical education programs";
 (2) in paragraph (3), by striking "including tech prep education"; and
 (3) in paragraph (4), by inserting "and programs of study" after "technical education programs".

SEC. 7. DEFINITIONS.

Section 3 (20 U.S.C. 2302) is amended—
 (1) by striking paragraphs (16), (23), (24), (25), (26), and (32);
 (2) by redesignating paragraphs (8), (9), (10), (11), (12), (13), (14), (15), (17), (18), (19), (20), (21), (22), (27), (28), (29), (30), (31), (33), and (34) as paragraphs (9), (10), (13), (16), (17), (19), (20), (23), (25), (27), (28), (30), (32), (35), (39), (40), (41), (44), (45), (46), and (47), respectively;
 (3) in paragraph (3)—
 (A) in subparagraph (B), by striking "5 different occupational fields to individuals" and inserting "3 different fields, especially in in-demand industry sectors or occupations, that are available to all students"; and
 (B) in subparagraph (D), by striking "not fewer than 5 different occupational fields" and inserting "not fewer than 3 different occupational fields";
 (4) in paragraph (5)—
 (A) in subparagraph (A)—
 (i) in clause (i)—
 (I) by striking "coherent and rigorous content aligned with challenging academic standards" and inserting "content at the secondary level aligned with the challenging State academic standards adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), and at the postsecondary level with the rigorous academic content,"
 (II) by striking "and skills" and inserting "and skills,"; and
 (III) by inserting "including in in-demand industry sectors or occupations" before the semicolon at the end;
 (ii) in clause (ii), by striking "an industry-recognized credential, a certificate, or an associate degree" and inserting "or a recog-

nized postsecondary credential, which may include an industry-recognized credential"; and

(iii) in clause (iii), by striking "and" at the end;
 (B) in subparagraph (B)—
 (i) by inserting "work-based, or other" after "competency-based";
 (ii) by striking "contributes to the" and inserting "supports the development of";
 (iii) by striking the period at the end and inserting a semicolon; and
 (iv) by striking "general"; and
 (C) by adding at the end the following:
 "(C) to the extent practicable, coordinate between secondary and postsecondary education programs, which may include early college programs with articulation agreements, dual or concurrent enrollment program opportunities, or programs of study; and
 "(D) may include career exploration at the high school level or as early as the middle grades (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).";
 (5) in paragraph (7)—
 (A) in subparagraph (A), by striking "(and parents, as appropriate)" and inserting "(and, as appropriate, parents and out-of-school youth)"; and
 (B) in subparagraph (B), by striking "financial aid," and all that follows through the period at the end and inserting "financial aid, job training, secondary and postsecondary options (including baccalaureate degree programs), dual or concurrent enrollment programs, work-based learning opportunities, and support services.";
 (6) by inserting after paragraph (7) the following:
 "(8) CAREER PATHWAYS.—The term 'career pathways' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).";
 (7) by inserting after paragraph (10) (as so redesignated by paragraph (2)) the following:
 "(11) CTE CONCENTRATOR.—The term 'CTE concentrator' means—
 "(A) at the secondary school level, a student served by an eligible recipient who has—
 "(i) completed 3 or more career and technical education courses; or
 "(ii) completed at least 2 courses in a single career and technical education program or program of study; or
 "(B) at the postsecondary level, a student enrolled in an eligible recipient who has—
 "(i) earned at least 12 cumulative credits within a career and technical education program or program of study; or
 "(ii) completed such a program if the program encompasses fewer than 12 credits or the equivalent in total.
 "(12) CTE PARTICIPANT.—The term 'CTE participant' means an individual who completes not less than 1 course or earns not less than 1 credit in a career and technical education program or program of study of an eligible recipient.";
 (8) by inserting after paragraph (13) (as so redesignated by paragraph (2)) the following:
 "(14) DUAL OR CONCURRENT ENROLLMENT.—The term 'dual or concurrent enrollment' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).";
 "(15) EARLY COLLEGE HIGH SCHOOL.—The term 'early college high school' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).";
 (9) by inserting after paragraph (17) (as so redesignated by paragraph (2)) the following:

"(18) ELIGIBLE ENTITY.—The term 'eligible entity' means a consortium that—
 "(A) shall include at least two of the following:

"(i) a local educational agency;
 "(ii) an educational service agency;
 "(iii) an eligible institution;
 "(iv) an area career and technical education school;
 "(v) a State educational agency; or
 "(vi) the Bureau of Indian Education;
 "(B) may include a regional, State, or local public or private organization, including a community-based organization, one or more employers, or a qualified intermediary; and
 "(C) is led by an entity or partnership of entities described in subparagraph (A).";
 (10) by amending paragraph (19) (as so redesignated by paragraph (2)) to read as follows:

"(19) ELIGIBLE INSTITUTION.—The term 'eligible institution' means—
 "(A) a consortium of 2 or more of the entities described in subparagraphs (B) through (F);
 "(B) a public or nonprofit private institution of higher education that offers and will use funds provided under this title in support of career and technical education courses that lead to technical skill proficiency, an industry-recognized credential, a certificate, or an associate degree;

"(C) a local educational agency providing education at the postsecondary level;
 "(D) an area career and technical education school providing education at the postsecondary level;
 "(E) a postsecondary educational institution controlled by the Bureau of Indian Affairs or operated by or on behalf of any Indian tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Act of April 16, 1934 (25 U.S.C. 452 et seq.); or
 "(F) an educational service agency.";

(11) by amending paragraph (20) (as so redesignated by paragraph (2)) to read as follows:
 "(20) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means—
 "(A) an eligible institution or consortium of eligible institutions eligible to receive assistance under section 132; or
 "(B) a local educational agency (including a public charter school that operates as a local educational agency), an area career and technical education school, an educational service agency, or a consortium of such entities, eligible to receive assistance under section 131.";

(12) by adding after paragraph (20) (as so redesignated by paragraph (2)) the following:
 "(21) ENGLISH LEARNER.—The term 'English learner' means—
 "(A) a secondary school student who is an English learner, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); or
 "(B) an adult or an out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language and—
 "(i) whose native language is a language other than English; or
 "(ii) who lives in a family environment in which a language other than English is the dominant language.

"(22) EVIDENCE-BASED.—The term 'evidence-based' has the meaning given the term in section 8101(21)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21)(A)).";

(13) by inserting after paragraph (23) (as so redesignated by paragraph (2)) the following:

“(24) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—The term ‘in-demand industry sector or occupation’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”;

(14) by inserting after paragraph (25) (as so redesignated by paragraph (2)) the following:

“(26) INDUSTRY OR SECTOR PARTNERSHIP.—The term ‘industry or sector partnership’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”;

(15) by inserting after paragraph (28) (as so redesignated by paragraph (2)) the following:

“(29) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce development board’ means a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.”;

(16) by inserting after paragraph (30) (as so redesignated by paragraph (2)) the following:

“(31) OUT-OF-SCHOOL YOUTH.—The term ‘out-of-school youth’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”;

(17) by inserting after paragraph (32) (as so redesignated by paragraph (2)) the following:

“(33) PARAPROFESSIONAL.—The term ‘paraprofessional’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(34) PAY FOR SUCCESS INITIATIVE.—The term ‘pay for success initiative’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), except that such term does not include an initiative that—

“(A) reduces the special education or related services that a student would otherwise receive under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); or

“(B) otherwise reduces the rights of a student or the obligations of an entity under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or any other law.”;

(18) by inserting after paragraph (35) (as so redesignated by paragraph (2)) the following:

“(36) PROGRAM OF STUDY.—The term ‘program of study’ means a coordinated, non-duplicative sequence of secondary and postsecondary academic and technical content that—

“(A) incorporates challenging State academic standards, including those adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), that—

“(i) address both academic and technical knowledge and skills, including employability skills; and

“(ii) are aligned with the needs of industries in the economy of the State, region, or local area;

“(B) progresses in specificity (beginning with all aspects of an industry or career cluster and leading to more occupational specific instruction);

“(C) has multiple entry and exit points that incorporate credentialing; and

“(D) culminates in the attainment of a recognized postsecondary credential.

“(37) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means a non-profit entity that demonstrates expertise to build, connect, sustain, and measure partnerships with entities such as employers, schools,

community-based organizations, postsecondary institutions, social service organizations, economic development organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth, including—

“(A) connecting employers to classrooms;

“(B) assisting in the design and implementation of career and technical education programs and programs of study;

“(C) delivering professional development;

“(D) connecting students to internships and other work-based learning opportunities; and

“(E) developing personalized student supports.

“(38) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ‘recognized postsecondary credential’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).”;

(19) in paragraph (41) (as so redesignated by paragraph (2))—

(A) in subparagraph (B), by striking “foster children” and inserting “youth who are in or have aged out of the foster care system”;

(B) in subparagraph (E), by striking “and” at the end;

(C) in subparagraph (F), by striking “individuals with limited English proficiency,” and inserting “English learners.”; and

(D) by adding at the end the following:

“(G) homeless individuals described in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); and

“(H) youth with a parent who—

“(i) is a member of the armed forces (as such term is defined in section 101(a)(4) of title 10, United States Code); and

“(ii) is on active duty (as such term is defined in section 101(d)(1) of such title).”;

(20) by inserting after paragraph (41) (as so redesignated by paragraph (2)) the following:

“(42) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term ‘specialized instructional support personnel’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(43) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term ‘specialized instructional support services’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).”;

(21) in paragraph (45) (as so redesignated by paragraph (2)) by inserting “(including paraprofessionals and specialized instructional support personnel)” after “supportive personnel”; and

(22) by adding at the end the following:

“(48) UNIVERSAL DESIGN FOR LEARNING.—The term ‘universal design for learning’ has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(49) WORK-BASED LEARNING.—The term ‘work-based learning’ means sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, first-hand engagement with the tasks required of a given career field, that are aligned to curriculum and instruction.”.

SEC. 8. TRANSITION PROVISIONS.

Section 4 (20 U.S.C. 2303) is amended—

(1) by striking “the Secretary determines to be appropriate” and inserting “are necessary”;

(2) by striking “Carl D. Perkins Career and Technical Education Improvement Act of

2006” each place it appears and inserting “Strengthening Career and Technical Education for the 21st Century Act”; and

(3) by striking “1998” and inserting “2006”.

SEC. 9. PROHIBITIONS.

Section 8 (20 U.S.C. 2306a) is amended—

(1) in subsection (a), by striking “Federal Government to mandate,” and all that follows through the end and inserting “Federal Government—

“(1) to condition or incentivize the receipt of any grant, contract, or cooperative agreement, or the receipt of any priority or preference under such grant, contract, or cooperative agreement, upon a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards);

“(2) through grants, contracts, or other cooperative agreements, to mandate, direct, or control a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards); and

“(3) except as required under sections 112(b), 211(b), and 223—

“(A) to mandate, direct, or control the allocation of State or local resources; or

“(B) to mandate that a State or a political subdivision of a State spend any funds or incur any costs not paid for under this Act.”; and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d).

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 9 (20 U.S.C. 2307) is amended to read as follows:

“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

“There are to be authorized to be appropriated to carry out this Act (other than sections 114 and 117)—

“(1) \$1,133,002,074 for fiscal year 2017;

“(2) \$1,148,618,465 for fiscal year 2018;

“(3) \$1,164,450,099 for fiscal year 2019;

“(4) \$1,180,499,945 for fiscal year 2020;

“(5) \$1,196,771,008 for fiscal year 2021; and

“(6) \$1,213,266,339 for fiscal year 2022.”.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES PART A—ALLOTMENT AND ALLOCATION

SEC. 110. RESERVATIONS AND STATE ALLOTMENT.

Paragraph (5) of section 111(a) (20 U.S.C. 2321(a)) is amended—

(1) in subparagraph (A), by striking “No State” and inserting “For each of fiscal years 2017, 2018, and 2019, no State”;

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A), as amended by paragraph (1), the following:

“(B) FISCAL YEAR 2020 AND EACH SUCCEEDING FISCAL YEAR.—For fiscal year 2020 and each of the succeeding fiscal years, no State shall

receive an allotment under this section for a fiscal year that is less than 90 percent of the allotment the State received under this section for the preceding fiscal year.”; and

(4) in subparagraph (C), as redesignated by paragraph (2), by striking “subparagraph (A)” and inserting “subparagraph (A) or (B)”.

SEC. 111. WITHIN STATE ALLOCATION.

Section 112 (20 U.S.C. 2322) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “10 percent” and inserting “15 percent”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “1 percent” and inserting “2 percent”; and

(II) by striking “State correctional institutions and institutions” and inserting “State correctional institutions, juvenile justice facilities, and educational institutions”; and

(ii) in subparagraph (B), by striking “available for services” and inserting “available to assist eligible recipients in providing services”; and

(C) in paragraph (3)(B), by striking “a local plan,” and inserting “local applications”; and

(2) in subsection (c), by striking “section 135” and all that follows through the end and inserting “section 135—

“(1) in—

“(A) rural areas;

“(B) areas with high percentages of CTE concentrators or CTE participants; and

“(C) areas with high numbers of CTE concentrators or CTE participants; and

“(2) in order to—

“(A) foster innovation through the identification and promotion of promising and proven career and technical education programs, practices, and strategies, which may include practices and strategies that prepare individuals for nontraditional fields; or

“(B) promote the development, implementation, and adoption of programs of study or career pathways aligned with State-identified in-demand occupations or industries.”.

SEC. 112. ACCOUNTABILITY.

Section 113 (20 U.S.C. 2323) is amended—

(1) in subsection (a), by striking “comprised of the activities” and inserting “comprising the activities”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(B) in paragraph (1)(B), as so redesignated, by striking “, and State levels of performance described in paragraph (3)(B) for each additional indicator of performance”; and

(C) by striking paragraph (2) and inserting the following:

“(2) INDICATORS OF PERFORMANCE.—

“(A) CORE INDICATORS OF PERFORMANCE FOR CTE CONCENTRATORS AT THE SECONDARY LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance for CTE concentrators at the secondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:

“(i) The percentage of CTE concentrators who graduate high school, as measured by—

“(I) the four-year adjusted cohort graduation rate (defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

“(II) at the State’s discretion, the extended-year adjusted cohort graduation rate defined in such section 8101 (20 U.S.C. 7801).

“(ii) CTE concentrator attainment of challenging State academic standards adopted by the State under section 1111(b)(1) of the Ele-

mentary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), and measured by the academic assessments described in section 1111(b)(2) of such Act (20 U.S.C. 6311(b)(2)).

“(iii) The percentage of CTE concentrators who, in the second quarter following the program year after exiting from secondary education, are in postsecondary education or advanced training, military service, or unsubsidized employment.

“(iv) Not less than one indicator of career and technical education program quality that—

“(I) shall include, not less than one of the following—

“(aa) the percentage of CTE concentrators graduating from high school having attained recognized postsecondary credentials;

“(bb) the percentage of CTE concentrators graduating from high school having attained postsecondary credits in the relevant career and technical educational program or program of study earned through dual and concurrent enrollment or another credit transfer agreement; or

“(cc) the percentage of CTE concentrators graduating from high school having participated in work-based learning; and

“(II) may include any other measure of student success in career and technical education that is statewide, valid, and reliable.

“(v) The percentage of CTE concentrators in career and technical education programs and programs of study that lead to nontraditional fields.

“(B) CORE INDICATORS OF PERFORMANCE FOR CTE CONCENTRATORS AT THE POSTSECONDARY LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance for CTE concentrators at the postsecondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:

“(i) The percentage of CTE concentrators, who, during the second quarter after program completion, are in education or training activities, advanced training, or unsubsidized employment.

“(ii) The median earnings of CTE concentrators in unsubsidized employment two quarters after program completion.

“(iii) The percentage of CTE concentrators who receive a recognized postsecondary credential during participation in or within 1 year of program completion.

“(iv) The percentage of CTE concentrators in career and technical education programs and programs of study that lead to nontraditional fields.

“(C) ALIGNMENT OF PERFORMANCE INDICATORS.—In developing core indicators of performance under subparagraphs (A) and (B), an eligible agency shall, to the greatest extent possible, align the indicators so that substantially similar information gathered for other State and Federal programs, or for any other purpose, may be used to meet the requirements of this section.”;

(D) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

“(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—

“(i) IN GENERAL.—Each eligible agency, with input from eligible recipients, shall establish and identify in the State plan submitted under section 122, for the first 2 program years covered by the State plan, levels of performance for each of the core indicators of performance described in subparagraphs (A) and (B) of paragraph (2) for career and technical education activities author-

ized under this title. The levels of performance established under this subparagraph shall, at a minimum—

“(I) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable; and

“(II) be sufficiently ambitious to allow for meaningful evaluation of program quality.

“(ii) STATE ADJUSTED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third program year covered by the State plan, each eligible agency shall revise the State levels of performance for each of the core indicators of performance for the subsequent program years covered by the State plan, taking into account the extent to which such levels of performance promote meaningful program improvement on such indicators. The State adjusted levels of performance identified under this clause shall be considered to be the State adjusted levels of performance for the State for such years and shall be incorporated into the State plan.

“(iii) REPORTING.—The eligible agency shall, for each year described in clauses (i) and (iii), publicly report and widely disseminate the State levels of performance described in this subparagraph.

“(iv) REVISIONS.—If unanticipated circumstances arise in a State, the eligible agency may revise the State adjusted levels of performance required under this subparagraph, and submit such revised levels of performance with evidence supporting the revision and demonstrating public consultation, in a manner consistent with the process described in subsections (d) and (f) of section 122.”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) ACTUAL LEVELS OF PERFORMANCE.—At the end of each program year, the eligible agency shall determine actual levels of performance on each of the core indicators of performance and publicly report and widely disseminate the actual levels of performance described in this subparagraph.”; and

(E) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)(I), by striking “consistent with the State levels of performance established under paragraph (3), so as” and inserting “consistent with the form expressed in the State levels, so as”;

(II) by striking clause (i)(II) and inserting the following:

“(II) be sufficiently ambitious to allow for meaningful evaluation of program quality.”;

(III) in clause (iv)—

(aa) by striking “third and fifth program years” and inserting “third program year”; and

(bb) by striking “corresponding” before “subsequent program years”;

(IV) in clause (v)—

(aa) by striking “and” at the end of subclause (I);

(bb) by redesignating subclause (II) as subclause (III);

(cc) by inserting after subclause (I) the following:

“(II) local economic conditions.”;

(dd) in subclause (III), as so redesignated, by striking “promote continuous improvement on the core indicators of performance by the eligible recipient.” and inserting “advance the eligible recipient’s accomplishments of the goals set forth in the local application; and”;

(ee) by adding at the end the following:

“(IV) the eligible recipient’s ability and capacity to collect and access valid, reliable, and cost effective data.”;

(V) in clause (vi), by inserting “or changes occur related to improvements in data or measurement approaches,” after “factors described in clause (v),”; and

(VI) by adding at the end the following:

“(vii) **REPORTING.**—The eligible recipient shall, for each year described in clauses (iii) and (iv), publicly report the local levels of performance described in this subparagraph.”;

(i) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(ii) in clause (ii)(I) of subparagraph (B), as so redesignated—

(I) by striking “section 1111(h)(1)(C)(i)” and inserting “section 1111(h)(1)(C)(ii)”;

(II) by striking “section 3(29)” and inserting “section 3(40)”;

(3) in subsection (c)—

(A) in the heading, by inserting “STATE” before “REPORT”;

(B) in paragraph (1)(B), by striking “information on the levels of performance achieved by the State with respect to the additional indicators of performance, including the” and inserting “the”; and

(C) in paragraph (2)(A)—

(i) by striking “categories” and inserting “subgroups”;

(ii) by striking “section 1111(h)(1)(C)(i)” and inserting “section 1111(h)(1)(C)(ii)”;

(iii) by striking “section 3(29)” and inserting “section 3(40)”.

SEC. 113. NATIONAL ACTIVITIES.

Section 114 (20 U.S.C. 2324) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “The Secretary shall” the first place it appears and inserting “The Secretary shall, in consultation with the Director of the Institute for Education Sciences,”; and

(ii) by inserting “from eligible agencies under section 113(c)” after “pursuant to this title”; and

(B) by striking paragraph (3);

(2) by amending subsection (b) to read as follows:

“(b) **REASONABLE COST.**—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics and the Office of Career, Technical, and Adult Education shall determine the methodology to be used and the frequency with which such information is to be collected.”;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “may” and inserting “shall”;

(ii) by striking “, directly or through grants, contracts, or cooperative agreements,” and inserting “directly or through grants”; and

(iii) by striking “and assessment”;

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting “, acting through the Director of the Institute for Education Sciences,” after “describe how the Secretary”;

(ii) in subparagraph (C), by inserting “, in consultation with the Director of the Institute for Education Sciences,” after “the Secretary”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by inserting “, acting through the Director of the Institute for Education Sciences,” after “The Secretary”;

(II) by inserting “and the plan developed under subsection (c)” after “described in paragraph (2)”;

(III) by striking “assessment” each place such term appears and inserting “evaluation”;

(ii) in subparagraph (B)—

(I) in clause (v), by striking “; and” and inserting a semicolon;

(II) in clause (vi), by striking the period at the end and inserting “, which may include individuals with expertise in addressing inequities in access to, and in opportunities for academic and technical skill attainment; and”;

(III) by adding at the end the following:

“(vii) representatives of special populations.”;

(B) in paragraph (2)—

(i) in the heading, by striking “AND ASSESSMENT”;

(ii) in subparagraph (A)—

(I) by inserting “, acting through the Director of the Institute for Education Sciences,” after “the Secretary”;

(II) by striking “an independent evaluation and assessment” and inserting “a series of research and evaluation initiatives for each year for which funds are appropriated to carry out this Act, which are aligned with the plan in subsection (c)(2),”;

(III) by striking “Carl D. Perkins Career and Technical Education Improvement Act of 2006” and “Strengthening Career and Technical Education for the 21st Century Act”;

(IV) by striking “, contracts, and cooperative agreements that are” and inserting “to institutions of higher education or a consortia of one or more institutions of higher education and one or more private nonprofit organizations or agencies”;

(V) by adding at the end the following: “Such evaluation shall, whenever possible, use the most recent data available.”;

(iii) by amending subparagraph (B) to read as follows:

“(B) **CONTENTS.**—The evaluation required under subparagraph (A) shall include descriptions and evaluations of—

“(i) the extent and success of the integration of challenging State academic standards adopted under 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)) and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of such students (including the number of such students that receive a regular high school diploma, as such term is defined under section 8101 of the Elementary and Secondary Education Act of 1965 or a State-defined alternative diploma described in section 8101(25)(A)(ii)(I)(bb) of such Act (20 U.S.C. 7801(25)(A)(ii)(I)(bb)));

“(ii) the extent to which career and technical education programs and programs of study prepare students, including special populations, for subsequent employment in high-skill, high-wage occupations (including those in which mathematics and science, which may include computer science, skills are critical), or for participation in postsecondary education;

“(iii) employer involvement in, benefit from, and satisfaction with, career and technical education programs and programs of study and career and technical education students’ preparation for employment;

“(iv) efforts to expand access to career and technical education programs of study for all students;

“(v) innovative approaches to work-based learning programs that increase participation and alignment with employment in high-growth industries, including in rural and low-income areas;

“(vi) the impact of the amendments to this Act made under the Strengthening Career and Technical Education for the 21st Century Act, including comparisons, where appropriate, of—

“(I) the use of the comprehensive needs assessment under section 134(b);

“(II) the implementation of programs of study; and

“(III) coordination of planning and program delivery with other relevant laws, including the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

“(vii) changes in career and technical education program accountability as described in section 113 and any effects of such changes on program delivery and program quality; and

“(viii) changes in student enrollment patterns.”;

(iv) in subparagraph (C)—

(I) in clause (i)—

(aa) by inserting “, in consultation with the Director of the Institute for Education Sciences,” after “The Secretary”;

(bb) in subclause (I)—

(AA) by striking “assessment” and inserting “evaluation and summary of research activities carried out under this section”;

(BB) by striking “2010” and inserting “2021”;

(cc) in subclause (II)—

(AA) by striking “assessment” and inserting “evaluation and summary of research activities carried out under this section”;

(BB) by striking “2011” and inserting “2023”;

(II) by adding after clause (ii) the following:

“(iii) **DISSEMINATION.**—In addition to submitting the reports required under clause (i), the Secretary shall disseminate the results of the evaluation widely and on a timely basis in order to increase the understanding among State and local officials and educators of the effectiveness of programs and activities supported under the Act and of the career and technical education programs that are most likely to produce positive educational and employment outcomes.”;

(C) by striking paragraphs (3), (4), and (5) and inserting the following:

“(3) **INNOVATION.**—

“(A) **GRANT PROGRAM.**—To identify and support innovative strategies and activities to improve career and technical education and align workforce skills with labor market needs as part of the plan developed under subsection (c) and the requirements of this subsection, the Secretary may award grants to eligible entities to—

“(i) create, develop, implement, or take to scale evidence-based, field initiated innovations, including through a pay for success initiative to improve student outcomes in career and technical education; and

“(ii) rigorously evaluate such innovations.

“(B) **MATCHING FUNDS.**—

“(i) **MATCHING FUNDS REQUIRED.**—Except as provided under clause (ii), to receive a grant under this paragraph, an eligible entity shall, through cash or in-kind contributions, provide matching funds from public or private sources in an amount equal to at least 50 percent of the funds provided under such grant.

“(ii) **EXCEPTION.**—The Secretary may waive the matching fund requirement under clause

(i) if the eligible entity demonstrates exceptional circumstances.

“(C) APPLICATION.—To receive a grant under this paragraph, an eligible entity shall submit to the Secretary at such a time as the Secretary may require, an application that—

“(i) identifies and designates the agency, institution, or school responsible for the administration and supervision of the program assisted under this paragraph;

“(ii) identifies the source and amount of the matching funds required under subparagraph (B)(i);

“(iii) describes how the eligible entity will use the grant funds, including how such funds will directly benefit students, including special populations, served by the eligible entity;

“(iv) describes how the program assisted under this paragraph will be coordinated with the activities carried out under section 124 or 135;

“(v) describes how the program assisted under this paragraph aligns with the single plan described in subsection (c); and

“(vi) describes how the program assisted under this paragraph will be evaluated and how that evaluation may inform the report described in subsection (d)(2)(C).

“(D) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority to applications from eligible entities that will predominantly serve students from low-income families.

“(E) GEOGRAPHIC DIVERSITY.—

“(i) IN GENERAL.—In awarding grants under this paragraph, the Secretary shall award no less than 25 percent of the total available funds for any fiscal year to eligible entities proposing to fund career and technical education activities that serve—

“(I) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

“(II) an institution of higher education primarily serving the one or more areas served by such a local educational agency;

“(III) a consortium of such local educational agencies or such institutions of higher education;

“(IV) a partnership between—

“(aa) an educational service agency or a nonprofit organization; and

“(bb) such a local educational agency or such an institution of higher education; or

“(V) a partnership between—

“(aa) a grant recipient described in subclause (I) or (II); and

“(bb) a State educational agency.

“(i) EXCEPTION.—Notwithstanding clause (i), the Secretary shall reduce the amount of funds made available under such clause if the Secretary does not receive a sufficient number of applications of sufficient quality.

“(F) USES OF FUNDS.—An eligible entity that is awarded a grant under this paragraph shall use the grant funds, in a manner consistent with subparagraph (A)(i), to—

“(i) improve career and technical education outcomes of students served by eligible entities under this title;

“(ii) improve career and technical education teacher effectiveness;

“(iii) improve the transition of students from secondary education to postsecondary education or employment;

“(iv) improve the incorporation of comprehensive work-based learning into career and technical education;

“(v) increase the effective use of technology within career and technical education programs;

“(vi) support new models for integrating academic content and career and technical education content in such programs;

“(vii) support the development and enhancement of innovative delivery models for career and technical education;

“(viii) work with industry to design and implement courses or programs of study aligned to labor market needs in new or emerging fields;

“(ix) integrate science, technology, engineering, and mathematics fields, including computer science education, with career and technical education;

“(x) support innovative approaches to career and technical education by redesigning the high school experience for students, which may include evidence-based transitional support strategies for students who have not met postsecondary education eligibility requirements;

“(xi) improve CTE concentrator employment outcomes in nontraditional fields; or

“(xii) support the use of career and technical education programs and programs of study in a coordinated strategy to address identified employer needs and workforce shortages, such as shortages in the early childhood, elementary school, and secondary school education workforce.

“(G) EVALUATION.—Each eligible entity receiving a grant under this paragraph shall provide for an independent evaluation of the activities carried out using such grant and submit to the Secretary an annual report that includes—

“(i) a description of how funds received under this paragraph were used;

“(ii) the performance of the eligible entity with respect to, at a minimum, the performance indicators described under section 113, as applicable, and disaggregated by—

“(I) subgroups of students described in section 111(c)(2)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)(B));

“(II) special populations; and

“(III) as appropriate, each career and technical education program and program of study; and

“(iii) a quantitative analysis of the effectiveness of the project carried out under this paragraph.”; and

(5) by striking subsection (e) and inserting the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$7,523,285 for fiscal year 2017;

“(2) \$7,626,980 for fiscal year 2018;

“(3) \$7,732,104 for fiscal year 2019;

“(4) \$7,838,677 for fiscal year 2020;

“(5) \$7,946,719 for fiscal year 2021; and

“(6) \$8,056,251 for fiscal year 2022.”.

SEC. 114. ASSISTANCE FOR THE OUTLYING AREAS.

Section 115 (20 U.S.C. 2325) is amended—

(1) in subsection (a)(3), by striking “subject to subsection (d)” and inserting “subject to subsection (b)”;

(2) by striking subsections (b) and (c); and

(3) by redesignating subsection (d) as subsection (b).

SEC. 115. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.

Section 117(i) (20 U.S.C. 2327(i)) is amended to read as follows:

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$8,400,208 for fiscal year 2017;

“(2) \$8,515,989 for fiscal year 2018;

“(3) \$8,633,367 for fiscal year 2019;

“(4) \$8,752,362 for fiscal year 2020;

“(5) \$8,872,998 for fiscal year 2021; and

“(6) \$8,995,296 for fiscal year 2022.”.

SEC. 116. OCCUPATIONAL AND EMPLOYMENT INFORMATION.

Section 118 (20 U.S.C. 2328) is repealed.

PART B—STATE PROVISIONS

SEC. 121. STATE PLAN.

Section 122 (20 U.S.C. 2342) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “6-year period” and inserting “4-year period”; and

(ii) by striking “Carl D. Perkins Career and Technical Education Improvement Act of 2006” and inserting “Strengthening Career and Technical Education for the 21st Century Act”;

(B) in paragraph (2)(B), by striking “6-year period” and inserting “4-year period”; and

(C) in paragraph (3), by striking “(including charter school)” and all that follows through “and community organizations)” and inserting “(including teachers, specialized instructional support personnel, paraprofessionals, school leaders, authorized public chartering agencies, and charter school leaders, consistent with State law, employers, labor organizations, parents, students, and community organizations)”;

(2) by amending subsections (b), (c), (d), and (e) to read as follows:

“(b) OPTIONS FOR SUBMISSION OF STATE PLAN.—

“(1) COMBINED PLAN.—The eligible agency may submit a combined plan that meets the requirements of this section and the requirements of section 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3113), unless the eligible agency opts to submit a single plan under paragraph (2) and informs the Secretary of such decision.

“(2) SINGLE PLAN.—If the eligible agency elects not to submit a combined plan as described in paragraph (1), such eligible agency shall submit a single State plan.

“(c) PLAN DEVELOPMENT.—

“(1) IN GENERAL.—The eligible agency shall—

“(A) develop the State plan in consultation with—

“(i) representatives of secondary and postsecondary career and technical education programs, including eligible recipients and representatives of two-year Minority-Serving Institutions and Historically Black Colleges and Universities in States where such institutions are in existence, and charter school representatives in States where such schools are in existence, which shall include teachers, school leaders, specialized instructional support personnel (including guidance counselors), and paraprofessionals;

“(ii) interested community representatives, including parents and students;

“(iii) the State workforce development board described in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111);

“(iv) representatives of special populations;

“(v) representatives of business and industry (including representatives of small business), which shall include representatives of industry and sector partnerships in the State, as appropriate, and representatives of labor organizations in the State;

“(vi) representatives of agencies serving out-of-school youth, homeless children and youth, and at-risk youth; and

“(vii) representatives of Indian tribes located in the State; and

“(B) consult the Governor of the State, and the heads of other State agencies with authority for career and technical education programs that are not the eligible agency, with respect to the development of the State plan.

“(2) ACTIVITIES AND PROCEDURES.—The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals and entities described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.

“(d) PLAN CONTENTS.—The State plan shall include—

“(1) a summary of State-supported workforce development activities (including education and training) in the State, including the degree to which the State’s career and technical education programs and programs of study are aligned with such activities;

“(2) the State’s strategic vision and set of goals for preparing an educated and skilled workforce (including special populations) and for meeting the skilled workforce needs of employers, including in-demand industry sectors and occupations as identified by the State, and how the State’s career and technical education programs will help to meet these goals;

“(3) a summary of the strategic planning elements of the unified State plan required under section 102(b)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112(b)(1)), including the elements related to system alignment under section 102(b)(2)(B) of such Act (29 U.S.C. 3112(b)(2)(B));

“(4) a description of the career and technical education programs or programs of study that will be supported, developed, or improved, including descriptions of—

“(A) the programs of study to be developed at the State level and made available for adoption by eligible recipients;

“(B) the process and criteria to be used for approving locally developed programs of study or career pathways, including how such programs address State workforce development and education needs; and

“(C) how the eligible agency will—

“(i) make information on approved programs of study and career pathways, including career exploration, work-based learning opportunities, guidance and advisement resources, available to students and parents;

“(ii) ensure nonduplication of eligible recipients’ development of programs of study and career pathways;

“(iii) determine alignment of eligible recipients’ programs of study to the State, regional or local economy, including in-demand fields and occupations identified by the State workforce development board as appropriate;

“(iv) provide equal access to activities assisted under this Act for special populations;

“(v) coordinate with the State workforce board to support the local development of career pathways and articulate processes by which career pathways will be developed by local workforce development boards;

“(vi) use State, regional, or local labor market data to align career and technical education with State labor market needs;

“(vii) support effective and meaningful collaboration between secondary schools, postsecondary institutions, and employers; and

“(viii) improve outcomes for CTE concentrators, including those who are members of special populations;

“(5) a description of the criteria and process for how the eligible agency will approve eligible recipients for funds under this Act, including how—

“(A) each eligible recipient will promote academic achievement;

“(B) each eligible recipient will promote skill attainment, including skill attainment that leads to a recognized postsecondary credential; and

“(C) each eligible recipient will ensure the local needs assessment under section 134 takes into consideration local economic and education needs, including where appropriate, in-demand industry sectors and occupations;

“(6) a description of how the eligible agency will support the recruitment and preparation of teachers, including special education teachers, faculty, administrators, specialized instructional support personnel, and paraprofessionals to provide career and technical education instruction, leadership, and support;

“(7) a description of how the eligible agency will use State leadership funding to meet the requirements of section 124(b);

“(8) a description of how funds received by the eligible agency through the allotment made under section 111 will be distributed—

“(A) among career and technical education at the secondary level, or career and technical education at the postsecondary and adult level, or both, including how such distribution will most effectively provide students with the skills needed to succeed in the workplace; and

“(B) among any consortia that may be formed among secondary schools and eligible institutions, and how funds will be distributed among the members of the consortia, including the rationale for such distribution and how it will most effectively provide students with the skills needed to succeed in the workplace;

“(9) a description of the procedure the eligible agency will adopt for determining State adjusted levels of performance described in section 113, which at a minimum shall include—

“(A) consultation with stakeholders identified in paragraph (1);

“(B) opportunities for the public to comment in person and in writing on the State adjusted levels of performance included in the State plan; and

“(C) submission of public comment on State adjusted levels of performance as part of the State plan; and

“(10) assurances that—

“(A) the eligible agency will comply with the requirements of this Act and the provisions of the State plan, including the provision of a financial audit of funds received under this Act, which may be included as part of an audit of other Federal or State programs;

“(B) none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization;

“(C) the eligible agency will use the funds to promote preparation for high-skill, high-wage, or in-demand occupations and non-traditional fields, as identified by the State;

“(D) the eligible agency will use the funds provided under this Act to implement career and technical education programs and programs of study for individuals in State correctional institutions, including juvenile justice facilities; and

“(E) the eligible agency will provide local educational agencies, area career and technical education schools, and eligible institu-

tions in the State with technical assistance, including technical assistance on how to close gaps in student participation and performance in career and technical education programs.

“(e) CONSULTATION.—

“(1) IN GENERAL.—The eligible agency shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult career and technical education, postsecondary career and technical education, and secondary career and technical education after consultation with the—

“(A) State agency responsible for supervision of community colleges, technical institutes, or other 2-year postsecondary institutions primarily engaged in providing postsecondary career and technical education;

“(B) the State agency responsible for secondary education; and

“(C) the State agency responsible for adult education.

“(2) OBJECTIONS OF STATE AGENCIES.—If a State agency other than the eligible agency finds that a portion of the final State plan is objectionable, that objection shall be filed together with the State plan. The eligible agency shall respond to any objections of such State agency in the State plan submitted to the Secretary.

“(f) PLAN APPROVAL.—

“(1) IN GENERAL.—The Secretary shall approve a State plan, or a revision to an approved State plan, unless the Secretary determines that the State plan, or revision, respectively, does not meet the requirements of this Act.

“(2) DISAPPROVAL.—The Secretary shall—

“(A) have the authority to disapprove a State plan only if the Secretary—

“(i) determines how the State plan fails to meet the requirements of this Act; and

“(ii) immediately provides to the State, in writing, notice of such determination and the supporting information and rationale to substantiate such determination; and

“(B) not finally disapprove a State plan, except after making the determination and providing the information described in subparagraph (A) and giving the eligible agency notice and an opportunity for a hearing.

“(3) TIMEFRAME.—A State plan shall be deemed approved by the Secretary if the Secretary has not responded to the eligible agency regarding the State plan within 90 days of the date the Secretary receives the State plan.”.

SEC. 122. IMPROVEMENT PLANS.

Section 123 (20 U.S.C. 2343) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “percent of an agreed upon” and inserting “percent of the”; and

(ii) by striking “appropriate agencies,” and inserting “appropriate State agencies.”;

(B) in paragraph (2)—

(i) by inserting “including after implementation of the improvement plan described in paragraph (1),” after “purposes of this Act,”; and

(ii) by striking “Act” and inserting “subsection”;

(C) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—If the eligible agency fails to make any improvement in meeting any of the State adjusted levels of performance for any of the core indicators of performance identified under paragraph (1) during the first 2 years of implementation of the improvement plan required under paragraph (1), the eligible agency—

“(i) shall revise such improvement plan to address the reasons for such failure; and

“(ii) shall continue to implement such improvement plan until the eligible agency meets at least 90 percent of the State adjusted level of performance for the same core indicators of performance for which the plan is revised.”; and

(i) in subparagraph (B), by striking “sanction in” and inserting “requirements of”; and

(D) by striking paragraph (4);

(2) in subsection (b)—

(A) in paragraph (2), by striking “the eligible agency, appropriate agencies, individuals, and organizations” and inserting “local stakeholders included in section 134(d)(1)”;

(B) in paragraph (3), by striking “shall work with the eligible recipient to implement improvement activities consistent with the requirements of this Act.” and inserting “shall provide technical assistance to assist the eligible recipient in meeting its responsibilities under section 134.”;

(C) in paragraph (4)—

(i) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—If the eligible recipient fails to make any improvement in meeting any of the local adjusted levels of performance for any of the core indicators of performance identified under paragraph (2) during a number of years determined by the eligible agency, the eligible recipient—

“(i) shall revise the improvement plan described in paragraph (2) to address the reasons for such failure; and

“(ii) shall continue to implement such improvement plan until such recipient meets at least 90 percent of an agreed upon local adjusted level of performance for the same core indicators of performance for which the plan is revised.”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i)—

(aa) by striking “In determining whether to impose sanctions under subparagraph (A), the” and inserting “The”; and

(bb) by striking “waive imposing sanctions” and inserting “waive the requirements of subparagraph (A)”;

(II) in clause (i), by striking “or” at the end;

(III) in clause (ii), by striking the period at the end and inserting “; or”; and

(IV) by adding at the end the following:

“(iii) in response to a public request from an eligible recipient consistent with clauses (i) and (ii).”; and

(D) by striking paragraph (5); and

(3) by adding at the end the following:

“(c) PLAN DEVELOPMENT.—Except for consultation described in subsection (b)(2), the State and local improvement plans, and the elements of such plans, required under this section shall be developed solely by the eligible agency or the eligible recipient, respectively.”.

SEC. 123. STATE LEADERSHIP ACTIVITIES.

Section 124 (20 U.S.C. 2344) is amended—

(1) in subsection (a), by striking “shall conduct State leadership activities.” and inserting “shall—

“(1) conduct State leadership activities directly; and

“(2) report on the effectiveness of such use of funds in achieving the goals described in section 122(d)(2) and the State adjusted levels of performance described in section 113(b)(3)(A).”; and

(2) in subsection (b)—

(A) by striking paragraphs (1) through (4) and inserting the following:

“(1) developing statewide programs of study, which may include standards, cur-

riculum, and course development, and career exploration, guidance, and advisement activities and resources;

“(2) approving locally developed programs of study that meet the requirements established in section 122(d)(4)(B);

“(3) establishing statewide articulation agreements aligned to approved programs of study;

“(4) establishing statewide partnerships among local educational agencies, institutions of higher education, and employers, including small businesses, to develop and implement programs of study aligned to State and local economic and education needs, including as appropriate, in-demand industry sectors and occupations.”; and

(B) by striking paragraphs (6) through (9) and inserting the following:

“(6) support services for individuals in State institutions, such as State correctional institutions, including juvenile justice facilities, and educational institutions that serve individuals with disabilities;

“(7) for faculty and teachers providing career and technical education instruction, support services, and specialized instructional support services, high-quality comprehensive professional development that is, to the extent practicable, grounded in evidence-based research (to the extent a State determines that such evidence is reasonably available) that identifies the most effective educator professional development process and is coordinated and aligned with other professional development activities carried out by the State (including under title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) and title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.)), including programming that—

“(A) promotes the integration of the challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)) and relevant technical knowledge and skills;

“(B) prepares career and technical education teachers, specialized instructional support personnel, and paraprofessionals to provide appropriate accommodations for students who are members of special populations, including through the use of principles of universal design for learning; and

“(C) increases understanding of industry standards, as appropriate, for faculty providing career and technical education instruction; and

“(8) technical assistance for eligible recipients.”; and

(3) in subsection (c), by striking paragraphs (1) through (17) and inserting the following:

“(1) awarding incentive grants to eligible recipients—

“(A) for exemplary performance in carrying out programs under this Act, which awards shall be based on—

“(i) eligible recipients exceeding the local adjusted level of performance established under section 113(b)(4)(A) in a manner that reflects sustained or significant improvement;

“(ii) eligible recipients effectively developing connections between secondary education and postsecondary education and training;

“(iii) the integration of academic and technical standards;

“(iv) eligible recipients’ progress in closing achievement gaps among subpopulations who participate in programs of study; or

“(v) other factors relating to the performance of eligible recipients under this Act as

the eligible agency determines are appropriate; or

“(B) if an eligible recipient elects to use funds as permitted under section 135(c);

“(2) providing support for the adoption and integration of recognized postsecondary credentials or for consultation and coordination with other State agencies for the identification, consolidation, or elimination of licenses or certifications which pose an unnecessary barrier to entry for aspiring workers and provide limited consumer protection;

“(3) the creation, implementation, and support of pay-for-success initiatives leading to recognized postsecondary credentials;

“(4) support for career and technical education programs for adults and out-of-school youth concurrent with their completion of their secondary school education in a school or other educational setting;

“(5) the creation, evaluation, and support of competency-based curricula;

“(6) support for the development, implementation, and expansion of programs of study or career pathways in areas declared to be in a state of emergency under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

“(7) providing support for dual or concurrent enrollment programs, such as early college high schools;

“(8) improvement of career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including academic and financial aid counseling;

“(9) support for the integration of employability skills into career and technical education programs and programs of study;

“(10) support for programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science), particularly for students who are members of groups underrepresented in such subject fields, such as female students, minority students, and students who are members of special populations;

“(11) support for career and technical student organizations, especially with respect to efforts to increase the participation of students who are members of special populations;

“(12) support for establishing and expanding work-based learning opportunities;

“(13) support for preparing, retaining, and training of career and technical education teachers, faculty, specialized instructional support personnel, and paraprofessionals, such as preservice, professional development, and leadership development programs;

“(14) integrating and aligning programs of study and career pathways;

“(15) supporting the use of career and technical education programs and programs of study aligned with State, regional, or local in-demand industry sectors or occupations identified by State or local workforce development boards;

“(16) making all forms of instructional content widely available, which may include use of open educational resources;

“(17) support for the integration of arts and design skills, when appropriate, into career and technical education programs and programs of study; and

“(18) support for accelerated learning programs (described in section 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV))) when any such program is part of a program of study.”.

PART C—LOCAL PROVISIONS**SEC. 131. LOCAL APPLICATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.**

Section 134 (20 U.S.C. 2354) is amended—

(1) in the section heading by striking “LOCAL PLAN” and inserting “LOCAL APPLICATION”;

(2) in subsection (a)—

(A) in the heading, by striking “LOCAL PLAN” and inserting “LOCAL APPLICATION”;

(B) by striking “submit a local plan” and inserting “submit a local application”; and

(C) by striking “Such local plan” and inserting “Such local application”; and

(3) by striking subsection (b) and inserting the following:

“(b) CONTENTS.—The eligible agency shall determine the requirements for local applications, except that each local application shall contain—

“(1) a description of the results of the comprehensive needs assessment conducted under subsection (c);

“(2) information on the programs of study approved by a State under section 124(b)(2) supported by the eligible recipient with funds under this part, including—

“(A) how the results of the comprehensive needs assessment described in subsection (c) informed the selection of the specific career and technical education programs and activities selected to be funded; and

“(B) a description of any new programs of study the eligible recipient will develop and submit to the State for approval;

“(3) a description of how the eligible recipient will provide—

“(A) career exploration and career development coursework, activities, or services;

“(B) career information; and

“(C) an organized system of career guidance and academic counseling to students before enrolling and while participating in a career and technical education program; and

“(4) a description of how the eligible recipient will—

“(A) provide activities to prepare special populations for high-skill, high-wage, or in-demand occupations that will lead to self-sufficiency; and

“(B) prepare CTE participants for non-traditional fields.

“(c) COMPREHENSIVE NEEDS ASSESSMENT.—

“(1) IN GENERAL.—To be eligible to receive financial assistance under this part, an eligible recipient shall—

“(A) conduct a comprehensive local needs assessment related to career and technical education; and

“(B) not less than once every two years, update such comprehensive local needs assessment.

“(2) REQUIREMENTS.—The comprehensive local needs assessment described under paragraph (1) shall include—

“(A) an evaluation of the performance of the students served by the eligible recipient with respect to State and local adjusted levels of performance established pursuant to section 113, including an evaluation of performance for special populations;

“(B) a description of how career and technical education programs offered by the eligible recipient are—

“(i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient; and

“(ii)(I) aligned to State, regional, or local in-demand industry sectors or occupations identified by the State or local workforce development board, including career pathways, where appropriate; or

“(II) designed to meet local education or economic needs not identified by State or local workforce development boards;

“(C) an evaluation of progress toward the implementation of career and technical education programs and programs of study;

“(D) an evaluation of strategies needed to overcome barriers that result in lowering rates of access to, or lowering success in, career and technical education programs for special populations, which may include strategies to establish or utilize existing flexible learning and manufacturing facilities, such as makerspaces;

“(E) a description of how the eligible recipient will improve recruitment, retention, and training of career and technical education teachers, faculty, specialized instructional support personnel, paraprofessionals, and career, academic, and guidance counselors, including individuals in groups underrepresented in such professions; and

“(F) a description of how the eligible recipient will support the transition to teaching from business and industry.

“(d) CONSULTATION.—In conducting the comprehensive needs assessment under subsection (c), an eligible recipient shall involve a diverse body of stakeholders, including, at a minimum—

“(1) representatives of career and technical education programs in a local educational agency or educational service agency, including teachers and administrators;

“(2) representatives of career and technical education programs at postsecondary educational institutions, including faculty and administrators;

“(3) representatives of State or local workforce development boards and a range of local or regional businesses or industries;

“(4) parents and students;

“(5) representatives of special populations; and

“(6) representatives of local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472)).

“(e) CONTINUED CONSULTATION.—An eligible recipient receiving financial assistance under this part shall consult with the entities described in subsection (d) on an ongoing basis to—

“(1) provide input on annual updates to the comprehensive needs assessment required under subsection (c);

“(2) ensure programs of study are—

“(A) responsive to community employment needs;

“(B) aligned with employment priorities in the State, regional, or local economy identified by employers and the entities described in subsection (d), which may include in-demand industry sectors or occupations identified by the local workforce development board;

“(C) informed by labor market information, including information provided under section 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)(2)(C));

“(D) designed to meet current, intermediate, or long-term labor market projections; and

“(E) allow employer input, including input from industry or sector partnerships in the local area, where applicable, into the development and implementation of programs of study to ensure programs align with skills required by local employment opportunities, including activities such as the identification of relevant standards, curriculum, industry-recognized credentials, and current technology and equipment;

“(3) identify and encourage opportunities for work-based learning; and

“(4) ensure funding under this part is used in a coordinated manner with other local resources.”.

SEC. 132. LOCAL USES OF FUNDS.

Section 135 (20 U.S.C. 2355) is amended to read as follows:

“SEC. 135. LOCAL USES OF FUNDS.

“(a) GENERAL AUTHORITY.—Each eligible recipient that receives funds under this part shall use such funds to develop, coordinate, implement, or improve career and technical education programs to meet the needs identified in the comprehensive needs assessment described in section 134(c).

“(b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available to eligible recipients under this part shall be used to support career and technical education programs that are of sufficient size, scope, and quality to be effective and—

“(1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study, which may include—

“(A) introductory courses or activities focused on career exploration and career awareness;

“(B) readily available career and labor market information, including information on—

“(i) occupational supply and demand;

“(ii) educational requirements;

“(iii) other information on careers aligned to State or local economic priorities; and

“(iv) employment sectors;

“(C) programs and activities related to the development of student graduation and career plans;

“(D) career guidance and academic counselors that provide information on postsecondary education and career options; or

“(E) any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals;

“(2) provide professional development for teachers, principals, school leaders, administrators, faculty, and career and guidance counselors with respect to content and pedagogy that—

“(A) supports individualized academic and career and technical education instructional approaches, including the integration of academic and career and technical education standards and curriculum;

“(B) ensures labor market information is used to inform the programs, guidance, and advisement offered to students;

“(C) provides educators with opportunities to advance knowledge, skills, and understanding of all aspects of an industry, including the latest workplace equipment, technologies, standards, and credentials;

“(D) supports administrators in managing career and technical education programs in the schools, institutions, or local educational agencies of such administrators;

“(E) supports the implementation of strategies to improve student achievement and close gaps in student participation and performance in career and technical education programs; and

“(F) provides educators with opportunities to advance knowledge, skills, and understanding in pedagogical practices, including, to the extent the eligible recipient determines that such evidence is reasonably available, evidence-based pedagogical practices;

“(3) provide career and technical education students, including special populations, with the skills necessary to pursue high-skill, high-wage occupations;

“(4) support integration of academic skills into career and technical education programs and programs of study to support CTE participants at the secondary school level in meeting the challenging State academic standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)) by the State in which the eligible recipient is located;

“(5) plan and carry out elements that support the implementation of career and technical education programs and programs of study and student achievement of the local adjusted levels of performance established under section 113, which may include—

“(A) curriculum aligned with the requirements for a program of study;

“(B) sustainable relationships among education, business and industry, and other community stakeholders, including industry or sector partnerships in the local area, where applicable, that are designed to facilitate the process of continuously updating and aligning programs of study with skills in demand in the State, regional, or local economy;

“(C) dual or concurrent enrollment programs, including early college high schools, and the development or implementation of articulation agreements;

“(D) appropriate equipment, technology, and instructional materials (including support for library resources) aligned with business and industry needs, including machinery, testing equipment, tools, implements, hardware and software, and other new and emerging instructional materials;

“(E) a continuum of work-based learning opportunities;

“(F) industry-recognized certification exams or other assessments leading toward industry-recognized postsecondary credentials;

“(G) efforts to recruit and retain career and technical education program administrators and educators;

“(H) where applicable, coordination with other education and workforce development programs and initiatives, including career pathways and sector partnerships developed under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and other Federal laws and initiatives that provide students with transition-related services, including the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

“(I) expanding opportunities for students to participate in distance career and technical education and blended-learning programs;

“(J) expanding opportunities for students to participate in competency-based education programs;

“(K) improving career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including academic and financial aid counseling;

“(L) supporting the integration of employability skills into career and technical education programs and programs of study;

“(M) supporting programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science) for students who are members of groups underrepresented in such subject fields;

“(N) providing career and technical education, in a school or other educational set-

ting, for adults or a school-aged individual who has dropped out of a secondary school to complete secondary school education or upgrade technical skills;

“(O) career and technical student organizations, including student preparation for and participation in technical skills competitions aligned with career and technical education program standards and curriculum;

“(P) making all forms of instructional content widely available, which may include use of open educational resources;

“(Q) supporting the integration of arts and design skills, when appropriate, into career and technical education programs and programs of study;

“(R) where appropriate, expanding opportunities for CTE concentrators to participate in accelerated learning programs (described in section 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV)) as part of a program of study; and

“(S) other activities to improve career and technical education programs; and

“(6) develop and implement evaluations of the activities carried out with funds under this part, including evaluations necessary to complete the comprehensive needs assessment required under section 134(c) and the local report required under section 113(b)(4)(C).

“(c) **POOLING FUNDS.**—An eligible recipient may pool a portion of funds received under this Act with a portion of funds received under this Act available to not less than 1 other eligible recipient to support implementation of programs of study through the activities described in subsection (b)(2).

“(d) **ADMINISTRATIVE COSTS.**—Each eligible recipient receiving funds under this part shall not use more than 5 percent of such funds for costs associated with the administration of activities under this section.”.

TITLE II—GENERAL PROVISIONS

SEC. 201. FEDERAL AND STATE ADMINISTRATIVE PROVISIONS.

The Act (20 U.S.C. 2301 et seq.) is amended—

(1) in section 311(b)—

(A) in paragraph (1)—

(i) by amending subparagraph (A) to read as follows:

“(A) **IN GENERAL.**—Except as provided in subparagraphs (B), (C), or (D), in order for a State to receive its full allotment of funds under this Act for any fiscal year, the Secretary must find that the State’s fiscal effort per student, or the aggregate expenditures of such State, with respect to career and technical education for the preceding fiscal year was not less than the fiscal effort per student, or the aggregate expenditures of such State, for the second preceding fiscal year.”;

(ii) in subparagraph (B), by striking “shall exclude capital expenditures, special 1-time project costs, and the cost of pilot programs.” and inserting “shall, at the request of the State, exclude competitive or incentive-based programs established by the State, capital expenditures, special one-time project costs, and the cost of pilot programs.”; and

(iii) by adding after subparagraph (C), the following new subparagraph:

“(D) **ESTABLISHING THE STATE BASELINE.**—

“(i) **IN GENERAL.**—For purposes of subparagraph (A), the State may—

“(I) continue to use the State’s fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education, as was in effect on the day before the date of enactment of the Strengthening Career and Technical Education for the 21st Century Act; or

“(II) establish a new level of fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education.

“(ii) **AMOUNT.**—The amount of the new level described in clause (i)(II) shall be the State’s fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education, for the first full fiscal year following the enactment of such Act.”; and

(B) by striking paragraph (2) and inserting the following:

“(2) **FAILURE TO MEET.**—The Secretary shall reduce the amount of a State’s allotment of funds under this Act for any fiscal year in the exact proportion by which the State fails to meet the requirement of paragraph (1) by falling below the State’s fiscal effort per student or the State’s aggregate expenditures (using the measure most favorable to the State), if the State failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(3) **WAIVER.**—The Secretary may waive paragraph (2) due to exceptional or uncontrollable circumstances affecting the ability of the State to meet the requirement of paragraph (1).”;

(2) in section 317(b)(1)—

(A) by striking “may, upon written request, use funds made available under this Act to” and inserting “may use funds made available under this Act to”; and

(B) by striking “who reside in the geographical area served by” and inserting “located in or near the geographical area served by”;

(3) by striking title II and redesignating title III as title II;

(4) by redesignating sections 311 through 318 as sections 211 through 218, respectively;

(5) by redesignating sections 321 through 324 as sections 221 through 224, respectively; and

(6) by inserting after section 218 (as so redesignated) the following:

“SEC. 219. STUDY ON PROGRAMS OF STUDY ALIGNED TO HIGH-SKILL, HIGH-WAGE OCCUPATIONS.

“(a) **SCOPE OF STUDY.**—The Comptroller General of the United States shall conduct a study to evaluate—

“(1) the strategies, components, policies, and practices used by eligible agencies or eligible recipients receiving funding under this Act to successfully assist—

“(A) all students in pursuing and completing programs of study aligned to high-skill, high-wage occupations; and

“(B) any specific subgroup of students identified in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) in pursuing and completing programs of study aligned to high-skill, high-wage occupations in fields in which such subgroup is underrepresented; and

“(2) any challenges associated with replication of such strategies, components, policies, and practices.

“(b) **CONSULTATION.**—In carrying out the study conducted under subsection (a), the Comptroller General of the United States shall consult with a geographically diverse (including urban, suburban, and rural) representation of—

“(1) students and parents;

“(2) eligible agencies and eligible recipients;

“(3) teachers, faculty, specialized instructional support personnel, and paraprofessionals, including those with expertise in

preparing CTE students for nontraditional fields;

“(4) special populations; and

“(5) representatives of business and industry.”

“(c) SUBMISSION.—Upon completion, the Comptroller General of the United States shall submit the study conducted under subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.”

TITLE III—AMENDMENTS TO THE WAGNER-PEYSEY ACT

SEC. 301. STATE RESPONSIBILITIES.

Section 15(e)(2) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)(2)) is amended—

(1) by striking subparagraph (B) and inserting the following:

“(B) consult with eligible agencies (defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), State educational agencies, and local educational agencies concerning the provision of workforce and labor market information in order to—

“(i) meet the needs of secondary school and postsecondary school students who seek such information; and

“(ii) annually inform the development and implementation of programs of study defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302), and career pathways;”

(2) in subparagraph (G), by striking “and” at the end;

(3) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(4) by inserting after subparagraph (H) the following new subparagraph:

“(I) provide, on an annual and timely basis to each eligible agency (defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), the data and information described in subparagraphs (A) and (B) of subsection (a)(1).”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. THOMPSON) and the gentlewoman from Massachusetts (Ms. CLARK) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5587.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5587.

Mr. Speaker, a weak economy and advances in technology have dramatically changed today's job market, creating both challenges and opportunities for men and women entering the workforce. This is why equipping today's students with the tools they need to remain competitive is essential. One way we can achieve that goal is by strengthening career and technical

education programs for those eager to pursue pathways to success.

As cochair of the Career and Technical Education Caucus, I have worked hard to increase awareness about the opportunities available through CTE. For some students, a four-year college is the best path forward. For others, a CTE program might be the best way to shape a fulfilling and successful future, Mr. Speaker.

These State and local programs help individuals obtain the knowledge and skills they need to be successful in a number of different occupations and fields—fields like health care, technology, agriculture, and engineering.

□ 1445

However, the law that provides Federal support for these programs has not been updated in more than a decade. Simply put, it does not address the new challenges today's students, workers, and employers face.

That is why I, along with my colleague from Massachusetts, Representative KATHERINE CLARK, introduced H.R. 5587, a bill that works to modernize and improve current law to better reflect those challenges and provide more opportunities for students to pursue successful, rewarding careers.

Recognizing the importance of engagement with community leaders and local businesses, this bill empowers State and local leaders by providing them with the flexibility they need to best prepare their students for the workforce and to respond to the changing needs of their communities. H.R. 5587 also promotes work-based learning and encourages stronger partnerships with employers to help students obtain jobs now and throughout their lifetimes.

I am also proud to say H.R. 5587 takes steps to reduce the Federal role in career and technical education, while ensuring transparency and accountability amongst CTE programs. By streamlining performance measures, the bill provides State and local leaders—rather than the Federal Government—with the tools they need to hold these programs accountable.

These are just some of the important reforms this bill makes to provide Americans with clear pathways to success.

Mr. Speaker, I would be remiss not to thank a few people who have made this bill possible: Chairman KLINE and his staff, in particular, James Redstone; Ranking Member SCOTT and his staff; Sam Morgante with Mr. LANGEVIN's office; and Katie Brown of my staff.

Both Sam and Katie have taken the lead staffing the Career and Technical Education Caucus, each providing tireless advocacy for the policies included in this bill. They have my deep appreciation for their hard work.

I urge my colleagues to support H.R. 5587 and help us take a positive step to-

wards reforming and strengthening career and technical education training in America.

Mr. Speaker, I reserve the balance of my time.

Ms. CLARK of Massachusetts. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act, legislation that I am proud to introduce with the gentleman from Pennsylvania (Mr. THOMPSON), as well as Representatives LANGEVIN, NOLAN, CURBELO, and BYRNE, and with the support of the House Education and the Workforce Committee ranking member, Mr. SCOTT, and our chairman, Mr. KLINE.

The bill before us is proof that Democrats and Republicans can come together and do the right thing for America's students, workers, and employers.

The Perkins Career and Technical Education program reaches over 11 million American students across the country each year; and for the first time in 10 years, this legislation will comprehensively update the program, overhauling how government invests in our workforce and strengthens American competitiveness through job skills training. This bill will help families by preparing them with the skills they need to thrive in high-demand fields as diverse as child care, advanced manufacturing, carpentry, computer science, automotive technology, culinary arts, and more.

This legislation is supported by over 200 leading national organizations, including educators, trade groups, and major employers across the country.

It was reported by the House Education and the Workforce Committee without a single dissenting vote, which I think reflects the bipartisan, good faith process by which we came together to draft and introduce this bill.

Specifically, I am pleased this legislation takes steps to help policymakers measure what does and does not work in career and technical education, allowing us to build on our past successes. It ensures our career and technical education programs are aligned with the needs of high-demand growth industries in order to make sure that America is competitive globally. It also supports our work-based learning and apprenticeships. It directly supports our early education and childcare workforce and brings the Perkins program into the modern 21st century global economy.

I am very pleased to have this bill on the floor today. I urge its passage.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), the chairman of the Workforce Protections Subcommittee.

Mr. WALBERG. Mr. Speaker, I rise in support of H.R. 5587, which will help

people in Michigan and across the country find meaningful careers in the 21st century workforce by updating our career and technical education programs.

As I met with students, teachers, and employers in my district, I have heard consistent support for improving CTE. I know how important it is to modernize this program for today's jobs, from touring places like Southern Michigan Center for Science and Industry in Hudson, Michigan; the Jackson Area Career Center in Jackson, Michigan; Monroe County Community College; and many more.

We know that not everyone's path to success in the workplace is the same and, while many students pursue degrees at colleges and universities, many others know their sweet spot lies somewhere else. Career and technical education provides those individuals that opportunity and ensures our aspiring workforce is getting the hands-on training they need and they want.

I am particularly pleased that this bill includes my provisions to address outdated and burdensome occupational licensure requirements which can come at the expense of lower income workers, young people, and entrepreneurs who lack the resources to overcome regulatory obstacles.

According to the National Bureau of Economic Research, nearly 1 in 3 jobs now require a State-approved license or certification; in 1950, it was 1 in 20. This bill will help create pathways to careers by encouraging States to review their regulatory climate and ensure it does not create unnecessary barriers for job growth.

I commend the authors of this bill, and I am proud that it emerged from our committee on a unanimous 37-0 vote.

I hope my colleagues will vote in support of this bipartisan legislation and work together to help every American pursue their personal paths to the American Dream.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished ranking member of our committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of H.R. 5587, the Strengthening CTE for the 21st Century Act, which would reauthorize the Perkins Career and Technical Education program.

The research is clear: the United States workforce is suffering from a skills gap. According to one study, 65 percent of all jobs in the United States in the near future will require at least some education or training past the high school level—not necessarily a 4-year degree, but some education and training past the high school level. In Virginia alone, we have thousands of jobs in the tech sector that go unfilled because of the lack of qualified appli-

cants. Some of those jobs have salaries of \$88,000.

Today's CTE program is not the vocational education of the past, where students pursued a career rather than academic studies. Now the current programs integrate the academic curriculum which will assist in preparing participants for postsecondary education and credentials.

Mr. Speaker, people in the future will have to learn a new job; but if they don't have the academic background, we will be doing them a great disservice. This bill will allow students to pursue a career track; and if they change their mind later on, they are still getting the academics. They can go to a college-ready program.

We need to make sure that we have greater accountability for program quality. We want to ensure that we have more inclusive collaboration between educational institutions, industries, employers, and community partners. And we need to make sure that those programs are aligned with our recent K through 12 education and workforce systems.

I would like to thank all of the people who have been involved in this, particularly the gentlewoman from Massachusetts (Ms. CLARK) and the gentleman from Pennsylvania (Mr. THOMPSON), along with Mr. LANGEVIN from Rhode Island, who is the chair of the CTE Caucus, and all of the others who have worked across the aisle to bring us together today.

This bill, as has been pointed out, has been reported unanimously from the Education and the Workforce Committee, has strong support across the aisle, and I trust that we will pass it. I hope the Senate will take it up as soon as possible.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. I thank the gentleman for yielding.

Mr. Speaker, earlier this summer, I had the opportunity to visit the new career and technical education classrooms at Saraland High School. From welding to engineering to IT, these programs are going to make a real difference, and I was so impressed to see CTE getting the attention it deserves.

You see, for too long, we have devalued the importance of career and technical education here in America. The programs were seen as some sort of second-rate option for students who couldn't make it otherwise. That simply isn't the case.

Instead, CTE programs offer real opportunities to students of all ages and from all backgrounds. With this bill, we are making it clear that career and technical education is a critical educational option that leads to good-paying jobs.

This bill makes important reforms to our CTE programs, with a special em-

phasis on ensuring the programs focus on in-demand skill areas in order to close the skills gap and boost economic growth.

This is a truly bipartisan, reform-oriented bill that deserves our strongest support, and I urge all my colleagues to join me in voting in favor of this legislation.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), without whose leadership and expertise this legislation wouldn't be in the wonderful form that it is today, and we are very grateful for his role.

Mr. LANGEVIN. Mr. Speaker, I thank the gentlewoman from Massachusetts for yielding and for her outstanding leadership on reauthorizing the Carl D. Perkins Career and Technical Education Act. I am certainly pleased to join with five other bipartisan colleagues as original cosponsors of this bill.

I would also, in particular, like to thank my friend and colleague, Representative G.T. Thompson of Pennsylvania, for his unwavering commitment to expanding CTE. As co-chairs of the Career and Technical Education Caucus, Representative THOMPSON and I have made Perkins reauthorization our top priority; and today it is the culmination of over 4 years of our work on the caucus together. I want to thank him and both his staff and my staff for their extraordinary efforts.

We should also, of course, recognize everything that Chairman KLINE, Ranking Member SCOTT, and their staffs did to get this bill to the floor today.

Perkins has historically been a bipartisan bill, and we are all very happy to continue this tradition. H.R. 5587 was passed unanimously by the Education and the Workforce Committee and is the product of an inclusive and thoughtful process. Again, it passed unanimously. When does that happen, ever, it seems, these days in this Congress? This is extraordinary.

The bill makes many necessary updates to Perkins, with an emphasis on training students for the skills they will need in high-growth sectors in the 21st century economy. I am particularly pleased that it emphasizes the role of school counselors in helping students choose their career path, incorporating ideas from my Counseling for Career Choice Act. By equipping counselors with local labor market information, they can better help students choose the field that best fits their skills and interests and will ultimately lead to a good-paying job.

The bill also expands student access to work-based learning opportunities. This will help students to bridge the gap between classroom theory and workplace practice and align skills and training with employer needs.

Providing workers with the skills necessary to thrive in the modern

economy is essential to our economic prosperity. I urge all of my colleagues to support this bill and the Senate to quickly take up this bipartisan legislation.

Again, I thank all of my colleagues who were involved in this effort and the staff for bringing this bill to the floor today.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it is my pleasure to take a point of personal privilege just as a chance to recognize Chairman KLINE of the Education and the Workforce Committee and to thank him for his leadership in education, for truly making a difference in the lives of our youth and, quite frankly, people of all ages, like with this piece of legislation. I very much appreciate his leadership.

So it is my honor to yield 2 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Education and the Workforce Committee.

□ 1500

Mr. KLINE. Mr. Speaker, I thank the gentleman from Pennsylvania for his leadership on this issue and for yielding the time.

Mr. Speaker, I rise today in strong support of the Strengthening Career and Technical Education for the 21st Century Act.

A quality education is vital to succeeding in today's workforce. However, it is important to know that a quality education doesn't have to mean a 4-year college degree. Career and technical education can be just as valuable, and, for many individuals, it is the path that is best for them.

Earlier this year, members on the Education and the Workforce Committee heard from Paul Tse. Paul struggled as a student, but his life changed when he enrolled in a CTE program at the Thomas Edison High School of Technology in Silver Spring, Maryland. Today, he has a fulfilling career and not a dime—Mr. Speaker, not a dime—of student loan debt. There are countless other success stories just like Paul's.

The CTE classes Rob Griffin took as a high school student in Whitfield County, Georgia, prepared him for a successful career at one of the Nation's leading steel fabricators.

The hands-on experience Alex Wolff received at the Santa Barbara County Regional Occupational Program led to a rewarding career in electrical engineering. And Jasmine Morgan from the Atlanta area found her passion through CTE coursework and landed a job as a sports marketing specialist.

The goal of this legislation is to help more individuals write their own success stories. This bipartisan legislation will empower State and local leaders to tailor CTE programs to serve the best interests of the students in their communities. It will improve transparency and accountability, as well as ensure

Federal resources are aligned with the needs of the local workforce and help students obtain high-skilled, high-demand jobs.

These positive reforms are an important part of our broader agenda, A Better Way, which is aimed at helping more men and women achieve a lifetime of success.

I want to thank Representatives GLENN THOMPSON and KATHERINE CLARK for their leadership.

I urge my colleagues to support this legislation.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN). I thank him for his leadership on CTE and all his work for the students and employers of his district and our country.

Mr. NOLAN. Mr. Speaker, I would like to begin by recognizing my distinguished colleague from Minnesota (Mr. KLINE) for the great leadership that he has provided as the chairman of the Committee on Education and the Workforce. Make no mistake about it, our educational opportunities and future are brighter for you having chaired that committee and served in this Chamber. We all owe you a great debt of gratitude and wish you well in your future going forward. The greatest tribute I think that anyone can receive is that we served well and we made a difference. You have done that, and we thank you for that.

I would be remiss if I didn't also thank Ranking Member SCOTT for his great work in this area. I also thank Mr. THOMPSON of Pennsylvania, Ms. CLARK of Massachusetts, and the other original cosponsors for their hard work.

Mr. Speaker, I rise in support of this critically important bipartisan reauthorization of the Perkins Career and Technical Education Act.

Time and again, when I visit with owners and managers of manufacturing facilities throughout my northern Minnesota district, I am told two things. The first is that the employees they have hired who have participated in career and technical education programs are the very best that they have in their employment. Employers can't say enough good things about them and their skills and the work that they do.

The second point is that they need more CTE-trained people. All down the line, from health care, to construction, to information technology, to transportation, to aviation—and the list goes on—good-paying jobs with living wages are waiting for these people.

So this bill adds important new provisions to expand and update CTE so jobs can be filled. States get more flexibility to focus on the jobs and careers in high demand within their regions. Employers and communities get the tools they need to develop stronger partnerships to engage students and

grow our local economies. And students get the tools that they need to compete and succeed in the 21st century. That is what this bill is all about.

It's all about more good jobs.

More great opportunities to learn and gain valuable skills and knowledge.

And—More dynamic growth for an economy in need of the best, most skilled workers America can provide.

I urge our colleagues in the Senate to join the House in supporting this critical and important program and act swiftly to take up and pass this legislation.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it is my honor to recognize the chairman of the Subcommittee on Early Childhood, Elementary, and Secondary Education that has jurisdiction on this bill. I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Well, I thank the gentleman from Pennsylvania for his kind words. He is a dear friend. I have looked forward to our work together so far and into the future.

Mr. Speaker, I have been to probably a hundred schools in my time in public service. I have seen the best of schools, and I have seen the worst of schools. The one thing that I am seeing more and more, not only in our K-12 schools but in others after that, is the need for career and technical education and the need for reform in that area.

Now, Mr. Speaker, I am not talking about the shop class of old or anything like that. In fact, what we are seeing now is a completely different model.

As Indiana's Governor Pence cited in a congressional hearing last year, today's CTE, today's career and technical education, is not about, if not plan A, then plan B. It is about having two plan As. And that is exactly what today's CTE courses are bringing to the forefront.

Technological advances are constantly changing the kinds of jobs that are available, as well as the skills needed to succeed in those careers. That is why career and technical education is so important. It provides opportunities for students to gain those specific skills and prepare them to navigate the changing workforce.

Now, through a number of common-sense measures, Mr. Speaker, this bill is delivering the reforms that will provide the flexibility to State and local leaders to meet those unique local needs, build stronger engagement with employers, and ensure that CTE programs are delivering results. So I thank Representatives THOMPSON and CLARK for working together to move this bill forward.

I urge my colleagues to support this bipartisan bill and help more people gain the skills and hands-on experience that are critical to succeeding in today's workforce.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise in strong support of H.R. 5587, which addresses the most urgent workforce challenge in our Nation by updating and strengthening career and technical education programs at the secondary education level.

First, the good news. All across the country, there is an exciting and growing need for trade and technical skills to fill jobs that young people can build a career and life around. Advanced manufacturing opportunities in aerospace, maritime, and even health care are happening from coast to coast. And the question of the day for many employers is whether our education and job training systems are ready to fill the need.

Recent updates to K–12 and job training programs signed into law by President Obama in 2014 and 2015 built a positive platform to address this challenge, and passage of this bill for technical programs will add to that capability.

In southeastern Connecticut where I hail from, the U.S. Navy's demand signal for new Virginia class and Columbia class submarines is projected to require up to 14,000 new hires in metal trades, design, and engineering over the next 10 years. For my region, passage of this bill is not just feel-good legislation but a critical, existential requirement.

I strongly urge passage of this bill and swift concurrence by the Senate.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. ROE), a classmate of mine and also another leader in the Education and the Workforce Committee and the chairman of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. ROE of Tennessee. Mr. Speaker, I rise today to encourage my colleagues to support H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act. CTE programs are designed to prepare high school students and community college students for the workforce. However, the laws supporting these efforts have not been updated in over a decade.

In my district, I often hear from businessowners, employers, administrators, and students who all tell me about the need for quality education and training necessary in today's workplace. Just as the one-size-fits-all approach doesn't work for health care, it will not work for education and workforce training. Each State, school district, and student is different. Local administrators, teachers, and employers—not the Federal Government—should have these decisionmaking powers.

Congress has worked to improve K–12 education and modernize the Nation's workforce development system, and this bill continues to build on that progress. The recession may have

ended in 2009, Mr. Speaker, but too many people are still struggling to make ends meet. We can do better.

I encourage my colleagues to support H.R. 5587.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, I rise in support of H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act.

A few weeks ago, I got to visit the new Pathways in Technology Early College, P-TECH, program at Skyline High School in Colorado in the St. Vrain Valley School District. P-TECH is a partnership between the St. Vrain Valley School District, Front Range Community College, IBM, and other employers. It allows students to earn a high school diploma and associate's degree in 4 or 5 years.

I spoke with a number of students participating in the very first P-TECH class, and they shared with me how this program will equip them with the skills they need to get good, reliable jobs after graduation. That is the kind of innovation Congress should be supporting, and this bill allows for that.

The bill also allows funds to be used for open access education resources. Open access education resources and open access textbooks are openly licensed, free to use, and often come with more flexibility than traditional or commercial textbooks. Throughout this country, open education resources are gaining popularity, save resources, and maintain high quality standards.

Last year, Congress recognized the cost-saving potential and flexibility of open education resources at the K–12 level in the Every Student Succeeds Act. I am very excited that support for open education resources continues in this bill.

I urge this bill's final passage today, and I call on my colleagues in the Senate to take up this bipartisan legislation as soon as possible.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 5587, the Strengthening Career and Technical Education for the 21st Century Act, and the benefit and opportunities it will provide for those looking to enter the job market.

We have an opportunity to get rid of the stigma of this vocation path and bring to light the benefits of career and technical education. This bill overhauls the system to bring the decision-making down to the State and local leaders. It more closely accounts for changes in the job market. It increases the input from groups such as students and business leaders.

This legislation empowers leaders from our States and communities by reducing the paperwork for local edu-

cation providers and streamlines the requirements process. It supports closer partnerships with employers, who know the needs of the workplace, and puts in place accountability benchmarks to ensure that these programs on the secondary level are delivering the training and results they are supposed to be providing to students.

This bill also allows States and local authorities to develop a curriculum they know that works for their students and for their communities.

I applaud the gentleman from Pennsylvania (Mr. THOMPSON) and the Education and the Workforce Committee for their hard work and diligence in addressing this matter.

I urge my colleagues to support this bill.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I enthusiastically support the Strengthening Career and Technical Education for the 21st Century Act.

When I visit communities in Oregon, I hear from business leaders, educators, and students about how hands-on career and technical education programs engage them and prepare them for success after high school, regardless of what path they take.

This CTE legislation authorizes needed increases in funding for CTE programs and takes important steps to help more students excel in school and in the workforce.

The bill will improve participation among historically underserved students, bring needed input from key stakeholders, including parents and industry groups, and help students learn employability skills as well as technical skills.

I thank my friend and colleague from New York, the co-chair of the STEAM Caucus, Congresswoman STEFANIK, for working with me to include an amendment that promotes arts and design education, which is increasingly in high demand in numerous industry sectors that value innovation. I thank Chairman KLINE, Ranking Member SCOTT, and Representatives CLARK and THOMPSON for their leadership and commitment to improving CTE programs.

I ask my colleagues to join me in approving this legislation and call on the Senate to quickly take action.

□ 1515

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I am now pleased to yield 1 minute to the gentlewoman from North Carolina (Ms. FOXX), also a leader on the Committee on Education and the Workforce. She serves as our chair of the Subcommittee on Higher Education and Workforce Training.

Ms. FOXX. Mr. Speaker, I thank my colleague from Pennsylvania for yielding to me and for the work that he has done on this important bill.

Mr. Speaker, the Carl D. Perkins Career and Technical Education Act has provided Federal support to State and local career and technical education programs for more than 30 years. But for far too long there has been a discrepancy in what students are learning in the classroom and what employers say they need in the workplace.

H.R. 5587 updates the law to reflect today's economic needs and the challenges that students and workers currently face. This bipartisan bill goes a long way toward ensuring that individuals who pursue a technical education have the knowledge and skills they need to succeed.

Educational success is about more than just a degree. It is about preparing students for a satisfying life and teaching them the quantifiable skills that employers need in their employees. The Strengthening Career and Technical Education for the 21st Century Act will help students reach those goals. I encourage my colleagues to support this important legislation.

Ms. CLARK of Massachusetts. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, career technical education answers the call that we hear from industry and from students alike to train students in fields where high-quality jobs are available. We know that means both equity and quality. Equity, of course, we know because every individual, every man, every woman, people of color, the disabled, all of the groups need to have equal access to a promising education and successful career.

The reality is that we can't fix a problem that we can't see. So we have to have the data. We have to have the ability to know what we are looking at. But it is equally important to make sure that CTE programs deliver in terms of quality.

So how do we do that?

I am excited that this bill places an emphasis on teachers getting opportunities to advance their knowledge and skills. Teachers need support and training from industry leaders so that they can take their knowledge back to students.

The flow of relevant information between industry, between teachers and students has to be highlighted and strengthened. When teachers have direct field experience, they are better able to enthusiastically relate accurate and timely industry practices to their students, and that makes for stronger professional development for teachers, and that will trickle down to our students.

Successful CTE programs will close the skills gap that undermines our productivity today. I urge my colleagues in the Senate to take up and pass this overwhelmingly bipartisan legislation.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield 1 minute to the

gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank Chairman GLENN THOMPSON for yielding.

I am grateful to support the Strengthening Career and Technical Education for the 21st Century Act. Whether I am visiting one of the remarkable schools in South Carolina's technical education system of Aiken, Midlands, Orangeburg-Calhoun, or a local manufacturing facility, the message is the same: the job market is changing rapidly. Quality education is vital to competing, which is why apprenticeship programs are so important in leading to the success of BMW, MTU, AGY, SRS, Michelin, Bridgestone, Boeing, and soon Volvo in South Carolina.

While existing technical education, which was established by Fritz Hollings and Floyd Spence, has played a role in creating jobs, existing legislation has not been updated for the last 10 years.

This bill serves as a first step to reforming technical education programs by helping all Americans enter the workforce for high-skilled, in-demand jobs. Some reforms include empowering State and local community leaders, limiting Federal mandates, encouraging employment engagement, and increasing accountability.

I am grateful to cosponsor the Strengthening Career and Technical Education for the 21st Century Act. I appreciate the leadership of Chairman GLENN THOMPSON for sponsoring this leadership, and I urge my colleagues to support it.

Ms. CLARK of Massachusetts. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the gentlewoman for yielding.

As a member of the House Committee on Education and the Workforce, I am proud to stand here today in support of the Strengthening Career and Technical Education for the 21st Century Act. This is commonsense, bipartisan legislation, and it will strengthen our economy and put hardworking Americans back to work.

As elected leaders promoting the welfare of the American people, it is our most sacred responsibility, and this is why we must continue to work together to ensure that American workers have the skills and the training needed to compete in this modern workforce.

In August, I traveled throughout my district, meeting with local employers and workers, and they all shared one major concern: the desperate need to close the skills gap.

There are good paying jobs right here at home, but our people aren't able to fill them, and that is unacceptable. The skills gap is weakening our national

and local economies, and we can no longer afford the price of an underprepared workforce. That is why I call on my colleagues to vote "yes" and to reauthorize CTE.

Voting "yes" will not only strengthen our economy, but will help make the American Dream a reality for millions of Americans. Voting "yes" will absolutely make a difference in the lives of those you serve. Today we have an opportunity to get it right, an opportunity to level the playing field, and to put the needs of the American people first. Let's make America stronger by passing this commonsense, bipartisan legislation. I urge my colleagues to vote "yes." I hope the Senate will move swiftly in also passing this crucial piece of legislation.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding.

Career technical education is critical to the development of a growing workforce. As I go into the schools today, I often ask the students: Why are you getting an education?

These are questions that I ask the students: Why is education important?

The answer is to get a good job, to build a career.

Our schools teach children all the necessary and important subjects, but it is important that we offer programs that prepare students for the workforce. We have to work to bridge the existing gap between the business community and education. That means encouraging students to find their passions early on and choosing programs that will build their resumes and set them up for their chosen occupation.

As a member of the House Committee on Education and the Workforce, a member of the Congressional Career and Technical Education Caucus, and with over 40 years in the business world, I am a strong supporter of this bill. Growing this economy starts with jobs and getting people back to work. So why not start by preparing America's future workforce early?

I urge support of the Strengthening Career and Technical Education for the 21st Century Act.

Ms. CLARK of Massachusetts. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY). I would like to thank him for all his leadership and work on promoting American manufacturing, STEM and STEAM education, and CTE.

Mr. KENNEDY. Mr. Speaker, I want to thank my colleagues, Congresswoman CLARK and Congressman THOMPSON, for their extraordinary leadership, as they always seek ways to advance career and technical education training.

According to a recent report, Mr. Speaker, in my home State of Massachusetts, three out of five job openings

in our Commonwealth 6 years from now will require less than a college degree. That means that students who are just starting their second week of middle school this week could walk straight out of their high school graduation and into a job in their own backyard.

They will only be prepared for those jobs, though, if we ensure that their curriculum is informed by the needs of companies in their communities. Businesses and voc-tech schools in my district are already creating innovative partnerships that allow students to learn in their classrooms and then gain hands-on experience on factory floors.

Guided by their example, I introduced the Perkins Modernization Act to align the curriculum that our students are learning today with the needs of the employers who will hire them tomorrow. I am grateful that the sponsors of this legislation included that language, and I hope the Senate will follow their lead by quickly taking up and passing this legislation.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CURBELO), another very effective member of the House Committee on Education and the Workforce.

Mr. CURBELO of Florida. I thank Mr. THOMPSON for yielding, and I thank him for his leadership on this bill. I would also like to thank Ms. CLARK, our chairman, and the ranking member for making this possible.

I think all of my colleagues have explained all the details in this bill, the important reforms that are in it, but what I want to focus on is the critical message that it sends young people and, really, all aspiring people all over this country, Mr. Speaker.

For a long time—and I was a school board member, so I know this—young people were told that there was only one path to success: a traditional 4-year degree. And anyone who didn't do that was looked down upon, and we stigmatized a lot of young people in this country.

What this Congress is doing today together—Republicans and Democrats—is sending a strong message to students in high school today, students in middle school, and people who are adults but still aspiring and looking to acquire job skills so that they can get a good job, that there are many pathways to success. I think that is equally as important as the reforms, as the changes, as the updating of this important bill that we are advancing, the strong, wonderful message it is sending to the young people of this country.

I thank everyone for their leadership, and I urge all my colleagues to vote for this legislation.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in support of H.R. 5587.

First, I want to thank the Members for coming together and certainly their staffs for recognizing the important piece of this legislation where we are going.

As we heard before, a 4-year college is a great pathway for some, but it certainly isn't for everyone. I, myself, am a product of the other 4-year school, an apprenticeship out of the IBEW that allowed me for many, many years to support my family being an electrician.

In New Jersey, my home State, 7 out of 10 jobs that are coming up in the next few years will require less than that 4-year degree, and that reemphasizes why we are here today.

This important bill will go a long way to provide students with alternative pathways to earn a fair day's pay for a fair day's work. I, along with Representative MCKINLEY, formed the Congressional Building Trades Caucus to work on these issues, and we will be meeting later this week to discuss these important items. Apprenticeships are a partnership between employers and employees. They come together and will increase the outcomes.

Once again, I want to thank all those involved for their hard work. I urge the Senate to take this up quickly.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I have no other speakers, so I reserve the balance of my time.

Ms. CLARK of Massachusetts. Mr. Speaker, I yield myself the balance of my time.

Today we have heard Democrats and Republicans from across the United States speak in support of H.R. 5587. This legislation builds upon the investments this Chamber has made in the education system and updates CTE to allow our students to be competitive in a global economy.

I want to give special thanks to the Committee on Education and the Workforce staff, who worked so hard to support Members in drafting this bill that has received such broad bipartisan support.

I urge my colleagues on both sides of the aisle, as well as our Senate colleagues, to quickly take up and approve this commonsense legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, career and technical education helps men and women across the country achieve the American Dream of finding and seizing opportunities to work hard and to succeed within the workforce.

The Strengthening Career and Technical Education for the 21st Century Act makes the positive reforms necessary to ensure more Americans are able to access life-changing education

and experience that will allow them to do just that, to achieve the American Dream.

□ 1530

I am pleased that we have been able to work across the aisle in a bipartisan manner—my hope is that we will be able to work in a bicameral manner with the Senate, and I encourage swift action in the Senate—to ensure that this generation is equipped with the tools needed to remain competitive in today's workforce. I believe this is an effort that we can all support.

Mr. Speaker, the title of this bill is Strengthening Career and Technical Education for the 21st Century Act. Normally, we usually find some kind of an acronym—something short and catchy—to call this. Those initials don't lend to that process, but I would have to say I like to refer to this legislation as the opportunity bill. It is the opportunity for those young people who are looking to enter the workforce and want to go on to a path to be able to earn a family-sustaining wage, to be successful through career and technical education training.

It is an opportunity bill for those families who today find themselves depressed and caught in unemployment and looking to get back into the workforce and greater opportunity. It is an opportunity bill. It is an opportunity bill for those families that, maybe, for generations have found themselves trapped in poverty and without an exit strategy, Mr. Speaker. This bill is an opportunity bill. It is an exit ramp from poverty for those families, those Americans.

For those who are job creators who can't grow or maybe even start their business or sustain their business because they can't find qualified and trained workers, this is an opportunity bill, Mr. Speaker. I urge my colleagues to vote "yes" on H.R. 5587.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 5587, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CLARK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 858, I

call up the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 858, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Halt Tax Increases on the Middle Class and Seniors Act”.

SEC. 2. REPEAL OF INCREASE IN INCOME THRESHOLD FOR DETERMINING MEDICAL CARE DEDUCTION.

(a) *IN GENERAL.*—Section 213(a) of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “7.5 percent”.

(b) *CONFORMING AMENDMENTS.*—

(1) *Section 213 of such Code is amended by striking subsection (f).*

(2) *Section 56(b)(1)(B) of such Code is amended by striking “without regard to subsection (f) of such section” and inserting “by substituting ‘10 percent’ for ‘7.5 percent’”.*

(c) *EFFECTIVE DATE.*—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and the ranking minority member of the Committee on Ways and Means.

The gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3590, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Over the last few months, the American people have witnessed one ObamaCare failure after another. Major insurers are fleeing the exchanges, healthcare premiums are continuing to just skyrocket, and only 7 of ObamaCare’s 23 public option co-ops remain. After New Jersey’s announcement yesterday that it will close its co-op, we will be down to merely 6 at the end of the year. That means nearly

three-quarters of a million Americans have been or will soon be kicked off their current healthcare insurance.

Every week, the news about this law gets worse. That is why House Republicans are taking action right now to protect seniors across our country from another looming negative consequence of the President’s healthcare law. I am honored today to speak in support of Congresswoman MARTHA MCSALLY’s Halt Tax Increases on the Middle Class and Seniors Act.

Before the Affordable Care Act, Americans could find some relief in their ability to deduct high-cost, out-of-pocket medical expenses from their taxes, but this important source of relief is about to get further out of reach for seniors, thanks to ObamaCare.

For Americans under 65 years of age, a provision of the Affordable Care Act has already raised the previous 7.5 percent income threshold up to 10 percent. Starting January 1, just 3 months from now, the provision will go into effect for America’s seniors and elderly as well.

In fact, the American Association of Retired Persons—or AARP, as many know them—in their letter endorsing this legislation stated that “56 percent of all returns claiming the deduction had at least one member of the household age 65 or older.” In other words, this is hitting seniors in retirement years, where every dollar matters.

This ObamaCare provision is a tax hike, plain and simple. It makes paying for care even more difficult for individuals, families, and seniors who may already be struggling to afford the care they need.

Mr. Speaker, this law gets more unaffordable and burdensome every day, and it is the middle class and seniors who are being hurt most. With the Halt Tax Increases on the Middle Class and Seniors Act, we can repeal this provision and stop another painful ObamaCare tax hike in its tracks.

I am grateful for Representative MCSALLY’s leadership on this important, bipartisan legislation. I would note that, as AARP said, more than half of those impacted are seniors. Nearly half are the middle class. They make between \$40,000 and \$70,000 a year. Every dollar in their family budget matters as well.

This solution, this targeted ObamaCare repeal, is another example of how House Republicans are delivering the patient-focused solutions Americans deserve. Most importantly, this repeal takes meaningful steps to make health care more affordable and accessible for the American people.

I am proud of the leadership of Congresswoman MCSALLY on behalf of our seniors and our middle class.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentleman from Ohio (Mr. TIBERI), the chairman of the Health

Subcommittee, be permitted to control the remainder of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill is going nowhere, but there are lessons to be learned from it being voted on today. It is an exercise Republicans hope will help them politically, and yet another one of their attempts to undermine the Affordable Care Act.

The Joint Committee on Taxation estimates that this bill would increase the deficit by nearly \$33 billion over the next 10 years. This bill does not include any offsets to address this cost. This is a vivid contradiction of worn-out Republican rhetoric claiming time and time again to be concerned about the deficit of this country.

Earlier this year, the President requested \$1.9 billion to address the growing threat of the Zika virus in this country. Republicans ignored this request, disregarded our Nation’s top public health officials, and, instead, combined lower funding levels with poison pill policy riders.

Nearly 12,000 Americans, including nearly 1,400 pregnant women, have confirmed cases of Zika in this country. The Centers for Disease Control and prevention has stated it is running out of resources to fight the virus. So far, no action.

Zika is an emergency. The Republicans say, Pay for it. Oh, but not a dime for this \$35 billion tax cut. How can we afford to provide for an enormous tax cut, like the one before us today, but we can’t afford to spend just one-fifteenth of that amount to protect Americans from a devastating disease impacting families and children?

The opioid epidemic. We passed some important legislation to address it, but no money, no action to make sure that it would really be meaningful. But today, we can pass an unpaid-for tax cut of \$35 billion?

Flint, Michigan. Thousands of kids were poisoned. Drinking water still cannot be consumed, and water can’t be otherwise used in Flint—but no action today. No action, but we can pass this \$35 billion bill, unpaid for?

Let’s be clear about the ACA, which, once again, the Republicans are trying to repeal, in part. The ACA was fully paid for—fully. And since the ACA passed 6 years ago, the majority has failed to offer any meaningful alternative to the ACA to reduce the ranks of the uninsured and provide affordable coverage to American families. Their response has been “nada,” in terms of anything meaningful.

According to the JCT data, approximately two-thirds of the tax benefits from H.R. 3590 will accrue to taxpayers earning \$100,000 and more over the next 10 years.

In 2013, only 6.1 percent of all returns claimed the medical expense deduction, and only 11 percent of seniors did so. We know that the higher a household's income, the more likely it is to itemize deductions. So low-income seniors would receive little or no benefit from this bill since much of their income comes from Social Security.

For these reasons, the administration has issued a Statement of Administration Policy. I want to read it because it underlines how, as I said at the beginning, the Republicans here, once again, are going through the motions. This isn't going to become law, but it says something important: don't pay for, be reckless, claim you care, and also take another step to undo ACA.

I quote from the Statement of Administration Policy:

"The Administration strongly opposes House passage of H.R. 3590. It would repeal a provision of the Affordable Care Act that limits a regressive, poorly targeted tax break for health care spending. This repeal would disproportionately benefit high-income Americans, while increasing national health care spending. Additionally, it would increase the Federal deficit by \$32.7 billion over ten years, according to the Congressional Budget Office.

"The Administration is always willing to work with the Congress on fiscally responsible ways to further improve health care affordability and the Affordable Care Act. The President's Budget offers a number of proposals to do so. However, H.R. 3590 would be a step in the wrong direction because it would increase health care spending and increase the Federal deficit, while doing little to improve the affordability of health care for middle-class families.

"If the President were presented with H.R. 3590, his senior advisors would recommend that he veto the bill."

Mr. Speaker, I reserve the balance of my time.

□ 1545

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act, is a commonsense bill that repeals an onerous tax on 3.8 million households in America; 3.8 million households in America in 2016 alone.

We should encourage patients to seek the care they need, not to create more burdens and restrict access to medical care, as this ObamaCare tax does.

Now, if Americans out there watching listened to the previous speaker say things like "politically motivated bill," "undermine Affordable Care Act," "a contradiction," here is the contradiction. This bill was introduced over a year ago by Congresswoman MARTHA MCSALLY from Arizona, but this isn't the first time this bill has been introduced. It was introduced in

the last session of Congress by a gentleman whose name is Ron Barber, a former Congressman from Arizona and a Democrat. How interesting. What a contradiction that is.

So, this so-called politically motivated bill, according to AARP—this is AARP saying this, which supports the legislation—56 percent of all returns claiming this deduction had at least one member of their household age 65 years or older. My mom and dad, over 65, on a fixed income. But, yet, some are opposed to this bill.

Let me tell you who is for it. AARP, Americans for Prosperity, National Taxpayers Union, Americans for Tax Reform, 60 Plus, Association of Mature American Citizens, Campaign for Liberty, Small Business & Entrepreneurial Council.

Mr. Speaker, I am a proud cosponsor of this bill, and I would like to thank Congresswoman MARTHA MCSALLY from Arizona for her passion for this legislation, her tireless work for this legislation, testifying before the Ways and Means subcommittee on this legislation, and trying to help those 3.8 million households in America, many low-income and middle-income households in America, and bringing this important issue to light today.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Speaker, I thank Chairman TIBERI as well as Chairman BRADY. I truly appreciate their willingness to work with me on this legislation that will peel back this lesser-known tax increase buried in the Affordable Care Act that is already hurting middle class families and will begin to hurt seniors early next year.

H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act, is a bill I introduced earlier in this Congress, and it will protect seniors from this tax hike and it will roll it back for middle class families.

With the costs of health care rising and becoming significantly harder for families and seniors to find, this legislation is necessary to provide relief to Americans with expensive medical bills. Since 2005, healthcare costs have steadily risen faster than inflation in every year except one.

Additionally, the trend towards rising health insurance deductibles and premiums are leaving people exposed to increased out-of-pocket costs. We should be working to reduce this burden, not making it worse; but that is not what this hidden tax hike in the Affordable Care Act would do.

Currently, the IRS allows Americans with high healthcare costs to deduct certain out-of-pocket expenses from their taxes. Prior to 2013, individuals could deduct out-of-pocket costs that exceed 7.5 percent of one's adjusted gross income, or AGI. The Affordable Care Act changed this for Americans

under the age of 65 already by moving that threshold to 10 percent, effectively raising taxes on middle class Americans.

To make matters worse, that same tax increase is scheduled to hit Americans 65 and older starting January 1, 2017. This is particularly concerning to me because, according to the Census Bureau's 2014 American Community Survey, approximately 140,000 individuals, roughly one-fifth of my constituents, are over the age of 65.

Though it has not received much attention, the medical expense deduction means a great deal to some of the most vulnerable Americans. According to recent data from the IRS, more than 8 million people use this deduction, with more than 80 percent earning less than \$100,000 a year and 49 percent earning less than \$50,000 a year. This deduction is extremely important for low- and middle-income Americans who have already spent thousands in out-of-pocket costs and cannot afford another shock to their wallets and pocketbooks.

The same goes for seniors, many who already live on fixed incomes and struggle to make ends meet. According to the AARP, seniors make up 56 percent of all claimants of the medical expense deduction. If the threshold is raised, many seniors who have saved for their whole lives and have carefully planned for retirement will suddenly be faced with hundreds of dollars in extra taxes on top of the out-of-pocket medical costs they already pay.

That is why I introduced this bill. It is a bipartisan bill to stop this tax increase for seniors and roll it back for those under 65.

The impetus for this legislation came from one of my constituents in Green Valley, Arizona. His name is Loren Thorsen. Tragically, Loren passed away earlier this year, but he knew the importance of raising awareness of this tax hike and he was committed and passionate to doing what he could do to stop it. I am honored to be standing here today in order to advance this effort, Loren's effort, one step further.

In closing, I want to thank the 17 cosponsors, including Chairman TIBERI, Congresswoman LYNN JENKINS, Congressman BOB DOLD, and Congressman JASON SMITH, all members of the Ways and Means Committee, as well as my colleague, the gentlewoman from Arizona (Ms. SINEMA).

I would also like to thank the various supporting groups, including the AARP, Americans for Prosperity, 60 Plus, Americans for Tax Reform, the Association of Mature American Citizens, and the National Taxpayers Union.

I would urge all Members to join me in supporting this bill in order to ensure we protect the American people from another harmful healthcare tax increase that they simply cannot afford.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of our committee.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy for permitting me to add my voice to this discussion. I think we are all deeply concerned about impacts that we have on our constituents, whether it is in terms of tax, expenses in terms of health care, or challenges in their day-to-day life.

What is deeply concerning to me is an inability for us to step back and look at these things in a broader context to be able to prioritize and deal with these items in a way that actually provides some sense of balance.

Now, I will be the first to admit that I had some reservations about some of the funding elements that were part of the Affordable Care Act. I would not have used exactly the same structure, but bear in mind that the investment in the Affordable Care Act has provided significant healthcare subsidies for millions of Americans, which my friend and colleague, Congressman LEVIN, can go through in great detail. But what we are looking at here are three problems.

One, if this bill were to move forward, it would invest \$33 billion, either added to the deficit or cutting other programs.

Now, I think it is important to bear in mind that this Congress has been tied in knots, unable to come up with a billion or two to deal with the Zika crisis, the infections that are taking place, the potential of an epidemic starting in places like Florida and Puerto Rico, but putting people at risk around the country. This is an immediate healthcare crisis.

Congress is paralyzed, and we can't come up with a billion or two, let alone \$33 billion over the next 10 years. We have watched, on an ongoing basis, people picking away at items of the Affordable Care Act, which was developed as a comprehensive package that had things that some people supported, some people were opposed, but collectively was able to provide these benefits that resulted in having the lowest uninsured rate in American history. We are watching people starting to try and pick away at elements here that either add to the deficit or undermine the integrity of the Affordable Care Act.

Now, one of the things that has been frustrating for me is that we had a complete collapse of the legislative process. There were many things that we could have done to refine and improve the Affordable Care Act. Nobody would have designed the bill exactly like it went through, but that is what happened when the Senate Republicans stopped legislating, and we used the reconciliation package to take what we had, enable it to go forward with the expectation over the course of the last

6 years we would be working together to refine it, like we have done with every single major piece of social legislation in our history.

We work on it. None of these things are perfect. We refine it. We look at the changes that can come forward and try to improve it for the American people. That has not been what has happened in the 6 years that my Republican friends have been in charge of the House of Representatives.

I have deep affection and respect for my friend, Mr. TIBERI. We work on lots of things together. One thing we haven't been able to work on in 6 years is an opportunity to refine the Affordable Care Act, to be able to work together cooperatively to build on it.

We have had an agenda. I lost track at 65 the number of times the votes were to repeal it, not to be able to work together.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 2 minutes.

Mr. BLUMENAUER. But to repeal it and to get rid of it, to try to highlight—in fact, there were a number of votes that have taken place to actually make it worse, to have a bigger impact on low- and moderate-income families, have a bigger cliff for people who have changes in their economic circumstances, to have a larger penalty rather than smoothing, refining, and making it better.

We have an opportunity to be able to deal meaningfully with things that will improve the health of the American people. If we don't agree on the refinement of the Affordable Care Act—I am hoping that we might have a more responsible and slightly better Congress next time, but there are things we could do right now in areas of medical research. I mentioned Zika.

We have opportunities to move forward. This takes off the top something that has been in the legislation for some time that focuses one element, but doesn't improve the quality of health care; that doesn't deal with refining and strengthening the Affordable Care Act; that doesn't deal with the crisis of Zika; doesn't beef up medical research.

We have many priorities. We have many opportunities. The easiest thing in the world to do is come in and try to cut taxes, add more deductions, make changes, particularly if we are not going to pay for those changes, if we are just going to add to the deficit greater borrowing for the future.

This is cotton candy. This is not serious legislation. There are no tradeoffs involved here. It is just making it out of whole cloth, moving forward and letting somebody else bear the consequences. I don't think that is what we should be doing. I do think there are people who are serious about reducing the deficit. I think there are people

who are serious about improving health care for the American people. There are people who are deadly serious about dealing with the Zika crisis. There are things that we could be doing cooperatively to make things better and focus on priorities. This bill is not that. This bill is cotton candy, unpaid for; cut taxes and let the consequences fall to somebody else.

I think we can do better. I hope we do better. I hope people get this out of their system and make their point. I understand it. In a perfect world, there are things that we would have done differently.

□ 1600

Mr. TIBERI. Mr. Speaker, I have great affection for my colleague from Oregon as well, but today we are making this piece of legislation, this thing called the Affordable Care Act, better. In fact, JCT says that, in 10 years, nearly 10 million households in America will be paying this new tax—again, moderate- and low-income households. For those 10 million people, we are making it better.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DOLD). He is from suburban Chicago, a member of the Ways and Means Committee, and has been active in supporting this legislation and helping get it passed out of committee.

Mr. DOLD. Mr. Speaker, I want to thank the chairman for yielding the time. I also want to join him in saying to my colleague and good friend from Oregon that I welcome the opportunity to try to dive in to the Affordable Care Act to make it better, and I look at the legislation that is in front of us as a step to be able to do some of those things.

Now, again, this is just one step, so I don't believe that it is cotton candy because, as we look at premiums that are going right through the roof, deductibles that have gone sky high, hardworking American taxpayers are looking and saying: What is going on?

Mr. Speaker, the debate today, which I am pleased to join, about H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act, is a common-sense piece of legislation and a bipartisan piece of legislation that actually is talking about rolling back a tax that was put into the Affordable Care Act. What is interesting is that this tax, in essence, enabled people to be able to deduct expenses that were over 7.5 percent of their adjusted gross income. Think about that. That is a pretty sizeable amount of resources.

So as of 2013, Mr. Speaker, the Affordable Care Act raised the floor of this 7.5 percent to 10 percent. They raised it on individuals—hardworking American taxpayers—that are out there that are trying to get by and make ends meet to provide a better life for their family.

Currently, seniors age 65 and older still are able to deduct those that are above 7.5 percent of the adjusted gross income. But that is not going to be for very long because, beginning in 2017, they are also going to lose that ability, and it is going to go up to 10 percent.

Here is why that seemingly very small change is a big problem. Individuals, families, and seniors claiming this deduction are already spending a large amount of resources of their personal income on medical bills. Those who depend on this deduction most often have complex, high-cost health conditions.

The bill in front of us today will fix the Affordable Care Act's counterproductive tax increase that has already been imposed on individuals and families, and it will protect seniors from facing the same tax increase by permanently allowing everyone to deduct qualified medical expenses above the pre-ACA level, the Affordable Care Act level, of 7.5 percent.

This isn't cotton candy, I hope. I certainly hope this isn't cotton candy, as my friend from Oregon said. This is a meaningful and, I do believe, important piece of legislation as families all across our country are looking at healthcare costs that are going through the roof, and they are saying: Wait a second; can I please get some relief?

According to the Joint Committee on Taxation, 40 percent of those who would receive immediate relief from this piece of legislation, from this bill, make between \$40,000 and \$75,000 per year. This is not millionaires and billionaires—\$40,000 to \$75,000 a year.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TIBERI. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DOLD. Additionally, according to the AARP, 56 percent of all tax returns claiming this as an expense are seniors, have a senior in the household making that claim. Fixing this counterproductive tax puts in place, I believe, the right message that we want people to be able to pay for their medical expenses.

Ultimately, what we are doing is we are seeing these costs continue to rise. I know I am not the only Member of Congress that hears it from their constituents. In talking to my colleagues, frankly, on both sides of the aisle, I know they hear it. The costs are going up, premiums and deductibles.

Ultimately, we want to provide good, quality coverage and health care to families, hardworking taxpayers, and seniors all across our country. This is a commonsense, bipartisan piece of legislation.

Mr. Speaker, I urge my colleagues to step forward and support this legislation.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I thank Congressman LEVIN for yielding, and I thank Congresswoman MCSALLY for working with me on introducing this bipartisan legislation.

Mr. Speaker, I rise today in support of H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act.

As the cost of health care shifts onto households, Congress must act to make sure that hardworking families can make ends meet. This bill provides commonsense and needed relief for hardworking Arizona families. It lowers the adjusted gross income threshold for claiming the medical expense deduction back to 7.5 percent and prevents a looming tax hike on Arizona seniors.

According to a 2014 CRS report, medical expenses are the second largest deduction for taxpayers with adjusted gross incomes of under \$50,000. Middle-income families who itemize deductions are more likely and more able to claim this deduction than high-income earners.

According to 2014 IRS data, 98 percent of those claiming this deduction have incomes less than \$200,000, and 84 percent claiming this deduction make less than \$100,000 a year. More than half of those who claim this deduction earn less than \$55,000 a year. So if we talk dollars, 94 percent of the dollars that go back to hardworking families to cover medical expenses went to filers who earn under \$200,000 a year.

While the annual growth in healthcare spending has slowed to historically low rates, the out-of-pocket costs for hardworking families continue to rise. This legislation provides modest relief for middle class families and seniors, and that is why it is strongly supported by the AARP.

Again, Mr. Speaker, I thank my colleague from Arizona for her bipartisan work on this bill, and I urge my colleagues to support H.R. 3590.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK), who is a leader on the Ways and Means Committee on healthcare issues.

Mrs. BLACK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of the Halt Tax Increases on the Middle Class and Seniors Act, and I thank the sponsor, Ms. MCSALLY, for her work on this important legislation.

Under ObamaCare, more Americans have been pushed into high deductible plans that force them to incur massive out-of-pocket costs before insurance kicks in. Yet, just as Americans are shelling out more for health costs, ObamaCare upped the amount of money you have to spend on medical expenses in order to qualify for a tax deduction.

Seniors initially got a reprieve from this ObamaCare tax hike, but that ends next year. This means that, on top of

dealing with ObamaCare's cuts to Medicare, the harmful medical device tax, and the looming threat of the law's Independent Payment Advisory Board—or, commonly called, IPAB—seniors will also be forced to adjust to a new tax rule that hits them right in their pocketbook. This is yet another example of how the President's healthcare law hurts the very people that it pretends to help.

Mr. Speaker, I have always said that, until we can repeal and replace ObamaCare altogether, we must act to ease the damage of this law wherever possible. That is why I am supporting today's legislation.

This bill repeals the ObamaCare tax increase and reinstates the previous threshold of medical expenses as a portion of income that qualify for a tax deduction. It just makes sense that, if Americans are already paying more for their health expenses, Washington shouldn't pile on with a tax hike to make matters worse.

Mr. Speaker, I urge a "yes" vote on this bill.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), our majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman for his work in this House and for the American people.

Mr. Speaker, many words have been said on this floor about ObamaCare, about losing doctors and insurance, about losing jobs and hours at work, and about premium increases and deductibles so high it makes insurance nearly worthless.

Do you know what? It is all true. ObamaCare only makes worse two of the biggest problems holding America back: jobs and cost of living. For America to succeed, we need good-paying jobs for people to make ends meet, and we need costs for services like health care to be low enough so people can afford it.

I have spoken too many times, Mr. Speaker, on how ObamaCare is hurting job growth and keeping people from full employment. I wish I didn't have to keep talking about it, but as long as people continue to be hurt by this law, they need a voice. With insurers dropping out of the marketplace in droves, insurance premiums are going up, some by as much as 50 percent more than the year before.

On top of that, before ObamaCare, the rule was that if you spent 7.5 percent of your income on medical expenses, you could start deducting however much you paid above that from your taxes. The idea was that, if you are really sick, the last thing you need is government making your medical costs even more difficult.

Well, I am sure you will be surprised, but ObamaCare wasn't happy with lowering your taxes, so they moved it up. President Obama and the Democrats in this Congress that passed this terrible bill raised taxes on the sickest people in America, those who spend the most on medical expenses.

Now, I don't understand how they could accept this. I know they didn't read the bill before they passed it, but now they can try to do something about it. They can make one thing right. MARTHA MCSALLY's bill today, part of the House's Better Way agenda, brings that threshold back down to where it was before, 7.5 percent.

Now, it doesn't solve the problem, but at least it gives the American people a break. Seniors and the middle class, those facing the highest medical bills, will all finally get some relief.

Frankly, Mr. Speaker, I don't see how anyone in this body can be against this. We all know ObamaCare is failing. We all know the American people and our country can't afford this law. So let's pass this bill and help those that need it the most.

Mr. LEVIN. I reserve the balance of my time, Mr. Speaker.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY). Dr. BOUSTANY is the Tax Policy Subcommittee chairman of the Ways and Means Committee, but more importantly, an expert on healthcare policy, due to his life's work as a physician.

Mr. BOUSTANY. Mr. Speaker, I thank Chairman TIBERI for yielding time to me.

Mr. Speaker, I rise in strong support of the Halt Tax Increases on the Middle Class and Seniors Act. This is a critical piece of legislation that addresses one—just one—of many contradictory and damaging provisions of ObamaCare.

ObamaCare was passed in 2009 in a very partisan way, and we have seen steady increases in health insurance premium rates, double-digit increases year upon year, as well as out-of-pocket deductible costs that Americans must cover before their health insurance coverage even kicks in. Now, we have to do something about this.

Unfortunately, many American families have had to forgo the ability to deduct the majority of their total medical expenses since 2013 when this ObamaCare provision took effect for those under age 65. Yet to make matters worse, on January 1, 2017, America's cash-strapped seniors will also be hit with this harmful provision.

Today, more than 56 percent of those claiming the medical expense deduction are aged 65 or older. This is punitive. This is damaging. It is destructive, and it is unacceptable.

□ 1615

That is why I stand in support of Representative MCSALLY's critical

piece of legislation, which will afford American families and seniors a small measure of the financial relief they desperately need right now. For people on a fixed income this is difficult. We should be doing everything we can to help them and not hurt them and especially protect them from the ravaging consequences of this horrible law that has devastated and really wrecked our health care system.

I urge my colleagues to join me in supporting this important bill, and I urge passage.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

I think we are fortunate that the majority leader spoke. It is very clear from his remarks what this is all about, at least in good measure, or I should say bad measure.

This is another effort to attack ACA, the healthcare reform bill. Let me just mention the latest information we have about ACA that came out in today's Census report. Prior to the ACA, there were nearly 50 million uninsured in the United States. That was disgraceful, and the Republicans twiddled their thumbs while those uninsured remained uninsured.

That number dropped to 29 million in 2015. The uninsured rate fell sharply in 2015 from 10.4 percent to 9.1 percent. Four million fewer Americans were uninsured in 2015 than in 2014—4 million—and it was the fifth straight year the uninsured rate has fallen since health reform's enactment in 2010.

The bill, in terms of this provision, has been in effect for nonseniors for several years. It won't go into effect as to seniors until next year. If there is a need to look at ACA, it can be done next year. Why the rush here? It is because we are just a couple of months away from an election.

I want to say one thing about the balance here in terms of this provision. If you look at the information that we received from the Joint Tax Committee on the distributional effect, here is what it would look like in 2024. This bill would provide less than \$100 million in tax relief for those earning less than \$40,000, while providing over \$2.7 billion in tax relief for those earning over \$100,000. That shows another real problem with this bill.

I want to close by just talking about the lack of any kind of perspective, any kind of balance, and any real sensitivity. Essentially, this House majority is saying this: pay-for money for Zika, pay for it; pay-for money for the people of Flint; pay-for money to carry out and implement opioid legislation. But don't pay for this tax bill, don't pay for it—\$33 billion.

All of this shows the bankruptcy of the House majority, bankrupt in terms of sensitivity to an action for the overwhelming needs of the people of this country, whether it is Zika, whether it is the opioid epidemic, whether it is

Flint, or other issues. And also in terms of bankruptcy just spiraling this Nation towards more and more debt, a party that once said it cared but, once again, just goes forth recklessly.

I urge very much that we vote "no" on this. We are going through the motions, but motions that are very ill-conceived and motions that will be reckless if ever carried out. That will not happen because the Senate will not act, and it will not happen because if the Senate ever did, the President would veto and his veto would be sustained.

I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

Let's go through the latest of the ACA. I concur. More Americans have insurance today. Many have it through Medicaid. In my State, we tried to apply for a Medicaid waiver program that the administration denied. In my district, there are people who have Medicaid today, but that doesn't mean they have better health care.

In fact, you could have insurance, but not have access to your doctor. You can have insurance, but not have access to the hospital where your doctor practices. That is an increasing problem throughout my district. You could have insurance, but the deductible is too high. You could have insurance, but the premiums are going up.

In fact, the average proposed rate hike in the individual market is 24.3 percent. In the 17 States that have approved final rates for next year, the average increase is 26 percent. You are paying more oftentimes and getting less. That is an update that I haven't heard from the other side. Paying for it. Picking away at it.

In December of 2015, just last year, this Congress voted in a bipartisan way to delay the medical device tax, to delay the excise tax on high cost employer health care plans, known as the Cadillac tax, delay the tax on health insurance, none of it paid for, and, oh, by the way, signed by President Barack Obama.

Ladies and gentlemen watching today—Bob and Betty Buckeye in Ohio—this must be a surreal debate that you are listening to. Yes, this Republican bill, sponsored by MARTHA MCSALLY, was first introduced by a Democrat last session of Congress, a Democrat from Arizona. But yet, today, someone will make this partisan.

That is unfortunate to the 3.8 million households, Mr. Speaker, who would be positively impacted by this bill if it became law this year, or the 10 million households, most of whom are middle class and low-income. That is why the AARP supports this bill.

This is about commonsense legislation. This is about helping regular people. This is about fixing a problem within the Affordable Care Act, which

has been bipartisan until today, apparently.

With healthcare costs continuing to rise, Mr. Speaker, Congresswoman MARTHA MCSALLY takes a step in the right direction with this bill by providing relief from ObamaCare taxes. Among all of the harmful policies included in the President's health care law, this one is really unsettling because it targets our sickest Americans and our seniors.

The only way you benefit from this is if you have thousands of dollars of out-of-pocket costs. We could strive to make it easier for these people, most of whom are middle- and low-income, to afford their complex and expensive care. But instead, the Affordable Care Act makes it more difficult. This is easy. This shouldn't be partisan. This is common sense.

Join me, Congresswoman MCSALLY, and groups like the AARP in supporting this commonsense legislation to help our most vulnerable.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 858, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEVIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of the bill will be followed by 5-minute votes on the motion to suspend the rules and pass H.R. 5587 and the motion to suspend the rules and agree to H. Res. 729.

The vote was taken by electronic device, and there were—yeas 261, nays 147, not voting 23, as follows:

[Roll No. 502]

YEAS—261

Abraham	Brat	Conaway
Aderholt	Bridenstine	Cook
Aguilar	Brooks (AL)	Costello (PA)
Allen	Brooks (IN)	Courtney
Amash	Brownley (CA)	Cramer
Amodei	Buchanan	Crawford
Ashford	Buck	Crenshaw
Babin	Bucshon	Cuellar
Bartletta	Burgess	Culberson
Barr	Byrne	Curbelo (FL)
Barton	Calvert	Davidson
Benishek	Carter (GA)	Davis, Rodney
Bera	Carter (TX)	Delaney
Bilirakis	Chabot	DeLauro
Bishop (MI)	Chaffetz	Denham
Bishop (UT)	Clawson (FL)	Dent
Black	Coffman	DeSantis
Blackburn	Cohen	Diaz-Balart
Blum	Cole	Dold
Bost	Collins (GA)	Donovan
Boustany	Collins (NY)	Duffy
Brady (TX)	Comstock	Duncan (SC)

Duncan (TN)	Lance	Rogers (AL)
Ellmers (NC)	Larson (CT)	Rogers (KY)
Emmer (MN)	Latta	Rohrabacher
Esty	Lipinski	Rokita
Farenthold	LoBlundo	Rooney (FL)
Fitzpatrick	Long	Ros-Lehtinen
Fleischmann	Loudermilk	Roskam
Fleming	Love	Ross
Flores	Lucas	Rothfus
Forbes	Luetkemeyer	Rouzer
Fortenberry	Lujan Grisham	Royce
Fox	(NM)	Ruiz
Franks (AZ)	Lummis	Ruppersberger
Frelinghuysen	MacArthur	Russell
Garrett	Marchant	Salmon
Gibbs	Marino	Sanford
Gibson	Massie	Scalise
Gohmert	McCarthy	Schweikert
Goodlatte	McCaul	Scott, Austin
Gosar	McClintock	Sensenbrenner
Gowdy	McHenry	Sessions
Graham	McKinley	Shimkus
Granger	McMorris	Shuster
Graves (GA)	Rodgers	Simpson
Graves (LA)	McSally	Sinema
Graves (MO)	Meadows	Smith (MO)
Griffith	Meehan	Smith (NE)
Grothman	Messer	Smith (NJ)
Hanna	Mica	Smith (TX)
Hardy	Miller (FL)	Stefanik
Harper	Miller (MI)	Stewart
Harris	Moolenaar	Stivers
Hartzler	Mooney (WV)	Stutzman
Heck (NV)	Mullin	Thompson (PA)
Hensarling	Mulvaney	Thornberry
Herrera Beutler	Murphy (FL)	Tiberi
Hice, Jody B.	Murphy (PA)	Tipton
Hill	Neugebauer	Trott
Holding	Newhouse	Turner
Hudson	Noem	Upton
Huelskamp	Nolan	Valadao
Huizenga (MI)	Norcross	Wagner
Hultgren	Nugent	Walberg
Hunter	Nunes	Walden
Hurd (TX)	Olson	Walker
Hurt (VA)	Palmer	Walorski
Issa	Pascrell	Walters, Mimi
Jenkins (KS)	Paulsen	Walz
Jenkins (WV)	Pearce	Weber (TX)
Johnson (OH)	Perry	Webster (FL)
Jolly	Peters	Wenstrup
Jordan	Peterson	Westerman
Joyce	Pittenger	Westmoreland
Katko	Pitts	Williams
Kelly (MS)	Poe (TX)	Wilson (SC)
Kelly (PA)	Poliquin	Wittman
King (IA)	Pompeo	Womack
King (NY)	Posey	Woodall
Kinzinger (IL)	Price, Tom	Yoder
Kline	Ratcliffe	Yoho
Knight	Reichert	Young (AK)
Kuster	Renacci	Young (IA)
Labrador	Rice (SC)	Young (IN)
LaHood	Rigell	Zeldin
LaMalfa	Roby	Zinke
Lamborn	Roe (TN)	

NAYS—147

Adams	Connolly	Garamendi
Bass	Conyers	Grayson
Beatty	Cooper	Green, Al
Becerra	Costa	Green, Gene
Beyer	Crowley	Grijalva
Bishop (GA)	Cummings	Gutiérrez
Blumenauer	Davis (CA)	Hahn
Bonamici	Davis, Danny	Hastings
Boyle, Brendan F.	DeFazio	Heck (WA)
Brown (FL)	DeGette	Higgins
Bustos	DeBene	Himes
Butterfield	DeSaunier	Honda
Capps	Deutch	Hoyer
Capuano	Dingell	Huffman
Cárdenas	Doggett	Jackson Lee
Carney	Doyle, Michael F.	Jeffries
Carson (IN)	Edwards	Johnson (GA)
Cartwright	Ellison	Johnson, E. B.
Castor (FL)	Engel	Jones
Castro (TX)	Eshoo	Kaptur
Chu, Judy	Farr	Keating
Clark (MA)	Foster	Kelly (IL)
Clarke (NY)	Frankel (FL)	Kennedy
Clay	Fudge	Kildee
Cleaver	Gabbard	Kilmer
Clyburn	Galleo	Kind
		Langevin

Larsen (WA)	O'Rourke	Slaughter
Lawrence	Pallone	Smith (WA)
Lee	Perlmutter	Speier
Levin	Pingree	Swalwell (CA)
Lewis	Pocan	Takano
Lieu, Ted	Polis	Thompson (CA)
Loeb sack	Price (NC)	Thompson (MS)
Lofgren	Quigley	Titus
Lowenthal	Rangel	Tonko
Lowey	Ribble	Torres
Lynch	Rice (NY)	Tsongas
Maloney,	Richmond	Van Hollen
Carolyn	Roybal-Allard	Vargas
Maloney, Sean	Ryan (OH)	Veasey
Matsui	Sánchez, Linda T.	Vela
McCollum	Sanchez, Loretta	Velázquez
McDermott	Sarbanes	Visclosky
McGovern	Schakowsky	Wasserman
McNerney	Schrader	Schultz
Moore	Scott (VA)	Waters, Maxine
Moulton	Serrano	Watson Coleman
Nadler	Sherman	Welch
Napolitano	Sires	Yarmuth
Neal		

NOT VOTING—23

Brady (PA)	Israel	Payne
Cicilline	Johnson, Sam	Pelosi
DesJarlais	Kirkpatrick	Reed
Duckworth	Luján, Ben Ray	Rush
Fincher	(NM)	Schiff
Guinta	Meeks	Scott, David
Guthrie	Meng	Sewell (AL)
Hinojosa	Palazzo	Wilson (FL)

□ 1648

Messrs. SIRES and ELLISON changed their vote from "yea" to "nay."

Mr. NOLAN changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5587) to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 5, not voting 21, as follows:

[Roll No. 503]

YEAS—405

Abraham	Benishek	Boyle, Brendan
Adams	Bera	F.
Aderholt	Beyer	Brady (TX)
Aguilar	Bilirakis	Brat
Allen	Bishop (GA)	Bridenstine
Amodei	Bishop (MI)	Brooks (AL)
Ashford	Bishop (UT)	Brooks (IN)
Babin	Black	Brown (FL)
Bartletta	Blackburn	Brownley (CA)
Barr	Blum	Buchanan
Barton	Blumenauer	Bucshon
Bass	Bonamici	Burgess
Beatty	Bost	Bustos
Becerra	Boustany	Butterfield

The vote was taken by electronic device, and there were—yeas 405, nays 4, not voting 22, as follows:

[Roll No. 504]

YEAS—405

Abraham	Davis, Rodney	Hurt (VA)
Adams	DeFazio	Issa
Aderholt	DeGette	Jackson Lee
Aguilar	Delaney	Jeffries
Allen	DeLauro	Jenkins (KS)
Ashford	DelBene	Jenkins (WV)
Babin	Denham	Johnson (GA)
Barletta	Dent	Johnson (OH)
Barr	DeSantis	Johnson, E. B.
Barton	DeSaulnier	Jolly
Bass	Deutch	Jordan
Beatty	Diaz-Balart	Joyce
Becerra	Dingell	Kaptur
Benishek	Doggett	Katko
Bera	Dold	Keating
Beyer	Donovan	Kelly (IL)
Bilirakis	Doyle, Michael	Kelly (MS)
Bishop (GA)	F.	Kelly (PA)
Bishop (MI)	Duffy	Kennedy
Bishop (UT)	Duncan (SC)	Kildee
Black	Edwards	Kilmer
Blackburn	Ellison	Kind
Blum	Elmiers (NC)	King (IA)
Blumenauer	Emmer (MN)	King (NY)
Bonamici	Engel	Kinzinger (IL)
Bost	Eshoo	Kline
Boustany	Esty	Knight
Boyle, Brendan	Farenthold	Kuster
F.	Farr	Labrador
Brady (TX)	Fitzpatrick	LaHood
Brat	Fleischmann	LaMalfa
Bridenstine	Fleming	Lamborn
Brooks (AL)	Flores	Lance
Brooks (IN)	Forbes	Langevin
Brown (FL)	Fortenberry	Larsen (WA)
Brownley (CA)	Foster	Larson (CT)
Buchanan	Fox	Latta
Buck	Frankel (FL)	Lawrence
Bucshon	Franks (AZ)	Lee
Burgess	Frelinghuysen	Levin
Bustos	Fudge	Lewis
Butterfield	Gabbard	Lieu, Ted
Byrne	Gallego	Lipinski
Calvert	Garamendi	LoBiondo
Capps	Garrett	Loeb sack
Capuano	Gibbs	Lofgren
Cárdenas	Gibson	Long
Carney	Gohmert	Loudermilk
Carson (IN)	Goodlatte	Love
Carter (GA)	Gosar	Lowenthal
Carter (TX)	Gowdy	Lowey
Cartwright	Graham	Lucas
Castor (FL)	Granger	Luetkemeyer
Castro (TX)	Graves (GA)	Lujan Grisham
Chabot	Graves (LA)	(NM)
Chaffetz	Graves (MO)	Lummis
Chu, Judy	Grayson	Lynch
Clark (MA)	Green, Al	MacArthur
Clarke (NY)	Green, Gene	Maloney, Sean
Clawson (FL)	Griffith	Carolyn
Clay	Grijalva	Maloney, Sean
Cleaver	Grothman	Marchant
Clyburn	Gutiérrez	Marino
Coffman	Hahn	Matsui
Cohen	Hanna	McCarthy
Cole	Hardy	McCaul
Collins (GA)	Harper	McClintock
Collins (NY)	Harris	McCollum
Comstock	Hartzler	McDermott
Conaway	Hastings	McGovern
Connolly	Heck (NV)	McHenry
Conyers	Heck (WA)	McKinley
Cook	Hensarling	McMorris
Cooper	Herrera Beutler	Rodgers
Costa	Hice, Jody B.	McNerney
Costello (PA)	Higgins	McSally
Courtney	Hill	Meadows
Cramer	Himes	Meehan
Crenshaw	Holding	Messer
Crowley	Honda	Mica
Cuellar	Hoyer	Miller (FL)
Culberson	Hudson	Miller (MI)
Cummings	Huelskamp	Moolenaar
Curbelo (FL)	Huffman	Mooney (WV)
Davis (CA)	Huizenga (MI)	Moore
Davis, Danny	Hultgren	Moulton
Davis, Rodney	Hunter	Mullin
DeFazio	Hurt (TX)	Mulvaney
DeGette	Hurt (VA)	
Delaney	Issa	
DeLauro	Jackson Lee	
DelBene	Jeffries	
Denham	Jenkins (KS)	
Dent	Jenkins (WV)	
DeSantis	Johnson (GA)	
DeSaulnier	Johnson (OH)	
Deutch	Johnson, E. B.	
Diaz-Balart	Jolly	
Dingell	Jordan	
Doggett	Joyce	
Dold	Kaptur	
Donovan	Katko	
Doyle, Michael	Keating	
F.	Kelly (IL)	
Duffy	Kelly (MS)	
Duncan (SC)	Kelly (PA)	
Duncan (TN)	Kennedy	
Edwards	Kildee	
Ellison	Kilmer	
Elmiers (NC)	Kind	
Emmer (MN)	King (IA)	
Engel	King (NY)	
Eshoo	Kinzinger (IL)	
Farenthold	Kline	
Farr	Knight	
Fitzpatrick	Kuster	
Fleischmann	Labrador	
Fleming	LaHood	
Flores	LaMalfa	
Forbes	Lamborn	
Fortenberry	Lance	
Foster	Langevin	
Fox	Larsen (WA)	
Frankel (FL)	Larson (CT)	
Franks (AZ)	Latta	
Frelinghuysen	Lawrence	
Fudge	Lee	
Gabbard	Levin	
Gallego	Lewis	
Garamendi	Lieu, Ted	
Garrett	Lipinski	
Gibbs	LoBiondo	
Gibson	Loeb sack	
Gohmert	Lofgren	
Goodlatte	Long	
	Loudermilk	
	Love	
	Lowenthal	
	Lowey	
	Lucas	
	Luetkemeyer	
	Lujan Grisham	
	(NM)	
	Lummis	
	Lynch	

Byrne	Gosar	MacArthur	Sánchez, Linda	Stefanik	Walker
Calvert	Gowdy	Maloney	T.	Stewart	Walorski
Capps	Graham	Carolyn	Sanchez, Loretta	Stivers	Walters, Mimi
Capuano	Granger	Maloney, Sean	Sanford	Swalwell (CA)	Walz
Cárdenas	Graves (GA)	Marchant	Sarbanes	Takano	Wasserman
Carney	Graves (LA)	Marino	Scalise	Thompson (CA)	Schultz
Carson (IN)	Graves (MO)	Matsui	Schakowsky	Thompson (MS)	Waters, Maxine
Carter (GA)	Grayson	McCarthy	Schrader	Thompson (PA)	Watson Coleman
Carter (TX)	Green, Al	McCaul	Schweikert	Thornberry	Weber (TX)
Cartwright	Green, Gene	McClintock	Scott (VA)	Tiberi	Webster (FL)
Castor (FL)	Griffith	McCollum	Scott, Austin	Tipton	Welch
Castro (TX)	Grijalva	McDermott	Scott, David	Titus	Wenstrup
Chabot	Grothman	McGovern	Sensenbrenner	Tonko	Westerman
Chaffetz	Gutiérrez	McHenry	Serrano	Torres	Westmoreland
Chu, Judy	Hahn	McKinley	Sessions	Trott	Williams
Clark (MA)	Hanna	McMorris	Sherman	Tsongas	Wilson (SC)
Clarke (NY)	Hardy	Rodgers	Shimkus	Turner	Wittman
Clawson (FL)	Harper	McNerney	Shuster	Upton	Womack
Clay	Harris	McSally	Simpson	Valadao	Woodall
Cleaver	Hartzler	Meadows	Sinema	Van Hollen	Yarmuth
Clyburn	Hastings	Meehan	Sires	Vargas	Yoder
Coffman	Heck (NV)	Messer	Slaughter	Veasey	Yoho
Cohen	Heck (WA)	Mica	Smith (MO)	Vela	Young (AK)
Cole	Hensarling	Miller (FL)	Smith (NE)	Velázquez	Young (IA)
Collins (GA)	Herrera Beutler	Miller (MI)	Smith (NJ)	Visclosky	Young (IN)
Collins (NY)	Hice, Jody B.	Moolenaar	Smith (TX)	Wagner	Zeldin
Comstock	Higgins	Mooney (WV)	Smith (WA)	Walberg	Zinke
Conaway	Hill	Moore	Speier	Walden	
Connolly	Himes	Moulton			
Conyers	Holding	Mullin			
Cook	Honda	Mulvaney	Amash	Jones	Stutzman
Cooper	Hoyer	Murphy (FL)	Buck	Massie	
Costa	Hudson	Murphy (PA)			
Costello (PA)	Huelskamp	Nadler			
Courtney	Huffman	Napolitano	Brady (PA)	Israel	Payne
Cramer	Huizenga (MI)	Neal	Cicilline	Johnson, Sam	Pelosi
Crawford	Hultgren	Neugebauer	DesJarlais	Kirkpatrick	Rush
Crenshaw	Hunter	Newhouse	Duckworth	Lujan, Ben Ray	Schiff
Crowley	Hurd (TX)	Noem	Fincher	(NM)	Sewell (AL)
Cuellar	Hurt (VA)	Nolan	Guinta	Meeks	Wilson (FL)
Culberson	Issa	Norcross	Guthrie	Meng	
Cummings	Jackson Lee	Nugent	Hinojosa	Palazzo	
Curbelo (FL)	Jeffries	Nunes			
Davidson	Jenkins (KS)	O'Rourke			
Davis (CA)	Jenkins (WV)	Olson			
Davis, Danny	Johnson (GA)	Pallone			
Davis, Rodney	Johnson (OH)	Palmer			
DeFazio	Johnson, E. B.	Pascarell			
DeGette	Jolly	Paulsen			
Delaney	Jordan	Pearce			
DeLauro	Joyce	Perlmutter			
DelBene	Kaptur	Perry			
Denham	Katko	Peters			
Dent	Keating	Peterson			
DeSantis	Kelly (IL)	Pingree			
DeSaulnier	Kelly (MS)	Pittenger			
Deutch	Kelly (PA)	Pitts			
Diaz-Balart	Kennedy	Pocan			
Dingell	Kildee	Poe (TX)			
Doggett	Kilmer	Poliquin			
Dold	Kind	Polis			
Donovan	King (IA)	Pompeo			
Doyle, Michael	King (NY)	Posey			
F.	Kinzinger (IL)	Price (NC)			
Duffy	Kline	Price, Tom			
Duncan (SC)	Knight	Quigley			
Duncan (TN)	Kuster	Rangel			
Edwards	Labrador	Ratcliffe			
Ellison	LaHood	Reed			
Elmiers (NC)	LaMalfa	Reichert			
Emmer (MN)	Lamborn	Renacci			
Engel	Lance	Ribble			
Eshoo	Langevin	Rice (NY)			
Farenthold	Larsen (WA)	Rice (SC)			
Farr	Larson (CT)	Richmond			
Fitzpatrick	Latta	Rigell			
Fleischmann	Lawrence	Roby			
Fleming	Lee	Roe (TN)			
Flores	Levin	Rogers (AL)			
Forbes	Lewis	Rogers (KY)			
Fortenberry	Lieu, Ted	Rohrabacher			
Foster	Lipinski	Rokita			
Fox	LoBiondo	Rooney (FL)			
Frankel (FL)	Loeb sack	Ros-Lehtinen			
Franks (AZ)	Lofgren	Roskam			
Frelinghuysen	Long	Ross			
Fudge	Loudermilk	Rothfus			
Gabbard	Love	Rouzer			
Gallego	Lowenthal	Roybal-Allard			
Garamendi	Lowey	Royce			
Garrett	Lucas	Ruiz			
Gibbs	Luetkemeyer	Ruppersberger			
Gibson	Lujan Grisham	Russell			
Gohmert	(NM)	Ryan (OH)			
Goodlatte	Lummis	Salmon			
	Lynch				

NAYS—5

NOT VOTING—21

□ 1655

Mr. SANFORD changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. WILSON of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall 502 and “yea” on rollcall 503.

EXPRESSING SUPPORT FOR A NEW MEMORANDUM OF UNDERSTANDING ON MILITARY ASSISTANCE TO ISRAEL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 729) expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

Murphy (FL)	Rooney (FL)	Thornberry
Murphy (PA)	Ros-Lehtinen	Tiberi
Nadler	Roskam	Tipton
Napolitano	Ross	Titus
Neugebauer	Rothfus	Tonko
Newhouse	Rouzer	Torres
Noem	Roybal-Allard	Trott
Nolan	Royce	Tsongas
Norcross	Ruiz	Turner
Nugent	Ruppersberger	Upton
Nunes	Russell	Valadao
O'Rourke	Ryan (OH)	Van Hollen
Olson	Salmon	Vargas
Pallone	Sánchez, Linda	Veasey
Palmer	T.	Vela
Pascarella	Sanchez, Loretta	Velázquez
Paulsen	Sanford	Visclosky
Pearce	Sarbanes	Wagner
Perlmutter	Scalise	Walberg
Perry	Schakowsky	Walden
Peters	Schrader	Walker
Peterson	Schweikert	Walorski
Pingree	Scott (VA)	Walters, Mimi
Pittenger	Scott, Austin	Walz
Pitts	Scott, David	Wasserman
Pocan	Sensenbrenner	Schultz
Poe (TX)	Serrano	Waters, Maxine
Poliquin	Sessions	Watson Coleman
Polis	Sherman	Weber (TX)
Pompeo	Shimkus	Webster (FL)
Posey	Shuster	Welch
Price (NC)	Simpson	Wenstrup
Price, Tom	Sinema	Westerman
Quigley	Sires	Westmoreland
Rangel	Slaughter	Williams
Ratcliffe	Smith (MO)	Wilson (FL)
Reed	Smith (NE)	Wilson (SC)
Reichert	Smith (NJ)	Wittman
Renacci	Smith (TX)	Womack
Ribble	Smith (WA)	Woodall
Rice (NY)	Speier	Yarmuth
Rice (SC)	Stefanik	Yoder
Richmond	Stewart	Yoho
Rigell	Stivers	Young (AK)
Roby	Stutzman	Young (IA)
Roe (TN)	Swalwell (CA)	Young (IN)
Rogers (AL)	Takano	Zeldin
Rogers (KY)	Thompson (CA)	Zinke
Rohrabacher	Thompson (MS)	
Rokita	Thompson (PA)	

NAYS—4

Amash	Jones
Duncan (TN)	Massie

NOT VOTING—22

Amodei	Hinojosa	Neal
Brady (PA)	Israel	Palazzo
Ciilline	Johnson, Sam	Payne
DesJarlais	Kirkpatrick	Pelosi
Duckworth	Luján, Ben Ray	Rush
Fincher	(NM)	Schiff
Quinta	Meeks	Sewell (AL)
Guthrie	Meng	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1703

Mr. CARSON of Indiana changed his vote from “present” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall 502, “yea” on rollcall 503, and “yea” on rollcall 504.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5351, PROHIBITING THE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND PROVIDING FOR CONSIDERATION OF H.R. 5226, REGULATORY INTEGRITY ACT OF 2016

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-744) on the resolution (H. Res. 863) providing for consideration of the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and providing for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5985) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Department of Veterans Affairs Expiring Authorities Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
Sec. 3. Scoring of budgetary effects.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH CARE

Sec. 101. Extension of authority for collection of copayments for hospital care and nursing home care.
Sec. 102. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
Sec. 103. Extension of authorization of appropriations for assistance and support services for caregivers.
Sec. 104. Extension of authority for recovery from third parties of cost of care and services furnished to veterans with health-plan contracts for non-service-connected disability.
Sec. 105. Extension of authority for pilot program on assistance for child care for certain veterans receiving health care.
Sec. 106. Extension of authority to make grants to veterans service organizations for transportation of highly rural veterans.

Sec. 107. Extension of authority for pilot program on counseling in retreat settings for women veterans newly separated from service.

Sec. 108. Extension of deadline for report on pilot program on use of community-based organizations and local and State government entities to ensure that veterans receive care and benefits for which they are eligible.

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

Sec. 201. Extension of authority for the Veterans' Advisory Committee on Education.
Sec. 202. Extension of authority for calculating net value of real property at time of foreclosure.
Sec. 203. Extension of authority relating to vendee loans.
Sec. 204. Extension of authority to provide rehabilitation and vocational benefits to members of the Armed Forces with severe injuries or illnesses.

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO HOMELESS VETERANS

Sec. 301. Extension of authority for homeless veterans reintegration programs.
Sec. 302. Extension of authority for homeless women veterans and homeless veterans with children reintegration program.
Sec. 303. Extension of authority for referral and counseling services for veterans at risk of homelessness transitioning from certain institutions.
Sec. 304. Extension of authority to provide housing assistance for homeless veterans.
Sec. 305. Extension and modification of authority to provide financial assistance for supportive services for very low-income veteran families in permanent housing.
Sec. 306. Extension of authority for grant program for homeless veterans with special needs.
Sec. 307. Extension of authority for the Advisory Committee on Homeless Veterans.
Sec. 308. Extension of authority for treatment and rehabilitation services for seriously mentally ill and homeless veterans.

TITLE IV—OTHER EXTENSIONS AND MODIFICATIONS OF AUTHORITY AND OTHER MATTERS

Sec. 401. Extension of authority for transportation of individuals to and from Department facilities.
Sec. 402. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
Sec. 403. Extension of authority for monthly assistance allowances under the Office of National Veterans Sports Programs and Special Events.
Sec. 404. Extension of requirement to provide reports to Congress regarding equitable relief in the case of administrative error.
Sec. 405. Extension of authorization of appropriations for adaptive sports programs for disabled veterans and members of the Armed Forces.

- Sec. 406. Extension of authority for Advisory Committee on Minority Veterans.
- Sec. 407. Modification to authorization of appropriations for comprehensive service programs for homeless veterans.
- Sec. 408. Extension of authority for temporary expansion of eligibility for specially adapted housing assistance for certain veterans with disabilities causing difficulty ambulating.
- Sec. 409. Extension of authority for specially adapted housing assistive technology grant program.
- Sec. 410. Extension of authority to guarantee payment of principal and interest on certificates or other securities.
- Sec. 411. Extension of authority to enter into agreement with the National Academy of Sciences regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides.
- Sec. 412. Extension of authority for performance of medical disabilities examinations by contract physicians.
- Sec. 413. Restoration of prior reporting fee multipliers.
- Sec. 414. Extension of requirement for annual report on Department of Defense-Department of Veterans Affairs Interagency Program Office.
- Sec. 415. Extension of authority to approve courses of education in cases of withdrawal of recognition of accrediting agency by Secretary of Education.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH CARE

SEC. 101. EXTENSION OF AUTHORITY FOR COLLECTION OF COPAYMENTS FOR HOSPITAL CARE AND NURSING HOME CARE.

Section 1710(f)(2)(B) is amended by striking "September 30, 2016" and inserting "September 30, 2017".

SEC. 102. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 1710A(d) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

SEC. 103. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR ASSISTANCE AND SUPPORT SERVICES FOR CAREGIVERS.

Section 1720G(e) is amended—

- (1) in paragraph (2), by striking "and";
- (2) in paragraph (3), by striking the period at the end and inserting "; and"; and
- (3) by adding at the end the following new paragraph:

"(4) \$734,628,000 for fiscal year 2017.".

SEC. 104. EXTENSION OF AUTHORITY FOR RECOVERY FROM THIRD PARTIES OF COST OF CARE AND SERVICES FURNISHED TO VETERANS WITH HEALTH-PLAN CONTRACTS FOR NON-SERVICE-CONNECTED DISABILITY.

Section 1729(a)(2)(E) is amended, in the matter preceding clause (i), by striking "October 1, 2016" and inserting "October 1, 2017".

SEC. 105. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.

(a) EXTENSION OF AUTHORITY.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1144; 38 U.S.C. 1710 note) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (h) of such section is amended by striking "and 2016" and inserting "2016, and 2017".

SEC. 106. EXTENSION OF AUTHORITY TO MAKE GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking "2016" and inserting "2017".

SEC. 107. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE.

(a) EXTENSION.—Subsection (d) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1143; 38 U.S.C. 1712A) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (f) of such section is amended by striking "and 2016" and inserting "2016, and 2017".

SEC. 108. EXTENSION OF DEADLINE FOR REPORT ON PILOT PROGRAM ON USE OF COMMUNITY-BASED ORGANIZATIONS AND LOCAL AND STATE GOVERNMENT ENTITIES TO ENSURE THAT VETERANS RECEIVE CARE AND BENEFITS FOR WHICH THEY ARE ELIGIBLE.

Section 506(g)(1) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 38 U.S.C. 523 note) is amended by striking "180 days after the completion of the pilot program" and inserting "September 30, 2017".

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

SEC. 201. EXTENSION OF AUTHORITY FOR THE VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692(c) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

SEC. 202. EXTENSION OF AUTHORITY FOR CALCULATING NET VALUE OF REAL PROPERTY AT TIME OF FORECLOSURE.

Section 3732(c)(11) is amended by striking "October 1, 2016" and inserting "October 1, 2017".

SEC. 203. EXTENSION OF AUTHORITY RELATING TO VENDEE LOANS.

Section 3733(a)(7) is amended—
(1) in the matter preceding subparagraph (A), by striking "September 30, 2016" and inserting "September 30, 2017"; and

(2) in subparagraph (C), by striking "September 30, 2016," and inserting "September 30, 2017".

SEC. 204. EXTENSION OF AUTHORITY TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

Section 1631(b)(2) of the Wounded Warrior Act (title XVI of Public Law 110-181; 122 Stat. 458; 10 U.S.C. 1071 note) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO HOMELESS VETERANS

SEC. 301. EXTENSION OF AUTHORITY FOR HOMELESS VETERANS REINTEGRATION PROGRAMS.

Section 2021(e)(1)(F) is amended by striking "2016" and inserting "2017".

SEC. 302. EXTENSION OF AUTHORITY FOR HOMELESS WOMEN VETERANS AND HOMELESS VETERANS WITH CHILDREN REINTEGRATION PROGRAM.

Section 2021A(f)(1) is amended by striking "2016" and inserting "2017".

SEC. 303. EXTENSION OF AUTHORITY FOR REFERRAL AND COUNSELING SERVICES FOR VETERANS AT RISK OF HOMELESSNESS TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023(d) is amended by striking "September 30, 2016" and inserting "September 30, 2017".

SEC. 304. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking "September 30, 2016" and inserting "September 30, 2017".

SEC. 305. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

Subparagraph (E) of section 2044(e)(1) is amended to read as follows:

"(E) \$320,000,000 for each of fiscal years 2015 through 2017.".

SEC. 306. EXTENSION OF AUTHORITY FOR GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 2061(d)(1) is amended by striking "2016" and inserting "2017".

SEC. 307. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

SEC. 308. EXTENSION OF AUTHORITY FOR TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking "September 30, 2016" and inserting "September 30, 2017".

(b) ADDITIONAL SERVICES AT CERTAIN LOCATIONS.—Section 2033(d) is amended by striking "September 30, 2016" and inserting "September 30, 2017".

TITLE IV—OTHER EXTENSIONS AND MODIFICATIONS OF AUTHORITY AND OTHER MATTERS

SEC. 401. EXTENSION OF AUTHORITY FOR TRANSPORTATION OF INDIVIDUALS TO AND FROM DEPARTMENT FACILITIES.

Section 111A(a)(2) is amended by striking "December 31, 2016" and inserting "December 31, 2017".

SEC. 402. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking “September 30, 2016” and inserting “September 30, 2017”.

SEC. 403. EXTENSION OF AUTHORITY FOR MONTHLY ASSISTANCE ALLOWANCES UNDER THE OFFICE OF NATIONAL VETERANS SPORTS PROGRAMS AND SPECIAL EVENTS.

Section 322(d)(4) is amended by striking “2016” and inserting “2017”.

SEC. 404. EXTENSION OF REQUIREMENT TO PROVIDE REPORTS TO CONGRESS REGARDING EQUITABLE RELIEF IN THE CASE OF ADMINISTRATIVE ERROR.

Section 503(c) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

SEC. 405. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR ADAPTIVE SPORTS PROGRAMS FOR DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES.

Section 521A is amended—

- (1) in subsection (g)(1), by striking “2016” and inserting “2017”; and
- (2) in subsection (l), by striking “2016” and inserting “2017”.

SEC. 406. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

SEC. 407. MODIFICATION TO AUTHORIZATION OF APPROPRIATIONS FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

Section 2013(7) is amended by striking “\$250,000,000” and inserting “\$257,700,000”.

SEC. 408. EXTENSION OF AUTHORITY FOR TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY AMBULATING.

Section 2101(a)(4) is amended—

- (1) in subparagraph (A), by striking “September 30, 2016” and inserting “September 30, 2017”; and
- (2) in subparagraph (B), by striking “2016” and inserting “2017”.

SEC. 409. EXTENSION OF AUTHORITY FOR SPECIALLY ADAPTED HOUSING ASSISTIVE TECHNOLOGY GRANT PROGRAM.

Section 2108(g) is amended by striking “September 30, 2016” and inserting “September 30, 2017”.

SEC. 410. EXTENSION OF AUTHORITY TO GUARANTEE PAYMENT OF PRINCIPAL AND INTEREST ON CERTIFICATES OR OTHER SECURITIES.

Section 3720(h)(2) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

SEC. 411. EXTENSION OF AUTHORITY TO ENTER INTO AGREEMENT WITH THE NATIONAL ACADEMY OF SCIENCES REGARDING ASSOCIATIONS BETWEEN DISEASES AND EXPOSURE TO DIOXIN AND OTHER CHEMICAL COMPOUNDS IN HERBICIDES.

Section 3(i) of the Agent Orange Act of 1991 (Public Law 102-4; 38 U.S.C. 1116 note) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

SEC. 412. EXTENSION OF AUTHORITY FOR PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

Subsection (c) of section 704 of the Veterans Benefits Act of 2003 (38 U.S.C. 5101

note) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

SEC. 413. RESTORATION OF PRIOR REPORTING FEE MULTIPLIERS.

Section 406 of the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-175; 38 U.S.C. 3684 note) is amended by striking “two-year” and inserting “three-year”.

SEC. 414. EXTENSION OF REQUIREMENT FOR ANNUAL REPORT ON DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS INTERAGENCY PROGRAM OFFICE.

Section 1635(h)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1071 note) is amended by striking “2016” and inserting “2017”.

SEC. 415. EXTENSION OF AUTHORITY TO APPROVE COURSES OF EDUCATION IN CASES OF WITHDRAWAL OF RECOGNITION OF ACCREDITING AGENCY BY SECRETARY OF EDUCATION.

Section 3679(a) of title 38, United States Code, is amended—

- (1) by striking “Any course” and inserting “(1) Except as provided by paragraph (2), any course”; and

- (2) by adding at the end the following new paragraph:

“(2) In the case of a course of education that would be subject to disapproval under paragraph (1) solely for the reason that the Secretary of Education withdraws the recognition of the accrediting agency that accredited the course, the Secretary of Veterans Affairs, in consultation with the Secretary of Education, and notwithstanding the withdrawal, may continue to treat the course as an approved course of education under this chapter for a period not to exceed 18 months from the date of the withdrawal of recognition of the accrediting agency, unless the Secretary of Veterans Affairs or the appropriate State approving agency determines that there is evidence to support the disapproval of the course under this chapter. The Secretary shall provide to any veteran enrolled in such a course of education notice of the status of the course of education.”.

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that Members have 5 legislative days within which to revise and extend their remarks and add extraneous material on H.R. 5985, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5985, as amended, would extend a number of expiring authorities and critical programs at both the Department of Veterans Affairs and the Department of Labor. These include extensions for veterans' health care and homeless programs, benefits for disabled veterans and their caregivers, vocational rehabilitative programs for servicemembers and vet-

erans, home loan programs, and a variety of advisory committees and pilot programs.

Absent passage of this legislation today, these important and non-controversial authorizations and programs are set to expire at the end of this fiscal or this calendar year. These are not new programs, and the costs associated with them have either been fully offset or have been assumed in the baseline budget for fiscal year 2017.

Furthermore, both the majority and minority of the House and Senate Committees on Veterans' Affairs have worked on this language and agree on the need to extend all of these programs.

H.R. 5985, as amended, includes an extension of authority which would allow VA to continue to approve schools for GI Bill benefits for up to 18 months, even if the school's accreditor loses formal recognition by the Department of Education.

Mr. Speaker, this change is necessary to provide student veterans with the same protections that students using title IV funds would have, and it would ensure that our Nation's veterans don't immediately have their GI Bill benefits, including their housing allowances, halted by a DOE decision to no longer recognize an accrediting body.

This provision is a must-pass, as there is possibly an imminent decision by the Department of Education to do just that and to withdraw the approval of the Accrediting Council for Independent Colleges and Schools.

While I am not going to comment today on the Secretary of Education's decision, we have been told it could come as early as this month, and it is this body's duty to protect an estimated 18,000 veterans from losing their benefits instantaneously through absolutely no fault of their own.

The language in this bill would mirror language that is already included in the law governing nonveteran student aid and is supported by numerous veterans service organizations and other stakeholders, including the American Legion, Veterans of Foreign Wars of the United States, Student Veterans of America, and the National Association of State Approving Agencies.

Mr. Speaker, I encourage all Members to support H.R. 5985, as amended.

I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5985, a bill to extend certain expiring provisions related to care at the Department of Veterans Affairs. This bill makes sure that some of the vital programs we have in place to take care of our veterans continue past the end of the fiscal year and continue to help our veterans. Included in this bill are provisions related to health care, benefits, homeless veterans, and other related issues.

I am pleased to support extending programs related to support services for caregivers, child care for certain veterans receiving health care, and a pilot program on counseling in retreat settings for women veterans newly separated from the service.

It also has provisions to extend the authority related to rehabilitation and vocational benefits to members of the armed services with severe injuries or illnesses, homeless veterans' reintegration programs, homeless women veterans and homeless veterans with children and providing housing assistance for homeless veterans.

The final section of the bill deals with the GI Bill and when an institution of higher education loses its accreditation. This section aligns GI Bill benefits in law with all other higher education benefits, such as Pell and Federal student loans.

Now, this provision is crucial because soon the Department of Education may withdraw recognition of the Accrediting Council for Independent Colleges and Schools. I support this move by the Department of Education. It is a long time coming.

But without section 415, when this happens, GI Bill benefits will be cut off for student veterans in schools accredited by this agency. It puts the 37,000 student veterans and dependents receiving GI Bill benefits in schools accredited by this agency on the same footing as all other students receiving Federal higher education benefits. It allows them the time they need to recoup.

Section 415 is strongly supported by veterans service organizations such as Student Veterans of America and is the result of bipartisan agreement.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 1½ minutes to the gentleman from the Fifth District of Colorado (Mr. LAMBORN), a very active member of the House Committee on Veterans' Affairs.

Mr. LAMBORN. Mr. Speaker, I thank the chairman for the great work. We are going to miss his leadership next year when he goes into other pursuits. He will be sorely missed, and veterans will miss him.

Mr. Speaker, I rise today to speak of a missed opportunity in H.R. 5985. At present, the VA is pushing a rule that permits certified registered nurse anesthetists to practice without the supervision of a physician. This is a huge mistake. This bill should extend a 1-year period where the VA cannot implement this rule.

Opponents to this provision cited conditions present in forward-deployed locations as justification for implementing a change of this magnitude. Be that as it may, just because certain practices are permitted in forward-deployed locations due to military neces-

sity does not mean that those risky practices should be forced upon our veterans at all other times and places.

Our veterans deserve the absolute best care possible. They should not be used as test subjects when the VA tries to change how it delivers services. It is not right for the VA to give our veterans unsafe and risky health care.

Mr. TAKANO. Mr. Speaker, I have no further speakers. I simply want to urge my colleagues to join me in passing H.R. 5985, as amended. I want to thank, sincerely, the work that we have done together with Chairman MILLER on this legislation. I am so pleased that we are passing this in the manner we are.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again, I encourage all Members to support H.R. 5985, as amended.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 5985, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD on H.R. 5620.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore (Mr. BOUSTANY). Pursuant to House Resolution 859 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5620.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 1716

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my bill, the VA Accountability First and Appeals Modernization Act of 2016, would do two very important things for our Nation's veterans. First, it would provide the Secretary of the Department of Veterans Affairs with more tools needed to enforce accountability at VA. Second, it would help modernize VA's current appeals process, which is not just broken but is preventing VA from providing veterans with the benefits they deserve in a timely manner.

I want to first take a moment to discuss the important and forward-thinking accountability measures that are included in the bill before us today.

H.R. 5620 would allow the VA Secretary to remove or demote any employee for poor performance or misconduct; would allow the recoupment of a bonus given inappropriately to an employee; reduce a senior executive's pension if they are found guilty of a felony that influenced their job performance; make modifications to the Secretary's authority to remove senior executives that was granted in the Choice Act; and recoup any location and moving expenses if the Secretary determines that the employee committed any acts of waste, fraud, or malfeasance.

Furthermore, despite comments made by some of my colleagues on the other side of the aisle, my bill also contains language that increases protections. Let me say that again. It increases protections of whistleblowers. These new whistleblower protections would stipulate that any employee cannot be removed under this new authority if they have an open claim at the Office of Special Counsel.

To add even more protections for those who blow the whistle at VA, my bill would also set up a new process to be used in addition to any other process that is currently allowed by law. This will protect whistleblowers from retaliation and removal while they bring issues to light up through their chain of command.

These protections are unprecedented and strengthen existing whistleblower protections. In fact, 16 whistleblower groups signed a letter of support for the whistleblower provisions of this particular bill and stated that section 8 of my bill is "... a major breakthrough in the struggle for VA whistleblowers to gain credible rights when defending the integrity of the agency

mission and disclosing quality of care concerns. Further, section 8 of the bill would provide a system to hold employees accountable for their actions when they retaliate against those exposing waste, fraud, or abuse.”

Mr. Chair, as I have always said, I agree with all of my colleagues that the vast majority of the employees at the Department of Veterans Affairs are hardworking public servants who are dedicated to providing quality health care and the benefits that our veterans have earned. But it is beyond comprehension that, with as much outright malfeasance as our committee has uncovered at the Department of Veterans Affairs and increased scrutiny that we have placed on the Department over the past 5 years and their need to hold employees accountable, we still see far too many instances of VA employees not living up to the standards that America expects. It is even more incomprehensible that anyone would oppose this bill.

For example, we have shown an employee showing up drunk to work to scrub in for a surgery on a veteran; an employee taking a recovering addict to a crack house and buying him drugs and the services of a prostitute; a VA employee participating in an armed robbery; and senior managers retaliating against whistleblowers, at which point VA then has to pay hundreds of thousands of dollars to the whistleblower in restitution.

Not only are all of these acts egregious and not only are all of these instances factual, they really are just the tip of the iceberg. But what causes me to stand before you today is that in none of these instances did the VA hold these employees accountable in any reasonable timeframe, if they did at all. I blame many factors for this, but mainly I blame an antiquated system that has left VA managers unwilling to jump through the many hoops to do what is right.

Mr. Chair, it is well past time that we not allow the current system to continue. It is certainly our duty to finally take action and enact meaningful change at VA that puts their veterans and their families first and foremost. Everything else should come second. That includes the power of the public sector unions. As I have said before, VA is not sacred. Our veterans are.

Unfortunately, since the VA Committee began placing a greater focus on changing the civil service as it pertains to the VA, the unions have pushed back at every single turn, even telling committee staff that anything other than the status quo would never garner their support. Well, if the list of employees I mentioned before of who were not held accountable is not a clear example of how broken the status quo is, then I don't know what is.

Mr. Chair, it is time that we put politics and the misguided rhetoric of op-

ponents of change aside and, instead, align ourselves with our Nation's veterans and the organizations that represent them.

Eighteen veterans service organizations support the bill that is before us today: The American Legion, The Veterans of Foreign Wars of the United States, Disabled American Veterans, Paralyzed Veterans of America, Student Veterans of America, AMVETS, Association of the United States Navy, the Military Order of Purple Heart, National Association for Uniformed Services, Iraq and Afghanistan Veterans of America, Concerned Veterans for America, the Fleet Reserve Association, Military Officers Association of America, Reserve Officers Association, The Enlisted Association of the National Guard of the United States, VetsFirst, Vietnam Veterans of America, and The United States Army War-rant Officers Association.

That is 18 groups, Mr. Chairman. These groups represent millions of veterans and their families, not public employee unions who support the status quo that has led to the litany of problems at the Department of Veterans Affairs. The choice is clear. Each of us is now faced with either siding with the veterans of this country or corrupt union bosses.

Everyone in government knows that the civil service laws that were once meant to promote the efficiency of government are now obsolete and make it almost impossible to remove a poor-performing employee.

Even last year, VA Deputy Secretary Sloan Gibson sat before our committee and admitted it was too difficult to fire a substandard employee. Another former senior VA employee, then Acting Under Secretary for Benefits, stated at a committee hearing last year that “. . . With our GS employees, it's the rules, the regulations, the protections are such that it's almost impossible to do anything.”

The Government Accountability Office studied the government's ability to hold low-performing employees accountable. They found that it took 6 months to a year, on average, and sometimes significantly longer, to fire poor-performing government employees.

When the Choice Act was signed into law in 2014, even President Obama said at the bill signing: “If you engage in an unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn't be that difficult.”

While I know the administration has changed its tone since the Choice Act was signed into law, since this legislation would now affect all VA employees, even unionized ones, I strongly believe we should maintain the same expectations for rank and file employees at VA as we do senior officials, regardless of your title or rank within the agency. It is a privilege to work at VA

and to serve the veterans of this country. It is not a right.

Last summer, the House passed the removal section for all VA employees in H.R. 1994. At the time, I received a lot of pushback from my colleagues on the minority side about the accountability language. I was told I was trying to make all VA employees at-will and completely destroy the civil service system.

As I said then and I say now, that was not and is not my intention. But I believe that the current system is hampering VA from moving forward into an organization that is deserving of the veterans that it serves. In short, I want a civil service system at VA that serves and protects veterans, not bad employees.

I continue to hear concerns that this bill will hurt the Department's ability to recruit and retain good employees and will hurt morale. I also know that, last night, the administration released a statement about its concerns with the accountability measures in this bill and that this language would impede rather than support VA's ability to carry out its duties. I think these arguments are nothing more than scare tactics.

Mr. Chairman, what is impeding VA from carrying out its duties is decades of tolerating poor performance and even criminal or unethical behavior. The antiquated civil service laws are binding the Department's hands and permitting the toxic behavior of a few to overcome the good work of a majority.

If we do not at least try to give the Secretary the tools needed to hold VA employees accountable, then we are just as culpable for any future VA failures as the antiquated civil service laws that foster these failures now.

That is why this legislation is not punitive, but it is necessary if we truly want to make the ability for the changes in this Congress. The American people and, most importantly, our veterans expect this to occur. The best way to improve morale is to make it easier to get rid of the roots of dysfunction that we currently see throughout the Department of Veterans Affairs.

I have been told that VA can't fire its way to excellence, but neither can you tolerate malfeasance and expect excellence to become routine. Most Americans would be appalled with the complexity that is now baked into our civil service system. In the real world, if you don't do your job effectively or if you engage in unethical conduct, you get removed from the payroll. It is that simple.

We only need to look at the news that broke last week regarding 5,300 employees at the Wells Fargo Bank that were fired for creating hundreds of thousands of fake deposit accounts and cheating customers by charging them bogus fees.

□ 1730

That is how disciplinary actions are handled in the private sector. They were fired. And I believe it is something the public sector needs to learn from.

Compare that to the fewer than 10 VA employees held accountable for the wait time manipulation at the center of the largest scandal in VA history, and it is no wonder why Americans are losing faith in their government.

There is not a doubt in my mind that all of my colleagues here, all of them, care about our Nation's veterans, and we can show that by passing this bill before us today.

I also want to touch on a provision in my bill that would improve the appeals process of disability claims at the VA. VA should process veterans' claims for disability benefits accurately, consistently, and in a timely fashion. However, if a veteran disagrees with the decision and decides to file an appeal, VA's appeals process should be thorough, it should be swift, and it should be fair.

The truth is that VA's current appeals process is broken. It is a lengthy, complicated, and confusing process for our veterans and their families. The appeals reform section was drafted by the Department in collaboration with VSOs and other veterans advocates.

The intent of the bill is to modernize their existing cumbersome appeals process and to ensure that veterans receive appeals decisions in a timely fashion.

My bill, based entirely off committee member DINA TITUS' bill, would allow the veteran to remove a traditional appeal with a hearing and opportunity to new evidence in support of their claim.

Additionally, the bill would give veterans the option of choosing a faster process in which the veteran would not submit new evidence or have a hearing but would receive an expedited decision.

Although there are many questions about how VA is going to implement this proposal, we don't have the luxury of time in these closing days, and the backlog of pending appeals is exploding. As of the first of January of this year, there were 375,000 appeals pending in VA, including at the Board of Veterans' Appeals. On the first of June of this year, there were almost 457,000 appeals pending, an increase of 82,000 pending appeals in less than 18 months.

Moreover, the Board of Veterans' Appeals estimates that the number of appeals certified to the Board will rise from 88,000 to almost 360,000 in fiscal year 2017, a 400 percent increase in 1 year.

It is obvious that Congress needs to act now. This bill offers the best chance to improve VA's appeals process and provide veterans with the best possible decision on their claim.

Mr. Chairman, today we have a meaningful package that makes

changes to VA's civil service system, while maintaining due process rights, as well as making progressive steps in changing the antiquated system that veterans are currently stuck in when appealing their disability claims.

And finally, it is vital for our colleagues to keep in mind that H.R. 5620 is truly a bipartisan bill. It combines two of the biggest legislative priorities proposed by both the Republicans and the Democrats. And as we near the end of this Congress, we have the opportunity to put politics aside to make real and lasting change to a broken system.

Today, we can decide to stand with our veterans, or we can stand with the status quo and the unions that perpetuate the status quo which, I believe, has failed them and the American public for far, far too long.

I hope you will join me and the 18 veterans service organizations who support this legislation. Do what is right for our veterans. Pass H.R. 5620. Let's put accountability first so that transformative reforms can succeed.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington DC, September 8, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016. As you know, the Committee on Veterans' Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on July 5, 2016. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill, as amended.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5620 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

CONGRESS OF THE UNITED STATES,

Washington DC, September 8, 2016.

Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: In reference to your letter on September 8, 2016, I write to confirm our mutual understanding regarding H.R. 5620, as amended.

I appreciate the House Committee on Oversight and Government Reform's waiver of

consideration of provisions under its jurisdiction and its subject matter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 5620, as amended, and does not in any way waive or diminish the House Committee on Oversight and Government Reform's jurisdictional interests over this legislation or similar legislation. I will support a request from the House Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 5620, as amended. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Again, thank you for your assistance with these matters.

With personal regards, I am

Sincerely,

JEFF MILLER,
Chairman.

Mr. TAKANO. Mr. Chairman, I yield myself as much time as I may consume, and I rise in strong opposition to H.R. 5620.

Now, there is no dispute whether Congress should take action to increase accountability at the VA. On both sides of the aisle, we recognize that VA employees have a patriotic duty to provide veterans the care they have earned, and there should be consequences when they fail to meet that standard.

But we must also recognize that VA employees, nearly a third of whom are veterans themselves, have constitutional rights. In several ways, H.R. 5620 violates those rights and, therefore, will not achieve our shared goal of a more accountable VA workforce. In fact, passing this bill will move us further away from a strong accountability system that will improve the quality of service VA provides to veterans.

This flaw in the legislation is not without precedent. The accountability provisions included in the 2014 Veterans Choice Act could not be enforced after the Attorney General determined they violated due process rights. And President Obama threatened to veto a previous version of the bill, H.R. 1994, for the very same reason.

Now, unfortunately, the majority continues to treat the constitutional rights of VA employees as inconvenient obstacles to evade, instead of fundamental civil service protections to uphold.

The strict time requirements H.R. 5620 puts on administrative bodies, such as the Office of Personnel Management and the U.S. Merit Systems Protection Board, to decide appeals cases would meaningfully impact the ability of every VA employee to get a fair and proper hearing.

This bill improperly hands power to the VA Secretary with respect to setting standards for bonuses. According to the Non-Delegation Doctrine, Congress cannot shift its authority to agencies without providing an intelligent framework for carrying out that authority. As written, H.R. 5620 violates that doctrine.

Finally, I believe the majority's effort to institute new whistleblower provisions would be overturned for the same reason that the U.S. Attorney General's Office said it would not defend an unconstitutional section of the Choice Act: it violates the Appointments clause in the Constitution by allowing lower-level employees to have the final decisionmaking authority to decide whether an employee will be fired.

Now, these are more than minor legal concerns; they are reasons why VA employees who commit misconduct will not be held accountable when their terminations are challenged in court. We can pass H.R. 5620, but we will be right back here a year from now or 2 years from now when the law is deemed unconstitutional.

Our Senate colleagues have a bipartisan bill that includes accountability provisions that could serve as a foundation for legislation in the House. We had an opportunity to advance language that both parties and both Chambers can agree to, and I am disappointed that we are not pursuing that path.

I am also disappointed that this bill includes a moratorium on bonuses for VA's senior executives. Recruiting and retaining strong leadership at the VA is critical to its long-term success, and this provision will damage the Department's efforts to maintain a talented workforce that can address the underlying systematic issues that are causing poor performance.

Now I am not alone in this assessment. The American Legion, the Military Officers Association of America, and others have expressed reservations about this punitive approach to the VA's senior executives.

Finally, I am frustrated—I am particularly frustrated that the majority has attached to this bill a desperately needed bipartisan fix for the VA appeals process. The VA Appeals Modernization Act of 2016, introduced by my friend and colleague, Congresswoman DINA TITUS, has unanimous support and would sail through the House and Senate on its own. It is nearly the product of 4 years of work, and both sides agree to it.

Yet, you would attach it to a bill that we cannot agree to. It makes no sense that we are holding up this magnificent legislation that both sides worked on and that was the hard work of my friend and colleague from Nevada.

This legislation would move the VA away from an inefficient and convoluted unified appeals process and replace it with differentiated lanes, which give veterans clear options after receiving an initial decision on a claim. In sum, it would allow veterans to have a clear answer and path forward on their appeal within 1 year from filing.

By attaching it to this bipartisan accountability bill, the majority is preventing VA appeals reform from moving forward, denying veterans the streamlined appeals process they deserve.

I strongly urge the majority to allow Congresswoman TITUS' legislation to come to the floor as a stand-alone bill so we can accomplish a critical objective for the veterans community. Free the Titus bill. Let it come to the floor.

Now, the chairman talks about accountability and improving the culture at the VA. I would like to remind my friend from Florida that last week we heard testimony from the co-chairs of the Commission on Care. This Commission was appointed in a bipartisan way by the President, by the Speaker, by the minority leader of this House, and by the majority and minority leaders of the Senate; and the co-chairs gave us a report on their recommendations.

When asked about should there be an easier way to fire people, should there be a way to streamline the accountability process, to my surprise, they both answered "no" to a question posed by one of the Republican Members. They recommended that more investment and more time be devoted to leadership training within the VA.

They both lead private sector health organizations, and they both stated how they are obligated to the due process concerns with their employees. They were shocked at the relative under-appreciation for the personnel function at the VA.

They did not emphasize stripping away due process rights for workers. Instead, they strongly urged our committee to look at supporting the personnel function of the VA and improving leadership development and managerial skills of our managers.

So I recommend that we take this legislation back to committee, back to regular order, instead of considering it on a rushed basis and suspending the rules.

Mr. Chairman, all of us, Democrats and Republicans, believe in the need for stronger accountability for employees at the VA to ensure that our veterans get the care they deserve. Unfortunately, this legislation falls short of that goal. I urge my colleagues to vote "no."

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I would remind my good friend, the ranking member over on the minority side, that this bill has been sitting out there for 6 weeks, in time for 80 amendments to have been filed, so it definitely was not rushed.

I remember back in high school the three branches of government, and the executive branch is supposed to enforce the laws that this body, Congress, writes. I don't believe it is the Attorney General's responsibility. She may wish she was a judge, but she is not.

She is the Attorney General. She cannot deem something unconstitutional.

Mr. Chairman, I yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chairman, I appreciate the leadership of Chairman JEFF MILLER, both in the committee and with this particular piece of legislation.

Mr. Chairman, our veterans demand the strong accountability tools contained in H.R. 5620. Since the Phoenix wait-list scandals, very few individuals have been held accountable. Fewer still are those whose disciplinary actions have not been overturned by the Merit System Protection Board. This state of affairs is deplorable.

This bill provides VA leadership with the tools to hold all VA employees accountable for their performance and misconduct, not just those members of the Senior Executive Service.

This bill is long overdue. Veterans within my district are still experiencing poor service from the VA. VA employees have openly joked in front of our veterans about their immunity to any disciplinary actions for their poor performance.

Mr. Chairman, our veterans have earned the privilege of interacting with VA employees who put the veteran first, not their own careers. I urge my colleagues to support this vital piece of legislation.

□ 1745

Mr. TAKANO. Mr. Chairman, I yield 5 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, I thank the ranking member for yielding, and I thank the chairman. Even though we may disagree on this piece of legislation, I believe he has been a fair chairman to work with all members of the committee.

When I became a member of the Veterans' Affairs Committee and the ranking member of the Disability Assistance and Memorial Affairs Subcommittee back in 2013, much of the focus was on the disability claims backlog. It had ballooned, and it was causing some veterans to wait almost 2 years just for their initial claim decision.

After that backlog was reduced, after considerable work by Congress and the administration, the problem shifted to the appeals process, where 450,000 veterans are currently waiting in an overburdened and overcomplicated system. The average claim takes more than 3 years to adjudicate, and claims that progress to the Board of Veterans Appeals can languish for more than 2,000 days. Both of these figures are also rising. So, if we miss this historic opportunity to reform the outdated and overcomplicated appeals system, the wait for our Nation's heroes will continue to lengthen. By 2027, we will be

telling our veteran constituents that they will likely have to wait a decade for their appeal to be resolved. That is just unacceptable.

It is important to keep in mind that the appeals process was first developed back in 1933, and it was last updated in the late 1980s; so, surely, true reform is long overdue. Accordingly, this has become a top priority for the VA and for veterans service organizations, and it should be a priority for Congress as well.

Over the past months, the VA has been working closely with experts from the VSOs and other veterans advocacy groups to reform this broken system and replace it with a streamlined process designed to provide quicker outcomes for veterans while also preserving their due process rights.

Before you in this bill is the result of that effort. The new plan creates three lanes from which veterans can choose to appeal their claim. The first is a high-level *de novo* review for veterans who want to have a fresh set of well-trained eyes review their claim. The second is a lane for veterans who wish to add additional information or evidence to their claim. The third is for veterans who choose to have a full review done by the board, either with new evidence or as an expedited review without new supporting documents.

Veterans will be able to choose their own lane, depending on the specifics of their particular case. As part of this new system, the VA will provide more details to veterans when their initial claim decisions are delivered. This enhanced claims decision will better help veterans decide if they want to appeal and which lane will best suit their needs.

I appreciate that so many veterans organizations, including Disabled American Veterans, The American Legion, Veterans of Foreign Wars, Iraq and Afghanistan Veterans of America, AMVETS, Paralyzed Veterans of America, and others have all endorsed this appeals reform legislation.

It is unfortunate that my bill has been attached to controversial legislation regarding accountability at the VA. While we all agree that accountability for employees at the VA is critical for ensuring that our veterans receive the services and the care that they have earned and deserved, we should separate the two issues, pass appeals reform, and then work in a bipartisan manner on the accountability proceedings.

Last summer, this House passed an accountability bill; so, rather than passing another one that is very similar and which we know the administration opposes and feels is unconstitutional, let's get the appeals reform process done instead of playing politics that could hurt our Nation's heroes.

Mr. MILLER of Florida. Mr. Chairman, I would remind my good friend

that the very same group that she says supported her appeals reform is the very same one that supports my accountability legislation.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS) from the State of Florida's District 12.

Mr. BILIRAKIS. Mr. Chairman, I rise today in support of H.R. 5620, the VA Accountability First and Appeals Modernization Act, and I thank the chairman for filing the bill.

H.R. 5620 provides additional resources and flexibility to the Secretary to remove employees for poor performance or misconduct. What is wrong with that?

It further improves the protections of whistleblowers that continue to receive retaliation from simply wanting to do the right thing. I thank the chairman for putting that language in there.

Additionally, this bill improves the veterans appeals process with reforms sought to decrease excessive wait times for those waiting on a disability rating. I thank Representative TITUS for that language, as well.

In my district, I still hear veterans waiting too long for a decision to be made, which could take additional years on average in the appeals process—much too long.

Mr. Chairman, this process is broken and needs to be modernized right now. So again, with that, I urge my colleagues to support the bill.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I wish to comment on the assertion that it is the Attorney General's and the President's responsibility to enforce the law, as it does say that and as it is reflected in the Constitution. However, the Attorney General of the United States also has the duty to make sure that the taxpayers' money is well used. I often hear on the other side of the aisle a concern about unnecessary litigation or litigation that goes beyond the bounds of what is reasonable.

The Attorney General also has the obligation to take a look at the laws and to examine whether or not they would withstand constitutional muster. The American people do not demand of their Attorney General to litigate laws that are clearly unconstitutional. That would be a waste of money.

In the case of an accountability law and an accountability bill that clearly have flawed tools, tools which would be deemed unconstitutional, it would result in the following: it would result in managers taking actions against employees, money being spent on lawyers to dismiss these employees or otherwise discipline them, but employees being able to get their day in court and find that the provisions under which they are being disciplined are unconstitutional being reinstated after a lot of expense.

This is precisely why I would like to see this legislation go back to committee and for us to consult attorneys on both sides and not pass laws that are clearly going to not pass constitutional muster.

Yes, 81 amendments were filed because there are many problems with this legislation. Only 22 were ruled in order. I think we should go back to the drawing board and take the Senate legislation, which has bipartisan support, as a starting point.

As for the whistleblower protections, I have already stated my comments that these whistleblower protections in H.R. 5620 are also flawed. I believe that they would be ruled and deemed unconstitutional and, therefore, are also flawed.

Mr. Chairman, passing this legislation does not pass constitutional muster. It won't solve our problem. We need a real fix to improving VA accountability, and H.R. 5620 is not the solution.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I would remind my good friend that the Attorney General did comment on one particular live case. As a matter of fact, Sharon Helman, the person at the very center of the wait time debacle in Phoenix, believe it or not, is suing to get her job back, and the Attorney General has taken exception with one minor part of the law that was passed in 2014, the Veterans Choice Act. We have actually fixed her questions as relate to the Appointments Clause in the piece of legislation, so that problem should have been resolved at this point.

Mr. Chairman, I yield 2 minutes to the gentleman from the State of Tennessee (Mr. ROE). Dr. ROE is from the First Congressional District of Tennessee.

Mr. ROE of Tennessee. Mr. Chairman, I rise today in support of H.R. 5620, the VA Accountability First and Appeals Modernization Act sponsored by my friend and colleague and VA Committee chair, JEFF MILLER.

This legislation would bring much-needed relief for veterans who are currently waiting months, and sometimes even years, for the disability benefit appeal to be adjudicated. It also grants the Secretary the expanded authority he needs to remove VA employees for poor performance or misconduct.

Mr. Chairman, at the beginning of 2015, there were roughly 375,000 pending appeals within the VA system. A mere 18 months later, in June of 2016, that number had exploded to 457,000, a 1.2 percent increase per month. With that in mind, it is clear that the VA appeals process is fundamentally broken.

By its own admission, the Board of Veterans' Appeals annual report for fiscal year 2015 stated that the number of appeals certified to the Board from the

regional offices will increase from 88,183 in 2016 to 359,000 in 2017, an almost 400 percent increase in 12 months. We must work now, not later, to address this backlog before things get even more out of hand.

By implementing the reforms included in this legislation, the VA will be operating under streamlined processes needed to draw down this backlog. This bill also gives veterans some amount of control over how they wish their appeal to be reviewed. Under H.R. 5620, a veteran will be given the option of having their appeal heard by the regional office or having it bumped directly to the Board of Veterans' Appeals for adjudication.

By allowing veterans to waive or request a hearing and to limit or introduce new evidence in support of their claim, the veteran will have more control over who reviews their appeal, when it is reviewed, and what evidence is reviewed. Without this legislation, veterans will continue to be treated by VA as a mere case number, not as a veteran of the United States Armed Forces.

The CHAIR. The time of the gentleman has expired.

Mr. MILLER of Florida. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. ROE of Tennessee. Also included in this legislation is an important management tool for the Secretary to better maintain order within its workforce by expanding the authority of the Secretary to discipline or fire senior executive employees granted under the Veterans Choice Act to all VA employees. In an effort to protect employees who speak out from suffering retaliation, this bill provides comprehensive whistleblower protections.

These provisions are not meant to discourage or reduce morale for good, honest VA employees. In fact, it should accomplish just the opposite. The opponents of this provision are looking to protect the nurse who showed up drunk for surgery, the employees who purchased illegal drugs for veterans, or the managers who cooked the books on scheduling appointments and resulted in veterans dying. As someone who spent time working in a VA facility, I feel very strongly that the expedited removal of these types of employees improves the corrosive nature within the VA and makes the VA a safer, more respectful place to work.

Veterans deserve the best care, and I would challenge anyone to explain to me how these bad employees contribute to delivering quality of care.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am concerned that the bill before us today will actually undermine whistleblower protections rather than strengthen them. The Office of Special Counsel echoes my concerns. Their statement regarding the

bill reads: "Section 8 of this act may undermine whistleblower protections and accountability by creating a new and unnecessary process for reporting concerns. Section 8 also creates an unreasonable expectation that supervisors will be able to evaluate an employee concern within 4 business days. This process is overly burdensome for employees and supervisors and may be entirely unworkable in many instances."

We should go back to the drawing board. Let's go through regular order back in committee and not do this under the suspended rules and try to fix things on the floor of the House.

I continue the quote of the Special Counsel: "This approach is not the best method for improving accountability or evaluating supervisory efforts to support and protect whistleblowers. OSC believes that reinforcing existing channels for reporting concerns would better protect the interests of VA whistleblowers."

Whistleblowers are essential for proper oversight. Accountability measures that undermine whistleblowers or deter them from coming forward will make it harder. Again, the whistleblower protections in this bill may actually undermine our ability to protect them.

Mr. Chairman, I reserve the balance of my time.

□ 1800

Mr. MILLER of Florida. Mr. Chairman, I quote from a letter to Mrs. KIRKPATRICK from the Office of Special Counsel:

"We appreciate the bipartisan support for stronger whistleblower protections for VA employees, as reflected in H.R. 5620."

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. HUELSKAMP), from the First District.

Mr. HUELSKAMP. Mr. Chairman, I thank the chairman, and appreciate his strong, effective leadership in the Veterans' Affairs Committee.

At a committee hearing last year, the VA publicly admitted to me it was too difficult to fire bad employees. The situation is so dire that dozens of blatantly negligent employees and convicted criminals continue to work at the VA with zero consequences for their behavior.

I was a quick cosponsor of this bill when introduced by the chairman because it provides necessary solutions to a problem that has persisted far too long.

This bill will expand the VA Secretary's removal authority to include all VA employees and speed up the process. It will put in place additional whistleblower protections and give the Secretary the authority and responsibility to rescind bonuses and expense payments for corrupt employees. And it reforms the current broken claims process by providing veterans more

choices when it comes to appealing VA claims.

It might not be talked about much around here, but inside Washington everyone knows there is almost no accountability in the Federal civil service. In fact, a recent nonpartisan GAO study found, on average, it takes 6 months to a year, and often longer, to remove a bad bureaucrat.

In the VA, we have seen example after example of Federal employees more concerned with defending a couple of bad apples than caring for our veterans. It is not unreasonable to demand VA employees be held accountable for their performance, just like our veterans were during their military service and how millions of hard-working Americans must do in their jobs every single day.

It is my hope this bill will begin a long-overdue cultural shift within the VA. Until that happens, we will continue to see headlines about employees dealing heroin to patients, operating on patients while drunk, keeping their job despite an armed robbery charge, and giving years of paid leave to bad doctors. We can all agree: our veterans deserve better, and the VA should be held accountable for this obligation.

I urge my colleagues in the House to support passage of this very important bill.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I include in the RECORD a letter from the Office of Special Counsel to Representative KIRKPATRICK praising her for her amendment. I understand the majority also supports the Kirkpatrick amendment, so it is bipartisan support.

U.S. OFFICE OF SPECIAL COUNSEL,
Washington, DC, September 13, 2016.

Re Pending Legislation to Protect VA Whistleblowers.

Hon. ANN KIRKPATRICK,
Washington, DC.

DEAR REPRESENTATIVE KIRKPATRICK: The Office of Special Counsel (OSC) has received thousands of whistleblower retaliation complaints and disclosures from Department of Veterans Affairs (VA) employees. Based on this experience, we write to express our strong support for your amendment to H.R. 5620, the VA Accountability First and Appeals Modernization Act. Based on our review of the amendment, we believe it will advance the interests of VA whistleblowers.

Importantly, the amendment establishes the Office of Accountability and Whistleblower Protection (OAWP). OSC's ongoing work with VA whistleblowers will benefit from having a high-level point of contact with the statutory authority to identify, correct, and prevent threats to patient care and to discipline those responsible for creating them. The establishment of similar offices at other agencies, including the Federal Aviation Administration, has significantly improved the whistleblower experience at those agencies. And OAWP, with a Senate-confirmed leader, will have the authority and a mandate to make a significant difference.

For these and other reasons, we believe your amendment will best advance the interests of VA whistleblowers and the Veterans served by the Department. If you are in need

of additional information, please contact Adam Miles, Deputy Special Counsel for Policy and Congressional Affairs, at 202-254-3607. We appreciate the bipartisan support for stronger whistleblower protections for VA employees, as reflected in H.R. 5620, and believe this amendment will greatly enhance this effort.

Sincerely,

CAROLYN N. LERNER.

Mr. TAKANO. Mr. Chairman, I yield to the gentleman from Florida (Mr. MILLER) to ask him a question.

Was the quotation the gentleman read from this letter of the special counsel to Mrs. KIRKPATRICK?

Mr. MILLER of Florida. Will the gentleman yield?

Mr. TAKANO. I yield to the gentleman.

Mr. MILLER of Florida. I don't know what the letter is you are holding in your hand. I have one dated September 13.

Mr. TAKANO. Yes, September 13. And it is regarding pending legislation to protect VA whistleblowers?

Mr. MILLER of Florida. That is correct.

Mr. TAKANO. The quotation was from that letter.

I want to clarify that letter from the Office of Special Counsel was in support of Mrs. KIRKPATRICK's amendment, not in support of the entire bill H.R. 5620, and I am pleased that the majority joins us in support of that amendment.

My colleague, Chairman MILLER, mentioned that we have already covered our concerns in the Choice Act, and President Obama lauded the Choice Act when signing it into law. I will remind the chairman that the court—not Congress and not the President or the VA—determine whether a law meets constitutional muster.

I am concerned that the strict and arbitrary time limits in section 3 of H.R. 5620 violate constitutional due process and notions of basic fairness.

The lack of any clear standard of misbehavior by a VA employee that would trigger the Secretary's new firing authority also concerns me. Courts have allowed less notice if the behavior of a civil servant threatens the safety of others, but due process may not be limited simply to make it more convenient for Federal managers to get rid of employees they don't like.

That is why my amendment would pass constitutional muster and achieve the chairman's stated policy outcome more effectively than section 3 of H.R. 5620. It would give the Secretary a brand new authority to immediately remove, without pay, any VA employee whose behavior threatens veterans.

My amendment would address many of the egregious examples of terrible VA employees whose behavior has literally threatened veterans' lives, like the employee who took a veteran to a crack house. Under my alternative, that VA employee would be imme-

diately suspended without pay and fired after a fair investigation.

The problem with passing a bill that limits due process is that if it were to become law, a VA employee fired under this new authority would inevitably sue. By the time the case wound its way through the court system and potentially found to be an unconstitutional violation of due process, the VA would have to reinstate with back pay any employee fired under the authority.

Instead, I would urge us to replace section 3 with my amendment language, or the Senate's language in the Veterans First Act, which contains more fairness and due process while still bringing accountability to the VA.

In our criminal justice system, we are innocent until proven guilty. The same concept applies to due process for VA employees. They should get to tell their side of the story before losing their jobs for what could be a miscommunication, or worse, discrimination or retaliation on the part of their supervisor.

H.R. 5620 is bad policy that sets the VA apart from all other Federal agencies and will make it harder for the VA to recruit exceptional medical providers and managers.

H.R. 5620 would return us to the political spoils system that was so problematic before the advent of civil service protections.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I agree wholeheartedly with Mr. TAKANO that it is the courts of the United States of America that would rule something unconstitutional and not the Attorney General of this country.

Mr. Chairman, I yield 1½ minutes to the gentleman from the Third District of Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I have long fought for the highest quality health care for our veterans and accountability, and I applaud Chairman MILLER for bringing H.R. 5620 to the floor for a vote. It is long overdue.

This will not only provide greater options for veterans going through the VA's broken appeals process, but it also makes vital reforms to the Department's employee performance policies.

This is commonsense legislation. It will improve outcomes for veterans in my home State of Louisiana, where the VA has a long history of very poor performance.

The bill's provisions will make it easier for the VA Secretary to fire, demote, and recoup bonuses from employees who don't do their job.

Veterans in Louisiana have dealt with the VA's ineffective bureaucracy—and, in some cases, downright wrongdoing—for far too long. We desperately need more stringent accountability measures in place for the agency charged with caring for America's veterans.

This has gone on far too long. Chairman MILLER and I have fought with others for a very long time to do the very best for our veterans. Enough is enough. Enough is enough. It is time for a change. It is time for true accountability.

I am proud to stand with Chairman MILLER and others to support this legislation, and I urge all my colleagues to support it. It is urgently needed.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I think it is important that we consider the impact our actions will have on the hardworking frontline VA employees, many of whom are veterans themselves and even whom my friend from Florida, Chairman MILLER, says the vast majority of whom are very good employees.

I include in the RECORD a letter from the American Federation of Government Employees.

AMERICAN FEDERATION OF

GOVERNMENT EMPLOYEES, AFL-CIO,

Washington, DC, September 9, 2016.

Re AFGE Opposition to H.R. 5620.

DEAR REPRESENTATIVE: I am writing on behalf of nearly 700,000 federal employees represented by the American Federation of Government Employees, AFL-CIO (AFGE), including 230,000 employees of the Department of Veterans Affairs (VA) to urge you to oppose H.R. 5620, a bill introduced by Representative Jeff Miller (R-FL) to provide for removal or demotion of VA employees, and for other purposes. The drastic reductions in due process rights for every frontline VA employee proposed by this bill represents another familiar attempt to weaken the VA by weakening its dedicated workforce.

Changes proposed by H.R. 5620, including reduced time to respond to notices of proposed removals, reduced time to appeal to the Merit System Protection Board (MSPB), the loss of MSPB rights if that agency is backlogged, and unfair processes for recouping bonuses and work expenses, will decrease accountability by subjecting vocal employees who speak up against mismanagement and patient harm to more retaliation and harassment. The bill also would directly undermine the Department's progress in filling vacancies and recruiting and retaining a strong VA workforce.

Shorter Notice of Proposed Removal: Under current law, VA employees, like most government employees, are entitled to at least thirty days' advance written notice before they are terminated or demoted (See 5 U.S.C. 7513(b)(1)). H.R. 5620 would reduce that notice period by two-thirds to only ten days. A ten-day period is completely inadequate for allowing an employee to respond to a notice of proposed removal or demotion, receive his or her evidence file, present an effective answer with supporting evidence and secure representation.

Loss of Additional Rights for Performance-Based Removals: VA employees facing removal on poor performance would lose additional due process rights under this bill, making it nearly impossible to prepare an effective response. Currently, management must inform employees of specific instances of unacceptable performance and the critical elements for the position involved. (See 5 CFR 1201.22(b)(1).) The bill eliminates both these rights to essential information to prepare one's answer.

Reduced Time to File MSPB Appeal: Currently, employees seeking MSPB review of the agency's decision have 30 calendar days from effective date of the action or within 30 days of receipt of agency decision, whichever is later to file an MSPB appeal. H.R. 5620 would reduce that filing deadline by more than 75 percent to only 7 days after the date of the removal or demotion. This extremely tight filing deadline is likely to have a disproportionate effect on lower wage employees who cannot afford representation.

Loss of All MSPB Appeal Rights if MSPB Fails to Meet Shorter Timeframe: MSPB suffers from a chronic shortage of staff and other resources. Like H.R. 1994, Representative Miller's 2015 "firing bill" to eliminate the due process rights of every front-line VA employee, this bill would take away all MSPB appeal rights if a decision is not issued within 60 days, and instead, the VA's final decision would stand. AFGE is very concerned that this may violate constitutional due process. In addition, this is an extremely unrealistic time frame and employees will be the ones to suffer as a result. Recent MSPB data indicates an average processing time for initial Administrative Judge appeals of 93 days and average of 281 days for Board review.

"Safe Harbor" for Whistleblower Claims Will Overburden the Office of Special Counsel and Harm Whistleblowers: Like H.R. 1994, this bill requires the Office of Special Counsel (OSC) to review all agency decisions of employees who file OSC whistleblower complaints. OSC is already facing a significant increase in claims and does not currently review agency decisions to remove or demote employees. This added responsibility will increase the OSC's backlog and encourage the filing of less meritorious whistleblower complaints. Complainants with more meritorious matters will be adversely affected by additional delays.

Reductions in Senior Executive Retirement Annuities: AFGE also urges you oppose this provision that would remove covered service in calculating the annuities of VA senior executives who have been convicted of certain crimes. Pension recoupment is unnecessary and punitive, and would set an extremely dangerous precedent throughout the federal government for requiring forfeiture of earned compensation.

Unfair Bonus Recoupment Process: H.R. 5620 provides the VA Secretary with unfettered discretion to set the criteria for recoupment of bonuses already paid to employees. In addition, the bill is ambiguous about the appeals process that employees could utilize to challenge an unfair bonus recoupment decision.

Unfair Process for Recoupment of Payments for Relocation and Other Work Expenses: H.R. 5620 would give management overly broad authority to recoup allegedly improper reimbursements of work-related expenses. This overly broad and possibly unconstitutional provision could lead to more mismanagement and targeting of employees. VA already has ample authority to recoup improper payments, and payments made through misfeasance and malfeasance. In addition, the Department already addressed abuse of relocation bonuses by eliminating its Appraised Value Offer program. The lack of appeal rights in the bill is likely to give rise to an unconstitutional taking. This provision would further erode the morale of the VA workforce and discourage employees from relocating to hard-to-recruit locations to fill vacancies.

Thank you for considering the views of AFGE. If you need more information, please contact Marilyn Park of my staff.

Sincerely yours,

J. DAVID COX, Sr.,
National President.

Mr. TAKANO. The letter reads: "The drastic reductions in due process rights for every frontline VA employee proposed by this bill represents another familiar attempt to weaken the VA by weakening its dedicated workforce.

"Changes proposed by H.R. 5620, including reduced time to respond to notices of proposed removals, reduced time to appeal to the Merit System Protection Board (MSPB), the loss of MSPB rights if that agency is backlogged, and unfair processes for recouping bonuses and work expenses, will decrease accountability by subjecting vocal employees who speak up against mismanagement and patient harm to more retaliation and harassment. The bill also would directly undermine the Department's progress in filling vacancies and recruiting and retaining a strong VA workforce."

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

I include in the RECORD the letters from five veterans service organizations in support of this legislation, H.R. 5620.

THE AMERICAN LEGION,
July 12, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.

CHAIRMAN MILLER: On behalf of the more than 2 million members of The American Legion, I express qualified support for H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016. The bill would bring additional accountability measures to the Department of Veterans Affairs while strengthening protections for whistleblowers. Additionally, the bill would reform the department's disability benefits appeals process—a top priority for VA leaders and many veterans service organizations.

Veterans deserve a first rate agency to provide for their needs, and the VA is an excellent agency that is unfortunately marred from time to time by bad actors that the complicated system of discipline makes difficult to remove. Legislation to improve that process and make it easier to deal with these few, problem employees would help restore trust in what is otherwise an excellent system. However, we cannot support the prohibition on VA senior executives from receiving awards or bonuses over the next five years. This overly punitive form of collective punishment is unfair and counterproductive to efforts to rebuild a leadership cadre after the extensive turnover experienced since the 2014 wait time scandal.

We wholeheartedly support the appeals modernization provisions in this legislation. They represent a combined team effort between VA, Congress, and the Veteran Service Organizations to produce highly needed reforms to the complex disability claims appeals system and The American Legion is proud of the work accomplished here.

The American Legion thanks you for the leadership you have shown to bring improve-

ment and more accountability to VA. We are committed to working with you and your House and Senate colleagues to shepherd a veterans benefits legislative package before this session ends that we can all be proud of.

Sincerely,

DALE BARNETT,
National Commander.

DAV,
July 14, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of DAV and our 1.3 million members, all of whom were injured or made ill during wartime service, I write to offer our support for H.R. 5620, the "VA Accountability First and Appeals Modernization Act of 2016." This legislation could significantly improve the ability of veterans to receive more timely and accurate decisions on their claims and appeals for earned benefits.

As you know, the number of appeals awaiting decisions has risen dramatically—to almost 450,000—and the average time for an appeal decision is between three and five years, a delay that is simply unacceptable. To address this challenge, VA convened a workgroup in March consisting of DAV, other stakeholders and VA officials in order to seek common ground on a new framework for appeals. After months of intensive efforts, the workgroup reached consensus on a new framework for the appeals process that could offer veterans quicker decisions, while protecting their rights and prerogatives.

H.R. 5620, which contains the new appeals framework, would make fundamental changes to the appeals process by creating multiple options to appeal or reconsider claims' decisions, either formally to the Board or informally within the Veterans Benefits Administration. The central feature of the legislation would provide veterans three options, or "lanes," to appeal unfavorable claims decisions; and if they were not satisfied with their decisions, they could continue to pursue one of the other two options. As long as a veteran continuously pursues a new appeals option within one year of the last decision, they would be able to preserve their earliest effective date. This legislation also allows veterans to present new evidence and have a hearing before the Board or VBA if they so desire.

If faithfully implemented as designed by the workgroup, and if fully funded by Congress and VA in the years ahead, H.R. 5620 would make a marked improvement in the ability of veterans to get timely and accurate decisions on appeals of their claims. We urge the House to swiftly approve this legislation and then work with the Senate to reach agreement on final legislation that can be sent to the President to sign this year.

Respectfully,

GARRY J. AUGUSTINE,
Executive Director, Washington Headquarters.

VETERANS OF FOREIGN WARS,
September 6, 2016.

Hon. JEFF MILLER,
Chairman, House Veterans' Affairs Committee,
Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, we are pleased to offer our support for H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016.

Your legislation would allow the Secretary of the Department of Veterans Affairs (VA)

to expeditiously remove or demote any VA employee based on poor performance or misconduct. For far too long, under performing employees have been allowed to continue working at VA, simply because the processes for removal are so protracted. The VFW believes that employees should have some layer of protection, but that true accountability must be enforced for those who willfully fail to meet the standard. This is critical to ensuring that VA consistently provides the highest quality services, as well as continuing to restore veterans' faith in the Department.

Additionally, your legislation works to address concerns related to the appeal of a veteran's disability compensation claim. Today, there are more than 450,000 appeals awaiting the years-long process to a final decision by the Board of Veterans' Appeals. While the VFW insists that the right of the veteran to appeal must be continued and protected, common sense changes like those included in this legislation will help to eliminate backlogs, reduce the amount of time that veterans wait for their earned benefits, and still ensure that veterans receive the assistance needed when completing such appeals.

The VFW commends your leadership on this issue and your commitment to meaningful VA reforms. We look forward to working with you to ensure the passage of this important legislation.

Sincerely,

RAYMOND C. KELLEY,
Director, VFW National Legislative Service.

PARALYZED VETERANS OF AMERICA,
July 11, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of Paralyzed Veterans of America (PVA), I would like to offer our support for H.R. 5620, the "VA Accountability First and Appeals Modernization Act." This important legislation focuses on two important issues that must be addressed within the Department of Veterans Affairs (VA)—accountability at all levels and reform of the veterans' claims appeals process.

As you are aware, PVA has supported efforts to ensure proper accountability at all levels of the Department of Veterans Affairs (VA). Unfortunately, in recent years there have been numerous accounts of bad actors in VA senior management (and frankly lower level management) who have failed to fulfill the responsibility of their positions and in some cases arguably violated the law. The focus on accountability in this proposal strikes a reasonable balance to ensure VA leadership has the ability to manage personnel while affording due process protections to VA employees.

Additionally, while work remains to ensure appropriate implementation, this legislation advances critically needed appeals reform. PVA, and our partners in the veterans' service organization community, has been directly engaged with VA to affect meaningful appeals reform. This legislation reflects much of that work. However, we must emphasize that VA needs a definitive plan to address implementation, specifically a plan to deal with the current inventory of appeals.

Mr. Chairman, we applaud your commitment to strong accountability and meaningful appeals reform at the VA. We hope that

the Committee will consider and approve this important legislation expeditiously.

Respectfully,

SHERMAN GILLUMS, Jr.,
*Executive Director,
Paralyzed Veterans of America*

MILITARY OFFICERS
ASSOCIATION OF AMERICA,
August 16, 2016.

Hon. JEFF MILLER,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN MILLER: On behalf of MOAA's more than 390,000 members, I am writing to express our appreciation for your continuing efforts to improve accountability across the Department of Veterans Affairs (VA) and modernize the disability claims system through sponsorship of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016.

This bill builds upon your earlier legislation, H.R. 1994, the VA Accountability Act of 2015, by further strengthening protections for whistleblowers, providing for removal or demotion of employees based on performance or misconduct, and reforming the disability benefits appeals process.

MOAA appreciates your commitment to providing the Secretary of Veterans Affairs the additional authority to remove employees for sub-standard performance and misconduct. However, we do have some concerns about setting a long-term prohibition on Senior Executive Service employee bonuses for the period 2017 to 2021, mentioned in Section 10. MOAA anticipates VA employees, who are striving to solve these very difficult problems, should have the ability to be rewarded for making progress. MOAA would prefer to see conditions placed on receipt of bonuses rather than implement a blanket prohibition.

MOAA believes the result of change should be outcome-driven. That is, accountability mechanisms should be placed on achieving a desired outcome versus prescribing each step taken to reach that outcome. We support the restructuring of the VA claims adjudication process and the goal of providing veterans with more expeditious claim resolution. That said, we are concerned the proposed bill appears to eliminate the VA's duty to assist veterans with their claims during the appeal process. MOAA believes continuing the VA's duty to assist veterans during the appeal will be important to fair resolution of the claim.

In closing, MOAA urges the House and Senate Committees on Veterans' Affairs to work together to reach agreement on how best to move forward on H.R. 5620 and S. 2921, the Veterans First Act, incorporating the necessary elements of accountability and appeals in order to achieve meaningful and substantive reform before Congress adjourns this year.

We deeply appreciate your support of our nation's servicemembers, veterans and their families. MOAA looks forward to continuing cooperation with you in helping to resolve these important issues.

Sincerely,
LT. GEN. DANA T. ATKINS, USAF (RET),
President and CEO.

Mr. MILLER of Florida. I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for all of the foregoing arguments that were made today, I urge all of my colleagues to vote "no" on H.R. 5620.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

I urge all Members to support H.R. 5620, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chair, it is with great reluctance that I rise in opposition to H.R. 5620. I am disappointed that my Republican colleagues have missed the opportunity to pass legislation that immediately reforms the Department of Veterans Affairs' disability claim appeals backlog. Instead they are determined to push through a bill that they know deprives VA employees, many of whom are veterans, of due process and abridges their constitutional rights.

Our veterans deserve better than the current disability appeals claim backlog system which currently has almost half a million claims. It is a system that has not been updated since the 1930s. My colleague, Representative DINA TITUS, has introduced legislation that would decrease wait times and save the VA over \$2.6 billion. Without this legislation our veterans may soon have to wait over a decade for their appeal to process. That is unacceptable. I fully support Representative TITUS's comprehensive solution to provide our veterans with expeditious and accurate service and I am pleased that it is included in this bill.

However, I cannot support Sections 2 through 8 and 10 of H.R. 5620 which are partisan and unconstitutional attempts by Republicans to punish VA employees. Republicans claim that their goal is to help veterans but they seemingly ignore that one-third of VA employees are veterans themselves. They have tried to pass this so-called 'administrative reform' before and faced the same constitutional challenges. It is incomprehensible that Republicans are wasting taxpayer time and resources pushing through this legislation.

While accountability and reform at the VA are necessary, constitutional rights cannot be abrogated or dismissed simply because Republicans do not think that particular right is important. I am fully supportive of Ranking Member TAKANO's amendment which adds accountability at the VA but still protects the rights of VA employees. Republicans cannot claim that Democrats are against accountability because numerous amendments to H.R. 5620 adding accountability measures were introduced by Democrats, were unopposed by Republicans and passed with bipartisan support on the House floor.

I sincerely hope my Republican colleagues will introduce bipartisan legislation that they know can pass to give our veterans the service they deserve.

The Acting CHAIR (Mr. MOONEY of West Virginia). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 5620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “VA Accountability First and Appeals Modernization Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 38, United States Code.
- Sec. 3. Removal or demotion of employees based on performance or misconduct.
- Sec. 4. Reduction of benefits for members of the Senior Executive Service within the Department of Veterans Affairs convicted of certain crimes.
- Sec. 5. Authority to recoup bonuses or awards paid to employees of Department of Veterans Affairs.
- Sec. 6. Authority to recoup relocation expenses paid to or on behalf of employees of Department of Veterans Affairs.
- Sec. 7. Senior executives; personnel actions based on performance or misconduct.
- Sec. 8. Treatment of whistleblower complaints in Department of Veterans Affairs.
- Sec. 9. Appeals reform.
- Sec. 10. Limitation on awards and bonuses paid to senior executive employees of Department of Veterans Affairs.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. REMOVAL OR DEMOTION OF EMPLOYEES BASED ON PERFORMANCE OR MISCONDUCT.

(a) **IN GENERAL.**—Chapter 7 is amended by adding at the end the following new section:

“§ 715. Employees: removal or demotion based on performance or misconduct

“(a) **IN GENERAL.**—The Secretary may remove or demote an individual who is an employee of the Department if the Secretary determines the performance or misconduct of the individual warrants such removal or demotion. If the Secretary so removes or demotes such an individual, the Secretary may—

“(1) remove the individual from the civil service (as defined in section 2101 of title 5); or

“(2) demote the individual by means of—

“(A) a reduction in grade for which the individual is qualified and that the Secretary determines is appropriate; or

“(B) a reduction in annual rate of pay that the Secretary determines is appropriate.

“(b) **PAY OF CERTAIN DEMOTED INDIVIDUALS.**—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (a)(2)(A) shall, beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

“(2) An individual so demoted may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an individual so demoted does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

“(c) **NOTICE TO CONGRESS.**—Not later than 30 days after removing or demoting an individual under subsection (a), the Secretary shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives notice in writing of such removal or demotion and the reason for such removal or demotion.

“(d) **PROCEDURE.**—(1) Subsection (b) of section 7513 of title 5 shall apply with respect to a removal or a demotion under this section, except that the period for notice and response, which includes the advance notice period required by paragraph (1) of such subsection and the response period required by paragraph (2) of such subsection, shall not exceed a total of ten calendar days.

“(2) The procedures under chapter 43 of title 5 shall not apply to a removal or demotion under this section.

“(3)(A) Subject to subparagraph (B) and subsection (e), any removal or demotion under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

“(B) An appeal under subparagraph (A) of a removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

“(e) **EXPEDITED REVIEW BY MSPB.**—(1) Upon receipt of an appeal under subsection (d)(3)(A), the Merit Systems Protection Board shall expedite any such appeal under such section and, in any such case, shall issue a decision not later than 60 days after the date of the appeal.

“(2) Notwithstanding section 7701(c)(1)(B) of title 5, the Merit Systems Protection Board shall uphold the decision of the Secretary to remove or demote an employee under subsection (a) if the decision is supported by substantial evidence.

“(3) The decision of the Merit Systems Protection Board under paragraph (1), and any final removal or demotion described in paragraph (4), may be appealed to the United States Court of Appeals for the Federal Circuit pursuant to section 7703 of title 5. Any decision by such Court shall be in compliance with section 7462(f)(2) of this title.

“(4) In any case in which the Merit Systems Protection Board cannot issue a decision in accordance with the 60-day requirement under paragraph (1), the removal or demotion is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or demotion is final, submit to Congress and the Committees on Veterans Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

“(5) The Merit Systems Protection Board may not stay any removal or demotion under this section.

“(6) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the Merit Systems Protection Board issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

“(7) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

“(f) **WHISTLEBLOWER PROTECTION.**—(1) In the case of an individual seeking corrective

action (or on behalf of whom corrective action is sought) from the Office of Special Counsel based on an alleged prohibited personnel practice described in section 2302(b) of title 5, the Secretary may not remove or demote such individual under subsection (a) without the approval of the Special Counsel under section 1214(f) of title 5.

“(2) In the case of an individual who has filed a whistleblower complaint, as such term is defined in section 741 of this title, the Secretary may not remove or demote such individual under subsection (a) until a final decision with respect to the whistleblower complaint has been made.

“(g) **TERMINATION OF INVESTIGATIONS BY OFFICE OF SPECIAL COUNSEL.**—Notwithstanding any other provision of law, the Special Counsel (established by section 1211 of title 5) may terminate an investigation of a prohibited personnel practice alleged by an employee or former employee of the Department after the Special Counsel provides to the employee or former employee a written statement of the reasons for the termination of the investigation. Such statement may not be admissible as evidence in any judicial or administrative proceeding without the consent of such employee or former employee.

“(h) **RELATION TO OTHER AUTHORITIES.**—The authority provided by this section is in addition to the authority provided by subchapter V of chapter 74 of this title, subchapter II of chapter 75 of title 5, chapter 43 of such title, and any other authority with respect to disciplining an individual.

“(i) **DEFINITIONS.**—In this section:

“(1) The term ‘individual’ means an individual occupying a position at the Department but does not include—

“(A) an individual, as that term is defined in section 713(g)(1); or

“(B) a political appointee.

“(2) The term ‘grade’ has the meaning given such term in section 7511(a) of title 5.

“(3) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(4) The term ‘political appointee’ means an individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5 (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.

(b) **CLERICAL AND CONFORMING AMENDMENTS.**—

(1) **CLERICAL.**—The table of sections at the beginning of chapter 7 is amended by inserting after the item relating to section 713 the following new item:

“715. Employees: removal or demotion based on performance or misconduct.”.

(2) **CONFORMING.**—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting “, or”; and

(C) by adding at the end the following:

“(4) any removal or demotion under section 715 of title 38.”.

SEC. 4. REDUCTION OF BENEFITS FOR MEMBERS OF THE SENIOR EXECUTIVE SERVICE WITHIN THE DEPARTMENT OF VETERANS AFFAIRS CONVICTED OF CERTAIN CRIMES.

(a) REDUCTION OF BENEFITS.—

(1) IN GENERAL.—Chapter 7 is further amended by inserting after section 715, as added by section 3, the following new section:

“§ 717. Senior executives: reduction of benefits of individuals convicted of certain crimes

“(a) REDUCTION OF ANNUITY FOR REMOVED EMPLOYEE.—(1) The Secretary shall order that the covered service of an individual removed from a senior executive position for performance or misconduct under section 713 of this title, chapter 43 or subchapter V of chapter 75 of title 5, or any other provision of law shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

“(A) the individual is convicted of a felony that influenced the individual’s performance while employed in the senior executive position; and

“(B) before such order is made, the individual is afforded—

“(i) notice of the order and an opportunity to respond to the order; and

“(ii) consistent with paragraph (2), an opportunity to appeal the order to another department or agency of the Federal Government.

“(2) If a final decision on an appeal made under paragraph (1)(B)(ii) is not made by the applicable department or agency of the Federal Government within 30 days after receiving such appeal, the order of the Secretary under paragraph (1) shall be final and not subject to further appeal.

“(b) REDUCTION OF ANNUITY FOR RETIRED EMPLOYEE.—(1) The Secretary may order that the covered service of an individual who is subject to a removal or transfer action for performance or misconduct under section 713 of this title, chapter 43 or subchapter V of chapter 75 of title 5, or any other provision of law but who leaves employment at the Department prior to the issuance of a final decision with respect to such action shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

“(A) the individual is convicted of a felony that influenced the individual’s performance while employed in the senior executive position; and

“(B) before such order is made, the individual is afforded notice and an opportunity for a hearing conducted by another department or agency of the Federal Government.

“(2) The Secretary shall make such an order not later than seven days after the date of the conclusion of a hearing referred to in paragraph (1)(B) that determines that such order is lawful.

“(c) ADMINISTRATIVE REQUIREMENTS.—(1) Not later than 30 days after the Secretary issues an order under subsection (a) or (b), the Director of the Office of Personnel Management shall recalculate the annuity of the individual.

“(2) A decision regarding whether the covered service of an individual shall be taken into account for purposes of calculating an annuity under subsection (a) or (b) is final and may not be reviewed by any department or agency or any court.

“(d) LUMP-SUM ANNUITY CREDIT.—Any individual with respect to whom an annuity is

reduced under subsection (a) or (b) shall be entitled to be paid so much of such individual’s lump-sum credit as is attributable to the period of covered service.

“(e) SPOUSE OR CHILDREN EXCEPTION.—The Secretary, in consultation with the Office of Personnel Management, shall prescribe regulations that may provide for the payment to the spouse or children of any individual referred to in subsection (a) or (b) of any amounts which (but for this subsection) would otherwise have been nonpayable by reason of such subsections. Any such regulations shall be consistent with the requirements of section 8332(o)(5) and 8411(1)(5) of title 5, as the case may be.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered service’ means, with respect to an individual subject to a removal or transfer for performance or misconduct under section 713 of this title, chapter 43 or subchapter V of chapter 75 of title 5, or any other provision of law, the period of service beginning on the date that the Secretary determines under such applicable provision that the individual engaged in activity that gave rise to such action and ending on the date that the individual is removed or transferred from the senior executive position or leaves employment at the Department prior to the issuance of a final decision with respect to such action, as the case may be.

“(2) The term ‘lump-sum credit’ has the meaning given such term in section 8331(8) or section 8401(19) of title 5, as the case may be.

“(3) The term ‘senior executive position’ has the meaning given such term in section 713(g)(3) of this title.

“(4) The term ‘service’ has the meaning given such term in section 8331(12) or section 8401(26) of title 5, as the case may be.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 715, as added by section 3, the following new item:

“§ 717. Senior executives: reduction of benefits of individuals convicted of certain crimes.”

(b) APPLICATION.—Section 717 of title 38, United States Code, as added by subsection (a)(1), shall apply to any action of removal or transfer under section 713 of title 38, United States Code, commencing on or after the date of the enactment of this Act.

SEC. 5. AUTHORITY TO RECOUP BONUSES OR AWARDS PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 is further amended by inserting after section 717, as added by section 4, the following new section:

“§ 719. Recoupment of bonuses or awards paid to employees of Department

“(a) RECOUPMENT.—Notwithstanding any other provision of law, the Secretary may issue an order directing an employee of the Department to repay the amount, or a portion of the amount, of any award or bonus paid to the employee under title 5, including under chapters 45 or 53 of such title, or this title if—

“(1) the Secretary determines such repayment appropriate pursuant to regulations prescribed under subsection (c); and

“(2) before such repayment, the employee is afforded notice and an opportunity for a hearing conducted by another department or agency of the Federal Government.

“(b) REVIEW.—(1) Upon the issuance of an order by the Secretary under subsection (a), the employee shall be afforded—

“(A) notice of the order and an opportunity to respond to the order; and

“(B) consistent with paragraph (2), an opportunity to appeal the order to another department or agency of the Federal Government.

“(2) If a final decision on an appeal made under paragraph (1)(B) is not made by the applicable department or agency of the Federal Government within 30 days after receiving such appeal, the order of the Secretary under subsection (a) shall be final and not subject to further appeal.

“(c) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 4, is amended by inserting after the item relating to section 717 the following new item:

“§ 719. Recoupment of bonuses or awards paid to employees of Department.”

(c) EFFECTIVE DATE.—Section 719 of title 38, United States Code, as added by subsection (a), shall apply with respect to an award or bonus paid by the Secretary of Veterans Affairs to an employee of the Department of Veterans Affairs on or after the date of the enactment of this Act.

(d) CONSTRUCTION.—Nothing in this Act or the amendments made by this Act may be construed to modify the certification issued by the Office of Personnel Management and the Office of Management and Budget regarding the performance appraisal system of the Senior Executive Service of the Department of Veterans Affairs.

SEC. 6. AUTHORITY TO RECOUP RELOCATION EXPENSES PAID TO OR ON BEHALF OF EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 is further amended by adding at the end the following new section:

“§ 721. Recoupment of relocation expenses paid on behalf of employees of Department

“(a) RECOUPMENT.—(1) Notwithstanding any other provision of law, the Secretary may direct an employee of the Department to repay the amount, or a portion of the amount, paid to or on behalf of the employee under title 5 for relocation expenses, including any expenses under section 5724 or 5724a of such title, or this title if—

“(A) the Secretary determines that—

“(i) the employee has committed an act of fraud, waste, or malfeasance; and

“(ii) such repayment is appropriate pursuant to regulations prescribed under subsection (c); and

“(B) before such repayment is ordered, the individual is afforded—

“(i) notice of the determination of the Secretary and an opportunity to respond to the determination; and

“(ii) consistent with paragraph (2), an opportunity to appeal the determination to another department or agency of the Federal Government.

“(2) If a final decision on an appeal made under paragraph (1)(B)(ii) is not made by the applicable department or agency of the Federal Government within 30 days after receiving such appeal, the order of the Secretary under paragraph (1) shall be final and not subject to further appeal.

“(b) REVIEW.—A decision regarding a repayment by an employee pursuant to subsection (a)(1)(B)(ii) is final and may not be reviewed by any department, agency, or court.

“(c) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is

further amended by adding at the end the following new item:

“721. Recoupment of relocation expenses paid to or on behalf of employees of Department.”.

(c) **EFFECTIVE DATE.**—Section 721 of title 38, United States Code, as added by subsection (a), shall apply with respect to an amount paid by the Secretary of Veterans Affairs to or on behalf of an employee of the Department of Veterans Affairs for relocation expenses on or after the date of the enactment of this Act.

(d) **CONSTRUCTION.**—Nothing in this section or the amendments made by this section may be construed to modify the certification issued by the Office of Personnel Management and the Office of Management and Budget regarding the performance appraisal system of the Senior Executive Service of the Department of Veterans Affairs.

SEC. 7. SENIOR EXECUTIVES: PERSONNEL ACTIONS BASED ON PERFORMANCE OR MISCONDUCT.

(a) **EXPANSION OF COVERED PERSONNEL ACTIONS.**—Section 713 is amended in subsection (a)(1) by inserting after “such removal,” the following: “If the Secretary determines that the performance or misconduct of such an individual does not merit removal from the senior executive service position, the Secretary may suspend, reprimand, or admonish the individual.”.

(b) **REMOVAL OF APPEAL TO MERIT SYSTEMS PROTECTION BOARD.**—Section 713 is further amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “so removes” and inserting “removes”; and

(B) by adding at the end the following:

“(3) On the date that is 5 days before taking any personnel action against a senior executive under paragraph (1), the Secretary shall provide the individual with—

“(A) notice in writing of the proposed personnel action, including the reasons for such action; and

“(B) an opportunity to respond to the proposed personnel action within the 5-day period.”;

(2) in subsection (b)(2)—

(A) by striking “under this section” and inserting “under section 723”; and

(B) by striking the second sentence;

(3) in subsection (c)—

(A) by striking “30” and inserting “5”; and

(B) by striking “and the reason for such removal or transfer” and inserting “, the reason for such removal or transfer, the name and position of the employee, and all charging documents and evidence pertaining to such removal or transfer”;

(4) by striking subsections (d) and (e) and inserting the following:

“(d) **PROCEDURE.**—(1) The procedures under title 5 shall not apply to any personnel action under this section.

“(2) A personnel action under this section—

“(A) may be appealed to the Senior Executive Disciplinary Appeals Board under section 723; and

“(B) may not be appealed to the Merit Systems Protection Board under section 7701 of title 5.”;

(5) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(6) in subsection (f), as redesignated by paragraph (5), by adding at the end the following:

“(4) The term ‘suspend’ means the placing of an individual in a temporary status without duties and pay for a period greater than 14 days.”.

(c) **REMOVAL OF EXPEDITED PROCEDURES.**—Section 707 of the Veterans Access, Choice, and Accountability Act of 2014 (38 U.S.C. 713 note) is amended by—

(1) striking subsection (b); and

(2) redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(d) **SENIOR EXECUTIVE DISCIPLINARY APPEALS BOARD.**—Chapter 7 is further amended by inserting after section 721, as added by section 6, the following new section:

“§ 723. Senior Executive Disciplinary Appeals Board

“(a) The Secretary shall from time to time appoint a board to hear appeals of any personnel action taken under section 713. Such board shall be known as the Senior Executive Disciplinary Appeals Board (hereinafter referred to as the ‘Board’). Each Board shall consist of 3 employees of the Department. The Board shall have exclusive jurisdiction to review any personnel action under section 713.

“(b) Upon an appeal of such a personnel action, the Senior Executive Disciplinary Appeals Board shall—

“(1) review all evidence provided by the Secretary and the appellant; and

“(2) issue a decision not later than 21 days after the date of the appeal.

“(c) The Board shall afford an employee appealing a personnel action an opportunity for an oral hearing. If such a hearing is held, the appellant may be represented by counsel.

“(d) The Board shall uphold the decision of the Secretary if—

“(1) there is substantial evidence supporting the decision; and

“(2) the applicable personnel action is within the tolerable bounds of reasonableness.

“(e) If the Board issues a decision under this section that reverses or otherwise mitigates the applicable personnel action, the Secretary may reverse the decision of the Board. Consistent with the requirements of subsection (g), the decision of the Secretary under this subsection shall be final.

“(f) In any case in which the Board cannot issue a decision in accordance with the 21-day requirement under subsection (b)(2), the personnel action is final.

“(g) A petition to review a final order or final decision of the Secretary or the Board under this section shall be filed in the United States Court of Appeals for the Federal Circuit. Any decision by such Court shall be in compliance with section 7462(f)(2) of this title.

“(h) During the period beginning on the date on which an individual appeals a removal from the civil service under section 713(d) and ending on the date that the Board or Secretary issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.”.

(e) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) **TECHNICAL AMENDMENT.**—The section heading of section 713 is amended to read as follows: **Senior executives: personnel actions based on performance or misconduct.**

(2) **CLERICAL AMENDMENTS.**—The table of contents for such chapter is further amended—

(A) by striking the item relating to section 713 and inserting the following:

“713. Senior executives: personnel actions based on performance or misconduct.”;

and

(B) by adding at the end the following:

“723. Senior Executive Disciplinary Appeals Board.”.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section or section 731 of title 38, United States Code, (as added by subsection (c)) shall be construed to apply to an appeal of a removal, transfer, or other personnel action that was pending before the date of the enactment of this Act.

SEC. 8. TREATMENT OF WHISTLEBLOWER COMPLAINTS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Chapter 7 is further amended by adding at the end the following new subchapter:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“§ 741. Whistleblower complaint defined

“In this subchapter, the term ‘whistleblower complaint’ means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“§ 742. Treatment of whistleblower complaints

“(a) **FILING.**—(1) In addition to any other method established by law in which an employee may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

“(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

“(b) **NOTIFICATION.**—(1) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety. The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor a written report on the complaint.

“(2) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c). In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official.

“(c) **POSITIVE DETERMINATION.**—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

“(d) **FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.**—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-

level supervisor who shall treat such complaint in accordance with this section.

“(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

“(3) A circumstance described in this paragraph are any of the following circumstances:

“(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

“(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

“(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

“(e) TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

“(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

“(2) give preference to the employee for such a transfer in accordance with such section.

“(f) PROHIBITION ON EXEMPTION.—The Secretary may not exempt any employee of the Department from being covered by this section.

“(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

“(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

“(A) An explanation of the purpose of the whistleblower complaint form.

“(B) Instructions for filing a whistleblower complaint as described in this section.

“(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

“(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 745(c).

“(E) Fields for the employee to provide—

“(i) the date that the form is submitted;

“(ii) the name of the employee;

“(iii) the contact information of the employee;

“(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and

“(v) proposed solutions to complaint.

“(F) Any other information or fields that the Secretary determines appropriate.

“(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

“§ 743. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints

“(a) IN GENERAL.—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against super-

visory employees whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

“(A) With respect to the first offense, an adverse action that is not less than a 14-day suspension and not more than removal.

“(B) With respect to the second offense, removal.

“(2)(A) Except as provided by subparagraph (B), and notwithstanding subsections (b) and (c) of section 7513 and section 7543 of title 5, the provisions of subsections (d) and (e) of section 713 of this title shall apply with respect to an adverse action carried out under paragraph (1).

“(B) An employee who is notified of being the subject of a proposed adverse action under paragraph (1) may not be given more than five days following such notification to provide evidence to dispute such proposed adverse action. If the employee does not provide any such evidence, or if the Secretary determines that such evidence is not sufficient to reverse the determination to propose the adverse action, the Secretary shall carry out the adverse action following such five-day period.

“(b) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

“(c) PROHIBITED PERSONNEL ACTION DESCRIBED.—A prohibited personnel action described in this subsection is any of the following actions:

“(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

“(A) filing a whistleblower complaint in accordance with section 742 of this title;

“(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

“(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 742 or with the Inspector General of the Department, the Special Counsel, or Congress;

“(D) participating in an audit or investigation by the Comptroller General of the United States;

“(E) refusing to perform an action that is unlawful or prohibited by the Department; or

“(F) engaging in communications that are related to the duties of the position or are otherwise protected.

“(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

“(3) Conducting a peer review or opening a retaliatory investigation relating to an activity of an employee that is protected by section 2302 of title 5.

“(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

“§ 744. Evaluation criteria of supervisors and treatment of bonuses

“(a) EVALUATION CRITERIA.—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

“(2) The criteria described in this subsection are the following:

“(A) Whether the supervisor treats whistleblower complaints in accordance with section 742.

“(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 743(b) by an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

“(b) BONUSES.—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

“(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

“(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

“(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

“(C) before such order is made, the supervisor is afforded—

“(i) notice of the order and an opportunity to respond to the order; and

“(ii) an opportunity to appeal the order to another department or agency of the Federal Government, except that any such department or agency shall issue a final decision with respect to such appeal not later than the date that is 30 days after the date the department or agency received such appeal.

“§ 745. Training regarding whistleblower complaints

“(a) TRAINING.—The Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall annually provide to each employee of the Department training regarding whistleblower complaints, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

“(2) an explanation of prohibited personnel actions described by section 743(c) of this title;

“(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 742 of this title;

“(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

“(5) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress in instances

where such disclosure is permitted by law, including under sections 5701, 5705, and 7742 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) CERTIFICATION.—The Secretary shall annually provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(c) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

“(2) The Secretary shall publish on the Internet website of the Department, the whistleblower complaint form described in section 742(g)(2).

“§ 746. Notice to Congress

“Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of such information, including the determination made by the Special Counsel.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(A) by inserting before the item relating to section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

and

(B) by adding at the end the following new items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“741. Whistleblower complaint defined.

“742. Treatment of whistleblower complaints.

“743. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“744. Evaluation criteria of supervisors and treatment of bonuses.

“745. Training regarding whistleblower complaints.

“746. Notice to Congress.”.

SEC. 9. APPEALS REFORM.

(a) DEFINITIONS.—Section 101 of title 38, United States Code, is amended by adding at the end the following new paragraphs:

“(34) The term ‘Agency of Original Jurisdiction’ means the activity which entered the original determination with regard to a claim for benefits under this title.

“(35) The term ‘relevant evidence’ means evidence that tends to prove or disprove a matter in issue.”.

(b) NOTICE TO CLAIMANTS OF REQUIRED INFORMATION AND EVIDENCE.—Section 5103 of title 38, United States Code, is amended—

(1) in subsection (a)(2)(B)(i) by striking “, a claim for reopening a prior decision on a claim, or a claim for an increase in benefits;” and inserting “or a supplemental claim;”;

(2) in subsection (b) by adding at the end the following new paragraph:

“(6) Nothing in this section shall require notice to be sent for a supplemental claim that is filed within the timeframe set forth in subsections (a)(2)(B) and (a)(2)(D) of section 5110 of this title.”.

(c) RULE WITH RESPECT TO DISALLOWED CLAIMS.—Section 5103A(f) of title 38, United States Code, is amended to read as follows:

“(f) RULE WITH RESPECT TO DISALLOWED CLAIMS.—Nothing in this section shall be construed to require the Secretary to readjudicate a claim that has been disallowed except when new and relevant evidence is presented or secured, as described in section 5108 of this title.”.

(d) OTHER MATTERS.—Chapter 51 of title 38, United States Code, is amended by inserting after section 5103A the following new sections:

“§ 5103B. Applicability of duty to assist

“(a) TIME FRAME.—The Secretary’s duty to assist under section 5103A of this title shall apply only to a claim, or supplemental claim, for a benefit under a law administered by the Secretary until the time that a claimant is provided notice of the decision of the agency of original jurisdiction decision with respect to such claim, or supplemental claim, under section 5104 of this title.

“(b) NON-APPLICABILITY TO CERTAIN REVIEWS AND APPEALS.—The Secretary’s duty to assist under section 5103A of this title shall not apply to higher-level review by the agency of original jurisdiction, pursuant to section 5104B of this title, or to review on appeal by the Board of Veterans’ Appeals.

“(c) CORRECTION OF DUTY TO ASSIST ERRORS.—(1) If, during review of the decision of the agency of original jurisdiction under section 5104B of this title, the higher-level reviewer identifies an error on the part of the agency of original jurisdiction to satisfy its duties under section 5103A of this title, and that error occurred prior to the decision of the agency of original jurisdiction being reviewed, the higher-level reviewer shall return the claim for correction of such error and readjudication unless the claim can be granted in full.

“(2) If the Board, during review on appeal of a decision of the agency of original jurisdiction decision, identifies an error on the part of the agency of original jurisdiction to satisfy its duties under section 5103A of this title, and that error occurred prior to the decision of the agency of original jurisdiction on appeal, the Board shall remand the claim to the agency of original jurisdiction for correction of such error and readjudication unless the claim can be granted in full. Remand for correction of such error may include directing the agency of original jurisdiction to obtain an advisory medical opinion under section 5109 of this title.

“§ 5104A. Binding nature of favorable findings

“Any finding favorable to the claimant as described in section 5104(b)(4) of this title

shall be binding on all subsequent adjudicators within the department, unless clear and convincing evidence is shown to the contrary to rebut such favorable finding.

“§ 5104B. Higher-level review by the agency of original jurisdiction

“(a) IN GENERAL.—The claimant may request a review of the decision of the agency of original jurisdiction by a higher-level adjudicator within the jurisdiction of the agency of original jurisdiction.

“(b) TIME AND MANNER OF REQUEST.—A request for higher-level review by the agency of original jurisdiction must be in writing in the form prescribed by the Secretary and made within one year of the notice of the decision of the agency of original jurisdiction. Such request may specifically indicate whether such review is requested by a higher-level adjudicator at the same office within the agency of original jurisdiction or by an adjudicator at a different office of the agency of original jurisdiction.

“(c) DECISION.—Notice of a higher-level review decision under this section shall be provided in writing.

“(d) EVIDENTIARY RECORD FOR REVIEW.—The evidentiary record before the higher-level reviewer shall be limited to the evidence of record in the decision of the agency of original jurisdiction being reviewed.

“(e) DE NOVO REVIEW.—Higher-level review under this section shall be de novo.”.

(e) NOTICE OF DECISIONS.—Section 5104(b) of title 38, United States Code, is amended to read as follows:

“(b) In any case where the Secretary denies a benefit sought, the notice required by subsection (a) shall also include—

“(1) identification of the issues adjudicated;

“(2) a summary of the evidence considered by the Secretary;

“(3) a summary of the applicable laws and regulations;

“(4) identification of findings favorable to the claimant;

“(5) identification of elements not satisfied leading to the denial;

“(6) an explanation of how to obtain or access evidence used in making the decision; and

“(7) if applicable, identification of the criteria that must be satisfied to grant service connection or the next higher level of compensation.”.

(f) SUPPLEMENTAL CLAIMS.—Section 5108 of title 38, United States Code, is amended to read as follows:

“§ 5108. Supplemental claims

“If new and relevant evidence is presented or secured with respect to a supplemental claim, the Secretary shall readjudicate the claim taking into consideration any evidence added to the record prior to the former disposition of the claim.”.

(g) REMANDS FOR MEDICAL OPINIONS.—Section 5109 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(d) The Board of Veterans’ Appeals may remand a claim to direct the agency of original jurisdiction to obtain an advisory medical opinion under this section to correct an error on the part of the agency of original jurisdiction to satisfy its duties under section 5103A of this title when such error occurred prior to the decision of the agency of original jurisdiction on appeal. The Board’s remand instructions shall include the questions to be posed to the independent medical expert providing the advisory medical opinion.”.

(h) EFFECTIVE DATES OF AWARDS.—Section 5110 of title 38, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

“(a)(1) Unless specifically provided otherwise in this chapter, the effective date of an award based on an initial claim, or a supplemental claim, of compensation, dependency and indemnity compensation, or pension, shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of application therefor.

“(2) For purposes of applying the effective date rules in this section, the date of application shall be considered the date of the filing of the initial application for a benefit provided that the claim is continuously pursued by filing any of the following either alone or in succession:

“(A) A request for higher-level review under section 5104B of this title within one year of an agency of original jurisdiction decision.

“(B) A supplemental claim under section 5108 of this title within one year of an agency of original jurisdiction decision.

“(C) A notice of disagreement within one year of an agency of original jurisdiction decision.

“(D) A supplemental claim under section 5108 of this title within one year of a decision of the Board of Veterans' Appeals.

“(3) Except as otherwise provided in this section, for supplemental claims received more than one year after an agency of original jurisdiction decision or a decision by the Board of Veterans' Appeals, the effective date shall be fixed in accordance with the facts found, but shall not be earlier than the date of receipt of the supplemental claim.”; and

(2) in subsection (i) by—

(A) striking “reopened” and inserting “re-adjudicated”;

(B) striking “material” and inserting “relevant”; and

(C) striking “reopening” and inserting “re-adjudication”.

(i) DEFINITION OF AWARD OR INCREASED REWARD.—Section 5111(d)(1) of title 38, United States Code, is amended by striking “or reopened award;” and inserting “award or award based on a supplemental claim;”.

(j) RECOGNITION OF AGENTS AND ATTORNEYS GENERALLY.—Section 5904 of title 38, United States Code, is amended—

(1) in subsection (c)(1) by striking “notice of disagreement is filed” and inserting “claimant is provided notice of the initial decision of the agency of original jurisdiction under section 5104 of this title”; and

(2) in subsection (c)(2) by striking “notice of disagreement is filed” and inserting “claimant is provided notice of the initial decision of the agency of original jurisdiction under section 5104 of this title”.

(k) CORRECTION OF OBVIOUS ERRORS.—Section 7103 of title 38, United States Code, is amended—

(1) in subsection (b)(1)(A) by striking “heard” and inserting “decided”; and

(2) in subsection (b)(1)(B) by striking “heard” and inserting “decided”.

(l) JURISDICTION OF BOARD.—Section 7104(b) of title 38, United States Code, is amended by striking “reopened” and inserting “re-adjudicated”.

(m) FILING OF APPEAL.—Section 7105 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting “Appellate review will be initiated by the filing of a notice of disagreement in the form prescribed by the Secretary.”; and

(B) by striking “hearing and”;

(2) by amending subsection (b) to read as follows:

“(b)(1) Except in the case of simultaneously contested claims, notice of disagreement shall be filed within one year from the date of the mailing of notice of the decision of the agency of original jurisdiction under section 5104, 5104B, or 5108 of this title. A notice of disagreement postmarked before the expiration of the one-year period will be accepted as timely filed. A question as to timeliness or adequacy of the notice of disagreement shall be decided by the Board.

“(2) Notices of disagreement must be in writing, must set out specific allegations of error of fact or law, and may be filed by the claimant, the claimant's legal guardian, or such accredited representative, attorney, or authorized agent as may be selected by the claimant or legal guardian. Not more than one recognized organization, attorney, or agent will be recognized at any one time in the prosecution of a claim. Notices of disagreement must be filed with the Board.

“(3) The notice of disagreement shall indicate whether the claimant requests a hearing before the Board, requests an opportunity to submit additional evidence without a Board hearing, or requests review by the Board without a hearing or submission of additional evidence. If the claimant does not expressly request a Board hearing in the notice of disagreement, no Board hearing will be held.”;

(3) by amending subsection (c) to read as follows:

“(c) If no notice of disagreement is filed in accordance with this chapter within the prescribed period, the action or decision of the agency of original jurisdiction shall become final and the claim will not thereafter be re-adjudicated or allowed, except as may otherwise be provided by section 5104B or 5108 of this title or regulations not inconsistent with this title.”;

(4) by striking subsections (d)(1) through (d)(5);

(5) by adding a new subsection (d) to read as follows:

“(d) The Board of Veterans' Appeals may dismiss any appeal which fails to allege specific error of fact or law in the decision being appealed.”; and

(6) by striking subsection (e).

(n) SIMULTANEOUSLY CONTESTED CLAIMS.—Subsection (b) of section 7105A of title 38, United States Code, is amended to read as follows:

“(b) The substance of the notice of disagreement shall be communicated to the other party or parties in interest and a period of 30 days shall be allowed for filing a brief or argument in response thereto. Such notice shall be forwarded to the last known address of record of the parties concerned, and such action shall constitute sufficient evidence of notice.”.

(o) ADMINISTRATIVE APPEALS.—Strike section 7106 of title 38, United States Code.

(p) DOCKETS AND HEARINGS.—Section 7107 of title 38, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) The Board shall maintain two separate dockets. A non-hearing option docket shall be maintained for cases in which no Board hearing is requested and no additional evidence will be submitted. A separate and distinct hearing option docket shall be maintained for cases in which a Board hearing is requested in the notice of disagreement or in which no Board hearing is requested, but the appellant requests, in the notice of disagree-

ment, an opportunity to submit additional evidence. Except as provided in subsection (b), each case before the Board will be decided in regular order according to its respective place on the Board's non-hearing option docket or the hearing option docket.”;

(2) by amending subsection (b) to read as follows:

“(b) A case on either the Board's non-hearing option docket or hearing option docket, may, for cause shown, be advanced on motion for earlier consideration and determination. Any such motion shall set forth succinctly the grounds upon which the motion is based. Such a motion may be granted only—

“(1) if the case involves interpretation of law of general application affecting other claims;

“(2) if the appellant is seriously ill or is under severe financial hardship; or

“(3) for other sufficient cause shown.”;

(3) by amending subsection (c) to read as follows:

“(c)(1) For cases on the Board hearing option docket in which a hearing is requested in the notice of disagreement, the Board shall notify the appellant whether a Board hearing will be held—

“(A) at its principal location, or

“(B) by picture and voice transmission at a facility of the Department where the Secretary has provided suitable facilities and equipment to conduct such hearings.

“(2)(A) Upon notification of a Board hearing at the Board's principal location as described in subsection (c)(1)(A) of this section, the appellant may alternatively request a hearing as described in subsection (c)(1)(B) of this section. If so requested, the Board shall grant such request.

“(B) Upon notification of a Board hearing by picture and voice transmission as described in subsection (c)(1)(B) of this section, the appellant may alternatively request a hearing as described in subsection (c)(1)(A) of this section. If so requested, the Board shall grant such request.”; and

(4) by striking subsections (d) and (e) and redesignating subsection (f) as subsection (d).

(q) INDEPENDENT MEDICAL OPINIONS.—Strike section 7109 of title 38, United States Code.

(r) REVISION OF DECISIONS ON GROUNDS OF CLEAR AND UNMISTAKABLE ERROR.—Section 7111(e) of title 38, United States Code, is amended by striking “merits, without referral to any adjudicative or hearing official acting on behalf of the Secretary.” and inserting “merits.”.

(s) EVIDENTIARY RECORD.—Chapter 71 of title 38, United States Code, is amended by adding the following new section:

“§ 7113. Evidentiary record before the board

“(a) NON-HEARING OPTION DOCKET.—For cases in which a Board hearing is not requested in the notice of disagreement, the evidentiary record before the Board shall be limited to the evidence of record at the time of the agency of original jurisdiction decision on appeal.

“(b) HEARING OPTION DOCKET.—(1) Except as provided in paragraph (2), for cases on the hearing option docket in which a hearing is requested in the notice of disagreement, the evidentiary record before the Board shall be limited to the evidence of record at the time of the agency of original jurisdiction decision on appeal.

“(2) The evidentiary record before the Board for cases on the hearing option docket in which a hearing is requested, shall include each of the following, which the Board shall consider in the first instance—

“(A) evidence submitted by the appellant and his or her representative, if any, at the Board hearing; and

“(B) evidence submitted by the appellant and his or her representative, if any, within 90 days following the Board hearing.

“(3)(A) Except as provided in subparagraph (B) of this paragraph, for cases on the hearing option docket in which a hearing is not requested in the notice of disagreement, the evidentiary record before the Board shall be limited to the evidence considered by the agency of original jurisdiction in the decision on appeal.

“(B) The evidentiary record before the Board for cases on the hearing option docket in which a hearing is not requested, shall include each of the following, which the Board shall consider in the first instance—

“(i) evidence submitted by the appellant and his or her representative, if any, with the notice of disagreement; and

“(ii) evidence submitted by the appellant and his or her representative, if any, within 90 days following receipt of the notice of disagreement.”.

(t) CONFORMING AMENDMENT.—The heading of section 7105 is amended by striking “notice of disagreement and”.

(u) CLERICAL AMENDMENTS.—

(1) CHAPTER 51.—The table of sections at the beginning of chapter 51 of title 38, United States Code, is amended—

(A) by inserting after the item relating to section 5103A the following new item:

“5103B. Applicability of duty to assist.”; and

(B) by inserting after the item relating to section 5104 the following new items:

“5104A. Binding nature of favorable findings.
“5104B. Higher-level review by the agency of original jurisdiction.”;

and

(C) by striking the item relating to section 5108 and inserting the following new item:

“5108. Supplemental claims.”.

(2) CHAPTER 71.—The table of sections at the beginning of chapter 71 of title 38, United States Code, is amended—

(A) by striking the item relating to section 7105 and inserting the following new item:

“7105. Filing of appeal.”;

(B) by striking the item relating to section 7106;

(C) by striking the item relating to section 7109; and

(D) by adding at the end the following new item:

“7113. Evidentiary record before the Board.”.

SEC. 10. LIMITATION ON AWARDS AND BONUSES PAID TO SENIOR EXECUTIVE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 703 note) is amended by striking the period at the end and inserting the following: “, except that during each of fiscal years 2017 through 2021, no award or bonus may be paid to any employee of the Department of Veterans Affairs who is a member of the Senior Executive Service.”.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 114-742. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall

not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MILLER OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-742.

Mr. MILLER of Florida. Mr. Chairman, I rise to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, beginning on line 16, strike “under section 7701 of title 5”.

Page 11, strike lines 11 through 14 and insert the following:

“(B) before such order is made, the individual is afforded—

“(i) notice of the order and an opportunity to respond to the order; and

“(ii) an opportunity to appeal the order to another department or agency of the Federal Government.”.

Page 14, strike lines 20 through 23 and insert the following:

“(2) before such repayment, the employee is afforded—

“(A) notice of the order and an opportunity to respond to the order; and

“(B) an opportunity to appeal the order to another department or agency of the Federal Government.”.

Page 20, line 8, insert “consistent with paragraph (3),” before “may”.

Page 20, after line 11, insert the following:

“(3) An appeal of a personnel action pursuant to paragraph (2)(A) must be filed with the Senior Executive Disciplinary Appeals Board not later than the date that is seven days after the date of such action. If such appeal is not made within the seven-day period, the personnel action shall be final and not subject to further appeal.”.

Page 29, strike lines 13 through 18 and insert the following:

“(2)(A) Except as provided by subparagraph (B), with respect to a supervisory employee subject to an adverse action under this section who is—

“(i) an individual as that term is defined in section 715(i)(1) of this title, the procedures under subsections (d) and (e) of section 715 of this title shall apply; and

“(ii) an individual as that term is defined in section 713(g)(1) of this title, the procedures under section 713(d) of this title shall apply.”.

Page 29, line 21, strike “five days” and insert “ten days”.

Page 30, line 2, strike “five-day” and insert “ten-day”.

Page 33, line 17, strike “except that” and all that follows through the period on line 21 and insert “except that—”

(I) any such department or agency shall issue a final decision with respect to such appeal not later than the date that is 30 days after the date the department or agency received such appeal; and

(II) if such a final decision is not made by the applicable department or agency within 30 days after receiving such appeal, the order of the Secretary shall be final and not subject to further appeal.

Page 34, line 19, strike “7742” and insert “7332”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Florida (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, specifically, this would provide technical, conforming, and clarifying language changes to the bill while not changing the substance of the bill. It would also align the pre-notice and due process language on three of the sections relating to bonus, pension, and relocation expenses. And it would also align the pre-notice requirements for whistleblower retaliators who are receiving an adverse action to the same amount of time as other disciplinary actions in the bill.

This amendment is noncontroversial, it doesn't cost a penny, and it doesn't change any of the underlying policy.

I urge adoption of the amendment.

I reserve the balance of my time.

Mr. TAKANO. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. TAKANO. Mr. Chair, this amendment really changes nothing favorably, from our point of view, in H.R. 5620. It does not cure the fundamental flaws in the bill which relate to its possible unconstitutionality, and, therefore, I will oppose the amendment.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I am very sorry that my good friend would oppose something as simple as a technical and conforming amendment, but I accept this opposition.

I reserve the balance of my time.

Mr. TAKANO. Mr. Chair, I have no further comments, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chair, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MILLER).

The amendment was agreed to.

□ 1815

AMENDMENT NO. 2 OFFERED BY MR. WALZ

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-742.

Mr. WALZ. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 5, strike “VA Accountability First and”.

Page 2, beginning line 3, strike sections 2 through 8.

Page 53, beginning line 14, strike section 10.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Minnesota (Mr. WALZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Chairman, I have three amendments that are coming up. On this first one, I am going to yield time to my colleague, who is the author of the original bill.

I just wanted to say, first of all, in appreciation to the chairman of the full committee, the bipartisan manner of approaching this is in the long tradition of the House Veterans' Affairs Committee. It is also in the long tradition of the chairman himself, welcoming ideas, trying to strike balances, having legitimate differences that are meant to be discussed—for that, I am grateful—and also for restoring regular order.

Making our amendments in order to try to improve upon a bill is something that is a time-honored tradition here. Unfortunately, it has not been the norm. So the chairman's leadership on that issue is greatly appreciated.

This amendment I want to be very clear about when the gentlewoman from Nevada (Ms. TITUS) talks about it.

The amendment does not disagree with the basic premise of the reform. There are legitimate differences amongst us here. We will work those out. But it is a harsh reality that we don't have a Senate companion on this. The chance that the White House is going to sign the reform piece into law is nonexistent. But there is a piece of this that is noncontroversial that is critically important, and that is the appeals process.

The ranking member, under the leadership of Ms. TITUS, has recognized this as an issue, brought about bipartisan solutions to it; and it can be passed and be signed by the President and be positively affecting veterans right away.

That doesn't diminish the need for the reforms. It doesn't question the value of the things that are being brought forward. It is a political reality that we are better off to move on a piece we know can be signed into law than to wait for something that can't.

Mr. Chair, I yield such time as she may consume to the gentlewoman from Nevada (Ms. TITUS), the author of this legislation.

Ms. TITUS. I thank my friend from Minnesota (Mr. WALZ) for yielding to me and for helping me with this amendment.

Mr. Chair, this is very simple. It would just remove all of the accountability provisions from the bill and give the House an opportunity to send a clean reform bill to the Senate.

While we all agree that accountability for employees at the VA is critical, we should separate these two issues, pass appeals reform, and then work in a bipartisan manner on the accountability issues.

Rather than send another accountability bill to the Senate, which is opposed by the administration, we should pass this amendment and send to the President a clean bill that can be

signed right away and fix this deeply flawed, old, outdated appeals process.

I am proud to have worked with various VSOs and the VA to develop the overhaul of appealing VA benefits claims. As I said earlier, the current system is broken, and every day it gets worse. More appeals are added to the backlog. It has ballooned to 450,000 claims. If we don't act now, veterans will soon have to wait a decade before their appeals can be adjudicated.

Passing this amendment will allow us to address this growing problem now instead of subjecting our veterans not to good policy, but to bad politics.

Mr. WALZ. Mr. Chair, I want to, again, thank the chairman.

This is not an attempt to derail the reforms. It is an attempt to try to get something passed and done immediately. I certainly welcome the chairman's advice, guidance, suggestions on ways that we can make that happen in the most expedient manner.

Mr. Chair, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Before I begin, let me say I believe that there is only one piece of legislation that has been filed at this point in the Senate that deals with—I know there are folks that have been talking about it—appeals reform, and that is Senator RUBIO. Senator RUBIO has the companion to this piece of legislation that has been filed in the Senate.

As has already been stated, this removes every section from the underlying bill, except for the appeals modernization. It would strike out all the accountability provisions, many of which have already passed this House of Representatives.

The underlying bill already includes revised accountability language that would make significant concessions towards the minority's position as it relates to due process. And I don't believe anybody on the minority side can say that this doesn't.

I believe that any reform that passes this Congress is doomed to fail if we don't provide the Secretary of the Department of Veterans Affairs with the authority he needs to swiftly and fairly discipline employees.

If this amendment passes, the same antiquated and broken civil service system will remain in place.

As I have already said, 18 VSOs believe the accountability provisions are critical to the success of reforming the Department of Veterans Affairs.

From the VFW:

For far too long, underperforming employees have been allowed to continue working at VA simply because the processes for removal are so protracted.

The VFW believes that employees should have some layer of protection, but that true accountability must be enforced for those who willfully fail to meet the standard.

This is critical to ensuring that VA consistently provides the highest quality services, as continuing to restore veterans' faith in the Department.

From the American Legion:

Veterans deserve a first-rate agency to provide for their needs, and the VA is an excellent agency that is, unfortunately, marred from time to time by bad actors that the complicated system of discipline makes it difficult to remove.

Legislation to improve that process and make it easier to deal with these few problem employees would help restore trust.

In short, our VSOs understand how critical both of the appeals and accountability provisions are, and we should listen to them.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. WALZ).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-742.

Mr. TAKANO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 and insert the following:

SEC. 3. SUSPENSION AND REMOVAL OF DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES FOR PERFORMANCE OR MISCONDUCT THAT IS A THREAT TO PUBLIC HEALTH OR SAFETY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding after section 713 the following new section:

“§715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety

“(a) SUSPENSION AND REMOVAL.—Subject to subsections (b) and (c), the Secretary may—

“(1) suspend without pay an employee of the Department of Veterans Affairs if the Secretary determines the performance or misconduct of the employee is a threat to public health or safety, including the health and safety of veterans; and

“(2) remove an employee suspended under paragraph (1) when, after such investigation and review as the Secretary considers necessary, the Secretary determines that removal is necessary in the interests of public health or safety.

“(b) PROCEDURE.—An employee suspended under subsection (a)(1) is entitled, after suspension and before removal, to—

“(1) within 30 days after suspension, a written statement of the specific charges against the employee, which may be amended within 30 days thereafter;

“(2) an opportunity within 30 days thereafter, plus an additional 30 days if the charges are amended, to answer the charges and submit affidavits;

“(3) a hearing, at the request of the employee, by a Department authority duly constituted for this purpose;

“(4) a review of the case by the Secretary, before a decision adverse to the employee is made final; and

“(5) written statement of the decision of the Secretary.

“(C) RELATION TO OTHER DISCIPLINARY RULES.—The authority provided under this section shall be in addition to the authority provided under section 713 and title 5 with respect to disciplinary actions for performance or misconduct.

“(d) BACK PAY FOR WHISTLEBLOWERS.—If any employee of the Department of Veterans Affairs is subject to a suspension or removal under this section and such suspension or removal is determined by an appropriate authority under applicable law, rule, regulation, or collective bargaining agreement to be a prohibited personnel practice described under section 2302(b)(8) or (9) of title 5, such employee shall receive back pay equal to the total amount of basic pay that such employee would have received during the period that the suspension and removal (as the case may be) was in effect, less any amounts earned by the employee through other employment during that period.

“(e) DEFINITIONS.—In this section, the term ‘employee’ means any individual occupying a position within the Department of Veterans Affairs under a permanent or indefinite appointment and who is not serving a probationary or trial period.”.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 713 the following new item:

“715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety.”.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting “, or”; and

(C) by adding at the end the following:

“(4) any suspension or removal under section 715 of title 38.”.

(c) REPORT ON SUSPENSIONS AND REMOVALS.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report on suspensions and removals of employees of the Department made under section 715 of title 38, United States Code, as added by subsection (a). Such report shall include, with respect to the period covered by the report, the following:

(1) The number of employees who were suspended under such section.

(2) The number of employees who were removed under such section.

(3) A description of the threats to public health or safety that caused such suspensions and removals.

(4) The number of such suspensions or removals, or proposed suspensions or removals, that were of employees who filed a complaint regarding—

(A) an alleged prohibited personnel practice committed by an officer or employee of

the Department and described in section 2302(b)(8) or 2302(b)(9)(A)(i), (B), (C), or (D) of title 5, United States Code; or

(B) the safety of a patient at a medical facility of the Department.

(5) Of the number of suspensions and removals listed under paragraph (4), the number that the Inspector General considers to be retaliation for whistleblowing.

(6) The number of such suspensions or removals that were of an employee who was the subject of a complaint made to the Department regarding the health or safety of a patient at a medical facility of the Department.

(7) Any recommendations by the Inspector General, based on the information described in paragraphs (1) through (6), to improve the authority to make such suspensions and removals.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chair, I rise in support of my amendment, which would ensure that any VA employee whose performance or misconduct threatens public health or safety, including the health and safety of veterans, be immediately suspended without pay.

Specifically, it replaces section 3 of H.R. 5620 with a new provision allowing the Secretary to take lawful and abrupt action in extreme cases in which immediate action is warranted.

My amendment would also give the Secretary the authority to remove a suspended employee, after a thorough investigation and review, if the Secretary determines removal is in the interest of public health and safety.

Both parties share the desire to protect veterans from mistreatment or harm, especially when they are seeking medical care at a VA hospital, but the current language in this bill will not accomplish that goal.

The process for removing dangerous employees in H.R. 5620 is unconstitutional, and any action it authorized against underperforming VA employees would not hold up in court. Instead of achieving the majority’s stated outcome of removing VA employees whose misconduct harms veterans, this bill would produce expensive legal costs, and it would fail to hold bad employees accountable.

My amendment is specifically designed to make sure the Secretary has the authority to immediately suspend any VA employee whose behavior threatens the health and safety of veterans and that the suspended employee receives no pay while the investigation is carried out.

I urge my colleagues to support the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the ranking member’s attempt to insert what he thinks is the appropriate balance of due process and accountability, but this confusing language fails to achieve a balance. What it actually does is it strikes the entire accountability section and inserts an entirely new process for the discipline of non-SES employees.

It would be convoluted, at best, and seemingly stricter than current law, but the most troubling change that this amendment would make would be to change the standard to discipline VA employees from performance or misconduct.

The amendment would change it to a direct threat to public health or safety, which it would be nearly unobtainable, if not an immeasurable bar to reach.

It would also, more than likely, not apply to some of the employees who have been associated with VA’s most egregious scandals recently. It would not do anything for those who were involved in the bloated Denver, Colorado, hospital construction project which was over \$1 billion over budget, or the data manipulation at the Philadelphia regional office, or the \$2.5 billion budget shortfall for fiscal year 2015, or the cost overruns of the Orlando VA Medical Center, or the allegations of inappropriate use of government purchase cards to the tune of \$6 billion, and many, many others. These are the types of employees that our constituents and our veterans expect to be held accountable, but this amendment would not cover disciplinary action against them.

It would allow for employees to be on indefinite suspension for months, if not years, awaiting the Secretary’s final decision, which is not fair to the veterans, the employee, the good-performing employees, or our taxpayers. VA is unable to backfill while the disciplinary actions are on appeal.

In the end, the question is clear: Do we want to stand with the veterans and the taxpayers and provide the VA the appropriate tools to hold employees accountable, or do we want to give in to special interest groups and unions that support only the status quo?

I would hope that for all Members, that is an easy question to answer.

I urge all Members to oppose the Takano amendment and support the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. TAKANO. Mr. Chair, I would like to say that we on this side of the aisle do stand with veterans, and we do stand for accountability, and we do stand with the taxpayers. And that is precisely why we must oppose the unconstitutional provisions in H.R. 5620 for removing dangerous employees.

The current provisions we do believe are unconstitutional; and that is why, in the end, it will not protect veterans. Actually, it harms them more because these employees will be reinstated after the courts find the provisions that they were dismissed under—this bill, under this law, would be found unconstitutional, and they would be reinstated and a lot of taxpayer money would be wasted.

Yes, we stand with the veteran. Yes, we stand for the taxpayer. Yes, we stand for accountability.

I urge my colleagues to support my amendment, therefore, because we replace it with a constitutional alternative.

Mr. Chair, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 1830

AMENDMENT NO. 4 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-742.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 2, after "Representatives" insert the following: "and to each Member of Congress representing a district in the State or territory where the facility where the individual was employed immediately before being removed or demoted is located".

Page 5, line 22, after "Representatives" insert the following: "and to each Member of Congress representing a district in the State or territory where the facility where the individual was employed immediately before being removed or demoted is located".

Page 25, line 17, strike "to the supervisor of the director or official." and insert "to—"

"(A) the supervisor of the director or official;

"(B) the Committees on Veterans' Affairs of the Senate and House or Representatives; and

"(C) each Member of Congress representing a district in the State or territory where the facility where the supervisor is employed is located.".

Page 36, line 5, after "Senate" insert the following: "and each Member of Congress representing a district in the State or territory where a facility relevant to the whistleblower complaint is located".

The Acting CHAIR. Pursuant to House Resolution 859, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, as I am sure you have heard, my amendment, as many others, is simple. It ensures that, one, Members of Congress know when Veterans Administration employees are fired or demoted at VA facilities in their district for misconduct or poor performance; and, two, that Members are aware of whistleblowers' complaints from VA employees in their districts and how they are, in fact, being handled.

Congress cannot solve the issues at the VA that it does not know about. Even though I have met with and listened to countless VA employees, veterans, and family members since I was elected to Congress, my office not only continues to hear about the same problems that have gone unaddressed, but also about new issues all the time. In fact, I have more constituent casework regarding issues at the VA than any other Federal agency, and there are likely many more veterans and VA employees who are dealing with serious issues that I may never hear about.

Lastly, I share frustrations with Members on both sides of the aisle for the lack of followup about what the VA is doing to both investigate allegations about misconduct and hold responsible employees accountable.

Members of Congress deserve to know about potential issues at VA health facilities in their communities and what the VA is doing to address them. My amendment would increase congressional oversight and transparency of the VA. It also helps to ensure that veterans receive the timely, quality care that they have earned.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, again, as has already been stated by the author of the amendment, this would require VA to notify the appropriate Member of Congress when the new accountability process is used or to remove or demote an employee who works for the VA at a facility in that Member's district.

I think this is an excellent suggestion that would improve transparency,

something that is most needed at the Department of Veterans Affairs. It has my full support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. KUSTER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-742.

Ms. KUSTER. Mr. Chair, I rise to speak in favor of my amendment No. 5, to improve the accountability provisions found within H.R. 5620.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 7 and insert the following:

SEC. 7. IMPROVED AUTHORITIES OF SECRETARY OF VETERANS AFFAIRS TO IMPROVE ACCOUNTABILITY OF SENIOR EXECUTIVES.

(a) ACCOUNTABILITY OF SENIOR EXECUTIVES.—

(1) IN GENERAL.—Section 713 of title 38, United States Code, is amended to read as follows:

"§ 713. Accountability of senior executives

"(a) AUTHORITY.—(1) The Secretary may, as provided in this section, reprimand or suspend, involuntarily reassign, demote, or remove a covered individual from a senior executive position at the Department if the Secretary determines that the misconduct or performance of the covered individual warrants such action.

"(2) If the Secretary so removes such an individual, the Secretary may remove the individual from the civil service (as defined in section 2101 of title 5).

"(b) RIGHTS AND PROCEDURES.—(1) A covered individual who is the subject of an action under subsection (a) is entitled to—

"(A) be represented by an attorney or other representative of the covered individual's choice;

"(B) not fewer than 10 business days advance written notice of the charges and evidence supporting the action and an opportunity to respond, in a manner prescribed by the Secretary, before a decision is made regarding the action; and

"(C) grieve the action in accordance with an internal grievance process that the Secretary, in consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall establish for purposes of this subsection.

"(2)(A) The Secretary shall ensure that the grievance process established under paragraph (1)(C) takes fewer than 21 days.

"(B) The Secretary shall ensure that, under the process established pursuant to paragraph (1)(C), grievances are reviewed only by employees of the Department.

"(3) A decision or grievance decision under paragraph (1)(C) shall be final and conclusive.

"(4) A covered individual adversely affected by a final decision under paragraph (1)(C) may obtain judicial review of the decision.

"(5) In any case in which judicial review is sought under paragraph (4), the court shall review the record and may set aside any Department action found to be—

"(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with a provision of law;

“(B) obtained without procedures required by a provision of law having been followed; or

“(C) unsupported by substantial evidence.

“(C) RELATION TO OTHER PROVISIONS OF LAW.—(1) The authority provided by subsection (a) is in addition to the authority provided by section 3592 or subchapter V of chapter 75 of title 5.

“(2) Section 3592(b)(1) of title 5 and the procedures under section 7543(b) of such title do not apply to an action under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered individual’ means—

“(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5); or

“(B) any individual who occupies an administrative or executive position and who was appointed under section 7306(a) or section 7401(1) of this title.

“(2) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(3) The term ‘senior executive position’ means—

“(A) with respect to a career appointee (as that term is defined in section 3132(a) of title 5), a Senior Executive Service position (as such term is defined in such section); and

“(B) with respect to a covered individual appointed under section 7306(a) or section 7401(1) of this title, an administrative or executive position.”

(2) CONFORMING AMENDMENT.—Section 7461(c)(1) of such title is amended by inserting “employees in senior executive positions (as defined in section 713(d) of this title) and” before “interns”.

(b) PERFORMANCE MANAGEMENT.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish a performance management system for employees in senior executive positions, as defined in section 713(d) of title 38, United States Code, as amended by subsection (a), that ensures performance ratings and awards given to such employees—

(A) meaningfully differentiate extraordinary from satisfactory contributions; and

(B) substantively reflect organizational achievements over which the employee has responsibility and control.

(2) REGULATIONS.—The Secretary shall prescribe regulations to carry out paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 859, the gentlewoman from New Hampshire (Ms. KUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. KUSTER. Mr. Chair, I believe accountability of senior executives at the VA is of great importance.

In recent years, administration of the Department of Veterans Affairs has come under intense public scrutiny. What Congress and the American people learned was that, while the vast majority of officials at the VA are selfless public servants who do their utmost to deliver quality health care to our veterans, there are some who hamper our ability as a country to care for our veterans.

It is our duty to ensure that our veterans receive the best possible care and benefits they have earned through their service to our country. My amendment seeks to strengthen the

legislation to ensure that we truly are improving accountability at the VA.

This amendment is the result of a bipartisan process that gives the VA appropriate tools to keep senior executives accountable in a way that is fair and constitutional. My amendment utilizes bipartisan language developed in the Senate for the Veterans First Act, which was supported by veterans service organizations, including the American Legion.

It is important to note that my amendment is not a significant departure from Chairman MILLER’s language found in section 7 of the bill. Indeed, it also eliminates the expedited appeals process passed in the 2014 Veterans Choice Act, and it establishes stricter standards that require the VA to take more immediate action against senior executives that the agency has found to be incompetent or otherwise negligent in their duties to deliver high-quality services to our Nation’s veterans.

However, there are some legal concerns about aspects of section 7 of the bill that could prevent it from passing future legal scrutiny. My amendment ensures our intention to enforce accountability is not derailed by constitutionality issues.

Unfortunately, the bill would enable an ad hoc disciplinary appeals board to hear an appeal to an adverse action. This section also contains an arbitrary deadline for the decision, which would impact an employee’s due process rights as afforded by the U.S. Constitution.

My amendment would resolve this issue by making the VA Secretary responsible for ensuring the appeals process takes less than 21 days and by making the Secretary of the VA directly responsible. My amendment strengthens transparency of the process without compromising accountability.

I am additionally concerned that this same section of the bill could be leveraged against whistleblowers of the Department who are critical to bring about change in an agency that serves millions of veterans. The ad hoc nature of the board could be used to pick officials that might have predispositions against a potential whistleblower.

The requirement that this individual answer their notice of adverse action within 5 calendar days could be used strategically to make an honest and meritorious appeal harder to achieve. My amendment replaces the 5-calendar-day standard with a 10-business-day standard.

The lack of transparency and accountability in the VA is truly worrisome, and I share Chairman MILLER’s concern that it is worrisome to the American public. I thank Mr. MILLER and my committee colleagues for tackling this issue with forthrightness.

My amendment seeks to improve the bill and ensures its efficacy in law. For

those reasons, I urge my colleagues to vote in favor of the Kuster amendment.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chair, while I understand what the gentlewoman is trying to accomplish, I do have to rise in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, first of all, I have to rise in opposition because it doesn’t provide the appropriate level of accountability for SES employees. It largely mimics the same SES accountability language that is already in the bill, with just a few exceptions.

The open-ended timeline defies the intent to quickly adjudicate these cases within a clear and concrete timeline to benefit both the VA and the employee, and that is what we are trying to get at.

The pre-decision due process that would be required would actually exceed the current practice of 5 days that the VA enacted after passage of the Choice Act. And I remind my good friend that the Choice Act passed both Chambers with a huge bipartisan majority.

When the President signed the bill, he said: “Now, finally, we’re giving the VA Secretary more authority to hold people accountable. We’ve got to give Bob the authority so that he can move quickly to remove senior executives who fail to meet the standards of conduct and competence that the American people demand. If you engage in an unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn’t be that difficult.”

We should be trying to improve the culture at VA by increasing accountability, not by weakening it.

I urge all Members to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. KUSTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. KUSTER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Hampshire will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-742.

Mr. TAKANO. Mr. Chair, as the designee of the gentlewoman from Arizona (Mrs. KIRKPATRICK), I offer amendment No. 6.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 8 and insert the following:

SEC. 8. OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 323. Office of Accountability and Whistleblower Protection

“(a) ESTABLISHMENT.—There is established in the Department an office to be known as the Office of Accountability and Whistleblower Protection (in this section referred to as the ‘Office’).

“(b) HEAD OF OFFICE.—(1) The head of the Office shall be responsible for the functions of the Office and shall be appointed by the President pursuant to section 308(a) of this title.

“(2) The head of the Office shall be known as the ‘Assistant Secretary for Accountability and Whistleblower Protection’.

“(3) The Assistant Secretary shall report directly to the Secretary on all matters relating to the Office.

“(4) Notwithstanding section 308(b) of this title, the Secretary may only assign to the Assistant Secretary responsibilities relating to the functions of the Office set forth in subsection (c).

“(c) FUNCTIONS.—(1) The functions of the Office are as follows:

“(A) Advising the Secretary on all matters of the Department relating to accountability, including accountability of employees of the Department, retaliation against whistleblowers, and such matters as the Secretary considers similar and affect public trust in the Department.

“(B) Issuing reports and providing recommendations related to the duties described in subparagraph (A).

“(C) Receiving whistleblower disclosures.

“(D) Referring whistleblower disclosures received under subparagraph (C) for investigation to the Office of the Medical Inspector, the Office of Inspector General, or other investigative entity, as appropriate, if the Assistant Secretary has reason to believe the whistleblower disclosure is evidence of a violation of a provision of law, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety.

“(E) Receiving and referring disclosures from the Special Counsel for investigation to the Medical Inspector of the Department, the Inspector General of the Department, or such other person with investigatory authority, as the Assistant Secretary considers appropriate.

“(F) Recording, tracking, reviewing, and confirming implementation of recommendations from audits and investigations carried out by the Inspector General of the Department, the Medical Inspector of the Department, the Special Counsel, and the Comptroller General of the United States, including the imposition of disciplinary actions and other corrective actions contained in such recommendations.

“(G) Analyzing data from the Office and the Office of Inspector General telephone hotlines, other whistleblower disclosures, disaggregated by facility and area of health care if appropriate, and relevant audits and investigations to identify trends and issue reports to the Secretary based on analysis conducted under this subparagraph.

“(H) Receiving, reviewing, and investigating allegations of misconduct, retaliation, or poor performance involving—

“(i) an individual in a senior executive position (as defined in section 713(d) of this title) in the Department;

“(ii) an individual employed in a confidential, policy-making, policy-determining, or policy-advocating position in the Department; or

“(iii) a supervisory employee, if the allegation involves retaliation against an employee for making a whistleblower disclosure.

“(I) Making such recommendations to the Secretary for disciplinary action as the Assistant Secretary considers appropriate after substantiating any allegation of misconduct or poor performance pursuant to an investigation carried out as described in subparagraph (F) or (H).

“(2) In carrying out the functions of the Office, the Assistant Secretary shall ensure that the Office maintains a toll-free telephone number and Internet website to receive anonymous whistleblower disclosures.

“(3) In any case in which the Assistant Secretary receives a whistleblower disclosure from an employee of the Department under paragraph (1)(C), the Assistant Secretary may not disclose the identity of the employee without the consent of the employee, except in accordance with the provisions of section 552a of title 5, or as required by any other applicable provision of Federal law.

“(d) STAFF AND RESOURCES.—The Secretary shall ensure that the Assistant Secretary has such staff, resources, and access to information as may be necessary to carry out the functions of the Office.

“(e) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

“(f) REPORTS.—(1)(A) Not later than June 30 of each calendar year, beginning with June 30, 2017, the Assistant Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the activities of the Office during the calendar year in which the report is submitted.

“(B) Each report submitted under subparagraph (A) shall include, for the period covered by the report, the following:

“(i) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

“(ii) Identification of any issues reported to the Secretary under subsection (c)(1)(G), including such data as the Assistant Secretary considers relevant to such issues and any trends the Assistant Secretary may have identified with respect to such issues.

“(iii) Identification of such concerns as the Assistant Secretary may have regarding the size, staffing, and resources of the Office and such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

“(iv) Such recommendations as the Assistant Secretary may have for legislative or administrative action to improve—

“(I) the process by which concerns are reported to the Office; and

“(II) the protection of whistleblowers within the Department.

“(v) Such other matters as the Assistant Secretary considers appropriate regarding the functions of the Office or other matters relating to the Office.

“(2) If the Secretary receives a recommendation for disciplinary action under subsection (c)(1)(I) and does not take or initiate the recommended disciplinary action before the date that is 60 days after the date

on which the Secretary received the recommendation, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a detailed justification for not taking or initiating such disciplinary action.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘supervisory employee’ means an employee of the Department who is a supervisor as defined in section 7103(a) of title 5.

“(2) The term ‘whistleblower’ means one who makes a whistleblower disclosure.

“(3) The term ‘whistleblower disclosure’ means any disclosure of information by an employee of the Department or individual applying to become an employee of the Department which the employee or individual reasonably believes evidences—

“(A) a violation of a provision of law; or

“(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.”

(b) CONFORMING AMENDMENT.—Section 308(b) of such title is amended by adding at the end the following new paragraph:

“(12) The functions set forth in section 323(c) of this title.”

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

“323. Office of Accountability and Whistleblower Protection.”

SEC. 9. PROTECTION OF WHISTLEBLOWERS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by adding at the end the following new sections:

“§ 725. Protection of whistleblowers as criteria in evaluation of supervisors

“(a) DEVELOPMENT AND USE OF CRITERIA REQUIRED.—The Secretary, in consultation with the Assistant Secretary of Accountability and Whistleblower Protection, shall develop criteria that—

“(1) the Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee; and

“(2) promotes the protection of whistleblowers.

“(b) PRINCIPLES FOR PROTECTION OF WHISTLEBLOWERS.—The criteria required by subsection (a) shall include principles for the protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsible action to resolve such concerns, and foster an environment in which employees of the Department feel comfortable reporting concerns to supervisory employees or to the appropriate authorities.

“(c) SUPERVISORY EMPLOYEE AND WHISTLEBLOWER DEFINED.—In this section, the terms ‘supervisory employee’ and ‘whistleblower’ have the meanings given such terms in section 323 of this title.

“§ 727. Training regarding whistleblower disclosures

“(a) TRAINING.—Not less frequently than once every two years, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower disclosures, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower disclosure;

“(2) the right of the employee to petition Congress regarding a whistleblower disclosure in accordance with section 7211 of title 5;

“(3) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(4) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(5) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure, to the maximum extent practicable, that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once every two years, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to make a whistleblower disclosure, including the information described in paragraphs (1) through (5) of subsection (a).

“(e) WHISTLEBLOWER DISCLOSURE DEFINED.—In this section, the term ‘whistleblower disclosure’ has the meaning given such term in section 323 of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by adding at the end the following new items:

“725. Protection of whistleblowers as criteria in evaluation of supervisors.

“727. Training regarding whistleblower disclosures.”

SEC. 10. TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by adding at the end the following new section:

“§ 729. Congressional testimony by employees: treatment as official duty

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 102, is further amended by inserting after the item relating to section 721 the following new item:

“Sec. 729. Congressional testimony by employees: treatment as official duty.”

SEC. 11. REPORT ON METHODS USED TO INVESTIGATE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT REQUIRED.—Not later than 540 days after the date of the enactment of this Act, the Assistant Secretary for Accountability and Whistleblower Protection shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report on methods used to investigate employees of the Department of Veterans Affairs and whether such methods are used to retaliate against whistleblowers.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the use of administrative investigation boards, peer review, searches of medical records, and other methods for investigating employees of the Department.

(2) A determination of whether and to what degree the methods described in paragraph (1) are being used to retaliate against whistleblowers.

(3) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (2).

(c) WHISTLEBLOWER DEFINED.—In this section, the term ‘whistleblower’ has the meaning given such term in section 323 of title 38, United States Code, as added by section 8.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

MODIFICATION TO AMENDMENT NO. 6 OFFERED
BY MR. TAKANO

Mr. TAKANO. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. TAKANO of California:

Page 23, after line 17, insert the following:

SEC. 8. OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 323. Office of Accountability and Whistleblower Protection

“(a) ESTABLISHMENT.—There is established in the Department an office to be known as the Office of Accountability and Whistleblower Protection (in this section referred to as the ‘Office’).

“(b) HEAD OF OFFICE.—(1) The head of the Office shall be responsible for the functions of the Office and shall be appointed by the President pursuant to section 308(a) of this title.

“(2) The head of the Office shall be known as the ‘Assistant Secretary for Accountability and Whistleblower Protection’.

“(3) The Assistant Secretary shall report directly to the Secretary on all matters relating to the Office.

“(4) Notwithstanding section 308(b) of this title, the Secretary may only assign to the

Assistant Secretary responsibilities relating to the functions of the Office set forth in subsection (c).

“(c) FUNCTIONS.—(1) The functions of the Office are as follows:

“(A) Advising the Secretary on all matters of the Department relating to accountability, including accountability of employees of the Department, retaliation against whistleblowers, and such matters as the Secretary considers similar and affect public trust in the Department.

“(B) Issuing reports and providing recommendations related to the duties described in subparagraph (A).

“(C) Receiving whistleblower complaints.

“(D) Referring whistleblower complaints received under subparagraph (C) for investigation to the Office of the Medical Inspector, the Office of Inspector General, or other investigative entity, as appropriate, if the Assistant Secretary has reason to believe the whistleblower complaint is evidence of a violation of a provision of law, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety.

“(E) Receiving and referring complaints from the Special Counsel for investigation to the Medical Inspector of the Department, the Inspector General of the Department, or such other person with investigatory authority, as the Assistant Secretary considers appropriate.

“(F) Recording, tracking, reviewing, and confirming implementation of recommendations from audits and investigations carried out by the Inspector General of the Department, the Medical Inspector of the Department, the Special Counsel, and the Comptroller General of the United States, including the imposition of disciplinary actions and other corrective actions contained in such recommendations.

“(G) Analyzing data from the Office and the Office of Inspector General telephone hotlines, other whistleblower complaints, disaggregated by facility and area of health care if appropriate, and relevant audits and investigations to identify trends and issue reports to the Secretary based on analysis conducted under this subparagraph.

“(H) Receiving, reviewing, and investigating allegations of misconduct, retaliation, or poor performance involving—

“(i) an individual in a senior executive position (as defined in section 713(d) of this title) in the Department;

“(ii) an individual employed in a confidential, policy-making, policy-determining, or policy-advocating position in the Department; or

“(iii) a supervisory employee.

“(I) Making such recommendations to the Secretary for disciplinary action as the Assistant Secretary considers appropriate after substantiating any allegation of misconduct or poor performance pursuant to an investigation carried out as described in subparagraph (F) or (H).

“(2) In carrying out the functions of the Office, the Assistant Secretary shall ensure that the Office maintains a toll-free telephone number and Internet website to receive anonymous whistleblower complaints.

“(3) In any case in which the Assistant Secretary receives a whistleblower complaint from an employee of the Department under paragraph (1)(C), the Assistant Secretary may not disclose the identity of the employee without the consent of the employee, except in accordance with the provisions of section 552a of title 5, or as required by any other applicable provision of Federal law.

“(d) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

“(e) REPORTS.—(1)(A) Not later than June 30 of each calendar year, beginning with June 30, 2017, the Assistant Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the activities of the Office during the calendar year in which the report is submitted.

“(B) Each report submitted under subparagraph (A) shall include, for the period covered by the report, the following:

“(i) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

“(ii) Identification of any issues reported to the Secretary under subsection (c)(1)(G), including such data as the Assistant Secretary considers relevant to such issues and any trends the Assistant Secretary may have identified with respect to such issues.

“(iii) Identification of such concerns as the Assistant Secretary may have regarding the size, staffing, and resources of the Office and such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

“(iv) Such recommendations as the Assistant Secretary may have for legislative or administrative action to improve—

“(I) the process by which concerns are reported to the Office; and

“(II) the protection of whistleblowers within the Department.

“(v) Such other matters as the Assistant Secretary considers appropriate regarding the functions of the Office or other matters relating to the Office.

“(2) If the Secretary receives a recommendation for disciplinary action under subsection (c)(1)(I) and does not take or initiate the recommended disciplinary action before the date that is 60 days after the date on which the Secretary received the recommendation, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a detailed justification for not taking or initiating such disciplinary action.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘supervisory employee’ means an employee of the Department who is a supervisor as defined in section 7103(a) of title 5.

“(2) The term ‘whistleblower’ means one who makes a whistleblower complaint.

“(3) The term ‘whistleblower complaint’ means any disclosure of information by an employee of the Department or individual applying to become an employee of the Department which the employee or individual reasonably believes evidences—

“(A) a violation of a provision of law; or

“(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.”

(b) CONFORMING AMENDMENT.—Section 308(b) of such title is amended by adding at the end the following new paragraph:

“(12) The functions set forth in section 323(c) of this title.”

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

“323. Office of Accountability and Whistleblower Protection.”

Mr. MILLER of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the reading be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

Mr. TAKANO. Mr. Chairman, I express my full support of Representative KIRKPATRICK’s amendment to H.R. 5620. I would like to thank Chairman MILLER for working with Representative KIRKPATRICK to develop a bipartisan amendment we all can support.

Whistleblowers are critical to uncovering and eliminating misconduct and wrongdoing at the Department of Veterans Affairs. Without them, serious issues like those discovered at the Phoenix VA facility may never have been brought to our attention. The courageous VA employees who chose to speak out deserve our respect and protection. We must create an environment in which whistleblowers expect appreciation, not retribution. Representative KIRKPATRICK’s amendment, which would create the VA Office of Accountability and Whistleblower Protection, will help us achieve that goal.

Representative KIRKPATRICK’s amendment has been developed in consultation with the Office of Special Counsel and includes language from the Senate’s bipartisan Veterans First Act. The amendment would create an independent VA Office of Accountability and Whistleblower Protection, which would report directly to the VA Secretary. The office would staff an anonymous hotline and refer whistleblower complaints to the appropriate office or entity for investigation and investigate allegations of misconduct, retaliation, or poor performance of senior executives and supervisors.

Mr. Chairman, this amendment will create an environment in which whistleblowers are protected and misconduct is more quickly discovered and eliminated. I urge my colleagues to support Representative KIRKPATRICK’s amendment to H.R. 5620.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I appreciate the gentlewoman from Arizona (Mrs. KIRKPATRICK) working with us to add the Office of Whistleblower Protection. It also does create an assistant secretary that would oversee this brand-new office.

I appreciate Mrs. KIRKPATRICK working with us on this amendment to better align it with the protections that are already in the bill. A portion of this amendment to create the new office already passed the House in H.R. 1994. This amendment now has my full support.

I urge my colleagues to agree and support it.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from California (Mr. TAKANO).

The amendment, as modified, was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-742.

Mr. NEWHOUSE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 11. CLARIFICATION OF EMERGENCY HOSPITAL CARE FURNISHED BY THE SECRETARY OF VETERANS AFFAIRS TO CERTAIN VETERANS.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1730A the following new section:

“§1730B. Examination and treatment for emergency medical conditions and women in labor

“(a) MEDICAL SCREENING EXAMINATIONS.—In carrying out this chapter, if any enrolled veteran requests, or a request is made on behalf of the veteran, for examination or treatment for a medical condition, regardless of whether such condition is service-connected, at a hospital emergency department of a medical facility of the Department, the Secretary shall ensure that the veteran is provided an appropriate medical screening examination within the capability of the emergency department, including ancillary services routinely available to the emergency department, to determine whether an emergency medical condition exists.

“(b) NECESSARY STABILIZING TREATMENT FOR EMERGENCY MEDICAL CONDITIONS AND LABOR.—(1) If an enrolled veteran comes to a medical facility of the Department and the Secretary determines that the veteran has an emergency medical condition, the Secretary shall provide either—

“(A) such further medical examination and such treatment as may be required to stabilize the medical condition; or

“(B) for the transfer of the veteran to another medical facility of the Department or a non-Department facility in accordance with subsection (c).

“(2) The Secretary is deemed to meet the requirement of paragraph (1)(A) with respect to an enrolled veteran if the Secretary offers the veteran the further medical examination and treatment described in such paragraph and informs the veteran (or an individual acting on behalf of the veteran) of the risks and benefits to the veteran of such examination and treatment, but the veteran (or individual) refuses to consent to the examination and treatment. The Secretary shall take

all reasonable steps to secure the written informed consent of such veteran (or individual) to refuse such examination and treatment.

“(3) The Secretary is deemed to meet the requirement of paragraph (1) with respect to an enrolled veteran if the Secretary offers to transfer the individual to another medical facility in accordance with subsection (c) of this section and informs the veteran (or an individual acting on behalf of the veteran) of the risks and benefits to the veteran of such transfer, but the veteran (or individual) refuses to consent to the transfer. The hospital shall take all reasonable steps to secure the written informed consent of such veteran (or individual) to refuse such transfer.

“(c) RESTRICTION OF TRANSFERS UNTIL VETERAN STABILIZED.—(1) If an enrolled veteran at a medical facility of the Department has an emergency medical condition that has not been stabilized, the Secretary may not transfer the veteran to another medical facility of the Department or a non-Department facility unless—

“(A)(i) the veteran (or a legally responsible individual acting on behalf of the veteran), after being informed of the obligation of the Secretary under this section and of the risk of transfer, requests in writing a transfer to another medical facility;

“(ii) a physician has signed a certification (including a summary of the risks and benefits) that, based upon the information available at the time of transfer, the medical benefits reasonably expected from the provision of appropriate medical treatment at another medical facility outweigh the increased risks to the veteran and, in the case of labor, to the unborn child from effecting the transfer; or

“(iii) if a physician is not physically present in the emergency department at the time a veteran is transferred, a qualified medical person (as defined by the Secretary in regulations) has signed a certification described in clause (ii) after a physician, in consultation with the person, has made the determination described in such clause, and subsequently countersigns the certification; and

“(B) the transfer is an appropriate transfer as described in paragraph (2).

“(2) An appropriate transfer to a medical facility is a transfer—

“(A) in which the transferring medical facility provides the medical treatment within the capacity of the facility that minimizes the risks to the health of the enrolled veteran and, in the case of a woman in labor, the health of the unborn child;

“(B) in which the receiving facility—

“(i) has available space and qualified personnel for the treatment of the veteran; and

“(ii) has agreed to accept transfer of the veteran and to provide appropriate medical treatment;

“(C) in which the transferring facility sends to the receiving facility all medical records (or copies thereof), related to the emergency condition for which the veteran has presented, available at the time of the transfer, including records related to the emergency medical condition of the veteran, observations of signs or symptoms, preliminary diagnosis, treatment provided, results of any tests and the informed written consent or certification (or copy thereof) provided under paragraph (1)(A), and the name and address of any on-call physician (described in subsection (d)(1)(C) of this section) who has refused or failed to appear within a reasonable time to provide necessary stabilizing treatment;

“(D) in which the transfer is effected through qualified personnel and transportation equipment, as required including the use of necessary and medically appropriate life support measures during the transfer; and

“(E) that meets such other requirements as the Secretary may find necessary in the interest of the health and safety of veterans transferred.

“(d) CHARGES.—(1) Nothing in this section may be construed to affect any charges that the Secretary may collect from a veteran or third party.

“(2) The Secretary shall treat any care provided by a non-Department facility pursuant to this section as care otherwise provided by a non-Department facility pursuant to this chapter for purposes of paying such non-Department facility for such care.

“(e) NONDISCRIMINATION.—A medical facility of the Department or a non-Department facility, as the case may be, that has specialized capabilities or facilities (such as burn units, shock-trauma units, neonatal intensive care units, or (with respect to rural areas) regional referral centers as identified by the Secretary in regulation) shall not refuse to accept an appropriate transfer of an enrolled veteran who requires such specialized capabilities or facilities if the facility has the capacity to treat the veteran.

“(f) NO DELAY IN EXAMINATION OR TREATMENT.—A medical facility of the Department or a non-Department facility, as the case may be, may not delay provision of an appropriate medical screening examination required under subsection (a) or further medical examination and treatment required under subsection (b) of this section in order to inquire about the method of payment or insurance status of an enrolled veteran.

“(g) WHISTLEBLOWER PROTECTIONS.—The Secretary may not take adverse action against an employee of the Department because the employee refuses to authorize the transfer of an enrolled veteran with an emergency medical condition that has not been stabilized or because the employee reports a violation of a requirement of this section.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘emergency medical condition’ means—

“(A) a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in—

“(i) placing the health of the enrolled veteran (or, with respect to an enrolled veteran who is a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;

“(ii) serious impairment to bodily functions; or

“(iii) serious dysfunction of any bodily organ or part; or

“(B) with respect to an enrolled veteran who is a pregnant woman having contractions—

“(i) that there is inadequate time to effect a safe transfer to another hospital before delivery; or

“(ii) that transfer may pose a threat to the health or safety of the woman or the unborn child.

“(2) The term ‘enrolled veteran’ means a veteran who is enrolled in the health care system established under section 1705(a) of this title.

“(3) The term ‘to stabilize’ means, with respect to an emergency medical condition described in paragraph (1)(A), to provide such medical treatment of the condition as may

be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the enrolled veteran from a facility, or, with respect to an emergency medical condition described in paragraph (1)(B), to deliver (including the placenta).

“(4) The term ‘stabilized’ means, with respect to an emergency medical condition described in paragraph (1)(A), that no material deterioration of the condition is likely, within reasonable medical probability, to result from or occur during the transfer of the individual from a facility, or, with respect to an emergency medical condition described in paragraph (1)(B), that the woman has delivered (including the placenta).

“(5) The term ‘transfer’ means the movement (including the discharge) of an enrolled veteran outside the facilities of a medical facility of the Department at the direction of any individual employed by (or affiliated or associated, directly or indirectly, with) the Department, but does not include such a movement of an individual who—

“(A) has been declared dead; or

“(B) leaves the facility without the permission of any such person.”

(b) CLERICAL AMENDMENT.—The table of sections of such chapter is amended by inserting after the item relating to section 1730A the following new item:

“1730B. Examination and treatment for emergency medical conditions and women in labor.”

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

□ 1845

Mr. NEWHOUSE. Mr. Chairman, first of all, I include in the RECORD six letters from various veterans service organizations in support of H.R. 5620, as amended.

MILITARY ORDER OF THE PURPLE HEART,

Springfield, VA, July 14, 2016.

Hon. JEFF MILLER,

Chairman, House Committee on Veterans' Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of the Military Order of the Purple Heart (MOPH), whose membership is comprised entirely of combat wounded veterans, I am pleased to offer our support for sections 1 through 8 and 10 of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016. If enacted, this legislation would establish reasonable accountability measures for Department of Veterans Affairs (VA) employees.

The ability to reward good employees and hold poor employees accountable is essential to any high-performing organization. Unfortunately, events of the past two years have made it clear to MOPH that VA lacks the necessary authority to punish, remove, and recoup the performance bonuses of employees who were found to have endangered veterans, misused government funds, and otherwise underperformed in their duties. While we understand that VA cannot simply fire its way to success, we feel that improvements to these authorities made by this legislation are critical to allowing VA to function as it should, while also maintaining veterans' trust in their VA. Furthermore, these reforms would send the right message to the

vast majority of VA employees who do an exemplary job every day that their good performance is truly appreciated. MOPH is also pleased that this legislation contains robust whistleblower protections, as no VA employee should ever fear reprisal for identifying deficiencies that could endanger veterans in any way.

MOPH is still evaluating section 9, which makes substantive changes to the VA appeals process, and takes no position on this section at this time.

MOPH thanks you for your leadership on this issue and your commitment to veteran-centric VA reform. We look forward to working with you to ensure the passage of this important legislation.

Respectfully,

ROBERT PUSKAR,
National Commander.

FLEET RESERVE ASSOCIATION,
Alexandria, VA, July 26, 2016.

Hon. JEFF MILLER,
*Chairman, House Veterans' Affairs Committee,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN MILLER: The Fleet Reserve Association (FRA) supports the "VA Accountability First and Appeals Modernization Act" (H.R. 5620) that would reform the VA's disability benefits appeals process—a top priority for FRA. The bill also strengthens protections for whistleblowers and enforces accountability for unprofessional employees.

The Association appreciates your strong leadership on this issue and stands ready to provide assistance in advancing this legislation. The FRA point of contact is John Davis, Director of Legislative Programs.

Sincerely,

THOMAS J. SNEE,
National Executive Director.

ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES,

Alexandria, VA, July 21, 2016.

Hon. JEFF MILLER,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN MILLER: On behalf of the Enlisted Association of the National Guard of the United States (EANGUS) which represents the interests of over 400,000 enlisted men and women of the Army and Air National Guard, we are pleased to offer our full support for H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016. This bill combines much needed accountability measures for the employees of the Department of Veterans Affairs (VA), with long overdue reforms to the personal appeals process.

We believe your legislation gives the VA the power it needs to hold its employees accountable, while strengthening protection for whistleblowers. This is crucial, as the events of the past two years have made it clear to our organization that the VA is unable to remove employees that are negligent, underperforming, and don't serve in the best interest of veterans. We also believe the robust protections for whistleblowers contained in this legislation are critical. Employees that do the right thing should not fear reprisals for identifying deficiencies that could endanger veterans.

EANGUS thanks you for your continued leadership on this issue and your commitment to bring improvements and accountability to the VA. We stand ready to work

with you and your staff to ensure the passage of this important piece of legislation.

Sincerely,

FRANK YOAKUM,
*Sgt. Maj., U.S. Army (retired),
Executive Director.*

From: CVA—Press.

Date: Thursday, July 7, 2016.

To: CVA HQ.

For Immediate Release: July 7, 2016.

CONCERNED VETERANS FOR AMERICA ANNOUNCES SUPPORT FOR MILLER VA ACCOUNTABILITY BILL

ARLINGTON, VA.—Concerned Veterans for America (CVA) Vice President for Legislative and Political Action Dan Caldwell released the following statement today in support of House Veterans' Affairs Committee Chairman Miller's introduction of the 'VA Accountability First and Appeals Modernization Act of 2016.'

"Concerned Veterans for America applauds Chairman Miller for introducing H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016: This legislation would go a long way in addressing the lack of accountability plaguing the VA and impeding the timely delivery of health care and other benefits to eligible veterans. From providing meaningful limits on how long VA employees can appeal administrative actions, to giving the VA secretary the authority to recoup bonuses and salary awarded to unethical employees, this bill is full of the reforms that will rid the department of its accountability crisis. Importantly, its removal of the Merit Systems Protection Board (MSPB) from the appeals process for senior executives is a critical component to ensuring that top leaders are held accountable for their actions and kept from negatively influencing veterans' care in the future. We urge the VA committees of both houses of Congress to move quickly on this legislation, and deliver the reform veterans deserve."

ASSOCIATION OF THE UNITED STATES NAVY,
August 10, 2016.

Hon. JEFF MILLER,
*Cannon House Office Building,
Washington, DC.*

DEAR CONGRESSMAN MILLER: The Association for the United States Navy strongly supports HR 5620, which combines VA accountability provisions with appeals reform. The VA has had a history of committing crimes without anything more than a slap on the wrist, leaving it to veterans to suffer from lesser care. With HR 5620, the accountability that veterans have been looking for in order to require that the VA give the proper care would finally occur. We at AUSN greatly appreciate your introduction of this bill and look forward to seeing it gain traction in the House and Senate.

HR 5620 helps outline both accountability measures and appeals reform together, which benefit veterans as well as VA leadership give better care. Both sections 3 and 7 help hold individuals, not just the entire organization or leadership, accountable for their actions. The expedited system would allow employees who had misbehaved to appeal within 10 days and then have their appeal decided within 60 days, which is a much quicker, cleaner version to the system we currently have. This would help bring in better individuals rather than new leadership every time there is a problem, and would allow for expedited reprimand of the individuals by streamlining the discipline process.

The appeals reform section of the bill is also impressive, giving veterans three different avenues to go about their appeals process rather than just one and consistently having the same problem. This bill is one that really focuses on the individual rather than the collective, which makes it beneficial for veterans to receive the best quality care possible.

It is crucial that accountability and appeal reform occurs within the VA. The current system is too rigid for real reform to occur, and by having initiatives that are introduced in this bill, it would help make last change within the VA and finally give veterans the care they deserve for serving our country.

Sincerely,

MICHAEL LITTLE.

AUGUST 31, 2016.

Hon. JEFF MILLER,
*Chairman, House Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR MR. MILLER: AMVETS (American Veterans) is pleased to support your bill, H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, which seeks to provide for the removal or demotion of employees of the Department of Veterans Affairs (VA) based on performance or misconduct, and to reform the Veterans Benefits Administration (VBA) appeals process.

The intent of this bill is in line with two of our National Resolutions, which dictate our legislative priorities, that our members voted on and passed at the AMVETS 72nd National Convention in Reno, Nevada in August. The first Resolution is related to the need for, and importance of, improved VA accountability. It states, in part, that until each and every VA employee can be held accountable for their actions, or lack thereof, the VA system will remain broken, unsatisfactory, and unsafe. The second Resolution is related to fixing the VBA claims processing and appeals systems. It states, in part, that AMVETS continues to monitor the progress of the veteran claims processing system, and working as a stakeholder, seeks to address the shortcomings. For these reasons we stand ready to help you gain passage of H.R. 5620.

AMVETS appreciates your leadership in introducing this important legislation and in striving to improve the lives of all veterans.

Sincerely,

JOSEPH R. CHENELLY,
Executive Director.

Mr. NEWHOUSE. Mr. Chairman, I believe one of the Federal Government's most important functions is to support those who have sacrificed so much in the defense of our Nation. Whenever our government fails to meet this responsibility, swift action must be taken.

We have heard far too many distressing stories in recent years about the Department of Veterans Affairs failing to provide our veterans the care they deserve. My amendment seeks to address one of these problems by adding the text of H.R. 3216, the Veterans Emergency Treatment Act, to this bill. This language is supported by the Veterans of Foreign Wars, the American Legion, and the Disabled American Veterans.

In short, my amendment would ensure that every enrolled veteran who

arrives at an emergency department of a VA medical facility and indicates an emergency condition exists is assessed and treated in an effort to prevent further injury or death. This is accomplished by applying the statutory requirements of the Emergency Medical Treatment and Labor Act, or EMTALA, to emergency care furnished by the VA to enrolled veterans.

Mr. Chairman, my attention was drawn to this issue by one of my own constituents. In February of 2015, a 64-year-old Army veteran arrived at the Seattle VA emergency room in severe pain with a broken foot that had swollen to the size of a football. No longer able to walk, he requested emergency room staff assist him in traveling the 10 feet from his car to the ER entrance. Hospital personnel promptly hung up on him after instructing him he would need to call 911 to assist him at his own expense. He was eventually helped into the emergency room by a Seattle fire captain as well as three firefighters.

Another notable incident occurred in New Mexico in 2014, when a veteran collapsed in the cafeteria of a VA facility and ultimately died when the VA refused to transport him 500 yards across the campus to the emergency room.

EMTALA is a Federal statute that supersedes State and local laws and grants every individual a Federal right to emergency care. It was enacted by Congress in 1986 and is designed to prevent hospitals from transferring, or dumping, uninsured or Medicaid patients to public hospitals. EMTALA requires a hospital to conduct a medical examination to determine if an emergency medical condition exists. If one does, then the hospital must either stabilize the patient or effectuate a proper transfer at the patient's request. Currently, the VA hospitals are considered to be nonparticipating hospitals and are therefore not obligated to fulfill the requirements instituted by EMTALA. This amendment will revise current law to remove the nonparticipating designation and require them to fulfill requirements of EMTALA, just as every other hospital does.

Mr. Chairman, it is actually the Veterans Health Administration's stated policy that all transfers in and out of VA facilities of patients in the emergency department or urgent care units are accomplished in a manner that ensures maximum patient safety and is in compliance with the transfer provisions of EMTALA and its implementing regulations.

However, unfortunately, this policy is not always followed, and occasionally locally designed transfer policies undermine efforts to provide emergency care to veterans. Additionally, in some of these instances there was clear confusion on the part of the VA facilities about their own transfer policies. This is why we must act now.

Mr. Chairman, I urge the House to support and pass my amendment to H.R. 5620. It is time we ensure our veterans receive proper medical care during emergency medical situations, all without requiring additional spending.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, as the sponsor has already said, it clarifies and strengthens VA's responsibility with regard to emergency care. It has been drafted very well in response to a recent, very tragic incident where a veteran died in a VA parking lot in very close proximity to a VA emergency room. It is supported by numerous veterans service organizations.

I am grateful to the gentleman from Washington (Mr. NEWHOUSE), my good friend, and urge all of my colleagues to join me in supporting this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. SCHWEIKERT
The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-742.

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 11. USE OF DISTRIBUTED LEDGER TECHNOLOGY TO SCHEDULE APPOINTMENTS.

(a) **USE OF DISTRIBUTED LEDGER TECHNOLOGY.**—

(1) **IN GENERAL.**—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall ensure that veterans seeking health care appointments at medical facilities of the Department are able to use an Internet website, a mobile application, or other similar electronic method to use distributed ledger technology to view such appointments and ascertain whether an employee of the Department of Veterans Affairs has modified such appointments.

(2) **CONTRACTS.**—The Secretary shall carry out paragraph (1) by seeking to enter into one or more contracts with appropriate entities to develop the appointment distributed ledger technology system described in such paragraph.

(3) **PRIVACY AND OWNERSHIP OF INFORMATION.**—Any information relating to a veteran that is used or transmitted pursuant to this section—

(A) shall be treated in accordance with section 552a of title 5, United States Code (commonly referred to as the "Privacy Act") and other applicable laws and regulations relating to the privacy of the veteran;

(B) may only be used by an employee or contractor of the Department of Veterans Affairs to carry out paragraph (1); and

(C) may not be disclosed to any person who is not the veteran or such an employee or contractor unless the veteran provides consent to such disclosure.

(b) **REPORT.**—Not later than 180 days after the date on which the Secretary commences subsection (a)(1), the Secretary shall submit to Congress a report on the implementation of this section.

(c) **DEFINITIONS.**—In this section:

(1) The term "distributed ledger technology" means technology using a consensus of replicated, shared, and synchronized digital data that is geographically spread across multiple digital systems.

(2) The term "mobile application" means a software program that runs on the operating system of a mobile device.

(3) The term "mobile device" means a smartphone, tablet computer, or similar portable computing device that transmits data over a wireless connection.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, to our friends on the other side, I will let you know, I am going to move to withdraw the amendment, but I do want to share a little bit of an explanation of why I am taking this approach.

I am blessed to represent much of the Phoenix area, the epicenter of where the calendar, where the scheduling system was manipulated. For those of us who are in this body who have had the opportunity to sit across from a widow who cannot stop crying because she is telling you that, in everything she believes, the VA took the life of her husband by the delays, after the delays, after functionally being lied to and the delays.

I accept in this body I may be bordering on being sort of a techno-utopian, but I have a belief that there is technology out there that is already widely adopted in the rest of the world. I mean, there are countries that the entire nation's database system is run this way, something called a distributive ledger, a blockchain.

The beauty of what we were trying to weave into this is the concept of, hey, they are already working on a scheduling software. If you enable it across the server network, no one can manipulate it. You can't sit there and slip in and change the dates and the times without it being date-stamped. That is the beauty of a distributive ledger model, and you don't have to custom design the software to do this. Basically, you are already using the capital you have already spent on the series of servers you have, and then it distributes it across it.

This is today's technology—in a world where we step up and say we are going to custom-design a software solution for scheduling, that is brilliant if it were still the 1990s; it is not—our ability to use a type of technology where the veteran can log in through secure passwords, see their own records, see their history, see their schedules, and know that it is bullet-proof, that no one can manipulate it; and if there was a change, they can see when and who did it, and they get to participate in the scheduling of their own health care. This will work on apps. It will work on a home computer. It will work on the servers at the VA.

I have to reach out and say thank you to the chairman and to his staff because I know some of this is new technology, and rolling it out in a very specific fashion is sort of disharmonious when you are moving forward with a reform bill of this nature, but I am hopeful that many of us are going to sell you the idea that there is little technological improvements that can be woven in and actually solve many of the structural problems, crises, concerns that all of us have had to face at the VA over the last few years.

Mr. Chairman, I ask unanimous consent to withdraw the amendment enumerated as No. 8.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

It is now in order to consider amendment No. 9 printed in House Report 114-742.

It is now in order to consider amendment No. 10 printed in House Report 114-742.

PARLIAMENTARY INQUIRY

Mr. MILLER of Florida. Mr. Chair, parliamentary inquiry.

The Acting CHAIR. The gentleman from Florida will state his parliamentary inquiry.

Mr. MILLER of Florida. Will the Chair state the amendment number. I think you said amendment No. 10. Should it be No. 9?

The Acting CHAIR. Amendment No. 9 was not offered.

Mr. MILLER of Florida. I apologize, I was not informed.

AMENDMENT NO. 10 OFFERED BY MR. TAKANO

Mr. TAKANO. Mr. Chair, as the designee of the gentlewoman from Florida (Ms. FRANKEL), I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. SENSE OF CONGRESS REGARDING AMERICAN VETERANS DISABLED FOR LIFE.

(a) FINDINGS.—Congress finds the following:

(1) There are at least 3,600,000 veterans currently living with service-connected disabilities.

(2) As a result of their service, many veterans are permanently disabled throughout their lives and in many cases must rely on the support of their families and friends when these visible and invisible burdens become too much to bear alone.

(3) October 5, which is the anniversary of the dedication of the American Veterans Disabled for Life Memorial, has been recognized as an appropriate day on which to honor American veterans disabled for life each year.

(b) SENSE OF CONGRESS.—Congress—

(1) expresses its appreciation to the men and women left permanently wounded, ill, or injured as a result of their service in the Armed Forces;

(2) supports the annual recognition of American veterans disabled for life; and

(3) encourages the American people to honor American veterans disabled for life each year with appropriate programs and activities.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise to offer the amendment on behalf of the gentlewoman from Florida (Ms. FRANKEL).

Congresswoman FRANKEL's amendment would honor American veterans disabled for life and support annual recognition of our Nation's servicemen and -women left permanently wounded, ill, or injured as a result of their service. If passed, it would recognize October 5 as an appropriate day to honor disabled veterans each year. This date coincides with the anniversary of the dedication of the American Veterans Disabled for Life Memorial in Washington, D.C.

The amendment is supported by the Disabled American Veterans and the Paralyzed Veterans of America. It was included in a House concurrent resolution that I was proud to cosponsor alongside Chairman JEFF MILLER. It also passed the House as part of this Chamber's National Defense Authorization Act.

America's 3.6 million disabled veterans have honored us with their service and selfless duty. It is now our turn to honor them, and passing this amendment is one way to do so. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, this is a very worthy cause that

is due our respect, as we often forget the veterans that have been wounded, disabled for life in battle.

I was proud to attend the dedication of the American Veterans Disabled for Life Memorial service just a couple of years ago right outside of this Capitol Building, and I want to thank Representative FRANKEL and urge all of my colleagues to join me in supporting this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, I have no further speakers, and again, I urge my colleagues to support Representative FRANKEL's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from Arizona (Mr. GALLEG0), I offer amendment No. 11.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. ESTABLISHMENT OF POSITIONS OF DIRECTORS OF VETERANS INTEGRATED SERVICE NETWORKS IN OFFICE OF UNDER SECRETARY FOR HEALTH OF DEPARTMENT OF VETERANS AFFAIRS AND MODIFICATION OF QUALIFICATIONS FOR MEDICAL DIRECTORS.

Section 7306(a)(4) of title 38, United States Code, is amended—

(1) by inserting “and Directors of Veterans Integrated Service Networks” after “Such Medical Directors”; and

(2) by striking “, who shall be either a qualified doctor of medicine or a qualified doctor of dental surgery or dental medicine”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise to offer the amendment on behalf of my colleague from Arizona (Mr. GALLEG0).

Representative GALLEG0's amendment establishes the position of Director of Veterans Integrated Service Networks within the Office of the Under Secretary for Health in the VA.

Leadership vacancies are prevalent across the VA, particularly in terms of network and facility directors, and this amendment will provide the VA with additional flexibility to recruit medical center directors and VISN directors.

□ 1900

Within the 21 VISNs, there are 151 medical centers, 985 outpatient clinics,

135 community living centers, 103 domiciliary rehabilitation treatment programs, 300 readjustment counseling centers, and 70 mobile vet centers. Network directors have oversight of healthcare delivery for as many as 10 VA medical centers and numerous community-based outpatient clinics, nursing homes, and domiciliary centers.

Ensuring that the VA has all the tools necessary to fill and retain these leadership positions is critical to fulfilling the VHA's mission and providing quality, timely care to our veterans.

This amendment is included in H.R. 4011, the Delivering Opportunities for Care and Services for Veterans Act, otherwise known as DOCS for Vets Act, which the VA Secretary recently included amongst his top legislative priorities for the remainder of this Congress. The language also passed unanimously in the Senate Veterans Affairs' Committee as part of the bipartisan Vets First Act.

I urge my colleagues to support this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chair, I ask unanimous consent to claim the time in opposition, even though I am not opposed.

The Acting Chair. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, this, in fact, would make it easier for VA to recruit and retain its VISN directors. It is a legislative proposal of the Department of Veterans Affairs included in the committee-drafted H.R. 5526, sponsored by Mr. WENSTRUP.

I am grateful to Representative GALLEG0. I urge all of my colleagues to join me in supporting this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, I urge my colleagues to support Representative GALLEG0's amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114-742.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 11. CONTINUING EDUCATION REQUIREMENT FOR EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS AUTHORIZED TO PRESCRIBE MEDICATION.

(a) IN GENERAL.—Subchapter I of chapter 74 of title 38, United States Code, is amended

by adding at the end the following new section:

“§ 7413. Continuing education requirement for employees authorized to prescribe medication

“(a) REQUIREMENT.—(1) Except as provided in paragraph (2), the Secretary shall require each covered employee of the Department to complete not less than one accredited course of continuing education on pain management once every two years. Such course shall include information on safe prescribing practices and disposal of controlled substances, principles of pain management, identification of potential substance use disorders and addiction treatment.

“(2) Paragraph (1) shall not apply to a covered employee if the covered employee is licensed or certified by a State licensure or specialty board that requires the completion of continuing education relative to pain management or substance use disorder management.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘covered employee’ means any employee of the Department authorized to prescribe any controlled substance, including an employee hired under section 7405 of this title.

“(2) The term ‘controlled substance’ has the meaning given such term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

“(c) APPLICABILITY.—The requirement under subsection (a) shall apply with respect to a covered employee for any 24-month period during which the covered employee is employed by the Department for at least 180 days.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end of the items relating to subchapter I of such chapter the following new item:

“7413. Continuing education requirement for employees authorized to prescribe medication.”.

(c) APPLICABILITY.—Section 7413 of title 38, United States Code, as added by subsection (a) shall apply with respect to a 12-month period that begins on or after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I would like to thank Chairman MILLER of Florida for his assistance with this amendment, as well as the gentleman from California (Mr. TAKANO).

I rise to offer an amendment to H.R. 5620 that would direct healthcare providers with VA affiliation to take continuing education courses specific to pain management, opioids, and substance abuse.

Nationally, about 30 percent of Americans have some type of chronic pain that they report. However, for veterans—and our elderly veterans—that number escalates dramatically, with 50 percent reporting chronic pain. And it is even more—almost double that—as 60 percent of veterans returning from the current conflict in the Middle East report some type of chronic pain that

needs administration. In fact, this type of malady is the most common medical problem experienced by returning combat veterans in the entire last decade. So it is the number one reported problem that our veterans returning home from combat have to endure.

According to VA data, over half a million veterans are receiving prescriptions for opioids. The number of veterans with opioid use disorders has grown 55 percent over the last 5 years alone. Additionally, the American Public Health Association found that veterans are twice as likely to overdose on prescription opioids as are members of the general population.

Of course, pain management isn't just a stand-alone problem for our veterans. The injury leads to co-occurring mental health disorders like brain trauma or post-traumatic stress disorder. Approximately one out of every three veterans seeking treatment for substance use disorders also have brain trauma or PTSD.

The amendment incorporates language that I have introduced earlier in the year, the Safe Prescribing for Veterans Act. It will help those who provide healthcare services to veterans learn the latest in pain management techniques, understand safe prescription practices, and spot the signs of potential substance use disorders.

In our country, some of the States have moved ahead already with what this amendment does. There are 14 States in the country that require continuing education so that their physicians are schooled and kept up to speed with the most modern techniques in dealing with opioid abuse disorders. Even though there are 14, that number decreases in some of those States for the people administering these drugs, including nurse practitioners, physician assistants, dentists, and others. So this is a problem that some States are addressing, but we are not addressing as a country to help our veterans.

In those States that have this, they have that requirement for continuing education as part of treating those people who are seeking treatment. But in the remaining States, even if they have some kind of recommendations, there is no guarantee. And for our veterans nationwide, there is no guarantee.

So this is something, I think, that is essential and that we do the most we can do to help the veterans and the heroes that have served us so well as they come back dealing with some of the effects and aftereffects of their combat, to be able to help them and be there for them the way that they were there for us.

This Congress has already acted, in terms of the appropriations process, for the implementation of the costs attendant to this kind of support. This bill will be a corollary bill that deals with guaranteeing that that occurs.

In my own area, just to show you the conflicts of treatment and the diversity of treatment, the Commonwealth of Massachusetts is one of those 14 States that requires all medical personnel, all doctors, to be able to have this continuing education requirement. That includes those doctors that serve the Veterans Administration.

However, in my district in the southeast portion of Massachusetts, most of the veterans in my area go to Providence, Rhode Island, for their treatment, which does not have that guarantee. Just to show an example, they have recommendations of what to do, but they don't have that guarantee.

So in my own State, one portion of the State and the veterans served mostly in that portion has that requirement to make sure that is the case. The other doesn't.

I want to thank Mr. ROTHFUS of Pennsylvania for joining me as a co-sponsor of this amendment. I want to thank my colleagues for this.

Mr. Chair, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chair, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I do want to thank Mr. KEATING for coming up with this outstanding amendment to our bill. It does require VA employees to receive continuing education and courses on pain management, safe prescribing practices, disposal of controlled substances, and addiction treatment. It is critical for VA providers to know the best practices for pain management and substance use disorder.

I want to thank Mr. KEATING for his words tonight, and Mr. ROTHFUS, and I my colleagues in supporting this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. LOWENTHAL

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114-742.

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SECTION 11. REVIEW OF WHISTLEBLOWER COMPLAINTS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by inserting after section 711 the following new section:

“§ 712. Review of whistleblower complaints

“(a) IN GENERAL.—During each calendar quarter, the Secretary shall review each covered whistleblower complaint that is filed during the previous calendar quarter.

“(b) DELEGATION.—The Secretary may only delegate the authority of the Secretary under subsection (a) to review a covered whistleblower complaint, without further delegation, to—

“(1) the Deputy Secretary of Veterans Affairs;

“(2) the Under Secretary for Health;

“(3) the Under Secretary for Benefits;

“(4) the Under Secretary for Memorial Affairs;

“(5) an Assistant Secretary of Veterans Affairs;

“(6) a Deputy Assistant Secretary of Veterans Affairs; or

“(7) a director of the Veterans Integrated Service Network.

“(c) COVERED WHISTLEBLOWER COMPLAINT DEFINED.—In this section, the term ‘covered whistleblower complaint’ means any complaint filed with the Office of the Special Counsel under subchapter II of chapter 12 of title 5 with respect to a prohibited personnel practice committed by an officer or employee of the Department of Veterans Affairs and described in section 2302(b)(8) or 2302(b)(9)(A)(i), (B), (C), or (D) of such title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 711 the following new item:

“712. Review of whistleblower complaints.”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. LOWENTHAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I am very pleased to have the opportunity to offer this simple, nonpartisan amendment today.

Like many of my colleagues here, I am determined to do whatever I can to ensure the best possible care for our veterans. And I can tell you that I see all the time just how important the services are in my hometown at the Long Beach Veterans Administration to veterans in my district.

It is absolutely essential our veterans receive the quality of care that they have earned and that we owe them. I believe everyone here agrees on that. The question is: How can we ensure that our veterans receive the best quality care?

One straightforward, but important way is to make sure that whistleblowers are adequately protected.

When problems emerge, as they certainly will in any complicated system such as health care, it is vital that the VA employees feel that they can bring forward complaints and they will be properly considered without fear of retaliation.

VA employees are key potential partners in making sure the system is responsive, honest, and efficient. And if they have any doubts or concerns about their whistleblower protections, then we lose the insights, their expertise, and the inside view that they bring to the VA's day-to-day operations. That would be bad for the veterans and bad for our VA system.

My simple amendment helps to guarantee whistleblower protections are acted upon by requiring the Secretary of Veterans Affairs or his or her designee to conduct a quarterly review of covered whistleblower complaints from the preceding quarter. This brings the necessary prompt attention and senior level VA oversight to whistleblower complaints.

I believe this is nonpartisan, non-controversial, and I hope that the majority goes along with my colleagues in the minority and will support it. I urge its adoption.

Mr. Chair, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chair, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I want to thank Mr. LOWENTHAL for his very simple, nonpartisan amendment that has been provided tonight requiring political appointees at VA review whistleblower complaints at every level. I am grateful to him for bringing this forward. I urge all of my colleagues to support his amendment.

Mr. Chair, I yield back the balance of my time.

Mr. LOWENTHAL. Mr. Chair, I thank and appreciate the leader from the majority party.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was agreed to.

Mr. MILLER of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MILLER of Florida) having assumed the chair, Mr. MOONEY of West Virginia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other

purposes, had come to no resolution thereon.

□ 1915

SUICIDE PREVENTION MONTH

The SPEAKER pro tempore (Mr. MOONEY of West Virginia). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Arizona (Ms. SINEMA) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. SINEMA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. SINEMA. Mr. Speaker, September is Suicide Prevention Month, a time for our Nation to raise awareness about the recurring tragedy of suicide.

Last month, the VA released an updated comprehensive study on veteran suicide, finding an estimated 20 veterans lose their lives to suicide every day. Twenty veterans a day should be a call to action for our country and for this Congress. We must do more.

Typically, time in this House Chamber is split; Republicans have 1 hour and Democrats have another. But I believe this issue is too important to be overshadowed by partisan politics, and that is why tonight I have invited Members from both sides of the aisle to show our commitment to solving this problem together and find real solutions for our veterans.

This is the fourth year that I have held this event in this Chamber to raise awareness and send a clear message that the epidemic of veteran suicide must end. We have so much more work left to do.

Tonight I hope that we, as a body, will demonstrate our ongoing support for the individuals, organizations, and agencies devoted to preventing the epidemic of veteran suicide. We challenge the VA, the Department of Defense, and our fellow lawmakers to do more.

Today, Mr. Speaker, we are failing in our obligation to do right by those who have served our country so honorably.

Finally, we send a message to military families who have experienced this tragedy. Our message is simple: Your family's loss isn't forgotten. We work for the memory of your loved ones, and we will not rest until every veteran has access to the care that he or she needs.

I have often shared the story of a young veteran from my district, Sergeant Daniel Somers. Sergeant Somers was an Army veteran of two tours in Iraq. He served on Task Force Light-

ning, an intelligence unit. He ran over 400 combat missions as a machine gunner in the turret of a Humvee; and part of his role required him to interrogate dozens of terrorist suspects. His work was deemed classified.

Like many veterans, though, Daniel was haunted by the war when he returned home. He suffered from flashbacks, nightmares, depression, and additional symptoms of post-traumatic stress disorder, made worse by a traumatic brain injury.

Daniel needed help. He and his family asked for help, but, unfortunately, the VA enrolled Sergeant Somers in group therapy sessions, which Sergeant Somers could not attend for fear of disclosing classified information.

Despite repeated requests for individualized counseling, or some other reasonable accommodation to allow Sergeant Somers to receive appropriate care for his PTSD, the VA delayed providing Sergeant Somers with appropriate support and care.

Like many veterans, Sergeant Somers' isolation got worse when he transitioned to civilian life. He tried to provide for his family, but he was unable to work due to his disability. Sergeant Somers struggled with the VA bureaucracy. His disability appeal had been pending for over 2 years in the system without any resolution.

Sergeant Somers didn't get the help that he needed in time. On June 10 of 2013, Sergeant Somers wrote a letter to his family. In this letter he said: "I am not getting better, I am not going to get better, and I will most certainly deteriorate further as time goes on."

He went on in the letter to say: "I am left with basically nothing. Too trapped in a war to be at peace; too damaged to be at war. Abandoned by those who would take the easy road, and a liability to those who stick it out and, thus, deserve better. So you see, not only am I better off dead, but the world is better without me in it. This is what brought me to my actual final mission."

We lost Daniel Somers that day, and no one who returns home from serving our country should ever feel like he or she has nowhere to turn.

Mr. Speaker, and Members, I am committed to working on both sides of the aisle to ensure that no veteran feels trapped like Sergeant Somers did, and that all of our veterans have access to appropriate mental health care.

Sergeant Somers' story is familiar to too many military families. Sergeant Somers' parents, Howard and Jean, were devastated by the loss of their son, but they bravely shared Sergeant Somers' story and created a mission of their own. Their mission is to ensure that Sergeant Somers' story brings to light America's deadliest war, the 20 veterans that we lose every day to suicide.

Many of my colleagues have met with Howard and Jean. They are work-

ing with Congress and the VA to share their experiences with the VA healthcare system and find ways to improve care for veterans and their families.

Our office worked closely with Howard and Jean to develop the Sergeant Daniel Somers Classified Veterans Access to Care Act. The Sergeant Daniel Somers Act ensures that veterans with classified experiences can access appropriate mental health services at the Department of Veterans Affairs.

Our bill directs the Secretary of the VA to establish standards and procedures to ensure that a veteran who participated in a classified mission, or who served in a sensitive unit, may access mental health care in a manner that fully accommodates his or her obligation to not improperly disclose classified information.

The bill also directs the Secretary to disseminate guidance to employees of the Veterans Health Administration, including mental health professionals, on such standards and procedures on how best to engage veterans during the course of mental health treatment with respect to classified information.

Finally, the bill directs the Secretary to allow veterans with classified experiences to self-identify so they can quickly receive care in an appropriate setting.

The Sergeant Daniel Somers Act passed the House in February, but now we are waiting for the Senate to take action. No veteran or family should go through the same tragedy that the Somers family experienced, and we owe it to our veterans to pass and sign this bill into law.

While we are waiting for Congress to act, Arizona is taking action. We are doing it ourselves. Our office took immediate action when we heard from brave whistleblowers about the tragedy at the Phoenix VA. We have now held nine veterans clinics, helping over 1,000 veterans and military members access the benefits they have earned. Our team helps veterans with everything they need, from housing to job placement, to education.

Mr. Speaker, I will speak more about the work we are doing in Arizona, but I would like to yield to my colleague from New York (Mr. GIBSON), who has bravely served our country.

Mr. GIBSON. Mr. Speaker, I thank my friend and colleague, Representative SINEMA. I thank her for her passion for the issue, for her leadership which she brings here tonight and on all days on this very important issue for veterans.

Mr. Speaker, this is a very personal issue for me. After 29 years in the United States Army, initially starting as a 17-year-old private in the New York Army National Guard and, after 5 years, making the transition to the regular Army as a Commissioned Officer and serving 24 additional years, including 4 combat tours in Iraq, time in

the Balkans, also in Haiti, over that time, I have seen the human condition under very severe and acute stress, and have seen humans at their best and humans at their worst.

Now, in this role in Congress, I think it is critically important that we come together and provide all the support that we can for our servicemen and -women, for our veterans, and for their families.

Mr. Speaker, my wife is also involved in helping on this score, as she is a licensed clinical social worker, and she commits herself to helping. She is involved in therapy for our veterans. And for both of us, we have seen this from the vantage point of being on Active Duty, and then retiring from the United States military and being a civilian, in a community, and now serving in Congress.

It is clear that, as far as the status of our veterans—well, I guess, perhaps not surprisingly a lot like the rest of America—it is variegated. Some veterans are doing really well; got home, integrated, and really excelling in every capacity in life. Yet, Mr. Speaker, there are some that are really struggling. They are struggling to find their footing, to reintegrate into society. They may be struggling financially. Others have grievous wounds that they incurred in this war, and others who still were not physically wounded are carrying emotional scars.

So really, that is, I think, the calling here tonight. Congresswoman SINEMA has pulled together this Special Order for us to put a focus on that, and I deeply appreciate that because the American people need to know: Is their government listening? Do we hear the calls from our veterans, their families, and from their loved ones, from their friends, and from all Americans who are concerned about the status of our veterans?

Mr. Speaker, our government is listening. We have taken action. There is much more to be done, but I think it is important to also give an accounting. A transparent, accountable government must provide report on what has been done.

Mr. Speaker, I was at the White House when we did the bill signing, when President Obama signed into law the Clay Hunt suicide awareness and prevention bill. Clay Hunt, a great American hero, a Marine who fought bravely for our country in both Iraq and Afghanistan, who came back and who candidly knew that he was having some mental health challenges; and the way he dealt with that was to commit himself to helping others. And he did make a difference, again.

Unfortunately, he ultimately lost his battle with the mental health challenges that he had, and his family took up the cause in that immediate aftermath. It is through the inspiration of Clay Hunt, the way he lived his life,

that we came together here in this House. And I thank Sergeant Major Walz, the highest ranking enlisted man to ever serve in these Chambers, for authoring the bill. I was proud to be a part of it.

But this, we believe, will make a positive difference. It will not solve all, but it does audit our programs to take a look at what is doing well, and other programs that are still challenged, well-intentioned, but challenged; and it is going to provide a clearinghouse so that we can learn from these experiences.

It also starts a pilot program that is going to pay for the education for Americans who want to volunteer to be part of this effort to help veterans, the Clay Hunt suicide awareness and prevention, now law.

Likewise, the Female Veteran Suicide Prevention Act, we passed that in both Chambers, and the President of the United States signed that into law.

We also enacted the Wounded Warriors Federal Leave Act, which I also think will make a positive difference for our veterans.

And then, of course, about 18 months ago we enacted the VA's most sweeping reform of the VA, arguably, in our lifetime. Now, we are still in the throes of implementing that, so we haven't seen the full effect, but the intent of which is to address what Congresswoman SINEMA was addressing moments ago, and that was the backlogs at the VA.

We have enacted legislation that I believe will ultimately, when it is fully implemented, over time, help reduce those backlogs, bring better quality care and more accountability to our VA.

I want to also mention that, while these aforementioned bills are now law, we passed on this floor a bill a couple of months ago that I think will also make a significant difference and it will help the mental health of all Americans: TIM MURPHY's bill on mental health that is now over in the Senate. And I think that will have a contributing effect to our veterans.

So while there is an accounting of the actions we have taken to date, there is still much more to be done. And let me begin by saying that, after all these efforts, only a third of the veterans who are eligible to enroll in the VA are presently signed up.

□ 1930

We have to do better than that. I think we need public service, we need leadership by example, and we need a whole series of efforts to reach out to our veterans to get them into this community of care. In part, some of it is going to have to come from confidence in the VA, which we need to improve. So we recognize that while we have the Veterans Administration and we are trying to improve it, we are working hard on that, we also need to try to inspire to get more vets to use it.

I will also say that my assessment is, as I mentioned, having served on Active Duty and now on this side on retirement, I think the peer-to-peer programs are critically important because we have a number of programs to help. As I mentioned, my wife is participating in one of them with the therapy helping.

The fact of the matter is that if a veteran is in crisis in the dark of the night, and we have no way of reaching out to him, we could lose him, regardless of what programs we have.

So these peer-to-peer efforts, which there are some now, some pilot programs and some important ones that are going on—we have one in New York State. I heard Congresswoman SINEMA talking about a program they have in Arizona. In New York State, we have a peer-to-peer program actually started by one of our colleagues here now, LEE ZELDIN from Long Island. When he was serving in the State Senate, he coauthored a bill that became law in our State that has been helping with peer to peer. I think this is critically important that we have this camaraderie and that we have this capacity that reaches out so that veterans know they are never alone.

In the Army, we had a program that we called the Ranger Buddy program, or it is sometimes called the Airborne Buddy, or sometimes just the plain Soldier Buddy. But the point is that for moments of ideations, the darkest of ideations, we need to have that support that will then lend itself to a transition to the other programs we have at the VA and other places in the light of day.

I am going to close with this: while we need to do more to help with the physical condition for our veterans, to help them heal, and to also work their mental health, to support that and improve that. I firmly this: One of the things that rallies all servicemembers is a real sense of mission, the notion that what they are doing is certainly greater than themselves. They are helping to protect an exceptional way of life, and that is such a source of pride for our servicemen and -women. When they make the transition, sometimes that is not even fully cognizant for our servicemen and -women. They have appreciation for it, but sometimes it really takes the separation of years to recognize how significant that moment in their life was, that period of time in their life.

So for some veterans, when they get home, they miss this, that sense of camaraderie, that sense of cohesion, and that sense of purpose that goes with dedicating a life to a cause.

So as we work on improving the physical health and the mental health of our veterans, I would also say that it is important that we help veterans find that cause in their civilian life in any capacity, whether it is helping out

with other wounded veterans, helping in schools, helping senior citizens, or helping the Scouts. In any capacity, it is getting that sense of mission back again. I think that has got to be key to all these programs.

I want to close by just thanking, again, Congresswoman SINEMA. I thank the gentlewoman for her great leadership on this. Let us all go forward dedicated to continuing to work on this issue and find ways where we can come together to make a difference.

Ms. SINEMA. Mr. Speaker, I thank Representative GIBSON for his words. I thank the gentleman for his service to our country. I thank especially the gentleman's wife. As a fellow social worker, I thank her for her work serving veterans.

I thank Representative HILL for joining us this evening.

Mr. Speaker, I yield to my colleague from Arkansas, FRENCH HILL.

Mr. HILL. I thank the Congresswoman from Arizona, my distinguished colleague on the House Financial Services Committee. I thank the gentlewoman for calling attention to all the Members in the House in this hallowed Chamber on this very, very important topic. So I thank the gentlewoman for inviting us to share.

Mr. Speaker, in 2013, a documentary about the Veterans Crisis Line aired on HBO. Winning an Academy Award for Best Short Subject Documentary in 2015, "Crisis Hotline: Veterans Press 1" highlighted the suicide crisis that we are talking about here tonight. It talked about the crisis that is facing our Nation's veterans and the men and women who are employed by the hotline that have devoted their time and their expertise in listening to our veterans and trying to aid them in their moment of crisis. Too many times, these calls are ones of last resort, with our veterans having nowhere else to turn and no one else to help them.

Over the years, we have continued to hear of the tragic crisis facing our veterans who continue to suffer from the invisible wounds of war that wreak havoc on their minds, destroy families, and, sadly, claim the lives of an average of some 20 veterans every day.

Arkansas' Second Congressional District is home to many of our brave veterans from the conflicts of our country. Many servicemembers currently who serve at Little Rock Air Force Base and at Camp Robinson and our veterans in central Arkansas are fortunate to have one of the top facilities in the entire country when it comes to treating mental health issues.

The Towbin Healthcare Center, more commonly known as Fort Roots, located in north Little Rock, Arkansas, provides our local veterans with mental health care facilities and services that have received national attention on "60 Minutes." The doctors at Fort Roots, their innovation, their success

with post-traumatic stress disorder, and their treatments have gotten that kind of national recognition. The management, the doctors, and the rank-and-file employees work tirelessly to give our veterans suffering from PTSD and traumatic brain injury a chance for rehabilitation and for getting back and getting on with their lives and their families.

The Central Arkansas Veterans Mental Health Council has also partnered with veterans, their families, and the central Arkansas community to help address this ongoing crisis and better help serve the mental health needs of our Arkansas veterans.

In Congress, we are working together on a bipartisan basis to enact policies that help our veterans and reform our mental health care system. Last year, the House passed with bipartisan support and the President signed into law the Clay Hunt SAV Act to increase access to mental health care for veterans and ensure the accountability of our Federal agencies in providing essential suicide prevention services.

The bill's namesake, a marine veteran from Houston, Texas, who served in Iraq and Afghanistan, Clay Hunt took his own life at the age of 28 in 2011, after a years-long struggle with PTSD that he had suffered as a result of his brave service to our country.

We are also working to better address the mental health needs of our entire country through the passage of the Helping Families In Mental Health Crisis Act, which was on the House floor earlier this summer. This landmark bill, introduced by our colleague, Representative MURPHY from Pennsylvania, was cosponsored by over 200 bipartisan Members of the House and addresses our seriously outdated mental health care system by refocusing and retooling our mental health programs, clarifying our privacy laws to ensure healthcare professionals can communicate with caregivers, and addressing the shortages in our mental health workforce and treatment facilities.

In the debate on that bill, it was stunning to learn that in the mid-1970s we had some half a million mental healthcare beds in this country, and now we have some 50,000. It is sad to hear the stories of parents of adult children who have lost them because of the lack of communication and the lack of service in some of our States in mental health. I commend Congressman MURPHY for helping lead and build a major bipartisan coalition on this important topic.

But all of us together—and I again thank the Congresswoman from Arizona—we all must work together and continue to move forward with thoughtful and effective legislation on the issue of mental health and mental health access and do what we can to save the lives of our veterans and reverse this deadly trend of suicides.

I am proud to join my colleagues this evening to discuss this important matter, and I am committed to ensuring that all of our veterans, our servicemembers, and their families receive the care and information they need to prevent suicide and help them heal and recover from these invisible wounds of war.

Mr. Speaker, I thank Chairwoman SINEMA for this time. I thank the gentlewoman for the opportunity to share this part of the evening with her, and I commend the gentlewoman for her leadership.

Ms. SINEMA. Mr. Speaker, I thank Congressman HILL for joining us and his leadership in the Congress on mental health and veterans issues.

Mr. Speaker, I yield to my colleague from California, SCOTT PETERS, who currently represents Howard and Jean Somers whom I was speaking about earlier. I thank the gentleman for being here.

Mr. PETERS. Mr. Speaker, I thank Congresswoman SINEMA for organizing this bipartisan gathering to raise awareness about the suicide epidemic plaguing our veterans community and for the gentlewoman's leadership on this important cause.

San Diego is home to the third largest population of veterans in the Nation. Every year, roughly half of the servicemembers stationed in San Diego are discharged and stay in the region after they leave service. With more than 236,000 residing in San Diego County, honoring our commitment to veterans—the benefits they earned through their service—is one of the most important jobs we have in Congress, and I think folks are recognizing that here tonight.

During Suicide Prevention Month, we turn our focus to ending the awful reality of veteran suicide that has hurt families and communities across the country. Every day, 20 veterans tragically take their own lives. Regardless of the number or rates, every veteran suicide is one too many. But there is much more we can do.

Mental health issues are still stigmatized in our country, but it is time we recognized the unique challenges faced by servicemembers and veterans in this regard. Post-traumatic stress is all too prevalent among our warfighters when they return home. We don't call it a disorder because it is often a perfectly natural reaction to the horrors that they have seen and the difficulties they have experienced. So we have to come together as a nation to address this issue. Our men and women in uniform deserve our dedication, just as they dedicated their lives to serving our Nation.

In San Diego, we are taking some innovative and collaborative approaches to addressing veteran suicide by combining government, private groups, and community partners. Since 2014,

zero8hundred has helped local veterans transition from Active Duty to civilian life. This community-based nonprofit connects with servicemembers before they leave the military, and it makes sure that they know about the abundant services and community resources available to them as they transition themselves into new jobs and into new lives.

Courage to Call is another San Diego resource, a 24/7 helpline completely staffed by veterans ready to speak with Active Duty military, reservists, Guard members, and fellow vets to help them navigate challenges that come with life in and after the service.

In war, servicemembers depend on one another for guidance and support, and they should have that same support as civilians. This service was started in San Diego by 2-1-1, a local public-private partnership, a nexus to connect community resources with the individuals that can take advantage of them. It is a perfect example of how providing a central portal for benefits, employment, and housing help simplify the process and get veterans the benefits that they earn.

We also have medical centers that use innovative models of care to meet the needs of our servicemembers and veterans. I hope we can implement some of these same standards of care across the country. But that is not possible unless we come together—come together as leaders—and pass bipartisan reforms to veterans care.

As Congresswoman SINEMA has mentioned, she and I have had the honor of working with Dr. Howard and Jean Somers, who have been tireless advocates for reforming the broken healthcare system at the Department of Veterans Affairs after they lost their son, Daniel, to suicide in 2013.

While it is not perfect, and we have a lot of implementation steps to take, the Veterans Choice Act and the Veterans Accountability Act that we debated earlier tonight will help bring accountability to a system wrought with oversight and leadership challenges.

We also need to provide more flexible treatment options like telehealth technologies that allow veterans to receive care from the comfort of their homes.

Finally, and I think maybe most importantly, we need to break the stigma of mental health issues once and for all. We know how difficult it has been to deal with the veterans who come to the VA for care, but there is a great number who never touch the VA who suffer in loneliness at home and have never connected with the VA even with a phone call, and they take their lives before they even make the attempt.

□ 1945

We need to do a better job of outreach to those folks to make sure that they know that they have the support

of the veterans community and the larger community at home.

We have to treat these unseen battle scars with the same gravity and respect as the visible ones. We owe it to our Nation's heroes to end the tragedy of veteran suicide. This is a conversation I am proud to be a part of. I am committed to constructive results.

Mr. Speaker, I want to thank Ms. SINEMA again for her leadership on this and for organizing this evening.

Ms. SINEMA. Mr. Speaker, I thank Congressman PETERS, and I thank him for his willingness to work tirelessly with me and with others on the issues that we know affect not just Howard and Jean and their son Daniel, but many other veterans around the country.

Mr. Speaker, I yield to the gentleman from Florida (Mr. YOHIO), who is joining us for the fourth year in a row. I thank him so much for being here.

Mr. YOHIO. Mr. Speaker, I thank Ms. SINEMA for putting this on for 4 years in a row because this is such an important topic that we all need to be engaged in as a nation. Mr. Speaker, as Ms. SINEMA and I came in together, she has hosted this Special Order, and I thank her for calling it to the attention of America.

Last year, I remember we stood here on the House floor talking about 22 suicides per day, but the current figures say 20. I would like to think that part of that reason for a decrease in that is the effort that she has inspired people to be more aware of this issue. And I hope that the veterans out there, the people in trouble, are watching C-SPAN tonight and they are watching this presentation, this talk that is coming out of the heart of so many Members of Congress talking about this very important issue and letting them know that we are here and that we are aware of this.

September is National Suicide Prevention Month. As a country, we need to use this platform to make it a national priority every hour, every day, every month of the year. With a reduction of two suicides per day, that is a great thing, but 20 is way too many.

Suicide is among the top 10 leading causes of death in the United States. I urge all Americans to take the time to learn the warning signs and where to find help for someone who may be struggling. From the brilliant comedian Robin Williams, to bullied young kids, to the brave men and women of our Nation's military returning from the battlefield, suicide does not discriminate. Emotional pain and despair can set in and take root in the mind of all ages and across all demographics.

We are focusing on our military because of the liberties and freedoms we experience in this country every day. I am shameful to admit that I take those for granted at times. But we only have those liberties and freedoms from the

sacrifice, dedication, and commitment of the people that are willing to lay everything on the line for this country, along with their spouses, their children, and their family.

Too many times, the signs of suicide go undetected, which leave those left behind asking: Why did this happen? What could we have done to help prevent this tragedy?

I had a dear friend of mine who had committed suicide. I grew up with him. I saw him reach out, and in a busy world, we are all consumed. I feel guilty not putting a hand in there to do more to prevent that. I know his family has suffered, I know the people around him have suffered, and I know there is a void in my life that will never be refilled. I often wonder: Had I reached out, would things have been different?

Often, the signs, as I said, go undetected, which leave those asking: Why did this happen?

We can work beyond that. It is so important that we have an open and honest dialogue about the issue of suicide. The more we talk about it, the more we increase people's awareness that there is help and there are alternatives.

Today, a disproportionate amount of our Nation's veterans are falling victim to suicide. After all they have given to this country, it is tragic and unacceptable that our Nation's veterans often suffer alone until it is too late for those around them to help. Sometimes it is out of pride, sometimes it is out of fear, but they don't want to reach out.

As my colleague FRENCH HILL pointed out, at one point in time in this country, there were over 500,000 beds in mental health facilities, and we are down to 50,000. I applaud the work of this Congress and Dr. MURPHY, TIM MURPHY, for bringing this to the spotlight.

By shining a light on the veteran suicide issue, we as a nation start to understand the urgency with which we need to solve and prevent this epidemic that our veterans—not alone, but with their family and their friends—struggle with. Not recognizing the signs early enough all too often leads to that loss of life that if only we were aware of those conditions, those signs, and we reached out and we called, we let somebody know, we could have stopped that and saved a life, saved a family, and saved a veteran.

Our government asks our men and women to please place themselves in harm's way. We as a nation must come together to ensure a strong support system is in place to help them when they come home.

This begins with raising public awareness—like any campaign, if you don't have public awareness, if you don't bring this to the forefront, it stays in the shadows, and the condition

goes on and sometimes increases—and eliminating stigmas associated with seeking help. This means connecting combat veterans with mental health providers.

We heard the last speaker talking about telemedicine. That doesn't work for everybody; but for the person that doesn't want to go to a clinic or doesn't have access, it is a great way to go, and a lot of people prefer that. We see that over and over again.

This means additional mental health resources. Again, I am proud that this Congress passed that bill and that the President signed it. And this means prioritizing a change in our Nation's approach to recognizing the needs of others who may be suffering in silence, as I talked about my friend.

Congress and the VA are working to enact changes that will help save our soldiers, but we cannot do it alone, nor can they. It is the American people that will lead the way in changing the way society views, recognizes, and treats mental health conditions.

I saw this at a seminar, and this was so important to me. The mental health issue is not a partisan issue. We need to remove the stigma from mental health. Heck, look at other diseases. Many times it is a chemical imbalance, just like a disease like diabetes or hypothyroidism. You take a medication and you treat it. We don't stigmatize those, so why is there this stigma around mental health issues? It is going to be us as a society saying it is okay, we are here. The diseases aren't stigmatized, like I said, so why are mental health issues stigmatized?

To the men and women whose pain is yet to be known, I say to you I see you and I hear you. I acknowledge I may not feel what you are feeling, I may not feel your suffering, but I and others are here in the community offering our service and assistance in finding support and comfort in one another. It is together that we will survive. It is together that we survive as a nation. We need everybody involved in this.

I urge anyone who is suffering to reach out to those around you and ask for help. This does not mean you are weak or deficient. Asking for help often is the greatest sign of a warrior or of a leader, the enduring strength and perseverance you possess and that often so many times inspires others, so many times it inspires others often unwilling to reach out for help.

Whether it is out of fear, embarrassment, or humiliation, just know we are here and we welcome you home. My encouragement is that you call a local mental health clinic or your local VA or your Congress Member if you need to. We are here to help you. You are never alone. Your country depends on you, your spouse depends on you, your children depend on you, and we as a nation depend on you.

I thank my colleague again, for the fourth year. I look forward to doing

this with her next year so that when we report back, we are not at 22, we are not at 20, we are at 10. Ms. SINEMA and I, this Congress, and our Nation can do that. God bless you.

Ms. SINEMA. Mr. Speaker, I thank Congressman YOH. It has been an honor to continue working on this issue with him.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. YOUNG). We co-chair a task force together to combat identity theft and fraud, and it has been wonderful to work together on that issue. I am so grateful to continue working together with him on the issue of mental health and preventing suicide for the brave veterans who serve our country.

Mr. YOUNG of Iowa. Mr. Speaker, I thank the gentlewoman from Arizona (Ms. SINEMA). I appreciate our working relationship on this issue and so many others.

According to the Department of Veterans Affairs, every day, as we know, and we hear it too often, 20 veterans take their lives. Mr. Speaker, this is simply unacceptable.

In April, an Iowa veteran called the VA Veterans Crisis Line, the confidential, toll-free hotline providing 24-hour support for our veterans seeking crisis assistance. This veteran was having a rough day. This veteran needed help.

As the veteran sought the help he desperately needed, the phone kept ringing and ringing and ringing. He tried again. But the only answer was: "All circuits are busy. Try your call later."

This hotline designed to provide essential support for veterans and their families and friends let him down. This heartbreaking story is tragically true. It is not unique, though. Thankfully, this veteran was able to contact a friend who got him the help he was seeking.

In 2014, a number of complaints about missed or unanswered calls, unresponsive staff, as well as inappropriate and delayed responses to veterans in crisis, prompted the VA Office of the Inspector General and the Government Accountability Office to conduct an investigation into the Veterans Crisis Line.

Both investigations found gaps in the quality assurance process and provided a number of recommendations to address the quality, responsiveness, and performance of the Veterans Crisis Line and the mental health care provided to our veterans.

Despite promises by the VA to implement changes to address problems facing veterans who use this crisis line, these problems are still happening. They happened to constituents in the district I am privileged to represent, and they are, without a doubt, happening in the districts of my colleagues.

Veterans deserve more. They deserve quality, effective mental health care. A

veteran in need cannot wait for help. Any incident where a veteran has trouble with the Veterans Crisis Line is simply unacceptable. How did we let this go on?

The Iowa veteran's experience that Saturday evening in April has troubled me. His experience is why I have been working on a bill in a bipartisan manner which upholds the promises our country has made to our veterans.

My bill, the bipartisan bill, the No Veterans Crisis Line Call Should Go Unanswered Act, H.R. 5392, requires the VA to create and implement documented plans to improve responsiveness and performance of the crisis line. It is an important step to ensure our veterans have access to the mental health resources they need and they deserve. The unacceptable fact is, while these quality standards should already be in place, they are not. They are not in place, and they should be.

My bill does not duplicate existing standards or slow care for veterans. Instead, my bipartisan bill puts in place requirements aligning with recommendations made by government accountability organizations to improve the Veterans Crisis Line.

My bill requires the VA to develop and implement a quality assurance process to address responsiveness and performance of the Veterans Crisis Line and backup call centers, and a timeline of when objectives will be reached.

It also directs the VA to create a plan to ensure any communication to the Veterans Crisis Line or backup call center is answered in a timely manner, by a live person, and to document the improvements they make, providing those plans to Congress within 180 days of the enactment of this bill. We cannot wait any longer. We cannot wait any longer.

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Our bipartisan bill would help the VA deliver quality mental health care to veterans in need.

Iowa veterans and all veterans have faced enormous pressures, mental and emotional war wounds, sacrificed personal and professional gains, and experienced dangerous conditions in service to our Nation. Many are returning home with post-traumatic stress disorder and other unique needs which require counseling and mental health support. We should thank them for their service, but thanking them is not enough. They deserve better. That is why I have introduced, with bipartisan support, this bill to honor and thank our veterans and let them know America supports them. Our veterans answered our Nation's call, and we shouldn't leave them waiting on the line.

I thank the leadership of my colleague, Ms. SINEMA of Arizona, for taking the time to bring attention to this

important issue, and all our other colleagues here on both sides of the aisle.

Ms. SINEMA. I thank Congressman YOUNG for joining us this evening.

Mr. Speaker, I would like to take the time to yield to another speaker in this bipartisan Special Order hour, a colleague of mine who has served our country ably.

Congressman DOUG COLLINS of Georgia served a combat tour in Iraq in 2008, and he currently serves as an Air Force Reserve chaplain. I am very grateful that he has taken the time to join us this evening to talk about the unfortunate continuing problem of veteran suicide and our work to provide mental health care for them in this country.

Mr. Speaker, I thank Congressman COLLINS for being here.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate my colleague from Arizona (Ms. SINEMA) for doing this. It is really something that we need to highlight more.

I am glad to be here tonight. I had forgotten that this was the night you were going to be here. I have something that we are going to be talking about here in a little bit, but this is perfect timing for it because it is so important.

The issues that we deal with and the seriousness of this topic is the stigma. And still being in the Air Force and looking at how the military has dealt with this issue is something that is frustrating for those of us who do it all the time.

I was in the Navy for a short time. I got out for a little bit. I went back in the Air Force. And in my 15, 16 years in the military, we have been through, like, four different programs on how to help servicemembers with suicide.

The bottom line is that we don't need more courses. We need just more care for our airmen and our soldiers and our sailors, and looking at it from a perspective of caring about the other person. It is not a course; it is caring. It is looking at signs and knowing that there are people who are out there hurting, but also taking an account of what I have heard many of the speakers tonight talk about, and that is the issue of mental health.

My daughter, who I love dearly, has spina bifida. She cannot walk. She has not walked at all since birth. She is paralyzed from the waist down. If she was to roll in here tonight or to roll anywhere, one of the first things that we see so many times is that people react with sympathy a little bit toward Jordan. She is in a wheelchair, and it is sort of natural. When you see somebody with a handicap or something that is not normal, Mr. Speaker, they react with sympathy.

But my question is: What is the difference in someone who has a visible need, if you would, and the reaction that we get when someone says, My mind is hurting?

Sympathy doesn't come many times then. We believe you can just shake it off and move on.

Mental health is an issue that is not just shake off and move on. It is something that, if someone comes to us and says, I am struggling, I am depressed, or I have these problems, that we reach out in loving kindness, just as we would to a sweet young lady who happens to roll in life and not walk, my daughter.

When we reach out in love, when we reach out in compassion, we begin to break the darkness of those who are contemplating suicide.

In studies of those who have thought about suicide or attempted suicide, their question to them was: What was it like the moment that you were thinking about this or when you were struggling with it?

I have heard so many people share their own personal feelings, but one person stuck out to me. They said that they felt like they were sort of in blinders on all sides and all they saw was, like, a billboard that said: You have no hope.

That is all they saw.

It is our job as human beings—not partisan, not Republican, Democrat, politician, nonpolitician—it is our job as human beings to look at each other as we say and believe that every life is a gift from God. And if every life, I believe, is a gift from God, then every life has value. And no matter what the situation may be, we are to respond in love.

So tonight I thank the gentlewoman for taking this time, just a moment, as we share. There are a lot of bills, a lot of solutions, a lot of things that we could come to. But I think the greatest thing that we can have in a time when we think about suicide, we think about our veterans, we think about those in our lives who may be struggling with mental health and other problems, is to simply look for those what I call the unexpected times when you are ready to go do something and something interrupts you, what I call sometimes maybe the divine interruption. Those times when somebody that you haven't thought about in a while comes to your mind, that time when a coworker or a friend comes to you and says: You know, I am not feeling right. Instead of rushing through our day and going to the next meeting and going to the next place, Mr. Speaker, maybe we just need to stop and say: How about a cup of coffee? How about a glass of water? How about I just sit here and let's talk about it? Because when we can break the tunnel vision that there is no hope, if you can begin to chip at that tunnel, then the light will come in, and they will see that others care. To me, that is the greatest call of our humanity, is to show love for others.

For one to take their own life because they believe they are unloved is

a situation that we all need to fight against, and I am thankful to have the opportunity to highlight that tonight.

Ms. SINEMA. I thank Congressman COLLINS so much.

Mr. Speaker, how much time do I have left remaining?

The SPEAKER pro tempore (Mr. CARTER of Georgia). The gentlewoman from Arizona has 10 minutes remaining.

Ms. SINEMA. Mr. Speaker, I need to tell a story about another young man in my district, Carl McLaughlin, a 38-year-old Army veteran who died from suicide on December 19, 2013. Carl had been stationed in Bosnia, and he was released from the Army on a medical discharge in 2004.

Starting in 2006, Carl went to the Phoenix VA for treatment. But as time went on, it became increasingly difficult for Carl to see his doctor. And according to his mom, Terry, at the time of his death, Carl was waiting to hear back from the Phoenix VA to have his medications adjusted and to see his doctor. He suffered from recurring pain caused by a shoulder injury, severe hearing loss, depression, and PTSD; and his depression worsened over time.

Terry, Carl's mom, told us, and I quote:

The last time I saw Carl was a few days before his death. He looked really depressed, and I asked him if he had a doctor's appointment scheduled because I knew he had been waiting over 4 weeks for a call back from the doctor's office.

He said, No, he was still waiting.

He called them the next day six times and left three messages and was put on hold, and then hung up on three times.

This problem had been going on for at least 1 to 2 years, that I was aware of.

Mr. Speaker, no veteran should be turned away when he or she reaches out for help.

Terry asked us to share her son's story in the hope that this tragedy doesn't happen to another family. And I pledge to Terry and to Howard and Jean that we will continue working to hold the VA accountable and ensure that all veterans have access to the highest quality care.

I yield to the gentleman from Iowa (Mr. LOEBSACK).

I thank the Congressman for being here.

Mr. LOEBSACK. I thank my friend from Arizona.

Mr. Speaker, I wasn't going to speak tonight; but after listening to so many folks, I decided to say just a few words. I do want to leave most of the time left for my friend, Mr. MURPHY of Pennsylvania, who has been a leader on the mental health front. But I do want to say a couple of things on this issue.

Mental health is a really, really important issue to me as it is to so many

folks in this body and around the country.

I often talk about my mom. She was a single parent with an 11th grade education who struggled with mental illness. Her whole adult life, she was in and out of institutions. This is personal for me.

My wife Terry and I, we have two Marine children. My stepson, Terry's son, and his wife are Active Duty at Camp Pendleton. They have a couple of little kids. We do what we can to help them on that front.

We had a recent suicide in Iowa City at the VA Medical Center, and we are struggling with how to deal with that as a community and I think as a country overall. The Office of the Inspector General is now looking into the circumstances of that suicide.

On Sunday, on 9/11, we had an event that I was honored to attend in honor of Sergeant Ketchum and his family in an attempt to raise money so that we can deal with the issue of PTSD in the military. But it is a much broader issue, obviously—the issue of mental health—that affects all of our society in many, many ways; and Congressman MURPHY can speak to that probably as well as anybody in this body.

But the bottom line for me, folks—and I have often said this—is that if I accomplish little else while I am in this body other than doing what I can to remove the stigma of mental health, that is going to be one of my accomplishments. I am going to do that by talking about my personal story. I am going to do that by talking about veterans who have taken their own lives, folks who signed on the bottom line and were willing to make that ultimate sacrifice. There is no excuse for this. This should not happen in America.

We have to find the resources on a bipartisan basis to make sure that this never happens again to any of our veterans under any circumstances.

Mr. Speaker, I thank the gentlewoman for yielding. I really appreciate the opportunity to say a few words.

Ms. SINEMA. Mr. Speaker, I thank the Congressman so much.

I yield to the gentleman from Pennsylvania (Mr. MURPHY) who is a psychologist, serves the Navy, and helps veterans at Walter Reed and other locations.

Congressman MURPHY, we have been talking about your bill this evening, the Helping Families in Mental Health Crisis Act, of which we are all strongly supportive. As a cosponsor, I thank you for that work, and thank you for joining us this evening.

Mr. MURPHY of Pennsylvania. Mr. Speaker, how much time is left?

The SPEAKER pro tempore. The gentlewoman from Arizona has 5 minutes remaining.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I thank the gentlewoman for her Special Order tonight.

The Helping Families in Mental Health Crisis bill is something the House passed 422-2, and I sure hope the Senate takes it up. I keep hearing they may think they don't have time. But I don't know how we tell a family that has lost someone to suicide—whether it be a civilian or a soldier—that the Senate didn't have time and they went home.

Since September 1, the first day of National Suicide Prevention Month, so far this month, 1,416 Americans have died by suicide, including 240 veterans. That is 118 people a day, 22 veterans a day. That also means that every 12 minutes, a person dies by suicide; one veteran every hour. That also means that every hour, a new family is grieving, or every 13 minutes, a new family is grieving on something we hope we could have prevented. And certainly H.R. 2646 will have many things in there to prevent many deaths.

I want to read a story about one veteran to convey the struggle he had. This is Sergeant Daniel Somers who bravely served under Operation Iraqi Freedom. When he returned home, he had PTSD pretty significantly and depression and traumatic brain injury. He was 30 years old.

His parents gave me permission to share his letter where he said:

"I am sorry that it has come to this. "The fact is, for as long as I can remember, my motivation for getting up every day has been so that you would not have to bury me. As things have continued to get worse, it has become clear that this alone is not a sufficient reason to carry on. The fact is, I am not getting better, I am not going to get better, and I will most certainly deteriorate further as time goes on. From a logical standpoint, it is better to simply end things quickly and let any repercussions from that play out in the short term than to drag things out into the long term. . . . My body has become nothing but a cage, a source of pain and constant problems. . . . It is nothing short of torture. My mind is a wasteland, filled with visions of incredible horror, unceasing depression, and crippling anxiety."

Daniel couldn't get help, so he lost hope. It doesn't have to be that way. Whether you are a citizen or a family member or a soldier listening tonight, Mr. Speaker, I want them to know there is hope that depression is something we can treat, that anxiety is something we can treat, that people can and do get better.

Now, I, myself, have never seen the horrors of war through the scope of a combat rifle. I have had the opportunity to treat heroes at Walter Reed at the PTSD/TBI unit. They are a source of inspiration to me, particularly when I see them get better, when they come to grips with the horrors they have faced and somehow their heart turns to understand it is not

their fault. They are not to blame. Life is sometimes torturous, but there are tremendous positives that can come out of this when they come to grips with that, whether it is a sense of faith in God that has brought them to that level or just finally realizing that they have a choice between being a victim forever and always lying under the giant boulder of remorse and depression or becoming a survivor and moving forward and being strong despite what happened to them. Or a third choice is to become a thriver, saying, I will take my adversity and turn it into a source of strength instead of turning away from it and letting it be a source of depression.

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Mr. Speaker, my colleagues have spoken eloquently tonight about what we can do. It doesn't have to be that bad. So where there is a family member dealing with someone's depression and worry and anxiety or whatever the issue is, I would like to convey to them there are places they can get help.

Our job as Congressmen—and our levels of State government, too—is to make sure those sources are well funded, to make sure we have more psychiatrists, more psychologists, more psychiatric social workers, more hospital beds, and more veterans affairs departments that can treat them.

Perhaps the best message we can give people tonight is: where there is help, there is hope.

I hope the Senate passes this bill before this week is out.

Ms. SINEMA. Mr. Speaker, I thank my colleagues who joined us this evening. Our thoughts are with all the families who have lost a loved one to suicide.

Our efforts to end veterans suicide will not end this month. We are committed to continuing this fight to ensure that our veterans always know they have a place to turn.

We, who enjoy freedom every day thanks to the sacrifices of our military servicemen and servicewomen, must all step up to end the epidemic of veterans suicide.

I yield back the balance of my time.

Mrs. TORRES. Mr. Speaker, our Armed Forces sacrifice everything for us: their bodies, their minds and sometimes, their lives.

To those who return, they far too often suffer in silence from the mental and physical wounds they endure in battle. Many times, that isolation leads to tragic outcomes.

As we commemorate Suicide Prevention Month, it is important that we focus on solving the challenges that lead many of our veterans to make the choice to take their own lives.

The numbers are staggering: 7400 veterans took their own lives in 2014, roughly 20 individuals a day.

The suicide rate among veterans has surged 35 percent since the beginning of the War on Terror, and 85 percent among our women veterans.

A veteran is 21 percent more likely to commit suicide than a civilian.

Mr. Speaker, we know the effects of PTSD on our servicemen and women; how almost one-fifth of veterans suffer from PTSD and how the illness is linked to increased suicidal behavior.

What is most troubling is that almost half of the veterans with PTSD do not seek treatment from the VA.

It is no surprise that 70 percent of veterans who commit suicide are not regular users of VA services. It is our obligation to ensure that we engage our veterans and let them know there is help available.

It is also incumbent on us to ensure this care is responsive to their individual needs.

Last year, we passed the Clay Hunt Suicide Prevention Act in honor of Marine Clay Hunt, a sufferer of PTSD who had trouble seeing a VA psychiatrist and tragically, took his own life.

This law is designed to save the lives of those like Clay by improving access to quality mental health care and coordinating VA suicide prevention efforts with private mental health organizations.

In the spirit of that law, I was happy to learn of the efforts of the VA Medical Center in Loma Linda, California, which serves thousands of veterans from my congressional district.

They are rolling out a pilot program that will integrate with community mental health providers in an attempt to reach the more than 170,000 veterans not registered with the Loma Linda VA.

Their example is encouraging, but funding is needed to make certain that no veteran is left behind.

In that same vein, Congress must fulfill our obligation to VA services such as the Veterans Crisis Line.

The Crisis Line has serviced some 2.3 million people and is credited with saving more than 50,000 lives. However, it has struggled to keep pace with increasing demand.

It was disheartening to hear that there are individuals who have called the Crisis Line only to be placed on hold, or have their calls transferred to voicemail, or simply unanswered.

We must provide the VA with the tools to adequately staff the call center and train their employees. Too much is at stake for Congress to shortchange this commitment.

Mr. Speaker, everyone in this chamber honors and respects the sacrifices of the world's greatest fighting force. Our servicemen and women defend our freedoms and protect our homeland at great personal cost.

When they return home, they deserve a nation that will look after them the way they look after us. I ask that my colleagues hold steadfast in reaffirming our commitment to our veterans.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to commemorate Suicide Prevention Month and to honor those of our veterans who tragically took their own lives after bravely fighting to protect ours.

These courageous men and women fought valiantly so the rest of us could enjoy the freedoms and liberties secured by our forefathers. We must honor their dedication and sacrifice

by supporting them through the physical, emotional, and psychological challenges they face upon returning home.

One veteran committing suicide is one too many, and with an estimated twenty veterans committing suicide each day, we must do better and ensure that our actions mirror the unwavering gratitude we feel in our hearts. We must ensure they are welcomed home with the respect, dignity and support they deserve, and that we address the mental health issues of each veterans population with careful consideration to their unique needs.

It is with a heavy heart that I recognize Suicide Prevention Month and urge every Member of Congress to honor our veterans with actions that reflect our nation's eternal gratitude for their service.

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to mark Suicide Prevention Month and to join with my colleagues in helping to raise awareness of—and combat—the staggering rate of suicide among our veteran population.

The men and women of our military make tremendous, selfless sacrifices on behalf of each and every American. As a result, many veterans return from service with physical and/or invisible wounds and a disturbingly high number are taking their own lives.

In July, the VA released the most comprehensive study analyzing suicide among our veteran population to date, reviewing 55 million veterans' records since 1979. It showed that every day an estimated 20 veterans commit suicide. This number is tragic beyond words, unacceptable and numbing.

Mr. Speaker, we are in the midst of what can only be described as a staggering mental health crisis costing the lives of 20 of our nation's heroes every day. Too many veterans are being left behind and too many families are left with the pain and anguish of losing a loved one. Often times, family members witness the veteran struggling but the VA refuses to take their observations into account.

As the son of a WW2 combat veteran, I have witnessed the residual wounds of war, the struggle to cope with the post-traumatic stress that can continue for decades and the pain that a lack of access to services can cause for veterans and their families.

This Congress, we have passed legislation to give the VA additional tools and give veterans key support, including the Clay Hunt Suicide Prevention for American Veterans Act (P.L. 114–2), which targeted the gaps in the VA's mental health and suicide prevention efforts; and the Female Veteran Suicide Prevention Act (P.L. 114–188), which is intended to prod the VA to take into account the complex causes and factors that are driving the disproportionately high suicide rate among women veterans and use that information when designing suicide prevention programs.

The Comprehensive Addiction and Recovery Act (P.L. 114–198) included provisions to direct the VA to take several actions to expand opioid safety initiatives that help prevent veterans from becoming opioid abusers. As a recent Frontline investigation entitled "Chasing Heroin" summarized: "Veterans face a double-edged threat: Untreated chronic pain can increase the risk of suicide, but poorly managed opioid regimens can also be fatal."

The VA must do better: they cannot simply dole out drugs, as we saw in Tomah. It is a dereliction of duty for VA medical staff charged with the sacred task of caring for our nation's veterans and this law will help ensure proper management and controls are in place when the VA treats a veteran's chronic pain.

The VA does have a number of suicide prevention programs that can be a resource for veterans, servicemembers, their families and loved ones, including and especially the Veterans Crisis Hotline. Any veteran in danger of self-harm or suicide can call, 24 hours a day. It is anonymous and confidential. It is staffed by trained professionals who will "work with you to reduce the immediate risk, help you get through the crisis, make sure you are safe, and help you to connect with the right services."

We have an obligation to repay the debt we owe to those who have fought in defense of our nation and a sacred duty to ensure that we do everything in our power to get our vets the physical and psychological support they need.

This year's Suicide Prevention Month theme is 'Be There.' During the darkest hours in our history, the men and women who serve in uniform have always been there to answer the call. We can and must do better to be there for them.

COMMUNITY PHARMACISTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, before I begin, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, well, we are back at it tonight. We are going to be going at a subject that I have been down here before on and will continue to come down here on until, frankly, I believe that we are moving forward with this issue that affects pretty much every hometown of every Congressman here. It is amazing, though, how much we don't know about it. It is amazing how much it goes unreported and how much it gets looked over.

In the sake of the shiny object of savings, our community pharmacists, our independent pharmacists, are being basically run out of business. Mr. Speaker, I don't tell you anything new.

For my friends who will join me here tonight, this is about hometown America. This is about the healthcare chain that we all talk about. And a forgotten element of that healthcare chain is something that we need to focus on.

Community pharmacists fill an important niche in our healthcare system, serving as the primary healthcare provider for over 62 million Americans. They dispense roughly 40 percent of the prescriptions nationwide and a higher percentage in rural areas, especially mine in northeast Georgia.

Community pharmacists play such an important role in our healthcare system by being that accessible voice at the other end of the phone or at the counter, just being there sometimes to answer those simple questions that are very important to somebody, or to answer the difficult questions that could, frankly, mean the life or death for that patient, knowing how to take their medication, knowing what to get and how to be there and be a part of the community, not just at the pharmacy, but at the ball fields and the community. Some of the best small business employees that we have in our communities are found in our community pharmacies.

When we look at the relationship that communities have with their pharmacies, and especially our community pharmacists, the face-to-face counseling and the work that goes into our community pharmacies, and pharmacists mainly in general, is something that we need to continue to focus on.

Patients' failure to properly take their medication regimen costs the healthcare system nearly \$300 billion and contributes to 125,000 deaths each year. The face-to-face counseling that our community pharmacists give is the most important and the most effective way for ensuring that our patients take the right medicine, know what they are taking, and why they take it.

Yet, as I stated before and state here again on the floor tonight, there is a group that believes that our community pharmacists—really frankly if you just look at it—shouldn't exist. Because everything they are doing, the pharmacy benefit manager, the PBM, that middle person—I want to show you this. We are going to talk about this chart more here as we go—but the PBMs control the pharmacy system right now. In fact, if you just take the PPM here in the middle and you look at employers and you look at patients and you look at the pharmaceutical companies and you look at the pharmacies, they sort of circle around here.

We are going to talk about this "savings issue" and look at it and ask: Is it actually saving employers? Is it actually helping pharmaceutical companies get out products? More importantly, is it actually helping the patient?

I think tonight you are going to find out that there are a lot of questions to be had here. We will talk about that as we go forward.

As we look at this, we have a lot of things that my friends tonight are here to talk about. We are going to talk

about MAC transparency. We are going to talk about generics. We are going to talk about the way this goes, but we are also going to talk about really what I believe is the unfair tactics used by PBMs that are constantly forcing our pharmacies and our community pharmacists out of business.

I think, at some point in time, many of the PBMs ought to change their mission in life into "saving" or being a part of the pharmaceutical system and say: our job is to run community pharmacists out of a job. They are the best I have ever seen at doing that.

In one of my small towns just 20 minutes from my house, in the past year, three community pharmacies have closed. Three. They are now in a small town being forced into choices they didn't want to have to make, into PBM-controlled pharmacies.

You see, PBMs, when they first started, had a good idea: How do we make sure that we get drugs and medications to pharmacies at a cheaper price so that the patients at the end save money and employers can save money?

Then PBMs decided that they wanted to be a part of all the system. They wanted to start owning pharmacies. They wanted to start owning the supply chain. They wanted to start being a part of it all. And when they did that then everybody else was competition.

I have said it before from here: The problems that we have—and Georgia pharmacists have talked about it, and we have talked about it as well—is when you have your competitors who are able to come in and audit you and they are able to fine you for clerical errors and keep you out of systems and out of payments and things that they give their own pharmacies, that is just wrong. It is wrong when they only come in and audit the name brands and leave the generics behind.

For some of you, if you are watching, if you are thinking about it and hearing my voice for the first time, you are maybe saying: Well, that is okay. They are making sure systems are safe.

PBMs are not auditing pharmacies to make sure they are safe. They are auditing pharmacies to make money because they are going to withhold the cost of the drug from the pharmacist. In other words, if they make a clerical error and the drug costs \$100, let's just say, they don't take their profit. They don't take the margin. They take the entire \$100 back. I wish I had a racket set up that good.

The sad part about that whole statement there is, at the end of the day, Joe or Suzy or Bob or Bill or whoever came and got their prescription knew nothing about this "error." All they knew is the pharmacist filled the prescription that the doctor had ordered, and they went home and took their medicine and got better.

Yet, on this other end, PBMs are trying to destroy an industry and a group

of people who mean so much to our communities. So tonight we are going to talk about it. We are going to talk about it some more, and we are going to keep bringing attention to this until the light is fully shined on this.

Tonight, as we get ready to talk about it, a gentleman who has been such a friend to us as we have been doing these, Representative LOEBSACK, is here tonight. It is good to share the stage again with him because this is something that needs to be discussed. It needs to be hammered home until every Member of the House and Senate understand this and we find a workable solution.

I yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I thank the gentleman from Georgia (Mr. COLLINS) for inviting me to join him in leading this Special Order. I have been in this job long enough to know there are people you don't want to follow when you speak, and DOUG COLLINS is one of those. The guy is absolutely inspired, but he is inspired for a lot of reasons.

He has been a strong leader on pharmacy issues. He has been a great partner on the bills that we will discuss this evening. I am proud to say this is a bipartisan issue. Although, at the moment, I am the only Democrat over here, I can assure you there are others who are with us on this issue.

Mr. COLLINS of Georgia. Well, bring them on.

I yield to the gentleman from Iowa.

Mr. LOEBSACK. Mr. Speaker, we have been able to find a consensus on this, too, among this bipartisan group of folks.

As my good friend said: Pharmacists across the country serve as the first line, really, of healthcare services for many patients, especially in small towns in Iowa and around the country. People count on pharmacists' training and expertise to stay healthy and informed and maybe, most importantly, to stay out of urgent care centers and hospitals, something we all want to see happen.

I am proud to stand here today with my colleagues to recognize the quality, affordable, and personal care that pharmacists provide every day.

Community pharmacists and their pharmacies are also a great source of economic growth in rural communities, like those in my district in Iowa. I have 24 counties. It is a big area. And when a pharmacy is under pressure economically, the community knows it and hears about it. And if they have to close, the community suffers as a result.

As a member of the Small Business Caucus, I recognize how challenging it can be for some small pharmacists to compete with bigger companies. I appreciate their hard work to serve our communities every day.

Like most small-business owners, community pharmacists face many challenges to compete and negotiate on a day-to-day basis with large entities in their business transactions. I frequently visit with community pharmacists in my district, and I have heard directly from them how hard they have to fight to compete on a level playing field that isn't always level for smaller pharmacies. So it is not really a level playing field.

One pressing challenge facing many community pharmacists, as was already mentioned, is the ambiguity and the uncertainty surrounding the reimbursement of generic drugs. Of all things, it is the reimbursement of generic drugs.

Generic prescription drugs account for the vast majority of drugs dispensed by pharmacists, making transparency in reimbursement absolutely critical to the financial health of small pharmacies. However, pharmacists are reimbursed for generic drugs through maximum allowable cost, or MAC, a price list that outlines the upper limit or the maximum amount that an insurance plan will pay for a generic drug. And these lists are created, as was mentioned, by none other than the pharmacy benefit managers, or PBMs, the drug middlemen, if you will.

The methodology used to create these lists is not disclosed. Further, these lists are not updated on a regular basis, resulting in pharmacists being reimbursed below what it costs them actually to acquire the drugs. This is a major problem because, when PBMs aren't keeping the cost of generic drugs consistent, those price differentials can be a serious financial burden for pharmacies.

Small pharmacy owners face even greater disadvantages than their larger counterparts because of the clear lack of leverage they have when negotiating the amount they will be reimbursed for filling prescriptions when dealing with the PBMs.

When we talk about pharmacies closing because they can't keep up with the financial challenge, we are talking about the creation of an access problem also that directly affects patients. It is not just the pharmacies themselves closing down and those folks losing their jobs. It is the patients they serve.

When we talk about reimbursement uncertainty for pharmacies, we are talking about uncertainty about patients' ability to get the medications they need at an affordable price.

When we talked about a community pharmacist being put out of work, we are talking about taking away a familiar face that local folks trust with their healthcare concerns.

To address this problem—and Representative COLLINS is going to talk about this, and others are—I partnered with him to introduce H.R. 244, the

MAC Transparency Act. We have had actions along this line in the State of Iowa as well. We can do it at the Federal level if we can do it at the State level.

This bipartisan bill would ensure Federal health plan reimbursements to pharmacies to keep pace with generic drug prices, which can skyrocket overnight.

So specifically—and I know Mr. COLLINS is going to talk about this—it will do three things. It will provide pricing updates at least once every 7 days. It will force disclosure of the sources used to update the maximum allowable cost, or MAC, prices. Again, it is about transparency. It will require PBMs to notify pharmacies of any changes in individual drug prices before these prices can be used as the basis for reimbursement.

This is a commonsense bill, folks. It is about access. It is about making sure folks have access to their pharmaceuticals, to their drugs, and generic drugs in particular.

Another issue I would like to highlight is the problem of direct and indirect remuneration, or DIR fees. The Centers for Medicare and Medicaid Services, CMS, originally coined DIR fees as a means of assessing the impact on Medicare part D medication costs of drug rebates and other price adjustments applied to prescription drug plans.

However, DIR fees have increased greatly over the last year on pharmacies, and, if the pharmacy agrees to enter into a contract with a PBM or part D plan sponsor, it does not seem fair that these mediators can reduce the reimbursement rate since the contract has already been agreed to.

□ 2030

This gets a little bit complicated. I know other Members are going to be talking about this later on as well. There is just basically no transparency regarding how the fees are calculated.

There is another bill that I have signed on to. I applaud my colleagues, Representative MORGAN GRIFFITH, a Republican, and PETER WELCH, a Democrat, for introducing the Improving Transparency and Accuracy in Medicare Part D Spending Act. It would prohibit PBMs and plan sponsors who own PBMs from retroactively reducing reimbursement on clean claims submitted by pharmacies after the contract has been submitted. This is a scam, and it shouldn't be happening. I urge everyone, leadership, to bring this to us and everyone to vote for this bill and for our other bill.

I want to thank, again, Mr. COLLINS and the other Members who have been here tonight. It is a great opportunity for me to participate and highlight some problems that our community pharmacists are facing and then, ultimately, their patients, the folks they

serve as well. Those are the folks we are trying to look out for as best we can and trying to serve while we are here in this Congress. I thank Mr. COLLINS very much.

Mr. COLLINS of Georgia. Madam Speaker, Mr. LOEBSACK hit it. That last little part right there was dead-on. This is about the patient. This is about serving that patient who is used to that trust and faith, who understands it, and also really a part of that healthcare system that has been provided a long time that is now at risk of going away.

It is not too strong to say that if we do not look at this—and some say, well, this is a free market, let them go contract. Government is one of the biggest payers of this, and this is something we have got to get at.

In fact, something Mr. LOEBSACK brought up as I was listening to him talk, there was a study, TRICARE, in fact. In just a moment, I am going to introduce Mr. SCOTT here. He is from Georgia. He is on the Committee on Armed Services. He is a friend. But TRICARE did a study where it found that, if it eliminated PBMs from the TRICARE program, it would save roughly \$1.3 billion per year. We are up here arguing about problems in our budget, and we could save this much money?

No, this is about profits. This is about consolidation. This is about vertical integration. This is about taking control of a market in which three to four companies control 83 percent of the market. We are not talking about a small little startup. Mr. LOEBSACK is right on, dead-on. I thank him so much for the work that he is doing, and I appreciate it.

In light of that, especially dealing with TRICARE, again, the bottom-line issue here is how we cost-effectively provide services to those members in our communities who need it the most. And this issue of savings, I know there is a Texas study that also showed if they went away, they would save money as well, in the millions of dollars. It is building, but we have just got to keep pointing it out.

I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT), my friend, my longtime colleague not only in the House in Georgia, but the House up here, and fighting for the very values we find in Georgia and all across the country.

Mr. AUSTIN SCOTT of Georgia. Madam Speaker, I want to thank Mr. COLLINS and I want to thank my colleague from Iowa. This is a bipartisan issue.

Before I speak on behalf of the community pharmacists, I want to just take a second and speak on behalf of the taxpayers, the hardworking men and women in this country.

Free markets are transparent markets, and if we had transparency in the

system, we probably wouldn't be here today because the American public wouldn't stand for what is going on. Unfortunately, we haven't seen any news reports or any reporting to inform the public of all of the things that have happened over the last couple of years, but we saw it on the EpiPen just a couple of weeks ago. You saw what happens when the press reports, the public finds out what is going on: pressure is put on, and then a response comes—maybe not the response that would have been what we would call equitable for the patients that need the treatment, but at least a response came.

It is not just EpiPens, though. It is not just multihundred-dollar drugs and multithousand-dollar drugs. When we talk about drugs as simple as nitroglycerin tablets, again, you, as the taxpayer, are the largest purchaser of this through the government. Nitroglycerin tablets have gone from 5 cents apiece to \$5 apiece. Doxycycline tablets, an antibiotic that has been on the market for many, many years—again, another generic drug. It has gone from pennies apiece to dollars apiece.

I know my colleague, BUDDY CARTER, could probably name more drugs for you than I can where we have seen those same type of hundredfold increases in the price of drugs. I can tell you that the hardworking taxpayers of this country, in the end, pay that bill.

One of the best things that we can do for you is make sure that we are trying to shed light on and bring transparency to this system and to make sure that we are keeping that small-business owner in business so that we are able to get the information that we need to do a better job for you from them. That is where our Nation's community pharmacists come in.

I know for me, I walk into my local pharmacist, and they can tell me right offhand what the most egregious price increases were of the past week, and they are happening every single week, ladies and gentlemen. These independent businesses operate in underserved rural areas, like many of the counties that I represent in Georgia's Eighth District.

Access to care is already an issue in these areas, and it would certainly be much worse if our community pharmacies didn't exist. In these areas, doctors are many miles away. Local pharmacists deliver the flu shots. They give advice on everything from over-the-counter drugs to drug interdiction, and if you have got a sick child, most of them will meet you at the store after hours to help your child get the medication that they need. Try that with somebody who is not a small-business owner.

It is crucial that these pharmacies have a level playing field to stay in business against large-scale competitors and the middlemen, if you will,

the pharmacy benefit managers, when trying to run a successful business in such a challenging and complex environment as the U.S. healthcare system.

Where I am from, these local pharmacists are fixtures in their communities. They have known their customers most of their lives, and it instills a level of trust in those patients that is rarely seen in today's day and time.

I have made some stops at these local community pharmacies: some to get my own prescriptions filled, some to see how things are going with the small-business owners, some to see how other things are going in the community. I never fail to appreciate the unique value that the men and women that work in these local pharmacies add to their customers' lives and to our communities.

Unfortunately, on these visits, I am also troubled because I continue to learn, as I have mentioned before, just how much more difficult it is becoming for those men and women to serve the people who have depended on them for years and to compete with some of the larger entities in the healthcare marketplace.

Imagine a situation where your competitor's company gets to come in and audit your books. That is exactly what happens. That is exactly what happens when one of the big-box retailers who owns a PBM goes in and audits the local community pharmacy.

Take, for example, one of the other problems that we have: the increased prevalence of preferred networks in Medicare part D plans. Currently, many Medicare beneficiaries are effectively told by pharmacy benefit managers, or PBMs, which pharmacy to use based on exclusionary agreements between those PBMs and, for the most part, big-box pharmacies.

Most people don't recognize that the big-box owns the PBM. Patients pay for this. They pay for this in lower customer service and higher copays. When their pharmacy of choice is excluded from the preferred network, it creates undue stress on the patients and forces them to do business where they may not want to do business. The majority of the time, your local pharmacy is never given the opportunity to participate in the network. That is an unfair business practice.

Another issue I often hear about from community pharmacies is the burdensome DIR fees. We as Americans, we pretty much assume that when you go in and you buy something and you leave with what you pay for that the transaction is over. But with medicine at your local pharmacy, it is a lot different. That transaction is anything but clear and simple for the pharmacist.

Pharmacy benefit managers use so-called DIR fees to claw back money from pharmacies on individual claims

long after the claim has been resolved. It can be a typographical error and the pharmacy benefit manager will call back 100 percent of what was paid to the pharmacist. That means the pharmacy doesn't know the final reimbursement amount they will receive for a claim for weeks or even months; and even more so, they are not even reimbursed for the wholesale cost of the drugs that they dispense. In 2014, CMS issued proposed guidance that would provide some relief to our pharmacies struggling to deal with the increasing and opaque DIR fees imposed on them.

As I said, anyone who runs a business knows you can't operate when you don't know what your costs are or what your reimbursements are. That is why I have led over 30 of my colleagues in sending two separate letters to the Centers for Medicare and Medicaid Services urging them to move forward and finalize proposed guidance on this issue. Unfortunately, they have yet to move on that guidance.

I and, I know, many of my colleagues, in a bipartisan manner, are going to continue to advocate for CMS to use their authority to ensure a level playing field for all Medicare part D participants. When competition is stifled and our small businesses suffer, so do the customers of our local community pharmacies. I hope the committees of jurisdiction will consider these bipartisan bills.

Madam Speaker, I want to thank you for your time. I want to thank Mr. COLLINS for hosting this Special Order today.

Mr. COLLINS of Georgia. Madam Speaker, I thank Congressman SCOTT. He has highlighted a lot of things, and I think it is something that just matters. Sometimes we go through a lot of the big pictures up here, and we see a lot of issues, but this is one that matters to hometown. This is Main Street USA. This is something that goes on. Especially for districts like mine and for many others in rural communities, the pharmacy, especially the independent community pharmacies, are the lifeblood in these communities.

I have said this before, and I have had this asked of me because we have been doing this a while. Let's make it very clear. Pharmacists, I love. I don't care who they work for. Pharmacists are great folks, whether they work in a big-box store or they work for a major chain or they are independent and own their own business. Pharmacists want to help people. That is why they went into it to start with.

I think what we are fighting here is a system. I have talked to many pharmacy students who are now saying they are not sure they want to go into this or they are very concerned about their futures because they are looking at the abusive policies of PBMs, and they are saying: I don't want to follow in my mom or dad's footsteps; I don't

want to follow and open up a storefront and hire people because I can't make it this way. And they end up being forced in.

I want to talk a little bit—we have been vague about this, but I am not going to be vague here for the next little bit. I am going to talk about PBMs and this regular auditing of community pharmacists to recruit large reimbursements. Let me go back over this.

There is nothing wrong with audits performed with the intention of uncovering abuse; however, PBMs' auditing has another motivation. Pharmacists have told me that the most expensive prescriptions are always the target during the audit—always.

PBMs used to audit only the most expensive medications looking for clerical errors like typos, misspelled names or addresses, or, better yet, as I just heard recently from one of my pharmacists, in which they dinged one of my pharmacists because the doctor wrote a specific amount for an eye medication—the doctor. Let's make this very clear now. I know Representative CARTER is probably going to get into this a little bit more, but the doctor himself wrote the prescription. The prescription goes to the pharmacist. The pharmacist filled the prescription as the doctor said. But when the PBM auditor got there, they said: No, you are not supposed to use that amount. Use this amount.

I want to know what medical school this auditor went to. I want to know when they decided to start practicing medicine without a license where they can come in and say amounts. I can understand swerving to a generic over a name brand or a name brand over a generic. That is within sort of what we have become used to. But when they can actually go in and ding one of our pharmacists for amounts that the doctor said, we have got a system that is a little bit abusive. Well, let me rephrase that. It is downright corrupt.

They go in and they do these audits. They find these clerical errors. And when they do this, they take back, they recoup, all the funding paid for that prescription. Like I said earlier, they don't take back just the profit. They don't take back the cost. They take back everything.

These audits are not intended to end Medicare fraud. The PBMs use them to take taxpayer funds and claim them as profits. If a pharmacist checked the box that said send by fax instead of send by email, the PBM is able to reclaim the entire cost of the drug. They don't just take back the copay or the pharmacist's profit.

Again, I just want you to understand how crazy this is. But, you see, instead of looking and having their time and effort of audits that could be better spent helping local pharmacists do what they do best, they are having to look over this all the time, focusing on improved quality for their patients.

□ 2045

The PBMs, frankly, have shown over the last little bit that they are not interested in the well-being of the patient. They are interested in that other P word, profit, not patient.

It is really concerning, and this is what has happened. In the interest of that profit, the PBMs have engaged in anticompetitive business practices. Certain PBMs own or have ownership stakes in the very pharmacies they are negotiating to lower drug prices with. When a PBM is owned by the entity it is supposed to be bargaining with, there is an inherent conflict of interest. This can lead to fraud, deception, anticompetitive conduct, and higher prices.

Here is a great one. I love this. Many large PBMs own their own mail order pharmacy and financially penalize patients that use their community pharmacist instead of the PBM-owned one. PBMs try to drive customers from community pharmacies into the mail order firms, arguing it saves consumers and drug plans money.

However, a study by the Taxpayers Protection Alliance highlighted waste, fraud, and abuse within the mail order system run by the PBMs. The TPA study noted that 90 percent of patients were moved to mail order due to encouragement or mandate from a PBM.

According to Medicare data, PBM-owned pharmacies may charge as much as 83 percent more to fill prescriptions than community pharmacists. PBM's practices limit consumer choice, increase drug prices by engaging in vertical integration in their ownership of mail order pharmacies, killing competition.

And here was one that was classic. I walked into one of my smaller towns. It had a pharmacist. And the pharmacist said: I got in trouble. I got a letter.

They showed me the letter. They delivered some medicine to some of their customers. They get a letter from the PBM saying, You are not in the mail order business. And they actually were going to have their contract threatened if they sent these people their drugs.

Representative CARTER is going to talk in a minute. I just want to break for a second. But that is unbelievable that they actually will get on the pharmacies and say: You can't reach out, you can't contact your customer to tell them that they can be a part of the plan.

One of my pharmacists actually was left off of a plan that they were actually on. The PBM sent a letter to all his customers saying that they are not a part of the plan, when, in actuality, he was. And then, when confronted, they refused to send a letter out to the customers saying: We are wrong.

Just briefly, am I highlighting something that is uncommon? Or is that a common practice?

Mr. CARTER of Georgia. No. It is. As the gentleman states, it is a very common practice. And you know, it is downright unAmerican.

Small businesses are the backbone of our economy here in America. When you do not allow a small business to participate, even if they are willing to take the reimbursement that an insurance company is offering, but that insurance company, nevertheless, will not let them participate, that, in my opinion, is unAmerican.

Mr. COLLINS of Georgia. You have hit something. You have led into a great example. This is highlight. And if there are problems, let's fix them. You hit on that issue.

We have heard of DIR fees tonight. We have heard about reimbursements. Let me leave you an example from a little company called Humana.

I had a pharmacist call me about proposed amendments to their Pharmacy Provider Agreement. Humana decided to withhold \$5 per prescription from initial reimbursements to the pharmacy. Now, you understand what is happening. They are withholding \$5 of what they should be sending to the pharmacy. The return of the reimbursements was conditional on the pharmacy meeting certain patient adherence metrics. This is essentially a fee conditional on meeting certain performance standards, and Humana would withhold reimbursements from poorly performing pharmacies.

That sounds good, doesn't it?

It has got a great twang to it. Somebody in the marketing office there thought, This is going to be pretty cool. It sounds so good, but let's talk about it.

Humana's criteria, however, had little to do with patient care and more with driving community pharmacists out of the market. Many of the metrics used, including patient adherence, are beyond the control of the pharmacist.

Humana's amendment unduly burdens small pharmacists and protects large chain pharmacies, many of which they own. Humana enlisted their actuaries to ensure this formula guarantees they will retain 60 percent of the withheld reimbursement moneys, most of it coming from community pharmacists.

Pharmacists in the 80th percentile and up in each category would receive \$2 per category. If a pharmacy meets expectations in all three categories, they will earn \$6—a \$1 profit per prescription. Now, remember, this is what was already withheld from them. Pharmacists below the 80th percentile would receive .67, or 67 cents; and below the 50 percent percentile would receive none of the reimbursement that they withheld. This is a reimbursement that is supposed to go back to the pharmacy. They are not getting any of it. Many of the community pharmacists often can't afford to lose this

additional 33 cents to \$5 for every prescription they fill. Only big box pharmacies really have that ability.

Humana also favors big box pharmacies by allowing the number of patients to serve as a function of a tiebreaker. This amazed me. For example, a community pharmacist and a big box pharmacist might both have 100 percent adherence to certain performance measures. However, if the big box pharmacy served more patients than the community pharmacist, it will achieve a higher percentile score than the community pharmacy.

Humana disproportionately favors large chain pharmacies at the small pharmacies' expense. Certain pharmacies have enough patients to minimize the effects of patient nonadherence to their ratings. At independent community pharmacies, one patient's nonadherence could cost pharmacies thousands of dollars by moving a pharmacy from the top bracket to one below.

If somebody were listening to us, Representative CARTER, they would say we were making this up. We are not. I have been doing this now for well over a year—almost 2 years now. I have never been challenged on these facts. They don't like it. And they are listening probably right now, saying: What can we do to go settle this down?

But it is just not right when they look at these things and they see savings in the State governments. It is like they are saying: Look at the shiny object over here. Don't face reality.

This one is just amazing to me. When you are taking money that should go back to the pharmacist and putting them on this metric scale that they can't compete on; or you are taking their customers, but won't allow the pharmacist to reach out, these are the kinds of things that just really, really are amazing to me.

I wrote a letter with the gentleman urging CMS Acting Administrator Slavitt to review Humana's proposed amendments for their part D Pharmacy Provider Agreement. This is just something that has got to change as we go forward.

There is nobody that knows that any better than Representative CARTER, knowing the situation. I have said this all along. I do this because I have been helped so much by community pharmacists and believe when wrong is wrong, you call it. When you can, try and make it right.

You have lived this. And you continue, by your service on the Georgia legislature and up here, to help us continue to be on the front lines, continuing this fight. You are there working it out as well.

Tonight, I think we just need to continue the practice of saying, Here are the facts, and encouraging our committees of jurisdiction to take action on this and just evaluate it.

We have the MAC transparency, the clawback bill. These bills have a chance just to be heard, because I found that every time I share this with Members, they can't believe it. They want to know more. And when we show them the facts, they say: This needs to be discussed.

We have some time tonight. I want to share what you are seeing as we continue this fight for what is right.

Mr. CARTER of Georgia. Well, I want to thank the gentleman for organizing this and for bringing this to light.

This is something that I know you are obviously very passionate about and that you have worked on for a long time; many years.

You know, it is not just you. You are obviously a leader here. But also, Representative SCOTT, who spoke earlier. Representative LOEBSACK. I may be the only pharmacist in Congress, but we have many friends of pharmacy in Congress, and we appreciate this very much.

But even more so—if I may, even more so, what you are concerned about, what Representative SCOTT, what Representative LOEBSACK, what everyone up here is concerned about is patient care. That is what we are talking about.

Mr. COLLINS of Georgia. Exactly. What you are saying, every time we do this, we gain Members who begin to look at the issue. They just don't believe what the PBMs bring to them.

All I am asking for me and I know for you is for every Member here to go talk to a community pharmacist. All they have to do is go talk to them. We are not sharing anything that is not real.

Mr. CARTER of Georgia. That is the whole key. The whole key is that what we are talking about is patient care. We are not talking about community pharmacies trying to pad their pockets. But what we are trying to point out and what you have done so efficiently, particularly with your chart, is to point out what is happening here.

Everyone is concerned about high drug prices right now. It is one of the biggest subjects that we hear about in the newscasts and everywhere. Granted, this is not the only part of that, but it is a big part of it.

What is happening is we are taking competition out of health care. If we talk about ObamaCare, if we talk about the Affordable Care Act, ObamaCare, whatever you want to call it, my number one concern with is that it has taken competition, it has taken the free market out of health care.

I mean, think about it. Am I talking just about independent retail pharmacies?

No. I am talking about independent health care.

How many independent doctors do you know anymore?

Most of them are members of healthcare systems, most of them are

members of hospital systems, which are fine systems, but, again, we are taking away competition. And that is what is happening here.

I thank Representative COLLINS. I want to thank him for, again, organizing and bringing this to light.

As you have mentioned, I have been a community pharmacist for over 30 years. I graduated from the University of Georgia in 1980. Go Dogs. I am just as proud as I can be of my alma mater.

You know, pharmacy has changed tremendously since I graduated. I serve on the advisory board at the University of Georgia at the College of Pharmacy, and I can tell you the quality of students that are graduating now from pharmacy school is just tremendous. The clinical expertise that they are graduating with makes us all in health care very, very proud. I still maintain that pharmacists are some of the most overtrained and underutilized professionals out there.

But, again, I want to get back in full disclosure here. I am a free market person. I am someone who believes in the free market. I believe in competition. And that is all community pharmacists are saying: Let us compete.

But as Representative COLLINS has pointed out so succinctly here, we don't even have the opportunity to compete.

When you have the insurance company owning the pharmacy and making decisions that impact patients and where they can go and tell patients, No, you cannot buy your prescription over here, you have to buy it over here, that takes the free market out of the system. That takes competition out of the system.

Who cannot see that?

There are chains there who will tell you that their operation is a three-legged stool. They have the PBMs, they have the pharmacy, and now they have their health clinics.

Well, what does that do?

It is a great business model, sure, but once they get you, they got you. If you go to a pharmacy and they write that prescription, and then that prescription is filled right there, well, obviously, that is a conflict of interest. But that is what is happening now. If the insurance company owns the pharmacy and tells you that you have to go to this pharmacy, that is a problem.

True story. I owned three community pharmacies before I became a Member of Congress. My wife owns them now. While I still owned those pharmacies, I filled a prescription for my wife at the pharmacy that I own. This was about 3 or 4 years ago. Later on that night, she got a call from the insurance company encouraging her to get that prescription filled at another pharmacy. I am telling you, this is true. Honest. That is just crazy.

Mr. COLLINS of Georgia. Yet, if you had done that, they would have cut your contract off.

Mr. CARTER of Georgia. Well, exactly.

Mr. COLLINS of Georgia. You can't engage in that kind of practice. It is just amazing.

Mr. CARTER of Georgia. Well, it begs the question: How did they know about it?

Here is how they know about it. What happens when you bring a prescription into a pharmacy is we fill that prescription and we adjudicate the claim. What that means is that the community pharmacy's computer calls the insurance company's computer and it tells you automatically whether they are going to pay it and how much they are going to pay.

Well, guess what?

That pharmacy that owns that insurance company that I just called, they have that information. Yes, there are laws against it. There is supposed to be a wall there in between them, but you tell me how that pharmacy knew that my wife had a prescription filled that day at the community pharmacy that I owned at that time.

□ 2100

Obviously, that is what is happening. Representative COLLINS, you have introduced your bill, a great bill. It has to do with MAC transparency, MAC, maximum allowable costs. Let me tell you very quickly what maximum allowable cost is.

We talk about acronyms. Well, nobody uses as many acronyms as the Federal Government uses. I tell people all the time that one of my goals in Congress is to learn at least 10 percent of all the acronyms that we use up here.

But the acronym, MAC, M-A-C, maximum allowable cost, what that is is that insurance companies come up with a list and they say this is what we are going to pay you. This is the maximum we are going to pay you. If you can't buy it any cheaper than that then, I am sorry; you are just going to lose money.

Well, that is okay to a certain extent. We understand that. We can work within that. But what happens is they don't update it, so all of a sudden—and you have seen it. We have all experienced what has happened with the spikes in drug costs here recently, particularly in generic drugs. What happens is that drug goes up. Well, the insurance company drags their feet and they don't increase that maximum allowable cost and, all of a sudden, the pharmacy is dispensing something at a loss.

Well, that is obviously a business model that is not going to sustain. You are not going to be able to stay in business if you are dispensing something and losing money on it.

Then, how do they come up with this MAC list?

What we are talking about here, and what Representative COLLINS' bill ad-

resses is what is called MAC transparency. All we are asking here is to shine light on this, is to have some transparency, so we can see exactly what is going on. And that is what his bill does, and we appreciate his work on that very much.

His bill is a step forward, not only for the industry, but again, for the beneficiary, for the patient. That is ultimately who is going to save money, and that is ultimately what we are trying to do here.

It is no surprise that the costs are going up because of a lack of transparency in the system, no surprise at all. We have got to have more transparency, particularly in the pricing of generics if we are going to be able to create a stable and an affordable healthcare system.

Now, you heard mentioned here earlier, DIR fees. DIR, direct and indirect remuneration, and you heard mentioned clawbacks. Now, let me try to articulate this the best I can and what happens here with these DIR fees, which is something that has come up in the past probably year, maybe year and half or 2 years.

But what this is is, I mentioned earlier that, when the community pharmacy fills the preparation, we adjudicate the claim, that our computer calls their computer, the insurance computer, and it tells us how much they are going to pay. Okay. We are okay with that. We understand what we are going to get paid.

But yet, with DIR fees, months later, the insurance company comes back and says, oh, we told you we were going to pay you \$2.50. No, we have got to take back that \$2.50. We are not going to be able to pay you that.

Folks, obviously, that is not a sustainable business model. Nobody can stay in business that way. Yet that is the way DIR fees are being imposed now.

Thank goodness, just last week, Congressman MORGAN GRIFFITH from Virginia, our colleague, introduced a bill that addresses Medicare part D prescription drug transparency and DIR fees. I thank Congressman GRIFFITH for that.

Again, keep in mind, folks, we are not talking about, oh, we have got to make community pharmacies profitable. All community pharmacies want to do is to compete. We just want to have the opportunity to compete on a fair, level playing field. That is all we are asking. We are not asking for any favoritism at all. Yet, when you have got an insurance company that owns the pharmacy, that is obviously a conflict of interest. Who cannot see that?

Again, Congressman GRIFFITH has introduced this bill, and it is a great bill. These DIR fees, a big unknown for pharmacists, as I mentioned. They can sometimes total up to thousands of dollars per month, and they can signifi-

cantly complicate what your net reimbursement is going to be to cover your cost.

In fact, in a recent survey, nearly 67 percent, almost two-thirds of community pharmacists, have indicated they don't receive any information about when those fees will be collected or how large they will be—two-thirds, two-thirds of the pharmacies here.

And folks, I was so happy to see Representative LOEBACK. He pointed out that he was the only Democrat here tonight, but I can assure you that there are other Democrats, because this is a bipartisan issue.

Listen, when you go to get a prescription filled in a community pharmacy, they don't ask you if you are a Republican or a Democrat. They could care less. All they know is you are a patient, and we need to take care of that patient, and that is what we are trying to do.

There is another bill that I want to touch on here. It is a very important bill. It is one that has been introduced by another good friend of pharmacy, Representative BRETT GUTHRIE from Kentucky. It is called the Pharmacy and Medically Underserved Areas Enhancement Act, and this is really the pharmacy provider act.

As I mentioned earlier, the pharmacists who are graduating today are so clinically superior to when I graduated. And Congressman SCOTT, I believe, mentioned earlier about the things that pharmacists are doing now: flu shots, immunizations, all of those things that pharmacists are able to do.

Pharmacists are the most accessible healthcare professionals out there. We in America, if we are ever going to get our healthcare costs under control, we have to take advantage of that. We have to take advantage of having that expertise right there before us and having it so accessible.

Representative GUTHRIE's bill, the pharmacy provider status bill, will give us the opportunity to reimburse pharmacists for those clinical services that they are capable of and that they are currently providing. This is something that needs to be done under Medicare part D.

I mentioned Congressman GRIFFITH and what he has done, and it really has been a blessing, then Congressman BRETT GUTHRIE and what he has done, and Congressman COLLINS and what he has done. All of these things are very, very important.

I want to mention one other thing, and that is something that has come out of the Energy and Commerce Committee this year, and that is the 21st Century Cures. 21st Century Cures is a great piece of legislation. That and the opioid bill that we passed earlier this year, I think, are two of the bills that I am most proud of since I have been a Member of this body; and part of that has to do with the fact that they are

healthcare bills and I am a healthcare professional.

But 21st Century Cures is a great piece of legislation. It has been passed under the leadership of, as I say, Chairman FRED UPTON and the Energy and Commerce Committee. It has been critical in advancing research. It addresses so many different things.

It increases funding for the National Institutes of Health. It streamlines the process of the FDA and how they approve medications. It offers incentives to companies to come up with new innovations with new medications.

Right now we know of over 10,000 diseases that affect humankind, yet only 500 of them can be treated. 21st Century Cures addresses this. It is a great piece of legislation, and I would be remiss if I did not mention that.

Again, I want to thank Congressman COLLINS, and I want to thank all my colleagues who have spoken here tonight on a very, very important subject.

Again, folks, all we are saying is let us compete. I have had so many patients who have been, their parents, their grandparents, treated at our pharmacy; yet, because their insurance plan changed, they literally left our pharmacy in tears and had to go down the street and have a prescription filled somewhere else. That is not American. It is not right.

Again, I want to thank Congressman COLLINS for giving me this opportunity to speak on this, obviously something that I have dealt with all my life, my professional life. I am very proud of our profession. I am very proud of community pharmacy. I am very proud of the patient care that the community pharmacist and all pharmacists provide to the patients.

So I thank the gentleman for doing this and thank him for giving me the opportunity.

Mr. COLLINS of Georgia. I want to thank the gentleman for being a part and providing an insight that is—as I have said, for those of us who see this and call unfair unfair, and we are learning about it every day, you have lived it, and I think providing those insights is valuable.

The more we continue down this path, it just—and again, I spoke about it. I am on the Rules Committee as well. I talked about it in the Rules Committee, and it was amazing when I heard the other members. Some were on Energy and Commerce, some were on others, and they finally said, that deserves a hearing. MAC transparency deserves a hearing. Griffith's bill deserves a hearing. Guthrie's bill deserves a hearing.

These are things that actually save money, except for the coercive, twist-arm tactics of PBMs who just think that 83 percent of the market is not enough, 83 percent, roughly, of the market is not enough, that they get on

people about mail order. They want you to turn—and your insight on how they actually know. That wall, that is the flimsiest wall I have ever seen. Maybe they will start building it better. I don't know. In north Georgia, we built them a little harder than that. But I appreciate that.

I want to go into something tonight, and it is something that we have talked about. It just explains how this works, because maybe some aren't as familiar; they haven't studied this and had a great staff. I have actually had a great staff that have put together—you know, Bob's here tonight. I have got a staff member who is still with me in spirit, but she is not with us. Jennifer has been working on this for a long time.

But I also had Daniel Ashworth. Daniel is an intern, a pharmacist intern who helped us out a lot and helped prepare this. I want to show you this. I showed you this at the beginning, and it is sort of—the PBMs are at the middle of the world here, if you will.

So let's just talk about this. Let's just start off with where it should start, and that is with the patient. The patient makes medication decisions, or he gets it from the doctor. And they are typically okay if you go this way, their employer. A lot of times the employee, their health benefit plan, that is where they get that.

So as we start here with the employers, the employers turn to PBMs or the insurance companies for plan decisions. So they turn to them and say here is how the plan is going to work. Here is how the plan operates. They expect the PBM to look after their best interest and to help save them money. That was the whole setup in the beginning, until they began to vertically integrate, to take on and become the main player in the market.

So what happens here is they make a plan decision to entrust the PBM to do that, and the PBMs, in turn, are supposed to give back the savings in this. We have already seen tonight how TRICARE has already saved \$1.3 billion. This was their own internal study. We have also seen others where the fraud and abuse are not finding these savings.

So again, let's just continue on.

Pharmaceutical companies have an interesting relationship as well because, through rebates that they give to the PBMs or to incentivize, if you will, the use of drugs, their brand names, their ones under patent—which is very valuable. You are not going to find a stronger proponent of patent and copyright content in this Congress than me. What they are doing here is they are saying, okay, we are going to give rebates back so you can purchase, and we are going to have brand preference so that you will encourage this brand over this generic or, frankly, this generic over this brand. And that is okay. We understand that.

This rebate is supposed to actually go into the savings part, but there is no transparency here. We don't know where it is going. And you are not getting the savings back over here where the rebates could.

And then we get to, really, the one that is interesting, and the pharmaceutical companies, through the pharmacy, and then back to patient care. This is where it gets interesting with the PBMs and their interesting relationships with the independent community pharmacies.

Predatory pricing, such as we are addressing in the MAC transparency list, where the numbers change, they are not sure. We get into the DIR fees. We get into all this stuff that has now become, instead of, for the PBM, the P in patient, the P actually should be—and I am not going to write on this beautiful chart, but I might as well just put "profit" because, as I have already discussed earlier tonight, the audits aren't about patient safety.

As Representative CARTER said, this is not about giving independent pharmacies or community pharmacies a leg up.

□ 2115

They don't want to be guaranteed a profit. They just want to be guaranteed to be able to open their doors and not be intimidated, coerced, or backed down by threats from PBMs that are much larger than them that basically say: we will put you out of business.

Madam Speaker, that is what they do.

They are supposed to have random audits. One of my pharmacists started laughing when we talked about random audits. They had the same audit about a year earlier. In other words, they are on a cycle. They just come back around the same time. These aren't random. They are not there for safety. They are there for profit.

It is frustrating. I have never seen anything else like this. It is the most amazing thing I have ever seen in which a business model that we have actually condoned—especially with the taxpayer money side—says that you can extort from pharmacies whatever you want. We will take back fees. We will put you on a metrics like Humana did. We will put you on a metrics that will give you the possibility of making more, but then inherently rig it against the small pharmacies. That is a problem.

They can't answer the question. If they had, they would have said it a long time ago. They just hope I go away and quit talking about this. But there are Members every time we talk, some couldn't come tonight, and every time we come down here and we shine light on this very dark subject, more Members come along and say: that doesn't sound right.

I know you have had those conversations, Representative CARTER. I have

had those conversations. There are Members all over this Chamber that have experienced this in their own lives.

So I come to you tonight just saying, look, we put this here, and we look at the interaction. I am going to say, this is the most important part right here. It is about the patient. It is about the patient. We want to fix this. Let's look at how our money is spent. We want to fix this. Let's look at being able to come back weeks, months later. Let's talk about what the problems are here, but never forget the patient. It shouldn't be hard for them. Pharmacy benefit manager, the first letter is P. Let's just change it from profit to patient. Let's change it from being a facilitator to help pharmacies and help employers to market drugs to help the patient. Studies after studies show that it doesn't work.

Madam Speaker, we could talk for hours, but this is something we are going to continue to fight on. I appreciate the time we have had tonight, and this is not the end of this fight.

Madam Speaker, I yield back the balance of my time.

ZIKA FUNDING

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. GARAMENDI) for 30 minutes.

Mr. GARAMENDI. Madam Speaker, I thank the gentlewoman from California for the opportunity to speak this evening. We have just been listening to a very lengthy discussion on the part of the healthcare issues in the United States, and, undoubtedly, the family or the small community pharmacist is a piece of the solution to the problems. But I want to spend the next 10 minutes or so, maybe a little longer, talking about a problem that currently affects some 19,000 Americans and a problem that is growing every day.

This is the new four-letter word that we fear. We are accustomed to a lot of four-letter words, but this one begins with a Z. This is the Zika crisis. This is a very, very real problem for some 1,600 pregnant women in the United States. This is a problem that men and women that intend to have a family, women that intend to bear children, get pregnant in the days and months ahead have a gut feeling of fear—a deep, deep fear—and husbands, spouses, and lovers similarly.

This is the Zika crisis. We have heard a lot about it during the Olympics. It hasn't passed off the radar screen except here in Congress. I know it is on the minds of Californians, over 500 in California, and nearly 15,500 Americans in Puerto Rico. They have that fear. They have Zika.

So all across this Nation, this new four-letter word is not used as a cuss

word. It is a word of fear, and it is a word of trouble. Apparently, in the Halls of your Capitol, in the Halls of the United States Congress, it is ignored. Several months ago, we did pass a piece of legislation that was supposed to deal with this. But understand this: The Centers for Disease Control is about to run out of money at the end of this month and will have to stop research on Zika, on the virus, on vaccines, and on how it is spread.

We know that the mosquito is a piece of this, and we know it is prime mosquito time across much of the United States. Let me show you a map—a lot of blue on that map. That doesn't mean Democrat. That means Zika. Where you see the bright blue, that is where the Zika mosquito—the aedes—is found, and this is where we presently have cases.

South Florida, the only time in American history that there has been a travel alert for health reasons within the Continental United States is now found in south Florida. Why? Because now we have mosquitos that are spreading the virus.

In other parts of the Nation, we know that this mosquito is present, and we know it is going to happen, if not this year then next year. This is not something that is going to go away in the next few months as winter approaches. It will come back next year, and it will come back with a greater vengeance, just as the West Nile virus that spread across the United States is now found in most every State. But that is not an illness that leads to the tragedy of children being born with severe injuries that will affect them the rest of their lives, which may be a very short life.

This is a problem. This is a problem that your United States Congress is ignoring. There is a bill bouncing around, and it is loaded with a bunch of riders that are: What are you talking about? Riders that prevent women's health clinics from providing assistance to women. It is the women, after all, that bear the great burden of this. They are the ones that are going to be pregnant. They are the ones that will be carrying the children. But those women's health clinics cannot allow access to the money. What in the world is that all about? What foolishness. What meanness.

By the way, none of the money can be used for contraception. Give me a break. What do you mean? That is the legislation that is being proposed here in the United States Congress. Even the Pope has suggested that because of this crisis in Brazil that the steadfast opposition of the Vatican to contraception may need to be pushed aside. But not here in the House of Representatives. Come on. Let's get real. Let's understand the nature of this crisis.

The Zika virus is not transmitted only by mosquitos. We are discovering

that the transmission can come in many, many different ways—many different ways. So what are we doing about it? Nothing. We are spending time talking about impeaching the IRS Commissioner. Come on. In the history of this Nation, only one person other than a President has been impeached, and that was back in the 1870s, a Secretary of War. An IRS Commissioner is not even a Cabinet member. We are spending our time on that.

We are where, 20 days, a little less, from the end of the fiscal year when we have to fund government? We are less than what, 17 days away from the ability of the Centers for Disease Control to continue to research and to address this issue? Look at the map, Americans. Every State. And Puerto Rico is not on this map, and they are Americans. There are over 15,000 cases there and more than 1,000 women who are pregnant and many, many more who will become pregnant. So what is your United States Congress doing? Dithering would be an insufficient word to address this crisis.

This is a public health crisis. This is a crisis that the solution presented to us a few months ago was to take money out of the Ebola program. Did we forget about Ebola? Did it go away? No, it did not. That money was being spent on monitoring the travelers from those areas of Africa where Ebola still exists. So that money is gone. So I suppose, in the next months or year ahead, we will go back into the Ebola problem once again.

Money was taken from the public health programs in counties throughout the United States. The proposal that moved out of this House of Representatives swept from the counties and the States money that the public health departments in those areas needed to deal with public health emergencies, one of which was Zika. And there are other public health emergencies that are always before us. I mentioned the West Nile virus. California has a whooping cough problem that is ongoing, and that is a public health crisis. Children die of that.

So what is the solution? Not what we normally do when we have a crisis, which is to go to the Federal Treasury and say: America has a problem. Americans will solve that problem or address that problem and try to deal with the effect of it by appropriating money so that we can address it.

When the terrible floods occurred recently in Louisiana, did we raid other agencies to deal with it? No. We go to FEMA, and we go to the emergency funding, as we did with Katrina, as we did with Sandy, and as we do with the fires, hurricanes, and tornadoes. But not with Zika. Somehow Zika is different.

If you are a grandmother or a grandfather and your granddaughter is about to get married, what is on your mind?

The wedding to be sure. But you are also thinking about that pregnancy that might be following, and you are thinking: will my daughter or my granddaughter acquire the Zika virus? What will it mean?

Apparently, that thought is not found in my fellow colleagues here on the floor of the House of Representatives, even though they have children, even though they have daughters and granddaughters, even though within their families there will be pregnancies. We have got to think about this. Maybe there are 16,000 affected in the United States today. But this virus is not going away. This virus is going to be with us years ahead, and the effects of it are going to be felt in the next generations. It is already here in the United States.

□ 2130

We have had babies born with serious defects as a result of Zika. It is already with us. And there will be more. There will be many, many more.

This public health crisis must be met by the full power of the Federal Government, just as we meet other crises. It is our responsibility. 535 of us and the President.

The President has asked for \$1.9 billion to deal with this health crisis. The response by my colleagues on the Republican side of the House of Representatives, a little over \$6 million, most of which is stolen from other public health programs. Disgraceful. Dereliction of responsibility.

The Senate is talking about a \$1.1 billion program. Good. Without riders, without the kind of foolish riders that are being presented here. Good. Let's get on with it. We will take the Senate bill. Give us a clean Senate bill so that there is money available for the Centers for Disease Control to continue its research, so that there is money available for the public health programs in south Florida, in Texas, in Puerto Rico, California, and in other States to carry on the fight against the mosquitoes and to deal with the other methods of transmission, to warn the public, to prepare the public. We can do it.

Anybody that knows how much money the Federal Government spends every year knows that \$1 billion to address a fundamental public health crisis is available. It is readily available. We ought to get on with it. And shame on us if we don't.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DESJARLAIS (at the request of Mr. MCCARTHY) for September 12 and today on account of doctor ordered travel limitations for arthroscopic surgery.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of medical appointment.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic".

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1579. An act to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

ADJOURNMENT

Mr. GARAMENDI. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 14, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6796. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2011-2012, pursuant to 42 U.S.C. 15005; Public Law 106-402, Sec. 105; (114 Stat. 1690); to the Committee on Energy and Commerce.

6797. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "National Plan to Address Alzheimer's Disease: 2016 Update", pursuant to 42 U.S.C. 11225(g); Public Law 111-375, Sec. 2(g); (124 Stat. 4102); to the Committee on Energy and Commerce.

6798. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the General Definitions for Texas New Source Review and the Minor NSR Qualified Facilities Program [EPA-R06-OAR-2010-0861; FRL-9950-32-Region 6] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6799. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Disapproval; North Carolina: New Source Review for Fine Particulate Matter (PM2.5) [EPA-R04-OAR-2015-0501; FRL-9952-31-Region 4] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6800. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; GA Infrastructure Requirements for the 2010 1-hour NO2 NAAQS [EPA-R04-OAR-2015-0250; FRL-9952-32-Region 4] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6801. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; VT; Prevention of Significant Deterioration, PM2.5 [EPA-R01-OAR-2016-0441; A-1-FRL-9952-11-Region 1] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6802. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second Ten-Year PM10 Maintenance Plan for Lamar [EPA-R08-OAR-2015-0042; FRL-9952-09-Region 8] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6803. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Texas; Infrastructure or Requirements for the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards [EPA-R06-OAR-2012-0953; FRL-9950-77-Region 6] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6804. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Thiabendazole; Pesticide Tolerances [EPA-HQ-OPP-2015-0554; FRL-9950-05] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6805. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Energy Labeling Rule (RIN: 3084-AB15) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6806. A letter from the Director, Defense Security Cooperation Agency, transmitting Reports for the third quarter of FY 2016, April 1, 2016 — June 30, 2016, developed in accordance with Secs. 36(a) and 26(b) of the Arms Export Control Act; the March 24, 1979, Report by the Committee on Foreign Affairs (H. Rept. 96-70), and the July 31, 1981, Seventh Report by the Committee on Government Operations (H. Rept. 97-214); to the Committee on Foreign Affairs.

6807. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Russian Sanctions: Addition of Certain Entities to the Entity List [Docket No.: 160617543-6543-01] (RIN: 0694-AH02) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6808. A letter from the Acting Assistant Secretary, Legislative Affairs, Department

of State, transmitting a report pursuant to Sec. 804 of the Palestinian Liberation Organization Commitments Compliance Act of 1989 ("PLOCCA") (Title VIII, Pub.L. 101-246) and Secs. 603-604 and 699 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Pub.L. 107-228); to the Committee on Foreign Affairs.

6809. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d)(1); Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

6810. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2016 Winter II Quota [Docket No.: 150903814-5999-02] (RIN: 0648-XE755) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6811. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No.: 151130999-6225-01] (RIN: 0648-XE802) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6812. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 150916863-6211-02] (RIN: 0648-XE789) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6813. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts [Docket No.: 150903814-5999-02] (RIN: 0648-XE810) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6814. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE708) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6815. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 2015 annual report to Congress describing the activities and operations of the Public Integrity Section, Criminal Division, and the re-

port on the nationwide federal law enforcement effort against public corruption, pursuant to 28 U.S.C. 529(a); Public Law 95-521, Sec. 603(a); (92 Stat. 187); to the Committee on the Judiciary.

6816. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8841; Directorate Identifier 2016-NM-115-AD; Amendment 39-18611; AD 2016-16-13] (RIN: 2120-AA64) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6817. A letter from the Office Program Manager, Office of the Secretary (OOREG), Office of Regulation Policy and Management, Veterans Affairs, transmitting the Department's final rule — Telephone Enrollment in the VA Healthcare System (RIN: 2900-AP68) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6818. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Reclassification of Specially Denatured Spirits and Completely Denatured Alcohol Formulas and Related Amendments [Docket No.: TTB-2013-0005; T.D. TTB-140; Re: Notice No.: 136] (RIN: 1513-AB59) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6819. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Definition of Terms Relating to Marital Status [TD 9785] (RIN: 1545-BM10) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6820. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure: Management Contracts Safe Harbors (Rev. Proc. 2016-44) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6821. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Definition of Real Estate Investment Trust Real Property [TD 9784] (RIN: 1545-BM05) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6822. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2016-46) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6823. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Waiver of 60-Day Rollover Requirement (Rev. Proc. 2016-47) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6824. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Relief for Victims of Louisiana Storms (Announcement 2016-30) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3438. A bill to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; with an amendment (Rept. 114-743). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 863. Resolution providing for consideration of the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and providing for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes (Rept. 114-744). Referred to the House Calendar.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4419. A bill to update the financial disclosure requirements for judges of the District of Columbia courts; with amendments (Rept. 114-745). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5461. A bill to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes (Rept. 114-746, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 5461 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SANFORD:

H.R. 6000. A bill to amend the Internal Revenue Code of 1986 to modify rules relating to the taxation of mead and other agricultural wine, and for other purposes; to the Committee on Ways and Means.

By Mr. BECERRA (for himself and Ms. ROS-LEHTINEN):

H.R. 6001. A bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes; to the Committee on House Administration, and in addition to the Committees

on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts:

H.R. 6002. A bill to provide for the acquisition and publication of data relating to cybercrimes against individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER (for himself, Mrs. BROOKS of Indiana, Mr. YOUNG of Indiana, Mr. BUCSHON, Mrs. WALORSKI, and Mr. ROKITA):

H.R. 6003. A bill to amend title 38, United States Code, to provide veterans affected by school closures certain relief and restoration of educational benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HURD of Texas (for himself, Mr. CONNOLLY, Mr. CHAFFETZ, Mr. CUMMINGS, Ms. KELLY of Illinois, and Mr. TED LIEU of California):

H.R. 6004. A bill to modernize Government information technology, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON:

H.R. 6005. A bill to ensure that Members of Congress and Congressional staff receive health care from the Department of Veterans Affairs instead of under the Federal Health Benefits Program or health care exchanges; to the Committee on House Administration, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS (for herself, Mr. CAPUANO, Ms. LEE, Mr. CICILLINE, Ms. KELLY of Illinois, Mr. CONYERS, Ms. MOORE, Ms. PLASKETT, Mr. ELLISON, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York):

H.R. 6006. A bill to establish a pilot program to provide fellowships to certain former Sudanese refugees, known as the "Lost Boys and Lost Girls of Sudan", to assist in reconstruction efforts in South Sudan; to the Committee on Foreign Affairs.

By Mr. MCCARTHY:

H.R. 6007. A bill to amend title 49, United States Code, to include consideration of certain impacts on commercial space launch and reentry activities in a navigable airspace analysis, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEADOWS (for himself, Mr. CONNOLLY, Mrs. COMSTOCK, and Mr. BEYER):

H.R. 6008. A bill to provide transit benefits to Federal employees who use the services of transportation network companies within the national capital region, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSSELL (for himself and Mr. CONNOLLY):

H.R. 6009. A bill to ensure the effective processing of mail by Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself, Mr. PIERLUISI, Mr. POSEY, Mr. SIREN, Mr. CURBELO of Florida, and Mr. DIAZ-BALART):

H.R. 6010. A bill to amend the Public Health Service Act to require the Director of the Centers for Disease Control and Prevention to establish a registry of women who are diagnosed during pregnancy as having been infected with Zika virus and the children of such women, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 6011. A bill to require that the Centers for Medicare & Medicaid Services has in place adequate verification procedures to ensure that advance payments under the Patient Protection and Affordable Care Act are made for only enrollees under qualified health plans who have paid their premiums; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON:

H.R. 6012. A bill to amend title XVIII of the Social Security Act to preserve Medicare beneficiary access to ventilators, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO:

H.R. 6013. A bill to amend the Telecommunications Act of 1996 to preserve and protect the ability of local governments to provide broadband capability and services; to the Committee on Energy and Commerce.

By Mr. NOLAN:

H.R. 6014. A bill to direct the Federal Aviation Administration to allow certain construction or alteration of structures by State departments of transportation without requiring an aeronautical study, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAULSEN (for himself and Mr. BLUMENAUER):

H.R. 6015. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.R. 6016. A bill to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes; to the Committee on the Judiciary.

By Mr. RICHMOND (for himself, Mr. MEEKS, Mr. LARSEN of Washington, Mr. PERLMUTTER, Mr. KIND, Mr. HIMES, Ms. SEWELL of Alabama, Miss RICE of New York, and Mr. CARNEY):

H.R. 6017. A bill to establish a grant program to provide grants to eligible low-income communities for community development, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for

a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 6018. A bill to waive the essential health benefits requirements for certain States; to the Committee on Energy and Commerce.

By Mr. YOUNG of Indiana:

H.R. 6019. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes; to the Committee on Ways and Means.

By Mr. BECERRA:

H. Res. 862. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Ms. NORTON:

H. Res. 864. A resolution expressing support for the designation of September 2016 as "National Campus Sexual Assault Awareness Month"; to the Committee on Oversight and Government Reform.

By Mr. ROSS (for himself, Mr. HARRIS, Ms. KAPTUR, and Mr. RUSSELL):

H. Res. 865. A resolution commemorating the 60th anniversary of the Hungarian Revolution and Freedom Fight of 1956 and celebrating the deep friendship between Hungary and the United States; to the Committee on Foreign Affairs.

By Mr. VEASEY:

H. Res. 866. A resolution expressing support for designation of the month of September as "National Voting Rights Month"; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SANFORD:

H.R. 6000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution asserts that the Congress shall have power to lay and collect taxes. This bill modifies the Internal Revenue Code of 1986 to modify the rules relating to the taxation of meat and other agricultural wine.

By Mr. BECERRA:

H.R. 6001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United State, or in any Department or Officer thereof.

By Ms. CLARK of Massachusetts:

H.R. 6002.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MESSER:

H.R. 6003.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. HURD of Texas:

H.R. 6004.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IX, clause VII, of the United States Constitution.

By Mr. DAVIDSON:

H.R. 6005.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: Since Members of Congress and other federal employees are "necessary" to fulfill the constitutional functions of government, laws determining the compensation of Members of Congress and federal employees are constitutional under the necessary and proper clause.

By Ms. BASS:

H.R. 6006.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. MCCARTHY:

H.R. 6007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress Shall have power to regulate commerce with foreign nations, and among the several states, and with indian tribes.

and

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. MEADOWS:

H.R. 6008.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. RUSSELL:

H.R. 6009.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BILIRAKIS:

H.R. 6010.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BILIRAKIS:

H.R. 6011.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BUCSHON:

H.R. 6012.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Ms. ESHOO:

H.R. 6013.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. NOLAN:

H.R. 6014.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. PAULSEN:

H.R. 6015.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—"lay and collect taxes"

Article 1, Section 8, Clause 18—"necessary and proper"

By Mr. POE of Texas:

H.R. 6016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. RICHMOND:

H.R. 6017.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. YOUNG of Alaska:

H.R. 6018.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Indiana:

H.R. 6019.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 167: Mr. SENSENBRENNER.

H.R. 213: Mr. AUSTIN SCOTT of Georgia, Mrs. NAPOLITANO, Mr. YARMUTH, Mr. JOHNSON of Georgia, and Mr. CULBERSON.

H.R. 346: Mr. DAVID SCOTT of Georgia.

H.R. 465: Mr. BARR.

H.R. 470: Mr. DAVID SCOTT of Georgia.

H.R. 605: Mr. SCHIFF.

H.R. 667: Mr. GRIJALVA.

H.R. 775: Mr. TED LIEU of California, Ms. CLARKE of New York, Mr. VELA, and Mrs. BUSTOS.

H.R. 822: Mr. COLLINS of New York.

H.R. 846: Mr. HIMES.

H.R. 885: Mr. COFFMAN and Mr. JOLLY.

H.R. 1218: Mrs. ELLMERS of North Carolina.

H.R. 1220: Mr. POLIS, Mr. FRANKS of Arizona, Mr. DENHAM, Mr. VALADAO, Mr. KING of Iowa, Mrs. LUMMIS, Ms. CASTOR of Florida, Mr. WILLIAMS, and Mr. PIERLUISI.

H.R. 1453: Mr. REICHERT, Mr. HENSARLING, and Mr. WILLIAMS.

H.R. 1669: Mr. CULBERSON and Mr. BYRNE.

H.R. 1705: Mr. YODER.

H.R. 1854: Mr. MURPHY of Pennsylvania.

H.R. 1904: Mr. JOLLY.

H.R. 1940: Mr. O'ROURKE.

H.R. 2313: Mr. KATKO.

H.R. 2315: Mr. JENKINS of West Virginia.

H.R. 2368: Mr. BERA, Mr. CARNEY, Ms. DEGETTE, and Mrs. LOWEY.

H.R. 2747: Mr. RUSSELL.

H.R. 2799: Mr. TED LIEU of California.

H.R. 3099: Mr. RICHMOND, Mr. RIBBLE, Mr. YODER, Mr. SCHIFF, and Mr. POLIS.

H.R. 3119: Mr. VALADAO.

H.R. 3175: Mr. BLUMENAUER.

H.R. 3222: Mr. GRAVES of Missouri and Mr. ROE of Tennessee.

H.R. 3337: Mr. FOSTER.

H.R. 3355: Mr. CONYERS, Mr. JOYCE, and Mr. GROTHMAN.

H.R. 3381: Mr. WALDEN and Mr. DEFAZIO.

H.R. 3410: Mr. POLIS.

H.R. 3438: Mr. JENKINS of West Virginia,

Mr. GRIFFITH, Mr. GRAVES of Missouri, Mr. ROKITA, Mr. GROTHMAN, Mr. EMMER of Minnesota, Mrs. WAGNER, Mr. NEWHOUSE, Mr. MCCLINTOCK, and Mrs. BLACK.

H.R. 3514: Ms. MATSUI.

H.R. 3522: Ms. LEE, Ms. CLARKE of New York, and Mr. PERLMUTTER.

H.R. 3535: Ms. SCHAKOWSKY.

H.R. 3706: Mr. YODER, Mr. LYNCH, Mr. KENNEDY, Mr. POLIQUIN, Mr. PEARCE, and Mr. DESAULNIER.

H.R. 3720: Mr. POLIS.

H.R. 3779: Mr. RENACCI, Mr. NUNES, Mr. FARR, Mr. BARR, Miss RICE of New York, Mr. KILMER, Mrs. ROBY, and Mr. POCAN.

H.R. 3846: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. STIVERS.

H.R. 3886: Ms. TSONGAS.

H.R. 3991: Ms. JUDY CHU of California, Mr. LOWENTHAL, Mr. RYAN of Ohio, and Mr. GALLEGO.

H.R. 4043: Mr. YOUNG of Alaska.

H.R. 4179: Mr. RUIZ.

H.R. 4272: Mrs. ROBY.

H.R. 4352: Mr. YODER.

H.R. 4365: Mrs. BUSTOS.

H.R. 4514: Mr. FLORES, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SCALISE, Mr. NUGENT, Mr. SMITH of New Jersey, Ms. FOXX, and Ms. DELAULO.

H.R. 4567: Mr. LOWENTHAL and Mr. PETERSON.

H.R. 4592: Mr. AMODEI and Mrs. ELLMERS of North Carolina.

H.R. 4615: Ms. MCSALLY.

H.R. 4662: Mr. WALBERG.

H.R. 4695: Mr. YOUNG of Iowa.

H.R. 4764: Mr. ROUZER, Mr. CARTER of Texas, and Mrs. WAGNER.

H.R. 4784: Ms. SINEMA and Mr. ASHFORD.

H.R. 4818: Mr. LUCAS, Mr. EMMER of Minnesota, and Mr. COLE.

H.R. 4832: Mr. PETERS.

H.R. 4919: Mr. CRENSHAW, Mr. SESSIONS, Ms. MATSUI, Mr. ISRAEL, Mr. YODER, Mr. GUTIÉRREZ, Mr. GRIJALVA, and Mrs. WATSON COLEMAN.

H.R. 4959: Mr. GUTHRIE.

H.R. 5007: Mr. RICE of South Carolina.

H.R. 5009: Ms. ESHOO and Mr. LANCE.

H.R. 5122: Mr. NUNES.

H.R. 5143: Mr. MACARTHUR.

H.R. 5167: Mrs. LOVE, Mr. WALZ, and Mr. SMITH of Texas.

H.R. 5183: Mr. MACARTHUR, Mr. YARMUTH, and Ms. ROS-LEHTINEN.

H.R. 5204: Mr. MCNERNEY.

H.R. 5209: Mr. POLIQUIN.

H.R. 5221: Mr. MCNERNEY.

H.R. 5254: Mr. DONOVAN.

H.R. 5272: Ms. LOFGREN.

H.R. 5351: Mr. NUNES, Mr. BURGESS, Mr. NUGENT, Mr. MURPHY of Pennsylvania, Mr.

SCALISE, Mr. ROUZER, Mr. MOOLENAAR, Mr. OLSON, Mr. BABIN, and Mr. ROSS.

H.R. 5398: Mr. DESJARLAIS.

H.R. 5418: Mr. RATCLIFFE, Mr. HUELSKAMP, Mr. WILLIAMS, Mr. SANFORD, and Mr. WEBER of Texas.

H.R. 5465: Mr. LABRADOR.

H.R. 5499: Mr. WALBERG, Mr. CARTER of Georgia, Mr. GRAVES of Georgia, Mr. BRAT, and Mr. ROSS.

H.R. 5531: Mr. ZELDIN.

H.R. 5598: Mr. COURTNEY.

H.R. 5599: Mr. COURTNEY.

H.R. 5620: Mr. BUCHANAN.

H.R. 5625: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. CLAY.

H.R. 5668: Mr. CARTER of Georgia.

H.R. 5689: Mr. NEAL.

H.R. 5719: Mr. HULTGREN.

H.R. 5732: Mr. FLORES, Mrs. LOWEY, and Ms. SCHAKOWSKY.

H.R. 5746: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. FUDGE, and Ms. LOFGREN.

H.R. 5754: Mr. RENACCI and Mr. PAULSEN.

H.R. 5759: Mr. MULVANEY.

H.R. 5760: Mr. MULVANEY.

H.R. 5801: Mr. LABRADOR.

H.R. 5853: Mr. HARPER, Mr. GRAVES of Missouri, and Mrs. HARTZLER.

H.R. 5855: Mr. SCHIFF.

H.R. 5879: Mr. TOM PRICE of Georgia and Mr. MARCHANT.

H.R. 5902: Mr. FITZPATRICK.

H.R. 5904: Mr. LOUDERMILK and Mr. HENSARLING.

H.R. 5910: Mr. BUCSHON.

H.R. 5931: Mr. ALLEN, Mr. MULVANEY, Mr. ROKITA, Mr. BOST, Mr. HARPER, Mr. BUCSHON, Mr. VALADAO, and Mr. BISHOP of Michigan.

H.R. 5932: Mrs. DAVIS of California, Mr. LOWENTHAL, Mr. JONES, and Mr. HIGGINS.

H.R. 5942: Mr. BYRNE, Mr. FARENTHOLD, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 5948: Mr. SWALWELL of California, Ms. JUDY CHU of California, Mr. LAMALFA, Mr. CÁRDENAS, Mr. DESAULNIER, and Mr. TED LIEU of California.

H.R. 5951: Mr. WILLIAMS and Mr. VELA.

H.R. 5957: Mr. CARSON of Indiana, Ms. TITUS, and Mrs. COMSTOCK.

H.R. 5970: Mr. WEBER of Texas.

H.R. 5978: Mr. ZELDIN.

H.R. 5980: Mr. GRIJALVA, Mrs. ROBY, Mr. MCGOVERN, and Mr. YARMUTH.

H.R. 5982: Mr. WALBERG and Mr. JORDAN.

H.R. 5999: Mr. THOMPSON of Pennsylvania, Mr. NEWHOUSE, and Mr. OLSON.

H. Con. Res. 26: Mr. WOODALL and Mr. JODY B. HICE of Georgia.

H. Con. Res. 140: Mr. HOLDING, Mr. BUCHANAN, Mr. TURNER, Mr. LATTA, Mr. AGUILAR, and Mr. ROKITA.

H. Con. Res. 141: Mr. LOWENTHAL, Ms. SLAUGHTER, and Mr. OLSON.

H. Res. 590: Mr. LUETKEMEYER and Mr. HINOJOSA.

H. Res. 752: Mrs. CAROLYN B. MALONEY of New York, Mr. VELA, Ms. TSONGAS, and Ms. MCSALLY.

H. Res. 776: Mr. COLLINS of New York, Mr. LUETKEMEYER, Mr. JOHNSON of Ohio, Mr. MACARTHUR, and Ms. PINGREE.

H. Res. 813: Mr. RICE of South Carolina and Mr. GENE GREEN of Texas.

H. Res. 817: Mr. COOK.

H. Res. 845: Mr. HUFFMAN, Ms. MATSUI, Mr. MOULTON, Ms. SPEIER, Mr. ZELDIN, Mr. MACARTHUR, Mr. MURPHY of Florida, Mrs. WATSON COLEMAN, Ms. ESHOO, Mr. SWALWELL of California, Mr. CARNEY, Mrs. CAPPs, and Mr. CAPUANO.

H. Res. 850: Mr. BUCHANAN, Mr. YARMUTH, and Mr. BYRNE.

H. Res. 853: Mr. SALMON, Mr. GOHMERT, Mr. DUNCAN of South Carolina, and Mr. GIBBS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. THORNBERRY

The provisions that warranted a referral to the Committee on Armed Services in H.R. 5351 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

86. The SPEAKER presented a petition of Bar Association of Puerto Rico Governing Board, relative to Resolution Number 26, to express the repudiation of the Governing Board of the Bar Association of Puerto Rico with regard to H.R. 4900, Oversight Board to assist the government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, also known as the Federal Fiscal Control Board for Puerto Rico; which was referred to the Committee on Natural Resources.

EXTENSIONS OF REMARKS

ELDON LAIDIG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Eldon Laidig for receiving the West Chamber's 2016 Jefferson County Hall of Fame Award.

Known for his passion for education and community service, Eldon has been a pillar of the Jefferson County community for more than fifty years. Before becoming a financial planner, Eldon spent 42 years in the U.S. Coast Guard Reserves and 27 years working for Jefferson County Public Schools, 25 of which were spent as a middle school principal.

In 1990, Eldon became an associate with Personal Benefit Services Wealth Management, which has been recognized by 5280 Magazine and the Arvada Chamber of Commerce. Eldon's involvement in the Arvada community is unparalleled. He was named the Arvada Sentinel's Man of the Year, has served as club president of the Arvada Council for the Arts and Humanities and Arvada Rotary Club and Friendship Force of Greater Denver, as well as vice president of the Arvada Historical Society. In his five decades in the Jefferson County area, Eldon has worked tirelessly to improve the City of Arvada through community service.

I extend my deepest congratulations to Eldon Laidig for this well-deserved recognition by the West Chamber.

CONGRATULATING MR. RAY JENNINGS ON THE OCCASION OF HIS RETIREMENT

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to celebrate Mr. Ray Jennings on the occasion of his well-deserved retirement from the Bedford County Airport in Bedford, PA.

Ray began a distinguished military career in the Air Force Air Defense Command, serving tours across North America. From there, his career advanced as he gained extensive international flying experience. He later attended the Air Force Institute of Technology, Squadron Officers School, the Air Command and Staff College, and the University of Illinois, where he studied aeronautical engineering.

Next, Ray spent time helping develop and test aircraft until he was dispatched to Vietnam, where he flew 138 combat missions. As a result of his courageous service, he was awarded the Distinguished Flying Cross, two Purple Hearts, and various Air Medals. After

being shot down and rescued, Ray returned home, where he continued to serve his country admirably until his retirement at Andrews Air Force Base.

Following his remarkable military career, Ray was a member of the Bedford County Air Authority from 1985 to 2009, serving as its Secretary and Treasurer from 1994 to 2009. For the past 22 years, Ray has been the Manager of the local Bedford County Airport. Through these experiences, he proved himself instrumental in establishing the Airport as a significant, award-winning asset for the county.

Ray has also provided his extensive expertise and service to aviation and transportation boards at the state and local levels. Additionally, he has been a member of Southern Alleghenies Planning and Development Commission, which has been a notable force in promoting economic and community development in Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton Counties.

It is my honor to recognize the selfless and impactful career of Mr. Ray Jennings, who not only sacrificed for his country but also his state, community, and family. The impact of his service is sure to live on, and I wish him the absolute best in his hard-earned retirement.

HONORING JOANNE WHITE

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. CONAWAY. Mr. Speaker, today the House of Representatives is losing a treasure. After more than 41 years of service, Joanne White, or Miss Joanne as she is affectionately known, is taking her well-earned retirement. She has never been elected, she has never introduced a bill and she has never cast a vote on the House floor but she has meant more to this institution than many of us lucky enough to be called members.

It is no secret that so much of what successful Members are able to accomplish is because of dedicated staff. Staff keeps the trains moving, they sweat the details, and they are the experts on so many of the issues of the day. In her 41 years here, Miss Joanne has done more, seen more, and forgotten more than I ever will. Her experience and institutional knowledge is irreplaceable.

I am fortunate enough to have known Miss Joanne during my time as chairman of the House Ethics Committee, where she has served the past twenty five years. As a new chairman, I was the beneficiary of her accumulated wisdom and the recipient of her sage counsel. Miss Joanne is unique because of her dedication to this institution and her bipartisan service to 13 different Committee chairmen.

While she is retiring today, she is leaving indelible marks behind. The Ethics Committee reflects her warm and gracious demeanor. And, there are two generations of staffers who she taught not how to work for Congress, but how to serve in Congress. Finally, like my predecessors, I am grateful to have had Miss Joanne by my side as I navigated the challenges of chairing the Ethics Committee. She taught me lessons that I will not forget either.

I am indebted to her. Her colleagues are indebted to her. The House of Representatives is indebted to her. As she retires, I wish her happiness and joy as she spends time with her family and friends. Thank you, Joanne, for your service.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 12, 2016, on Roll Call Number 496 on the motion to suspend the rules and agree to H. Res. 847, Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment, I am not recorded. Had I been present, I would have voted YES on the motion to suspend the rules and agree to the resolution, H. Res. 847.

On September 12, 2016, on Roll Call Number 497 on the motion to suspend the rules and agree to H. Res. 835, Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment, I am not recorded. Had I been present, I would have voted YES on the motion to suspend the rules and agree to the resolution, H. Res. 835.

IN HONOR OF JO BARTON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. FARR. Mr. Speaker, I rise today to honor the life of Jo Clough Barton. Jo died peacefully, surrounded by her family, in her home in Annapolis, Maryland on August 3, 2016. She was 85 years old.

Born Martha Jo Clough on March 19, 1931 to Sara Jo and Arthur Clough in Oklahoma City, she attended Edgemere Elementary School before her family moved to Ardmore, OK in 1941. She graduated from Ardmore

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

High School in 1949 and then attended the University of Oklahoma where she met and married her husband Gerald (Jerry) Barton. She attended and graduated second in her class from the University of Oklahoma College of Law in 1955 and was admitted to the prestigious honor society, the Order of Coif. She was admitted to the Oklahoma Bar Association in 1955.

Jo practiced law in Oklahoma from 1958 to 1968 for the firm Mosteller, Andrews, Mosberg (now Andrews, Davis) and later opened an independent book store in the Avondale Shopping Center. She was a volunteer at Beta Theta Chapter of Kappa Kappa Gamma Fraternity at OU, mentoring many young women. She also volunteered in many of her children's activities and at their school. An ardent Democrat, she championed liberal causes and raised money for progressive candidates throughout her life.

She and Jerry later moved to Big Sur, CA where she served as president of the Carmel Bach Festival, on the board of Hospice of the Monterey Peninsula and opened a children's clothing store called Nana's. She moved to Annapolis, MD in 2015 to be close to her children.

She is survived by her children, Joann Vaughan, Doug Barton and Martha Doherty, all of Annapolis MD; her grandchildren; Barton Vaughan, Elizabeth Vaughan, Christopher Austin, Robert Vaughan, Sam Barton, Alison Doherty, Caroline Vaughan Kreutzer, Sarah Doherty, Kylee Barton and Harrison Barton; and two great granddaughters; Georgina Vaughan and Caroline Vaughan.

We honor and remember Jo's memory by opening a wonderful bottle of wine and cooking a favorite meal. "Grieve not, nor speak of me with tears, but laugh and talk of me as if I were beside you . . . loved you so—'twas Heaven here with you.'"—Isla Paschal Richardson

TEXAS RANGER—LAWRENCE
SULLIVAN ROSS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. POE of Texas. Mr. Speaker, the year was 1839 and thousands of families were looking to settle new lands for their families across the prairies and for the Ross family, Texas was where they chose to raise their young children. Lawrence Sullivan Ross was still an infant when they moved to Texas, and he grew up seeing just how wild the land of this fledgling nation was. He was only eleven when he was involved in his first Indian fight, and through the years helped his father protect the area around Waco from attacks. Though he wanted to follow in his father's footsteps and become an Indian fighter, as a young man he realized the need for an education and enrolled at Baylor University.

After graduation, he joined the Texas Rangers and quickly won favor among many of his superiors, including the governor of Texas, Sam Houston. Houston gave Ross the authority to raise a small militia and Ross spent the

next several years fighting against Comanche raiding parties. He only halted his service when the Civil War broke out. He fought in the Sixth Texas Cavalry division and was promoted to brigadier general in 1863, and began commanding the Texas Cavalry Brigade (later called "Ross's Brigade.")

While his health suffered during the war, Ross's desire to serve the state that he loved stayed as strong as ever. So instead of continuing to fight, his friends convinced him to run for public office. He served in the Senate for a full term, but later found that state politics were more agreeable with him, and ran for governor. Working hard to serve those around him, people would later describe his terms in office as "one of good will and harmony." But it wasn't until he left office that he started doing what he considered his greatest public service. After his last term finished as governor, he stepped right into his role as the new president of the small, failing Agricultural and Mechanical College of Texas. Through his leadership the school was able to start growing again, and many new buildings were added on. Today that college enjoys its status as a world-class school, and goes by the name of Texas A&M University. He passed away during his tenure as president in the then-small town of College Station.

His love for the people of Texas was evident in all that he did. Whether it in the armed forces, up here on Capitol Hill, or paving the way for Texas's next generation, he was always striving to serve his community. Mr. Speaker, I hope that every one of us here, regardless of our party or political stance, would take after his example, always viewing our time here as an opportunity to serve the great people of this nation.

And that's just the way it is.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. SEWELL of Alabama. Mr. Speaker, during Roll Call votes held on September 13, 2016, I was inescapably detained handling important matters related to my District and the State of Alabama. If I had been present, I would have voted NO on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 5620, NO on H. Res. 859, NO on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3590, and NO on H. Res. 858. Also, I would have voted NO on final passage of H.R. 3590, YES on final passage of H.R. 5587, and YES on H. Res. 729.

POLICE LIEUTENANT GARY
TOLDNESS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Federal

Heights Police Lieutenant Gary Toldness for his decades of service to the City of Federal Heights, Colorado. For more than forty years, Lieutenant Toldness has been active within the community and the police department serving constituents of Federal Heights.

Lieutenant Toldness started his career in 1976 as a reserve police officer at the Federal Heights Police Department (FHPD). From there he served in various parts of the department including Detective, Sergeant, Lieutenant, and Commander. He worked his way up through the Department serving as the Federal Heights Police Department public information officer, the FHPD SWAT team where he served both as a sniper and the Commander, and as the first supervisor of the 17th Judicial District Critical Incident Team. His hard work and dedication each and every day to making the community of Federal Heights a great place to live and work demonstrates his exemplary work as a police officer.

I extend my deepest thanks to Lieutenant Toldness for his dedication and service to the Federal Heights community.

TRIBUTE TO JAN FRANK-DE OIS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jan Frank-de Ois of Shenandoah, Iowa on her retirement as the Director of the Shenandoah Public Library. Jan has been serving the citizens of Shenandoah and Page County for 27 years.

Jan has connected people with literature, information and the world. Over the 27 years at the library she has worked to accomplish many new operating techniques, such as, moving from paper to online services. She said, "We work hard on customer service." Jan knew at an early age of her interest in libraries. She volunteered at the Essex, Iowa Public Library while attending high school and continued volunteering at the Dunn Library at Simpson College.

Mr. Speaker, Jan has made a difference in her community by helping and serving others. It is with great pride that I recognize her today. I know that my colleagues in the United States House of Representatives join me in honoring her service and accomplishments. I thank her for her commitment to the Shenandoah Public Library and wish her nothing but continued success in her retirement.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for two roll call votes on Tuesday, September 13, 2016. Had I been present, I would have voted in this manner:

Roll Call Vote number 496—H. Res. 847—Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment—YES.

Roll Call Vote number 497—H. Res. 835—Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers access to financial tools and online commerce to promote economic growth and consumer empowerment—YES.

IN HONOR OF PASTOR C.L. DANIEL
AND HIS 70 YEARS IN THE MINISTRY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Pastor C.L. Daniel and the 70 years he has served in the ministry.

C.L. Daniel was born on June 31, 1931, and at the age of 15, he felt the call to ministry. He wanted to share his faith and spread the gospel of Jesus Christ.

Pastor Daniel has served as pastor at several churches with devotion and steadfast determination. He retired from York Town Baptist Church in Mobile, Alabama, in 2006 after 25 years. During that time, he and his wife would commute to and from Mobile every weekend from Opelika, Alabama.

Pastor Daniel has served several small churches since his retirement and is currently serving as pastor at Historic Shiloh Baptist Church in Notasulga, Alabama.

The Daniels have seven children: John White, Jr. (Deceased), Donald Daniel (Deceased), Renae Daniel (Deceased), Annie Lauren Poles, Cynthia Sheffield, Marilyn Daniel and Rosalyn Gilbreath. They have been blessed with five grandchildren, 15 great-grandchildren and five great-great grandchildren.

Mr. Speaker, please join me in celebrating Pastor Daniel and his 70 years serving in the ministry.

PERSONAL EXPLANATION

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. McCOLLUM. Mr. Speaker, yesterday I was still at a Democratic Steering and Policy Meeting and missed a vote on H. Res. 847.

Had I been present, I would have voted in support of H. Res. 847, Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment.

TRIBUTE TO JACQUELINE AND
KENNETH GLEASON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jacqueline and Kenneth Gleason of Essex, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on June 15, 2016.

Jacqueline and Kenneth's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for votes on Monday, September 12, 2016. Had I been present, I would have voted "yea" on roll call votes 496 and 497.

PERSONAL EXPLANATION

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Indiana. Mr. Speaker, on roll call numbers 496 and 497, had I been present I would have voted yea.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. ESHOO. Mr. Speaker, I was not present during roll call vote numbers 496 and 497 on September 12, 2016. I would like the record to reflect how I would have voted:

On roll call vote no. 496 I would have voted YES.

On roll call vote no. 497 I would have voted YES.

TRIBUTE TO VIVIAN GOLLY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Vivian Golly on the occasion of her 100th birthday on June 28, 2016.

Vivian was born in Zeoring, Iowa and graduated from Zeoring High School in 1933. She married Ernest Golly in 1935 and they had three children, Jo, Louis and Robert. Ernest and Vivian settled in Corning, Iowa. Vivian worked for 15 years as a house mother for deaf children and learned sign language. She attributes hard work and healthy habits for her longevity.

Mr. Speaker, it is an honor to represent Vivian in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Vivian on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on H. Res. 847, a resolution expressing support for a national strategy for the "Internet of Things" to promote economic growth and consumer empowerment (Roll Call Number 496), I would have voted "aye." The Internet of Things is the platform for existing and emerging technologies that are revolutionizing everyday life, from self-driving cars to "smart homes," where lighting, temperature, and security can be controlled and monitored from a phone. A national strategy can help guide this technology to meet goals of sustainability, equity, and economic growth.

Likewise, had I been present for the vote on H. Res. 835, a resolution expressing support for a national policy for technology to promote consumer access to financial tools and online commerce (Roll Call Number 497), I would have voted "aye." With nearly a third of the U.S. population underbanked or unbanked, it is critical that we focus emerging technology development to provide additional support, financial tools, and security to consumers.

RECOGNIZING RON O'CONNER'S RETIREMENT FROM FARM CREDIT OF CENTRAL FLORIDA

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. ROSS. Mr. Speaker, I rise today to recognize and celebrate the career and retirement of my good friend Ron O'Conner of Florida Farm Credit in Lakeland, Florida.

Ron is a native Floridian and a University of Florida graduate. He began his career at Farm Credit of Central Florida in 1987 as Marketing Manager. During his time at Farm Credit, he and the marketing department earned many outstanding achievement awards.

Ron is an exceptional representative of the Farm Credit system. Currently, he chairs Farm Credit of Florida's statewide marketing committee, providing maximum exposure for Farm Credit of Florida's most important agriculture events.

Farm Credit of Central Florida's mission is to provide reliable, consistent credit and financial services to the agricultural and rural communities of Central Florida. Ron is dedicated to this mission, and to the people and business of agriculture—the heart and lifeblood of the United States.

Everyone knows Ron can be found at every agricultural event throughout the 15th District of Florida, documenting everything with his camera.

Ron's service and excellence has helped make Florida Farm Credit the largest single lender to agriculture in my home State of Florida.

Not only is Ron known as a diligent and valuable representative of Farm Credit, but also as a man of great integrity. I am proud to call Ron my friend.

Best wishes for an enjoyable retirement.

RECOGNIZING NEW LENOX'S PROUD AMERICAN DAYS MILITARY TRIBUTE

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. FOSTER. Mr. Speaker, I rise today to highlight New Lenox's annual military tribute during Proud American Days. Since 1984, the New Lenox Chamber of Commerce has been steadfastly dedicated to the commitments and sacrifices of our nation's service members. What started out as a small gathering is now one of the largest programs attended in the area.

New Lenox's motto reads, "The Home of Proud Americans" and they certainly live up to that slogan. On Sunday, July 31, 2016, more than two hundred people, including veterans, paid homage to those who have sacrificed so much to protect our great nation. These brave Americans endured so much so that we can enjoy the freedoms we have today and for that, we owe them our eternal gratitude.

During the tribute this year, the following veterans were recognized:

Machinist's Mate Second Class Robert Beazley, United States Navy

Master Sergeant Edward Dima, United States Air Force

Gunner's Mate Third Class Leonard Kapocius, United States Navy

Mr. Speaker, I am proud to submit these names for all to see, and I ask my colleagues to join me in honoring all of our nation's veterans.

TRIBUTE TO LYNETTA BLEEKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lynetta Bleeker, a middle school teacher at Parkview Middle School in Ankeny, Iowa. On Thursday, September 8, 2016, Lynetta was a recipient of The Presidential Awards for Excellence in Mathematics and Science Teaching at a ceremony in Washington, D.C.

The Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST) are the highest honors bestowed upon K–12 mathematics and science teachers by the federal government. Established by Congress in 1983, the PAEMST program has been a benchmark that all teachers strive to achieve. Ms. Bleeker's dedication to her students and steadfastness in her commitment to excellence has not gone unnoticed. I am honored to recognize her as one of this year's recipients.

Mr. Speaker, I applaud and congratulate Lynetta Bleeker for receiving this award and for providing the youth in Iowa's 3rd Congressional District the education that they will need to be successful in the future. I am proud to represent her, her fellow teachers and students in the United States Congress. I know that my colleagues in the United States House of Representatives will join me in congratulating Lynetta Bleeker and wishing her well and continued success in the future.

TRIBUTE TO LINDA RAWL SHEALY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. WILSON of South Carolina. Mr. Speaker, on Saturday, September 10, 2016, a memorial service was conducted for Linda Rawl Shealy by Dr. Mark S. Bredholt. Eulogies were provided by former Columbia television news anchor Cheryl Irwin and myself. I was honored to provide the following tribute:

Family and friends of Linda Rawl Shealy, this is a loving service honoring a dear lady, but, additionally, it is fitting for me to participate as this is also a reunion of former staff members of my predecessor, the late Congressman Floyd Spence, who was a Patriot, Statesman and Southern Gentleman.

Congressman Spence was a good judge of character and integrity, selecting talented young people for his staff. Especially extraordinary was Chief of Staff Craig Metz, along with District Director Sammy Hendrix. Sammy was perceptive enough to recommend his fellow Lexington High School classmate, Linda Rawl Shealy, to the Congressman.

In 1984, Congressman Spence was the Ranking Member of the House Ethics Committee and Linda Shealy was selected to be a Staff Assistant for the Committee—a tough job for a Committee which is Solomonian as issues were presented equivalent to counting the number of angels who danced on a pin.

She served with young attorneys Mark Elam and John Hoefer, who were counsels to the committee, fresh out of law school, and today are among the most highly respected attorneys of Charleston and Columbia, with Mark as Director of State and Local Relations for Boeing and John as a Partner in the law firm of Willoughby and Hoefer.

In 1995, Linda shifted to become Special Assistant to Floyd Spence as he was elected Chairman of the House Armed Services Committee, where she faithfully served dependably and loyally until his death on August 16, 2016.

I was grateful that Linda led transition efforts for the Second Congressional District Office upon my election on December 18, 2001, and, in June 2002, she was selected as the second staff member of the House Office of Emergency Planning. This important office was established following the September 11th attacks by Islamic Terrorists.

Current Director Joe Lowry praised Linda as the "First Lady of the Emergency Planning Office," through her retirement in January 2014, as the longest serving employee of the Office.

Linda's achievements reflected well on her heritage with the Rawl Family being among the earliest German-Swiss families to settle here in the Saxe Gotha Region.

Welcoming attendees were other original families of Shealy, Addy, Meetze, and Price, who established a positive community where they are a tiny percentage of Lexington County, one of America's fastest growing, with transplants from the Northeast and Midwest along with worldwide residents. It was also fitting to be at the Caughman-Harman Funeral Home, established by original families Virl and Steve Caughman with Daisy Wilson and Harry Harman.

As we reflect on the dedicated life of Linda Rawl Shealy, it can clearly be established that she made a positive difference for a better community and nation.

IN HONOR OF THE 90TH BIRTHDAY OF FANNIE TAYLOR

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Fannie Taylor.

Mrs. Taylor was born on January 11, 1926 in Lee County, Alabama.

She joined Ferguson Chapel C.M.E. Church at the age of nine years old. She has served in several capacities throughout the years which included: President of the Stewardess Board, Treasurer of the Missionary Department, Chairperson of Circle Five.

She moved to Central Park, New York and lived there for 19 years. While living there, she attended Williams Chapel Institutional CME Church.

In 1996, she returned to Opelika, Alabama and to Ferguson Chapel CME Church.

She presently sings in the Senior Choir, is a member of Sunday School and Bible Study Group. She serves on the Opelika House Authority Resident Advisory Board and has for 19 years.

She has one son, Bobby Melton (Deceased), a daughter-in-law, Doris Melton,

three grandchildren and nine great-grandchildren.

Her favorite song is "Precious Lord, Take My Hand."

Mr. Speaker, please join me in wishing Mrs. Taylor a happy 90th birthday.

HONORING DR. OLLYE SHIRLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the life and legacy of Dr. Olye Shirley who has touched the lives of many in Mississippi. She recently passed away on September 10, 2016.

Dr. Olye Shirley grew up the big sister to two brothers in the home of two teachers in Mound Bayou, MS. Ms. Olye Brown's parents taught at a one-room school and their home was situated on land that her family still owns. When Olye Brown graduated from high school, she went on to attend Tougaloo College. Fond Tougaloo memories conjure images of singing under the trees and playing baseball.

Olye also remembers Tougaloo as a college "small enough to make really good close friends—kind of like a family. If somebody needed something, alumni or other students would pitch in." While lettering in basketball and being an all-conference guard, Olye Brown maintained her status on the Dean's list.

Miss Brown met and was courted by her college sweetheart Aaron Shirley, '55, at Tougaloo College.

This self-motivated honor student graduated from Tougaloo in 1953 with a Bachelor of Arts in English and gained employment at Burglund High School in McComb, MS. When her husband graduated from Tougaloo in 1955, the family moved to Nashville for his medical education at Meharry Medical College. Over those four years, Olye worked as a secretary for Tennessee State University and earned extra money typing theses for graduate students. She also worked for Davidson County as a welfare worker for their last two Nashville years.

Because the Civil Rights Movement did not receive much or very accurate coverage, several branches of the Mississippi Freedom Democratic Party published their own newsletters. Dr. Aaron Shirley graduated from Meharry, the family moved back to Mississippi, and Olye shared with Dilla E. Irwin the editorship of the Vicksburg branch's newsletter, the Citizen's Appeal.

Dr. Olye Shirley later worked for the Children's Television Workshop; then served on the JPS school board from 1978–1993, the last four years as president.

In her years of education, Dr. Shirley has served the children of Mississippi admirably. She worked with PBS' CTW for almost 25 years, helping determine the direction of educational television by bringing programs such as "Sesame Street," "Electric Company" and "Ghostwriters." In her last position in the CTW, Dr. Shirley served as regional director,

training teachers how to use these shows as educational tools.

Dr. Olye Brown Shirley's recent recognitions include Link of the Decade for Services to Youth from the Jackson Chapter of The Links. In addition, the story of her achievements is told on the 2010 documentary 'In Spite of it All' by Wilma Mosley Clopton. Dr. Olye Brown Shirley is also a member of Delta Sigma Theta Sorority, Inc., initiated through Tougaloo's Gamma Psi Chapter.

Doctors Aaron and Olye Brown Shirley's marriage bore four children: Kevin, Terrence, Christal S. Porter, and Erin Shirley Orey and her five much loved grandchildren. Mr. Speaker, I ask my colleagues to join me in celebrating the life and legacy of Dr. Olye Shirley.

TRIBUTE TO MARIE POOL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Marie Pool on the occasion of her 101st birthday on March, 15, 2016.

Marie was born on a farm near Williamson, Iowa and spent her youth helping on the farm and milking cows. She attended country school and Bridgewater High School. She married Virgil Pool in 1933 and they had three children, Donnie, Betty and Peggy. Marie quilted and loved to dance. Now, she lives at Greenfield Rehabilitation and Health Care Center in Greenfield, Iowa and enjoys bingo and ice cream socials. She attributes clean living and hard work to her longevity.

Mr. Speaker, it is an honor to represent Marie Pool in the United States Congress and it is my pleasure to wish her a very happy 101st birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Marie on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING JUSTIN-SIENA HIGH SCHOOL

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Justin-Siena High School upon the 50th Anniversary of the school's founding. While we honor five decades of academic achievement, we also celebrate the future of Justin-Siena High School in keeping with the school's motto *Sempre Avanti*, or "Always Forward."

The De La Salle Christian Brothers and the Dominican Sisters of San Rafael founded Justin-Siena in 1966 to educate and inspire young people to live the Lasallian values of scholarship, bravery, and faith. The school connects its students and our community to the Lasallian network of schools, which spans 82 countries around the world.

Located in Napa, California the school serves students from across the North Bay and from 15 countries around the world and maintains a commitment to academic excellence. Its 12:1 student-instructor ratio fosters close academic relationships, and an impressive 99 percent of the students receive college admission offers. In the tradition of Christian generosity espoused by its founders, Justin-Siena supports more than one-third of its students with tuition assistance to help families of all economic backgrounds.

The school's commitment to community service has offered students opportunities for service-based learning across our country from San Francisco, to Montana to Arizona. Students also participate in a variety of projects in our community. They work to address the needs of our local migrant farmworkers, contribute to environmental projects that restore ecosystems and help promote natural habitat growth.

Mr. Speaker, Justin-Siena has been a leading institution in our Napa Valley for five decades and has provided generations of students with a world-class education. It is therefore fitting and proper that we honor the school here today.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for some votes taken last Thursday, September 8, and all votes on Friday, September 9, due to attending my brother's wedding in Northern California. Had I been present, I would have voted as follows:

Roll Call Vote Number 492 (Motion to Recommit H.R. 2357): YES.

Roll Call Vote Number 493 (Passage of H.R. 4909, the Accelerating Access to Capital Act of 2015): NO.

Roll Call Vote Number 494 (Motion to Recommit H.R. 5424): YES.

Roll Call Vote Number 495 (Passage of H.R. 5424, the Investment Advisers Modernization Act of 2016): NO.

TRIBUTE TO LINDA LYNCH

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mrs. BLACKBURN. Mr. Speaker, I would like to acknowledge Linda Lynch for 29 years of service as the Brentwood City Community Relations Director. Her hard work and dedication to excellence has helped our city grow exponentially. Through her position she was able to bring members of Brentwood, Tennessee, around special causes and efforts.

Linda Lynch was born in Leipers Fork, Tennessee, and was raised in Franklin, Tennessee. She taught in Memphis, Tennessee, and Oklahoma. She also supported her husband who ran a transportation company before she took on her role in Brentwood.

As a liaison, she was instrumental in building bridges between residents and government. This was accomplished by how she planned events for the city. By doing so, government officials could hear the needs and concerns of the people and the community was heard by their leaders. Linda also played a major role in the education of historical sites and advocated for preservation of historic places. Outside of her regular duties she took the initiative and founded the Brentwood Historic Commission. Linda was also involved with the Brentwood Tree Board, the Adopt a Mile Program, and the Brentwood Library. She is also a lifetime member of the Williamson County Heritage Foundation.

Linda Lynch has left the city of Brentwood, Tennessee, a better place than when she first started in her role. I ask my colleagues to join me in honoring her service and commitment to the city of Brentwood, Tennessee.

TRIBUTE TO FRIEDA PORTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Frieda Porter on the occasion of her 100th birthday on March 23, 2016.

Frieda was born near Fontanelle, Iowa and attended Fontanelle schools. She married Max Porter in 1938 and they had three children, Becky, Randy and Pat. Frieda was active in the community and was an Avon representative for many years. She also taught Sunday school at the Greenfield Lutheran Church. Frieda attributes a healthy life, attendance at church and her belief in God to her long and happy life.

Mr. Speaker, it is an honor to represent Frieda in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Frieda on reaching this incredible milestone and wishing her even more health and happiness in the years to come.

WILLIAM "BILL" SHERRILL—
TEXAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. POE of Texas. Mr. Speaker, this month William "Bill" Sherrill turns 90 years young. This energetic veteran still has the same passion for our country and our military that he had the day he enlisted into the Marines at 15 years of age in 1941. As a young teenager, Bill served during World War Two and participated in the island hopping campaign until he was wounded in Iwo Jima.

Born in the 1920s, Bill grew up in the Depression of the 1930s poor, in Houston, Texas. At the age of 15, two weeks after Pearl Harbor, Bill dropped out of Lanier Middle

School and answered his country's call of duty to serve by joining the U.S. Marines. Bill said "he didn't lie about his age; I'm from Texas, I exaggerated my age."

During this time, the United States' major strategy was launched against Japan in a strategy called island hopping. This tactic was employed by the United States to gain military bases and secure small islands in the Pacific. Our military took control of the islands and quickly constructed landing strips and military bases. Then they proceeded to attack other islands from the bases they had established. Bill belonged to the 3rd Marines, 9th Battalion, and they participated in several campaign campaigns along Bougainville, Guam and Iwo Jima.

In February 1945, his troop invaded Iwo Jima on the seventh day. It was a month long bloody battle against Imperial Japan that resulted in 7,000 Marines who were killed and over 20,000 were injured; mostly young Marines. Bill lasted seven days, before being shot through the left arm; he went out on the fourteenth day of the battle. Bill recalls seeing the flag "Old Glory" that was famously waved over Mount Suribachi. From that experience, Bill knew that the Marines go where others fear to tread, and the timid are not found. For his injuries, Bill was treated at Oakland Naval Hospital. The bullet severed the nerve in his left arm, leaving his arm paralyzed and causing Bill to spiral into depression. But, Bill's story is not over. For his service and bravery, Bill received the Purple Heart, American Campaign Medal and the Good Conduct Medal. While recovering at the Naval Hospital, Bill also earned his GED (General Education Diploma). This would set him on a new course of training—from the battlefield to the classroom.

After his discharge in 1946, he moved back to Texas and enrolled at the University of Houston. Four years later, he earned his Bachelor's Degree in Business Administration and then his Master's at the Harvard School of Business. Bill never gave up. He was wounded, uneducated and paralyzed but he continued to press forward.

With his determination to never give in, Bill has had many successes. He has owned several businesses and even helped develop Tiki and Jamaica Island in Galveston. Banking and real estate were his main interests. He was employed by the City of Houston, served as president of a local bank, owned a financial consulting firm, and even served on the Federal Reserve's Board of Governors. With this diverse and fascinating career, it wasn't until 1990, that Bill discovered his true passion—teaching. He returned to his alma mater, the University of Houston, to teach at the Bauer College of Business Administration. Three years later, he founded the Center for Entrepreneurship and Innovation at University of Houston.

Ronald Reagan best summed it up when he said, "Some people spend an entire lifetime wondering if they made a difference. The Marines don't have that problem." That's certainly true for Bill, a remarkable man who has certainly made a difference in our community and in the lives of many. Happy 90th, Oooh Rah. Semper Fi.

And that's just the way it is.

GEORGIA AMBASSADOR ARCHIL
GEGESHIDZE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. POE of Texas. Mr. Speaker, as co-chair of the Georgia Caucus, I would like to take a moment to thank Ambassador Archil Gegeshidze for his dedication to developing a deep and meaningful U.S.-Georgia partnership. His Excellency Gegeshidze was appointed as the Ambassador of Georgia to the United States in March 2013. Since that time, he has served his country faithfully and worked tirelessly to improve Tbilisi's relationship with Washington.

Georgia sits in a region full of dictators, but it remains a stalwart beacon of democracy. It is on the basis of democracy and freedom for all that Ambassador Gegeshidze has worked to strengthen Georgia's ties with the United States. While there is still work to be done, with the Ambassador's help, Georgia has made significant strides ensuring freedom of the press, preventing corruption, and pursuing a free market system.

Throughout Ambassador Gegeshidze's appointment in the U.S., he has shown time and time again that Georgians share the same values as Americans. Georgian soldiers forged a strong bond with American soldiers as they fought alongside each other on the battlefield in Afghanistan. Georgians have also helped facilitate the growth of American law firms, colleges, energy and IT companies in their country. Our peoples' mutual dedication to being forces for good in the international community shines through in all aspects of our relationship. I am proud of the way Ambassador Gegeshidze has represented the Georgian people here in America and worked to achieve our shared strategic goals.

Together Georgians and Americans alike must continue the good work of the Ambassador. Given Russia's aggression in the region, we must continue to press for Georgia's membership in NATO. Also, in light of the increased trade between our two countries, it would be a smart move to start negotiations on a U.S.-Georgia free trade agreement.

Thanks to the efforts of Ambassador Gegeshidze, the bond between Georgia and the United States is strong. He will be greatly missed, but he leaves Washington with a robust U.S.-Georgia partnership in place for his successor.

And that's just the way it is.

TRIBUTE TO RICHARD BROOKS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Richard Brooks, a High School teacher at Johnston Community School District in Johnston, Iowa. On Thursday, September 8, 2016, Richard Brooks was a recipient of The Presidential

Awards for Excellence in Mathematics and Science Teaching at a ceremony in Washington, D.C.

The Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST) are the highest honors bestowed upon K–12 mathematics and science teachers by the federal government. Established by Congress in 1983, the PAEMST program has been a benchmark that all teachers strive to achieve. Richard Brooks' dedication to his students and steadfastness in his commitment to excellence has not gone unnoticed. I am honored to recognize him as one of this year's recipients.

Mr. Speaker, I applaud and congratulate Richard Brooks for receiving this award and for providing the youth in Iowa's 3rd Congressional District the education that they will need to be successful in the future. I am proud to represent him, his fellow teachers and students in the United States Congress. I know that my colleagues in the United States House of Representatives will join me in congratulating Richard Brooks and wishing him well and continued success in the future.

COMMEMORATING THE OPENING OF CITRUS RIDGE: A CIVICS ACADEMY

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. ROSS. Mr. Speaker, I rise today to commemorate the opening of Citrus Ridge: A Civics Academy, a new charter school for Kindergarten through eighth grade students, located in Florida's 15th Congressional District.

Citrus Ridge integrates Civics content and skills throughout all its students' curriculum. There, students will learn the skills and responsibilities associated with good citizenship by contributing to their school community.

Middle School students have the special opportunity to participate in the Civics Leadership Academy with a variety of civics electives, including Speech and Debate, Engaged Citizenship through Service Learning, and Law Studies.

By engaging in these courses, along with their regular curriculum, students will learn the importance of civic engagement and the valuable principles of self-government.

This great nation has a system of self-government in place, thoughtfully set forth by our Founding Fathers.

Self-government is the ability to govern one's self. Without this ability, individuals and politicians cease to vote for and promote policies contributing to the sustaining of our Republic.

We need to teach our children the principles of self-government at an early age and throughout their lives, so they may become well-informed and contributing citizens in our society.

I congratulate and thank all those who have been engaged in and helped with this amazing effort, and I offer my continued support to Citrus Ridge moving forward. It is my hope Citrus Ridge will be an example of civic learning and

engagement throughout the 15th District, the entire State of Florida, and the United States of America.

RECOGNIZING SEPTEMBER IS CHILDHOOD CANCER AWARENESS MONTH AND THE LIFE OF AMAN- DA CONROW

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. SLAUGHTER. Mr. Speaker, I rise today to observe September as National Childhood Cancer Awareness Month. This year over 16,000 children and adolescents will be diagnosed with cancer. This horrifying disease does not know race, nationality, religion, gender, or socio-economic status. As a mother and a grandmother, one of my greatest hopes is that one day every person can live a healthy, long life without the fear of cancer. I'm especially proud that a bill I wrote, the Genetic Information Nondiscrimination Act (GINA), is now playing a leading role in much of the cancer research being done across the country today, after a 14 year fight to get it signed into law.

Eliminating childhood cancer is one issue that I am grateful to see is bipartisan. As a member of the Congressional Childhood Cancer Caucus, I am proud to work with my friends on both sides of the aisle to advocate and support robust funding for research to prevent the suffering and long-term effects of childhood cancer.

With significant advances in medicine in the past 40 years, the mortality rate for childhood cancer has declined by more than 50 percent. Still, 1,250 children may lose their battle with cancer by the end of this year. We must continue to push for robust funding for institutions such as the National Institutes of Health and the National Cancer Institute. We must work to increase awareness for early detection and support those in our community who face this reality with our compassion and support.

Further, Mr. Speaker, I wish to pay tribute to the extraordinary life of Rochester's own Amanda Conrow. In 2012, when she was just three years old, Amanda was diagnosed with ependymoma, a cancer of the brain and central nervous system. Doctors told Amanda's parents she would maybe live another year. Amanda, like so many other courageous children, proved the doctors wrong. With the support and love of her mother Liz, her father Paul, and her amazing siblings Samantha, Michael, Jessica and Emily, Amanda lived to see her sixth birthday. Her determination and tenaciousness inspired many in the community and helped to bring awareness to childhood cancer in the Rochester area. Sadly, Amanda lost her battle in the early hours of February 8, 2015.

Mr. Speaker, let us all be inspired by Amanda's life and the courage and bravery of every child facing this disease. It is my deepest hope that we can support the work of doctors and researchers that are committed to working tirelessly so that one day we will achieve the ultimate goal of eliminating cancer as a threat to all.

TRIBUTE TO KAREN AND DONALD TYE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Karen and Donald Tye of Macedonia, Iowa on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on July 9, 2016.

Karen and Donald's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN HONOR OF THE LIFE OF JAMES G. PATTERSON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the life of James G. Patterson.

August 22nd marks the birthday of Mr. Patterson who served his country in Korea until the conflict ended on July 27, 1953. Mr. Patterson returned to Alabama in the late 1950s and joined the Alabama National Guard. He served at the integration of the University of Alabama in June of 1963 and during the third Civil Rights march from Selma to Montgomery in 1965.

His Army and National Guard experience were important to him and he shared his admiration and respect for Korea, education, religion and Civil Rights with his son, James E. Patterson, an Auburn University graduate, an Associate Member of the Korean War Veterans Association and a life member of the America Foreign Service Association.

Mr. Patterson's son honored his father, who passed away in 2003, by appearing as a reporter in the 2015 film "Selma." His son had his late father's military photo in his pocket as his scenes were filmed in Atlanta the week of Father's Day in 2014. James also wrote an article in the April 2015 issue of the National Guard Magazine titled, "Proud of My Father."

On August 22, the Patterson family remembers and celebrates the life of James G. Patterson by volunteering at libraries, churches and schools.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on Monday, September 12, 2016. Had I been present for roll call vote number 496, H. Res. 847, Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment, I would have voted "yea." Had I been present for roll call vote number 497, H. Res. 835, Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment, I would have voted "yea."

RECOGNIZING RABBI EMERITUS AMIEL WOHL

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mrs. LOWEY. Mr. Speaker, I rise to recognize my friend, Rabbi Emeritus Amiel Wohl, who will be honored this Friday during a special farewell Shabbat Dinner and Service at Temple Israel of New Rochelle in New Rochelle, New York.

Throughout his life, Rabbi Wohl has dedicated himself to his faith and his community. He has served as Rabbi at Temple Israel in New Rochelle since 1973. Previously, he served congregations in Waco, Texas; Baltimore, Maryland; and Sacramento, California, where he was the Chaplain of the California Senate. Since moving to Westchester, he has served as President of the Westchester Jewish Council, represented the Central Conference of American Rabbis on the Conference of Presidents of Major Jewish Organizations, and is a past President of the Westchester Board of Rabbis. He was also instrumental in creating the only Sabbath service radio broadcast in the New York Metropolitan Area.

As a local leader, Rabbi Wohl has worked to advance peaceful cooperation in our diverse community. He was a founder of the Interreligious Council of New Rochelle, and served on the Human Rights Commission of New Rochelle and the Westchester County Human Rights Commission. He also helped create the Coalition for Mutual Respect, an organization that supports dialogue and understanding between Black and Jewish members of the community.

Mr. Speaker, Rabbi Wohl's many accomplishments have left an indelible imprint on the communities he served. I congratulate my dear friend on a lifetime of commitment to the Jewish people and steadfast embodiment of, and devotion to, Jewish values.

TRIBUTE TO JEANETTE AND BILL CREES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jeanette and Bill Crees of Casey, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on June 12, 2016.

Jeanette and Bill's lifelong commitment to each other, and to their children, grandchildren, and great-grandchild, truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, on roll call No. 496, had I been present, I would have voted YES.

HONORING JOANNE WHITE

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. DENT. Mr. Speaker, as Chairman of the Committee on Ethics, and along with my colleague, Representative LINDA SÁNCHEZ, the Ranking Member of the Committee on Ethics, we rise today so that we may recognize the long and dedicated service of Mattie Joanne White to the House of Representatives. Joanne is retiring from the Ethics Committee this year, after more than 25 years of service to the Committee, and over 41 years of service to the House of Representatives.

Joanne started her service with the Committee as a Staff Assistant, and through hard work and dedication, she rose to become the Committee's Administrative Staff Director. The Committee on Ethics is the only standing committee of the House whose membership is evenly divided between each political party. The Committee includes five members of each party. Also, unlike other committees, the day-to-day work of the Committee on Ethics is conducted by a staff that is nonpartisan by rule. Throughout that time, Joanne has been the model of the Committee's non-partisan, professional staff.

We congratulate Joanne on the completion of an exemplary career in public service. We will miss her knowledge and leadership, but we know that she will remain our friend.

TRIBUTE TO JEAN AND BOB BOOTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Jean and Bob Boots of Atlantic, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on June 17, 1956 at the Congregational Church in Stuart, Iowa.

Jean and Bob's lifelong commitment to each other and their children, Steve, Judy, and Linda, eight grandchildren and three great-grandchildren truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF 45 YEARS OF CONGRESSIONAL BLACK CAUCUS LEADERSHIP

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Mr. RANGEL. Mr. Speaker, I rise today to recognize the continued service over the last 45 years of the members of the Congressional Black Caucus. Since its inception, the Congressional Black Caucus has been committed to advancing justice, fairness, and equal protection under the law. I am proud to work with Caucus Chair G. K. BUTTERFIELD, original founding member Representative JOHN CONYERS, JR., and over forty other members of Congress who diligently highlight inequalities and advocate for solutions to some of our nation's most significant problems.

As an active member of the Caucus since its foundation, I am humbled to serve for a body that protects the most vulnerable, and serves as a mouthpiece for those who often find themselves without a voice. What began 45 years ago as a group of thirteen individuals who expressed their concerns to President Richard Nixon has grown nearly three times in size, and has become an institution in the fight for social, economic, educational, and judicial change.

In many Congressional districts, including the 13th district of New York, our constituents face challenges of discrimination and, if not for

the Congressional Black Caucus, might not have representation on issues of significance. While we have come a long way from the marches for Civil Rights in the 1960s, we still have many miles to go. Until we get there, I am confident that the Congressional Black Caucus will continue its dedication to resolve critical issues that affect minority communities.

This week as we approach the annual Congressional Black Caucus Foundation's Legislative Conference, we celebrate the achievements and advocacy of the Congressional Black Caucus, but realize there is more to be done. As we look to the future, the Congressional Black Caucus will remain the conscience of Congress and continue to improve the lives for all.

HONORING JOANNE WHITE

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 2016

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to thank Joanne White for her remarkable career and service to the House and the Committee on Ethics. To reach a milestone of 41 years in any field is an accomplishment. To do it in public service requires a servant's heart—and Joanne truly has a servant's heart.

During more than 25 years at Ethics, Joanne has worked with 67 Members of the House; 13 Chairmen and 9 Ranking Members; and scores of House staff. Miss Joanne, as she is lovingly known, has been a sounding

board and institutional memory for Members of the Committee. She has been a steady and stalwart colleague to all of her co-workers, and a mentor to younger staffers. To all of us, she has also been a valued friend.

Joanne will never really be gone from the Committee or the House. She will be with us in the tone of collegiality and respect she helped to foster and in the example she set for so many staffers over the years. Since many of them have gone on to other positions of public service, her impact will be felt far beyond the Ethics Committee. That is a wonderful and fitting legacy for a true public servant.

We thank Joanne's family for sharing Joanne with the House for these many years, and for letting her become part of our family here. Most of all, we thank Joanne for her many years of service and wish her the best in her well-earned retirement.

SENATE—Wednesday, September 14, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Creator of life, You are from everlasting to everlasting. We lift our voices in thanksgiving, for You satisfy humanity's spiritual hunger. Today, we remember Your guidance that we do not live by bread alone but by Your Words that nourish and sustain us.

Feed our lawmakers with Heaven's bread. May their labors produce a harvest of faith, hope, and love. Lord, give them the grace to cherish and cultivate the virtues and values tested and confirmed in the cubicle of life's daily struggle. Nourished by You, may the earthly labors of our Senators fulfill a Heavenly purpose.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The Democratic leader is recognized.

MOVING OUR COUNTRY FORWARD

Mr. REID. Mr. President, by now most Americans are well acquainted with Donald Trump but especially Donald Trump's head-scratching slogan "Make America Great Again." He has his little hat he wears when he doesn't want his hair to get messed up. That slogan offers a peek inside the minds of Donald Trump and his Republican followers in Congress. These Republicans want to believe our country isn't great. They want to believe this Nation is foundering. They don't want to listen to the facts; they just want to follow Trump.

Earlier this year Speaker RYAN echoed Donald Trump when he said, in criticizing President Obama, "We think that the President's policies aren't working. . . . We have flat wages."

Why do Republicans spend so much time rooting against economic growth

and ignoring millions of newly insured Americans' access to health care? Why do they root daily against America? Because they say anything to convince their radical base that President Obama is failing, even though the facts are contrary.

Despite what Donald Trump and the congressional Republicans say, we know that America is great already, and because of Democratic policies, we are improving it every day, in spite of the obstacles—filibuster, filibuster, filibuster, obstacle, obstacle, obstacle.

Let's look at the facts. Yesterday the Census Bureau reported that median household incomes grew by 5.2 percent last year. That is the single largest annual income gain ever recorded—ever recorded. Isn't America great? Every major income bracket in our country saw an increase in earnings, with the lowest 10th percentile seeing the biggest gains. This is real progress for all Americans. Really, isn't America great? These remarkable income gains hold true across racial lines as well. In just 1 year, Hispanics saw a 6.1-percent increase in earnings. African Americans experienced a 4.1-percent jump in income. Isn't America great? This is the kind of wage growth we should celebrate, but Republicans have been totally silent because they want America not to be great. They can all start wearing the hats when they want to cover their hair.

For the first time since 1999, we are moving in the right direction on income, health care coverage, and poverty indicators. Household incomes are rising and the poverty rate is falling. That is good. Isn't America great? We are finally regaining the ground we lost during the great recession, which was at the end of the Bush administration. It really started a couple of years after he became President. In 2015 the official poverty rate dropped more than a full percentage point. That means 2 million Americans were lifted out of poverty. Real average weekly earnings have risen at their fastest pace in 15 years. Isn't America great? Yes, it is.

These incredible statistics show how much progress we have made in spite of the obstacles, the filibusters, and they show how much Americans would have to lose from a Trump Presidency that works solely for the rich and completely ignores the middle class because daily Donald Trump is rooting for failure, as are his Republican adherents.

Yesterday's census data also corrects Republicans' false narrative on the Affordable Care Act, on ObamaCare. Because of ObamaCare, more Americans

have health insurance than ever before in the history of this country. According to the Census Bureau, the uninsured rate has plummeted in virtually every State. California saw the biggest drop, with a decline of 8.6 percent of those uninsured. Nevada was second, with an 8.4 percentage point drop. Really, isn't ObamaCare great? If other Republican Governors would follow the lead of the Republican Governor in Nevada, they would have the same statistics.

Thanks to the Affordable Care Act, the Republican leader's home State of Kentucky had the third largest reduction in the number of uninsured people—a decrease of 8.3 percentage points. Isn't ObamaCare great? The Republican leader loves to come to the floor and bash ObamaCare. He was here yesterday doing just that. It is curious how the senior Senator from Kentucky picks and chooses what he says about ObamaCare. He refuses to acknowledge the newly insured Kentuckians who have access to health care because of this law. Kentucky has 4.4 million people, and 500,000 of the Republican leader's constituents have health insurance because of ObamaCare. That is more than 11 percent of his State's population. ObamaCare is great.

The Affordable Care Act is helping the people of Kentucky and the people of America, regardless of what Republicans say here on the Senate floor, and they are rooting for failure.

To no one's surprise, this new census data also shows that the States that refused to expand Medicaid are the ones falling behind in health care. There are 19 Republican Governors doing just that. States that expanded Medicaid have insurance premium rates that are 7 percent lower than States that rejected Medicaid expansion. The States that did not expand Medicaid—States with Republican Governors and Republican legislatures—have an uninsured rate nearly twice as high as States that used ObamaCare to expand coverage. This is no coincidence. We know these policies work, but Republicans simply refuse to listen.

This is the attitude which led to Trump: Republican leaders insisted that no matter what President Obama suggested, it wouldn't work. And we have the filibusters to show that.

We know the truth. Thanks to the policies of President Obama and Democrats, we have emerged from the terrible recession. We are seeing record wage growth. We are making a great nation even greater. We don't hear about the successes as much as we

should. Unfortunately, the press is oftentimes more interested in something more scandalous. As all this census data shows, we have moved our country forward, and we did it despite lots of Republican opposition. It is a shame that Republicans didn't help. They were too interested in opposing President Obama on everything. If they helped a little, America would be even greater.

We still have a lot to do. We need to do more for the middle class, more to give Americans a livable wage, and more to ease the burden of student loan debt. We need to work together to improve upon the many successes of the Affordable Care Act. If we had a token of an effort from Republicans, we could make the health care law even better and stronger. We must address the issue of gun violence and take steps to keep guns out of the hands of terrorists and criminals. We must do something about campaign finance reform. We must protect America from those who would turn America into a Russian oligarchy.

I hope my Republican colleagues will take this opportunity to stop being the party of Trump. The party of Trump, whose pal is Putin—and he has even gone so far, obviously, as to suggest that maybe we should be an oligarchy also. I hope my Republican colleagues will take this opportunity to stop being the party of Trump, to stop being the party of no and work with us to build on the progress we have already made.

Mr. President, I ask that the leader time be reserved, and I ask the Chair to announce what we are going to do the rest of the day, or perhaps I should just suggest the absence of a quorum, which I will do until the Republican leader gets here.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein until 11 a.m., with the time until 10:30 a.m. under the control of the Democrats, and the majority controlling the remainder of the time until 11 a.m.

GETTING OUR WORK DONE

Mrs. MCCASKILL. Mr. President, once upon a time, there were elections and the people of this country, in their wisdom, decided to send a different party to the U.S. Senate as a majority. At that time, to much fanfare, the leader of the Republican Party announced that it was going to be a new day, that there was going to be regular order, that there was going to be a budget. There would be no filling the tree. We would do individual appropriations bills. Most notably, the leader said we were going to put in a full day's work. In fact, my colleagues can correct me if I'm wrong, but I think he even talked about working on Fridays in Washington.

Now, let me hasten to add that I know every Member of this body, when they go back to their homes in their States, they work. We have a lot of meetings to go to and people to see, so I don't mean to say that when we are not in session we are not working. But the American people were told that we would be putting in more work in Washington.

By the way, it is not as if we don't have work to do. I remember month after month after month, all FOX News talked about was where was the budget. We had no budget. The law says you have to pass a budget. The Republicans over and over and over again, on this floor, on television: Where is the budget? Where is the budget?

Well, I ask that question now. Where is the budget? It hasn't been mentioned by my colleagues across the aisle lately. My colleagues can correct me if I'm wrong, but I believe that the budget is required by law to be done in the spring, not during football season and certainly not at Christmas time.

The individual appropriations bills haven't worked out so well, either. The only ones they have been interested in doing are the ones that don't tackle the tough problem of balance; that is, the balance between our homeland security needs and our defense needs, the balance between the needs of educating our kids and making sure that our soldiers are well equipped.

But probably the thing that is most amazing is that in light of no hearing on Merrick Garland, in light of no budget, in light of no spending bills—in light of all of these things—we are working fewer days in Washington than we have in 60 years.

I showed this calendar to people at home, and they thought I was kidding. This is the calendar of our work schedule.

Now, let me also point out that we have heard this week that the leader of the Republican Party doesn't even want us to work these three days—October 4, 5, and 6—so mark a line through those, and the entire month of October is black. That means nothing is happening on the budget, nothing is

happening on the Supreme Court vacancy, nothing is happening on oversight hearings, nothing is happening on appropriations, nothing is happening on Zika. Nothing is happening in Washington. I am just going to pause for a minute so anyone who has the C-SPAN bug can just look at this calendar. All the blacked-out days are days that we are not in Washington. A full week plus in January, a full week plus in February, almost two weeks in March, another two weeks in May, another almost week in June, almost 2½ weeks in July, the entire month of August. We didn't even work the full month of September. Now we are told we may not work any days in October. The calendar shows just a handful of days in November. There is a lot of business that has to be done by the end of the year, and obviously it looks like there are only a few days in December that we are working.

I think there are like 240 work days that most Americans work every year. By my estimate, I think we are working about 110 of those. No wonder the American people are angry. No wonder the American people don't get it. It is very simple. Not only is the Republican Senate not doing its job in terms of setting a history of not having even an up-or-down vote on the Supreme Court nominee, the Republican Senate simply doesn't work.

I yield the floor to my colleague.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. I say thank you to Senator MCCASKILL.

The Senator from Missouri is right. Folks in this country are sick and tired of Congress not doing its job.

I was just on the radio a few minutes ago and the radio announcer said: You know you guys have been out for several weeks. What do you anticipate you are going to get done over the next four weeks? I said: I wish we were in session during the next four weeks because the truth is there is a lot of stuff that needs to be done, but people are talking about getting out at the end of this week or the end of next week, and then that is it. That will be it until the lameduck, if we have one.

It seems as though this body runs based on the next election, not based on the policies that need to be passed to make this country do its job. We play political games after political games, worrying about the next election rather than worrying about the next generation.

The Senator from Missouri is right. This Republican-led Senate has not done its job.

Does a hard-working nurse wait until the next election day to insert the IV? No, she goes to work. You wouldn't hire that nurse if that happened.

Does the teacher walk into the classroom and say: You know, it is the middle of September, election day is November 8, so you guys don't have to

come back to school until after the election? No. I served on a school board for a good number of years, and that teacher wouldn't have been working, wouldn't have been getting paid.

I will also tell my colleagues that I know firsthand a farmer would not wait for the polls to close to harvest his or her crop. If he or she did, they would be out of business.

We wonder why people are so upset with us. The American people have to do their job day in and day out, no matter what, and they expect the same from the people they elect to this body.

So what is the problem? The Republicans control the Senate. They control the House. Why can't we get anything done? I think it is because there is a total lack of leadership. We need to look no further than Zika and the current impasse and the political games that are being played with that. This is a horrible disease. I have talked with the researchers. They don't know all the impacts. We need to do the research to find that out. We do know that it impacts the unborn and it can be sexually transmitted. We don't know if there are long-term impacts to people who may get it now who don't see any symptoms but could see symptoms later.

We passed a bipartisan bill with 89 votes. We addressed this crisis head-on. But the Senate and the House leadership got together, they shut the doors, they smoked a few cigars, probably ate a few steaks, and said: We are going to make this into a political football. And that is exactly what they did. They inserted partisan politics into a solution. Right now we have no bill passed that deals with the Zika crisis, and it is a health crisis in this country.

But that is not the only one. When I go back to Montana, whose population is fully 10 percent veterans, they talk about the needs of veterans. We have a bill, under the leadership of DICK BLUMENTHAL and JOHNNY ISAKSON, that takes care of our veterans. It helps fix the veterans' problems in this country. It helps fix leadership vacancies. It helps fix the shortage of doctors. It helps veterans get access to the VA. It passed out of committee unanimously. It is called the Veterans First Act. It passed out of committee last May, 125 days ago. The Senate will not take the bill up. It is a step in the right direction to take care of our veterans, yet we will not take it up because we have to go home.

My colleague from Missouri showed us the map. People would think Congress would do their job on behalf of veterans, but they would be wrong.

Then we have the Supreme Court. The Constitution—which people in this body cite a lot, and should—is very clear that the Senate has a duty to advise and consent to the President's Supreme Court nominees. I just heard the Republican leader the other day say

that there will be no Supreme Court nominee taken up this year. That is great. Now the Supreme Court is just as dysfunctional as Congress. We see it with the decisions that come out on tally votes. Don't even give Judge Garland a meeting, much less a hearing.

I think the American people deserve better. They need an opportunity to see the nominee in action. My colleagues here in the Senate sit on their hands. It will be probably 15 months before the Supreme Court gets another nominee, and maybe not then either, because who knows what kind of antics are in store.

And there is more. We have not only Zika, the VA, and the Supreme Court but also the appropriations bills. Instead, we are going to pass a short-term resolution.

We have campaign finance. It is expected that more than \$1.4 billion will be spent in this Presidential race. Congress has done nothing to ensure that ideas and voters, not money, decide elections. We need campaign finance reform. Everybody in this body knows it. But, instead, we continue to ignore the problem that faces this country with campaign finance.

Wildfire disaster funding: The way we fight wildfires is broken. If you live in the West, you know that. We are not going to deal with that.

We need to permanently fund and reauthorize the Land and Water Conservation Fund. No, it is not going to happen.

We have the Restoring Rural Residencies Act that takes care of the doctor shortages we have in this country. No, it is not going to happen. We don't have time. We do have time; we just choose not to tackle any of these issues.

Year-round Pell grants: We have students who are coming out of college with a mountain of debt. We are not going to deal with that.

We have a bill to give regulatory relief to community banks and credit unions. We are not going to debate that on the floor. No, it is not going to happen.

We have the Secure Rural Schools initiative and Payment in Lieu of Taxes. Both need our attention. Earlier this year, Senator CRAPO and I called on leadership to find a path forward so these counties can have some certainty. Neither is going to happen.

Over the past few years we have seen our national security compromised with faulty background checks. We have a solution. We produced legislation that will help prevent inside attacks. It is not going to happen. Do you notice a pattern? Well, the whole country is waiting. We are waiting for Congress to do their job.

I just turned 60 years old on August 21. In my lifetime, we have never worked less days in the Senate than we have this year. It is unbelievable. We

are leaving everyday Americans hung out to dry. We are leaving without doing our job. We are leaving because of the next election, and this is criminal.

There are solutions. This is supposed to be the greatest deliberative body in the world. The only problem is that we are not in session to deliberate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, there is an explanation for why we have worked the shortest number of days in the last 60 years. Everything must be fine. Everybody must be just great. Everybody must be working. Everybody must be able to afford college. The streets have to be safe. That would be a good reason not to work, if everything was just going great for the people of this country. But it is not. In poll after poll, people tell us that they are not happy with the direction of this country. Conversation after conversation we have with our constituents—as I did during our very, very long summer break—educates us as to the simple reality that people are struggling more today than ever before. People, families, and businesses are hurting out there. There are massive problems in this country, as Senator TESTER said, many of which have bipartisan solutions, and still we are not working. If everything were great, if there were no problems to be solved, then maybe that schedule would make sense. But that is not what people think in this country. They know the system is rigged against them. They know their lives can be better, and they are furious, as Senator MCCASKILL pointed out, when they see that we are not even trying, that we are not even attempting to solve their problems because Republicans would rather be home than be working here in Washington.

Ask the family of Stef'an Strawder if everything is OK. Stef'an was one of the best basketball players in the State of Florida. He was a star basketball player on his high school team. His coach said everybody wanted to be like Stef. His 19-year-old sister said no matter where he went, everyone invited him into their home as if he was their own. Everybody loved him.

Stef'an was killed this summer, while we were on break, in another mass shooting. This time it was in Florida at a teen party, when a bunch of kids left a teen party and kids from 12 years old to 17 years old were shot. Seventeen kids were shot. Stef'an lost his life.

How about the 13 people who were shot in Bridgeport, CT, at the end of August? You haven't even heard about this. Thirteen people were shot at a party. None of them were killed, but 13 people's lives are permanently altered because of that mass shooting.

How about what happened this summer in Chicago? Four hundred people

were shot in Chicago in the month of August alone. Think about that. That is the worst month of shootings in Chicago's history in the last two decades. People lost their lives. People like Arshell Dennis, who was coming home to surprise his mom on her birthday before he went back to take up his junior year at St. John's University, where he was majoring in journalism. He was shot while he was sitting on his front porch with a friend. He was a member of Upward Bound, a college prep program. He spent the previous summer as an ambassador mentoring other students. He wanted to help kids, he said, because "a lot of people where I'm from don't make it out."

There were 4,000 people killed in this country by guns while we were gone for the longest break in recent memory. There were 400 killed in 1 month in Chicago.

Here is what makes me so mad. I get it that this year we are not going to pass a bill increasing background checks or stopping terrorists from getting guns. We seem to have hit an end point there, but I listen to my Republican colleagues tell me all the time that the real problem, when it comes to gun violence, is mental health. I don't actually agree that this is the panacea for what ails this country when it comes to gun violence, but if we want to work on mental health, then we can. We have a bipartisan, comprehensive mental health bill that, like the veterans bill that Senator TESTER referenced, passed through the Health, Education, Labor, and Pensions Committee unanimously. Conservative Republicans and progressive Democrats supported it. It passed the House of Representatives and is sitting pending on the floor of the Senate. What we are told is that we can't do a mental health reform bill not because we don't have consensus but because we don't have time—bull. We have time. We had all of July and all of August. We can stay here through September and October to pass a mental health reform bill that would probably pass unanimously in the Chamber and would bring new mental health resources to millions of people all across the country.

I am not going to tell you that I think that is what will solve the epidemic of mass shootings in this country, but it is just one of many pieces of legislation that will make people's lives better, that has broad bipartisan consensus, and that we aren't doing simply because we aren't working.

I thank Senator McCASKILL for putting the chart out, tweeting it out, and letting the American people know that, for all of the lecturing we got from Republicans when we were in charge about not passing a budget or not moving forward on legislation that they supported, nothing is getting done right now simply because Republicans

have made a choice to stop doing their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am joining with the others who are here on the floor today who have called on the majority leader of the Senate to stay here and to take action on matters of critical importance to the American people.

On the first Monday in October, the Supreme Court will begin its new term, and it will do so with a vacancy that has remained unfilled for the last 6 months. Regrettably, the President's nominee to the Court, Judge Merrick Garland, has not even been given the courtesy of a nomination hearing. This is the first time in the history of this country—in the history of the country—that the majority party in leadership has refused to have a hearing on a Supreme Court nominee. It is unconscionable. No wonder the people of America are frustrated with the Congress.

Likewise, the Senate has failed to act with urgency to address the Zika outbreak. I will have more to say about this shortly.

First and foremost, I wanted to come to the floor today to discuss the Senate's failure to provide appropriate emergency funding to address the heroin and opioid epidemic. This epidemic is raging in all 50 States. It is an uncontrolled public health epidemic of the first order. In 2014, some 47,000 people in this country died from drug overdoses—far more than we lose in motor vehicle accidents. Yet despite the staggering death toll, the majority in the Senate has failed to pass legislation to provide emergency funding to first responders, to treatment providers, to law enforcement, and to those who are on the frontlines in this crisis.

In July, Congress passed the Comprehensive Addiction and Recovery Act, or CARA. It is a good bipartisan bill. It is a bill I cosponsored and I voted for. But as we all know here, if we are being honest with the public, CARA is an authorizing bill. It is not an appropriations bill. It doesn't provide one penny to fight the opioid epidemic. Even if Congress approves the funding necessary for CARA, it will be about 2 years before New Hampshire and other States see that additional funding.

In New Hampshire we have the highest percentage of overdose deaths in the country. Everywhere I go in the State, I hear that what people need is the resources to address this crisis. That is why early this year I introduced an emergency funding bill to provide an additional \$600 million for policing, prevention, treatment, and recovery. I offered this legislation as an amendment to the CARA bill, but it

was defeated with only five of our Republican colleagues voting for it. Again, this is unconscionable. Our Nation has addressed other public health crises with emergency funding bills far larger than the one proposed to address the heroin and opioid epidemic.

Last year, about a year and a half ago, Congress passed nearly \$5.4 billion in emergency funding to combat the Ebola outbreak in West Africa. The Ebola outbreak killed one person in America. He wasn't an American. The heroin and opioid epidemic is killing more than 128 people every single day. We know that treatment is the only effective answer to the opioid addiction and that people are being turned away from treatment due to lack of resources. Nationwide in 2013, nearly 9 out of 10 people needing drug treatment didn't receive it. It is the same story on the law enforcement side of the equation. There is a chronic lack of resources.

Heroin traffickers expressly target rural States and counties where law enforcement is spread too thin and lacks resources to respond effectively—places such as northern New Hampshire and northern New England. My legislation would provide \$200 million in emergency funding for the Edward Byrne Memorial Justice Assistance Grant Program, which is the flagship crimefighting program that has been cut year after year in a process that has been penny-wise and pound-foolish. It is budgeting at its very worst.

Meanwhile, as Congress fails to act, as Senator McCASKILL has shown so well, as we have not been here to work, the opioid epidemic is on the verge of expanding dramatically.

Carfentanil is a synthetic opioid that is used to tranquilize elephants. It is now available on the streets and is blamed for a record surge in drug overdoses in the Midwest. Carfentanil is 100 times more potent than fentanyl. Fentanyl is an additive that we have seen turning up in New Hampshire and in so many other places that makes heroin 50 times more deadly. Until recently, Hamilton County, OH, had four or five overdoses a day. Now, because of carfentanil, the county is reporting 20, 30, or sometimes even 50 overdoses a day, completely overwhelming first responders.

Some public health officials say that the United States has reached a disastrous inflection point in the opioid epidemic. Going forward, we may be seeing more and more synthetic opioids in the market that are cheaper, more potent, more addictive, and even more deadly. This is just one more wake-up call.

The hour is late, and as I travel across New Hampshire and talk to Senate colleagues from across the country, again and again I hear about the lack of resources to marshal an effective, well-coordinated response. As the new

and more dangerous synthetic opioids hit the streets, the crisis is becoming exponentially worse, and Congress's failure to act, the fact that we are, again, going home very soon means that more people will die before we take action.

If Congress can spend billions to fight an Ebola outbreak in a distant continent, surely we can allocate \$600 million to combat a raging epidemic back home if we stayed here and if we worked together to get this done.

I also want to raise the issue of the Zika outbreak, as my colleagues have—again, this is one more area—because, while the Senate has been out of session, while Congress has been out of session, while we have been at a standstill, Zika has been on the move with tragic consequences.

Local transmission of Zika is now taking place in the State of Florida. According to the latest data from the Centers for Disease Control and Prevention, more than 1,750 pregnant women in the United States and Puerto Rico have tested positive for the Zika virus, and that means their babies are at risk. We are not even sure exactly what all their babies might be at risk for because we are still trying to get the research to determine what all of the impacts of Zika are.

We know microcephaly is one of the birth defects that results from the Zika virus. Since January, I have joined with other Senators in calling for a robust response to the Zika outbreak because we need Congress to act. In fact, the Senate did act. We acted before we went out in August with a bipartisan vote of 89 people, but then we saw the House—

The PRESIDING OFFICER. The Democrats' time has expired.

Mrs. SHAHEEN. Now it is time to put politics aside and work together, to stay here and do what the American people need.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I understand the Senator from North Dakota would like 2 or 3 minutes to speak. I will be glad to yield to her.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I thank my great friend the senior Senator from Tennessee, always the statesman and always willing to engage in wonderful debate, a great Member of this body.

I thank my colleague from Missouri for shining a bright light on this issue. The Senate work Calendar she displayed is honestly breathtaking. In fact, we are on track to work the fewest number of days in 60 years. That doesn't look like a work schedule anyone from North Dakota has—not that they would not want that but that they have. It should not be a work schedule for the important work that is being done in the Senate.

We are out more than we are in. We were elected to a job, but the Senate is refusing to do that job. In the meantime, the opioid crisis, as my great friend the Senator from New Hampshire has outlined, is destroying families across this country and certainly in North Dakota. When I held discussions throughout my State, mothers and fathers who had lost children to this crisis pleaded for resources to save other families from losing their children.

Their stories brought police chiefs to tears. One even watched his own son serve as a pallbearer for his 19-year-old best friend who had succumbed to addiction. Another man I spoke to became addicted after he dislocated his shoulder when he was just 14. Soon he began dislocating his own shoulder to obtain prescription drugs that washed away the pain of social situations.

This Congress has failed to provide the funding we need to take on the opioid crisis. Now we are headed for the door. Senator MANCHIN, along with a number of us, has introduced a bill that would add just a small cost to prescription drugs, opioids that are prescribed—1 cent per milligram—and put it in a fund.

Shockingly, 1 cent per milligram actually raises over \$1 billion. It tells you how rampant prescriptions for opioids are. So we need to have a debate on that bill. We can't say we are concerned about the opioid crisis unless we come for resources to treat addiction and help our communities get well. I think my police chief in Fargo said it best. He can't protect a community until he heals a community. We have a role in making that happen.

Last month, I also met with 100 North Dakota retirees who stand to lose as much as half of their pensions, sometimes more, after dedicating years of their lives to backbreaking labor, all to support a secure future for their family, and they saw it all disappear in the blink of an eye. That is why we have been calling on Congress to step in and come up with a bipartisan solution to protect the workers and their families who paid into the Central States Pension Plan.

While working to make the fund solvent across the country, nearly one-half million hard-working retirees face cuts through no fault of their own. As one retiree who drove a truck for 30 years put it, "If you cut my pension 50 percent, I am no longer in the middle class."

Are you going to kick 400,000 people out of the middle class? Is that what Congress is prepared to do, even when Members of this body have the power and actually the responsibility and duty to do something about it? We are headed for the exits, but American families are dealing with the heart-breaking loss of children, they have lost their savings that they worked

their entire lives to earn, lost their retirement security.

The Senate—instead of dealing with these issues, we simply are not doing our job. What are Members of this Congress going to tell American families—dealing with tough decisions on how to move forward—when they return home for our recess? How are they going to look them in the eyes and explain the possibility of this scheduling getting truncated even more?

The PRESIDING OFFICER. The Senator's time has expired.

Ms. HEITKAMP. Instead of working until October 7, the majority is wrapping up in the next week. So I just ask that we stay here, that we do our job, that we restore the faith the American public has in our democracy, and that we are addressing the issues we are responsible to address.

I thank my friend from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

ZIKA VIRUS FUNDING

Mr. ALEXANDER. Mr. President, I have been listening carefully to my friends on the other side of the aisle. Zika is truly an epidemic. It is terrifying young families all across the country who are worried their babies might be born with a birth defect. We are working hard to fund the creation of a vaccine. The Centers for Disease Control and Prevention tells us that is likely to happen in the next year and a half.

It takes a certain amount of creativity for the Democratic Senators to come to the floor and complain about the Senate not doing our job on Zika funding when three separate times the majority leader and Republicans have offered \$1.1 billion in funding for Zika, and the Democratic Senators have refused to allow a vote.

Let me say that again. Republican Senators had offered \$1.1 billion in funding for Zika early in the summer, at a time when mosquitoes were flying, and the Democratic Senators have said: No, you can't even vote on it. This \$1.1 billion, passed by the House, we are ready to vote on it here, and they have said no.

Let's be straight up about this. We regard it as an urgent problem. Three times we have brought it up. We are ready to vote again if that is what we need to do.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 3326 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent to speak, I suppose out of turn. I understand the Republicans, the majority, have control of the floor. I ask unanimous consent to

speak for 10 minutes, since there are no other majority Senators.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Mr. President, through the Chair, may I ask a question, which would be that Republican minutes will be—

The PRESIDING OFFICER. Will the Senator state his inquiry?

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Republican minutes be preserved for Senator THUNE.

The PRESIDING OFFICER. Will the Senator from Delaware so modify his request?

Mr. CARPER. I am not sure what the Senator from Tennessee is saying.

Mr. ALEXANDER. Mr. President, following the Senator from Delaware, I ask unanimous consent that whatever Republican minutes are remaining would be reserved for Senator THUNE.

Mr. CARPER. That will be fine. I have absolutely no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I thank the Senator from Delaware for his courtesy.

Mr. CARPER. I thank the Senator from Tennessee. As he knows, I am a huge fan of his. I have been for a long time. I respect him as a colleague, I respected him as a Governor, and I respected him long before that when he was a principal aide to Howard Baker, who was one of the greatest Senators who served in this body in the last century.

He and I agree on a lot. We work on a lot of things together, and it has been a source of real joy for me.

AFFORDABLE CARE ACT

Mr. CARPER. Mr. President, I like to tell the story about a Senate Finance Committee hearing about 2 years ago when we had a bunch of very smart people who came in to talk to us about this: What are we going to do about reducing the deficit?

We continue to reduce the deficit. We peaked out at \$1.4 trillion about 6 or 7 years ago. We are down to about \$400 billion now; it is still way to high. But the hearing was designed to ask: What are some things we can do to further reduce our budget deficit?

One of our witnesses was a fellow who used to be Vice Chairman of the Federal Reserve, Alan Blinder. At the time he testified 2 years ago, he was back at Princeton teaching economics.

As a witness before our committee on reducing Federal budgets, he said: The 800-pound gorilla in the room on health care, on deficit reduction, is health care costs. That is what he said. That is the biggest one—Medicare, Medicaid, the VA system, and so forth. He said that is where the money lies; that is where we have to focus.

When it came time to ask questions of our witnesses, I asked Dr. Blinder:

You mentioned that health care is the 800-pound gorilla in the room on deficit reduction. What do you think we ought to do?

He sat there for a while, he sat there for a while, and he sat there for a while. Finally, he said these words: I am not an expert on health care. I am not a health economist, but if I were in your shoes, here is what I would do. I would find what works and do more of that.

That is all he said.

I said: Do you mean to find out what doesn't work and do less of that?

He said: Yes.

If you go back—oh, Lord, this is 2016. If you go back about 22 years in our Nation's history, there was a big debate on Capitol Hill on an idea actually proposed and put forward by the First Lady of our country, Hillary Clinton. She proposed—not ObamaCare; she worked on something that was called HillaryCare. But the idea we had—like a lot of people in this country who were not covered by health insurance—millions, tens of millions of them—we spent way more money in America on health care costs than just about any other developed Nation. We didn't get better results.

Every President since Truman has basically said that we have to do something about extending health care coverage to people who don't have it and trying to make sure it is affordable. Nobody really came up with anything. So the First Lady of this country, of all people, said: Well, I am going to work on this.

And she went to work on it. She came up with a proposal called HillaryCare. It was ultimately not adopted, but our Republican friends, as they should have, came up with an alternative to HillaryCare.

One of the key components of their proposal was something that actually looks a lot like ObamaCare. What they came up with was this idea of creating health care exchanges or purchasing pools, large purchasing pools, that people who don't have health care coverage could elect to join.

As with thousands, maybe tens of thousands, even hundreds of thousands of people from their States, these State-by-State purchasing pools or exchanges could provide the opportunity for people who don't get health care coverage, are not part of a large purchasing pool, and don't work for a big employer who provides health care coverage—they could derive the same advantages as those who do have that kind of employment opportunity. That was the Republican alternative.

At the end of the day, it didn't go anywhere. But at the time I thought that was a good idea.

I wasn't here at that time. I was Governor of my State and very active in the National Governors Association. I said: I think these Republicans have a

good idea, creating these exchanges, these large purchasing pools, and maybe providing a tax credit from the Federal Government to buy down the cost of premium coverage.

But neither idea ended up flying. HillaryCare ended up going away. The Republican alternative, which was a lot like ObamaCare today, was not enacted.

Fast forward to 2009, with a new President who wanted to finally do something about reining in health care costs, covering people who didn't have coverage—tens of millions of people—and trying to figure out: How do we bring down not only the cost of health care, but how do we get better results?

At the end of the day, a white paper was issued for those of us on the Finance Committee to consider as we took up our debate in 2009. The way negotiations ended up proceeding, in order to try to find a starting point, was to work from the white paper on health care reform but then have three Democrats and three Republicans who would join one another. These were senior members of our committee who were very good at finding the middle, very good at finding consensus. The idea was for them to try to negotiate an agreement, a bill. They tried not just for days, not just for weeks, but for months.

I am a pretty bipartisan guy around here, but I am not sure there was a real bipartisan intent to get to a compromise. I would not cast aspersions, but I think there is probably a little more blame to lie on the other side of the aisle than on this one.

As Democrats, we pretty much decided to put something together, and we took two good Republican ideas. One of those is these large purchasing pools, these exchanges. We said every State should have one and give the opportunity for people to be part of a larger purchasing pool if they don't have health care coverage—if they don't work for an employer that provides health care coverage—to get the advantage of buying health care coverage in bulk, if you will, and having a stronger negotiating position, more leverage.

That was the Republican idea. I thought it was a good idea in 1994, and, frankly, as a member of the Finance Committee, I thought it was a good idea in 1999.

Another good Republican idea that was put forward at the time was the individual mandate. That is not a Democratic idea; that was an idea that came from Governor Romney in Massachusetts, where they put in place their own RomneyCare plan, which has actually worked pretty well. They have purchasing pools just as we do in States across the country—these exchanges. But they also have something in place that is an individual mandate if somebody didn't get coverage. They

want everybody in Massachusetts to be covered. But if they elected not to be covered, after 1 year or 2 years or 3 years, people just said: I am not going to get coverage. I am young, I am invincible, and I don't need health care coverage. I can't afford it—even with the tax credit they received through RomneyCare. They said: You are going to have to pay a tax or a fee if you don't get coverage, if you will not sign up. You can't just get away with it. You are going to have to pay something.

The idea was to have an escalating fee so that eventually people would say: You know, it is one thing to be fined or taxed a \$100 tax if I don't sign up for health care coverage, but how about when it is \$300, \$500, \$700, \$800 a year? So eventually people signed up.

In this country, as well, we have the exchanges, which actually were a gift from our Republican friends. I think it was a good idea then and now.

We also have the individual mandate, which is gradually ramping up so that the young invincibles, the young people who are not getting health care coverage, will get coverage. As more younger, healthier people join the purchasing pools, the idea will be that it will bring down the cost of health care coverage overall so it is not just the sick, the elderly, but it is a healthier group of people.

That is sort of where we are today. The idea of pulling the plug on the Affordable Care Act or significant parts of it because a principal component of it—and that is the purchasing pools, these exchanges—is not working as advertised would be a mistake. If it isn't perfect, make it better.

We had a chance in 2009 to negotiate a real bipartisan health care reform plan. Unfortunately, we didn't do that. We are going to have a chance again in the early part of next year with a new President and a new Congress to again take up that which is flawed, which is imperfect, and that is the Affordable Care Act, to make it better—not to get rid of it, but to make it better.

Senator ALEXANDER is a very wise and highly regarded colleague. He may have a very good idea. I just heard about it here on the fly today. But my hope is that Lamar and the rest of us who want to get things done, to do our job, will seriously take this challenge that is before us and take that original good Republican idea from 1994 on the exchanges, create purchasing pools, and make it better. We should take a look at the individual mandate that Governor Romney adopted in Massachusetts and see how that is working and look at other exchanges as well.

The long-and-short story is that when we took up the Affordable Care Act in 2009, here is where we were as a country: We were spending 18 percent of GDP for health care costs. In Japan they spent 8 percent. We were spending

18 percent of GDP; they were spending 8 percent. They were getting better results, longer life, longevity, lower infant-mortality rates, and they covered everybody. They covered everybody in 2009.

Where were we? We were spending 18 percent of our GDP. We didn't cover—we had 40 million people going to bed at night without any health care coverage at all. One of the reasons the cost of coverage has gone pretty high right now for people in these new exchanges and purchasing pools is that a lot of the people who are signing up—not all of them, but a lot of them—haven't had health care coverage for years. They have been sick, and they have just not had access to doctors or nurses, except for going to an emergency room doctor.

This is not a time to just throw up our hands and walk away. This is a problem. This is a problem we can fix. I would say we can fix it by embracing what I call the three Cs: communicate, compromise, and collaborate. We need to embrace those when this Congress is over.

ZIKA VIRUS FUNDING

Mr. CARPER. Let me just add a P.S. on Zika funding, which was discussed here earlier today. We had a bipartisan roundtable in the Homeland Security Committee on Zika funding not long ago. Two reasons we need to resolve this funding issue are, No. 1, that we would have money to continue development of a vaccine—that is the single most important thing—and, No. 2, to provide for contraception and family planning. Those are two of the most important things for us to do as we try to avoid this endemic.

I thank my Republican friends for allowing me to speak on their time.

With that, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader is recognized.

EXTENSION OF MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that morning business be extended until 12 noon today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 3318

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3318) to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

OBAMACARE

Mr. MCCONNELL. Mr. President, let me start by stating the obvious: ObamaCare is a direct attack on the middle class. Premiums are shooting up by double digits, copays are spiking, and deductibles are skyrocketing. Copays are collapsing and insurers are withdrawing.

We all know the statistics, and they are literally shocking. Yet they still do not truly capture the toll this partisan law is taking on America's middle class, because behind every premium increase headline is a family budget stretched to its limits, and beyond every co-op collapse is an agonizing uncertainty about where a family will find insurance. This is what too often gets lost in the debate over ObamaCare, especially amongst our Democratic friends, perhaps because it helps them rationalize away the pain of this law. But this is not some theoretical discussion; these are people's lives this law is hurting.

That is why I shared the story of a mom in Louisville who said her family's health care costs would consume nearly a fifth of their budget this year. "I wish somebody would explain to us," she wrote, "how a hard working middle class family paying this much for health insurance became a loser under ObamaCare."

That is why I shared the story of the Campbellsburg man who had just lost the health insurance he had had for many years. "Instead of something affordable," he wrote, "I [now] face the possibility of struggling to purchase an Obama[care] health plan that costs two to three times what I had been paying."

That is why I shared the story of a small business man in Lexington who may have to end his decades-long practice of providing insurance to his employees at no cost thanks to, as he wrote, "the cynically named Affordable Care Act."

I shared stories from other States too. There is the New Jersey man with chronic health issues who lost access to his doctor the moment ObamaCare placed him on Medicaid. "You have a card saying you have health insurance," he said, "but if no doctors take it, it's almost like having one of those

fake IDs.” He reminded us that having health insurance under ObamaCare is not the same thing as actually having health coverage.

There is a woman from Ohio who lost her plan after ObamaCare forced out her insurer. “They fine you if you don’t have insurance,” she said, “then they take your options away.” She put words to the frustration of literally millions.

I explained how ObamaCare is chasing out insurers in States such as Ohio, Arizona, and Alabama, throwing thousands off their plans all over again. I explained how ObamaCare’s co-ops are failing in States such as New Hampshire, New Jersey, and Connecticut, massively disrupting coverage for thousands more. I explained how ObamaCare is shooting up premiums by almost unimaginable amounts in States such as Minnesota, Illinois, and Montana, forcing more Americans to make impossible financial decisions.

I invite Democrats to recognize that ObamaCare’s human toll is evident from north to south, from east to west. That includes States such as California, where, according to what the Democratic leader told us yesterday, ObamaCare is supposedly “working wonderfully.” Really? Is it wonderful that premiums in California are set to spike by more than three times the average of recent years? Is it wonderful that ObamaCare is causing huge, double-digit increases in the Golden State, while reducing access to doctors and hospitals at the same time?

The Los Angeles Times quoted a left-wing activist summarizing the situation this way. This is a leftwing activist: “We’re paying more for less.” Indeed, before these massive increases had even been announced, polling showed Californians more concerned about the cost of health care than whether they even had insurance. Two thirds reported they worried “very much” about rising health costs, and a majority credited ObamaCare for causing costs to go up “a lot” for average Americans. It is similar to what Americans said nationwide when they cited health care as their biggest financial worry. That was ahead of wages, ahead of college costs, and even job loss—more concerned about health care. No wonder even some on the left have taken to calling ObamaCare the un-Affordable Care Act.

What we are seeing with ObamaCare may be shocking, but it is not surprising because there are inevitable consequences to this partisan law—the partisan law littered with broken promises. Democrats said premiums would be lower. Remember that? Democrats said copays and deductibles would be affordable too. Obviously, that was wrong. Democrats said Americans could keep their health plans. Remember that promise? Democrats said Americans could keep their doctors. Of

course, that wasn’t true. Democrats said ObamaCare wouldn’t touch Medicare. Democrats said taxes wouldn’t increase on the middle class. Democrats said shopping for ObamaCare would be as simple as shopping for a TV on Amazon. Wrong, wrong, and wrong again.

Democrats have broken one promise after the next on ObamaCare. But now, get this: They are asking Americans to trust them to fix—they want to fix the mess they created. They say they have the perfect solution too. It is more ObamaCare. Really. Seriously, I am not kidding. They actually think they can pull another fast one on the American people. They are actually pushing government-run ObamaCare 2.0 as some kind of solution, and they are doing this with a straight face. So, look, we already know what we could expect from a Democratic-run Congress next year on ObamaCare: more broken promises, more stonewalling, more of the same.

ObamaCare’s attack against the middle class is a nationwide phenomenon. It is hurting the very people we were sent here to represent. The only way to deliver true relief for the middle class is to finally build a bridge away from ObamaCare. That is why we passed a bill to repeal this partisan law and sent it to the President—because the middle class deserves better than the pain of ObamaCare.

I think even President Obama, if he is being honest with himself, should be able to recognize that as well. Here is what he himself said last month: “Too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills; struggle to navigate a complex, sometimes bewildering system; and remain uninsured.” That is from the President himself. That is not the description of a law that is working. It is time to leave this failed experiment in the past and move toward the real care that Americans deserve.

The PRESIDING OFFICER. The Senator from South Dakota.

FOREIGN POLICY

Mr. THUNE. Mr. President, a FOX News poll released this month found that “a record-high 54 percent of American voters feel the U.S. is less safe today than it was before 9/11.” Fifty-four percent of Americans think they are less safe than they were before 9/11.

The article went on to say:

Voters also think: A major terrorist attack is likely in the near future. . . . Last year’s U.S.-Iran agreement on Iran’s nuclear program made the U.S. less safe. . . . The \$400 million the U.S. paid Iran after American prisoners were released was ransom. . . . Terrorism is one of the most important issues facing the country.

Those are all quotes from the survey that was done where 54 percent of

Americans indicated they thought they were less safe today than they were before 9/11. And it is not surprising that Americans are worried.

When President Obama was elected, he was widely regarded as America’s next great foreign policy President. Here was a President who would restore America’s standing in the world and calm the troubled waters of international conflict. Confidence in his abilities was so high that he was awarded a Nobel Peace Prize before he had actually done anything to bring peace.

But after 8 years of the Obama administration, the world is less, not more, safe. America’s standing in the world has been weakened, terrorism is spreading, the Middle East is more hostile and dangerous, Iran is counting pallets of ransom money and is in a better position to develop a nuclear weapon, and all too often, President Obama and Hillary Clinton’s foreign policies have been a contributing factor.

Take the rise of ISIS. When President Obama came into office, he was determined to fulfill his campaign promise to withdraw U.S. troops from Iraq, and that is exactly what he and Secretary Clinton proceeded to do on a timetable that he announced to our enemies. America’s hasty withdrawal left gaping holes in Iraq’s security, and before too long, ISIS had stepped in to fill the void. By mid-2014, ISIS had made significant territorial gains in Iraq and neighboring Syria.

Although ISIS has since lost territory in both Syria and Iraq, it was able to establish a foothold from which to expand its global terror reach. The list of ISIS-linked attacks has grown very long—Nice in France, Istanbul, Brussels, Paris, Orlando, San Bernardino, and on and on and on. In the past 2 months alone, ISIS has been linked to a suicide bombing at a Turkish wedding, a suicide bombing at a hospital in Pakistan, a suicide bombing in Yemen, and a gruesome attack at a church in northern France. ISIS has also been linked to an attack on police officers in Belgium, a music festival bombing in Germany, and another railway attack there. And that is just in the past 2 months. Yet, despite this ever-growing stream of attacks, the President has never seemed to understand the depth of the threat.

While U.S. efforts have succeeded in reclaiming some territory from ISIS, the group’s terrorist activities continue unabated and its international profile is increasing. Its communications have grown especially sophisticated, making intercepting and decoding ISIS’s messages and tracking its recruitment efforts increasingly difficult.

In June the President’s own CIA Director told Congress, “Our efforts have not reduced the group’s terrorism capability and global reach.” That was

from the President's own CIA Director. Yet, just days before the CIA Director's testimony, the President claimed we were "making significant progress" against ISIS. As long as ISIS's global terrorism capability remains unchecked, we are not making significant progress.

Unfortunately, President Obama's foreign policy failures are not confined to his halfhearted campaign against ISIS. Take the President's nuclear agreement with Iran. This agreement was supposed to protect our Nation and the world from the threat of a nuclear-armed Iran. The actual deal that emerged, however, doesn't even come close to that goal. Even if Iran complies with all aspects of the deal, which doesn't seem likely, it will not stop Iran from acquiring a nuclear weapon. In fact, the deal will actually make it easier for Iran to acquire advanced nuclear weapons down the road. On top of this, recent reports suggest that the United States and the other signatories to the deal have actually already allowed Iran to evade full compliance with some of the deal's provisions. It is no surprise that even some of the deal's supporters are getting worried.

Iran has been in the news lately for other disturbing reasons as well. In August, news emerged that the Obama administration had delivered a \$400 million cash payment to Iran on the same day four American hostages were freed. Furthermore, the administration had paid the money over the objections of Justice Department officials, who were concerned that the Iranians would regard it as a ransom payment. The administration, of course, strenuously denied that the payment was a ransom, but it is pretty hard to get away from the fact that there had been a de facto exchange of money for prisoners. Two weeks after news of the ransom broke, a State Department spokesman admitted that the administration had held the money until three American hostages had departed the country by plane.

The President's ransom payment to Iran is troubling for more than one reason. First, of course, tying the receipt of a large cash payment to the release of prisoners could easily encourage Iran to expand its hostage-taking. Since the ransom payment in January, Iran has continued to detain individuals on spurious grounds. In late August, the State Department warned U.S. citizens not to travel to Iran because of the danger of being detained by the Iranian Government.

So \$400 million in cash in the hands of the Iranians is a disturbing prospect. Iran is the world's leading state sponsor of terrorism and has a finger in many of the world's worst conflicts, particularly in the Middle East. There is a good chance that at least a chunk of that \$400 million will go to funding Iran's illicit activities, from support

for Syrian dictator Bashar al-Assad to funds for terrorist organizations like Hezbollah.

On top of all of this, there is the fact that every time Iran gets the better end of a bargain, it feels even more free to act aggressively. Recently, Iranian fast boats have been harassing U.S. Navy ships, and warning shots have been fired. It is not a stretch to think that this aggression and boldness springs from the administration's position of weakness when it comes to Iran.

Teddy Roosevelt used to say: "Speak softly and carry a big stick." President Obama's foreign policy has reversed that. The President talks a big game, but he has no follow-through. To our adversaries, his statements have become no more than empty threats.

Take Syria. The President drew a redline 4 years ago. If Syrian President Bashar al-Assad used chemical weapons against his own people, the United States would respond. Well, Assad used chemical weapons, and the United States did nothing. It should shock no one that a recent U.N. investigation found that Assad has continued to use chemical weapons against his citizens. After more than 4 years of inaction from our President and 5 years of civil war, Syrian cities lie in ruins, millions are displaced, and tens of thousands—literally, tens of thousands—have been slaughtered. The world's eyes are now on the tenuous ceasefire in hopes that it may lead to peace talks and permit humanitarian aid to reach those most in need. But we must ask how we got here and what lessons can be learned.

The consequence of empty threats is bolder and stronger enemies. When the United States fails to follow through, we send a message that the United States can be ignored at will. We can see the results in chemical attacks on civilians in Syria, in the belligerent acts of the Iranian Navy, in a defiant North Korea testing nuclear bombs, in China boldly asserting territorial claims and building up reefs in disputed waters, and in Russia annexing Crimea and flexing military and political influence in Ukraine.

In 2008, then-candidate Obama spoke of the need for "tough, direct diplomacy, where the President of the United States isn't afraid to let any petty dictator know where America stands and what we stand for." That is a direct quote from the President back when he was running for President. Well, Presidential candidate Obama was right. That is the kind of diplomacy that we need. But, unfortunately, it has never been the kind of diplomacy actually displayed by President Obama.

In that same speech, then-candidate Obama spoke of the need for "the courage and the conviction to lead the free world." Well, that is something that we need even more today, after 8 years

of an administration that has frequently lacked the conviction to lead at all.

Senate Republicans will continue to do what we can in Congress to restore America's leadership and to strengthen our country's security. This includes working to advance the essential National Defense Authorization Act and Defense appropriations measures—the latter of which have been blocked repeatedly in this Chamber by Democrats.

I hope my colleagues across the aisle will work with us. Our Nation is already in a more dangerous position today, thanks to the foreign policy failures of the Obama administration. If we don't start getting our foreign policy right, the consequences could haunt us for generations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the 146th time to wake this Chamber up to the consequence of climate change. The leading edge of consequence is already upon us, and it is threatening the people and economies of all 50 States. Because of the dark influence of the fossil fuel industry, we can't have an honest, bipartisan conversation here in the Senate about climate change. So I travel. I have been to 13 States.

Last month, I visited Utah and met with local business, policy, and science leaders to learn more about the effects of climate change in Utah. Coastal Rhode Island and landlocked Utah may seem worlds apart, but we share a common future under climate change, and both Utahns and Rhode Islanders share a deep connection to our home State's natural environment.

Generations of Rhode Islanders have been drawn to Narragansett Bay and our coasts, and it is not just for love and beauty. In 2013, Rhode Island's ocean economy generated \$2.1 billion and supported more than 41,000 Rhode Island jobs. The Presiding Officer from Alaska can appreciate the importance of an ocean's economy.

Narragansett Bay comes alive in the summer's warmth. But it is mostly frozen water that brings people to the mountains of Utah. With what they call the "greatest snow on Earth," winter blesses Utah. During the last ski season, nearly 4½ million skiers and snowboarders visited the State, generating over \$1.3 billion in spending. According to the Utah Office of Tourism and the University of Utah, almost 1 in 10 jobs in Utah is in tourism. Well,

whether it is ski boots or boat shoes, there is no question that significant portions of both Utah's and Rhode Island's economies are tangled in the consequences of climate change.

Rhode Island has already seen winter surface temperatures in Narragansett Bay increase by about 4 degrees Fahrenheit since the 1960s, and the sea level at the Newport Naval Station tide gauge is up almost 10 inches since the 1930s. We are seeing more flooding and erosion along our coast, threatening our shoreside businesses and homes. Fish stocks are shifting in search of cooler waters, upsetting the ecological balance of Narragansett Bay and endangering Rhode Island's traditional fisheries.

Out in Utah, there is not much salt-water fishing going on, but they have their own issues. According to the Environmental Protection Agency, average temperatures have already risen two full degrees Fahrenheit there over the past 100 years. During my visit in early August, the National Weather Service reported that for the first time in the 144 years that they had been measuring, Salt Lake City had five nights in a row with low temperatures over 78 degrees and 21 straight days with high temperatures over 95 degrees. Heat waves can have public health consequences, especially for the young and the elderly, but this warming also has serious implications for Utah's fabled ski industry.

I visited with Ski Utah and with professional skiers from the group Protect Our Winters, folks who make their living out on the slopes. They spoke about the shortened winter seasons and depleting snowpack. Snowy Thanksgivings have historically kicked off the resorts' winter season, but Utah is seeing more and more weeks of rain. Resorts are forced to make snow, but manmade snow can't match nature's "greatest snow on Earth."

In his book "Secrets of the Greatest Snow on Earth," Dr. Jim Steenburgh of the University of Utah summarizes how Utah meteorologists Leigh Sturges and John Horel foresee snow versus rain at major Utah ski resorts under different climate change scenarios. Steenburgh writes:

For a temperature rise of 1 [degree centigrade] (about 1.8 [degrees Fahrenheit]), about 10 percent of the precipitation that currently falls as snow would instead fall as rain at 7,000 feet (roughly the base elevation of Canyons, Park City, and Deer Valley).

At 9,500 feet (midmountain at Snowbird and Alta and upper mountain at Canyons, Park City, and Deer Valley), however, it's only 3 percent.

The numbers get worse, however, with greater warming. For a 4 [degree centigrade] temperature increase (about 7.2 [degrees Fahrenheit]), about 40 percent of the precipitation that currently falls as snow would instead fall as rain at 7,000 feet. At 9,500 feet, it's about 20 percent.

This troubling future led Ski Utah's 14 resorts to get together and send a

letter last year to Utah Governor Gary Herbert, asking the State to take action on climate change by implementing the EPA's Clean Power Plan.

Diminishing snowpack in these mountains is not only troubling for the ski and snowboard industry; it also jeopardizes Utah's water supply. Roughly 70 percent of Salt Lake City's drinking water comes from snowpack melt in the spring and summer. Snowpack is Utah's natural reservoir.

Utah is the second driest State in the union, but it has one of the highest average per capita rates of water usage. And Utah's population is growing as well, expected to double by 2050 to around 6 million souls.

Agriculture is the largest consumer of freshwater in the State. Over 80 percent of Utah water goes to farmers and ranchers. Abbreviated winters mean less snowfall, which means less snowpack, which means less water for Utah's rivers, lakes, and farms in the summer months.

With increasingly hot, dry summers, Utah is primed for drought. According to the U.S. Drought Portal, as of August 30, over half the State was experiencing "abnormally dry" conditions. Around 5 percent of the State was in "moderate drought." As recently as the summer of 2012, Utah had seen upwards of 30 percent of the State in "extreme drought." USDA's Natural Resources Conservation Service says Utah's traditional reservoirs were at just 47 percent of capacity in August, down from only 51 percent of capacity at the same time last year.

I saw firsthand the consequences of Utah's water problem during my visit to the Great Salt Lake. I joined the Nature Conservancy at the Great Salt Lake Shorelands Preserve. We walked out on wooden walkways over the marshes, but there was no need. The ground below was bone dry. The preserve is an important stopover for several million migratory shorebirds, according to the U.S. Geological Survey.

Now, this is perhaps a small thing, but there is a beautiful bird called Wilson's phalarope that flies a 3,000-mile migration from the Patagonian lowlands in South America. Around a third of the world's population comes to the Great Salt Lake. Its migration of more than 3,000 miles is just one more of God's natural miracles.

Researchers from Utah State University, Salt Lake Community College, and the Utah Divisions of Wildlife Resources and Water Resources found that the lake's volume has fallen by nearly half since the first pioneers reached its shores in 1847. The lake's surface has dropped 11 feet. This has left roughly half of the former lakebed—marked here in white—now dry, and it has driven up the remaining lake area's salinity and its concentration of chemical contaminants. The disappearing lake means less habitat

for birds like the Wilson phalarope and for the brine shrimp and the other lake critters that they hunt.

The exposed lake bed contains contaminants of Utah's and this lake's industrial past. The dust containing those contaminants now compromises air quality in Salt Lake City, whipped up from the old lake bed. It also affects the other cities along Utah's Wasatch Front. I met with Utah Moms for Clean Air, who describe the poor air quality in some of the State's largest cities. Given its topography, this region is prone to ground-level ozone in the summer and inversions in the winter. Inversions are layers of air which trap particulate matter in the valley. These contaminants can cause respiratory and cardiovascular problems, particularly in children. Due to that, Salt Lake County gets an F from the American Lung Association for both ozone and particulates. The State as a whole didn't do much better, averaging an F for ozone and D for particulate matter. World-class athletes can't train in that air and world-beating companies don't want to move employees into that air so Utah takes this seriously, and Utahans are taking action.

Utah gets a lot of sunshine, and Utah is a leader in solar energy. I met with some of Utah's clean energy leaders at the Real Salt Lake Major League Soccer stadium, where one of Utah's largest solar panel arrays provides more than 70 percent of that facility's energy needs. Auric Solar, the Utah company that installed the solar panels, has averaged more than 170 percent annual growth since 2010. sPower, another solar company headquartered in Salt Lake City, told me their various projects are installing in total around 3 megawatts of solar generation every day.

On July 13, Salt Lake City mayor Jackie Biskupski signed a joint resolution with her city council, pledging to transition the city to 100 percent renewable energy sources by 2032 and to reduce carbon emissions 80 percent by 2040. That is in Utah.

I also stopped in Park City, UT. Park City has its own goal of reducing greenhouse gas emissions to 15 percent below 2005 levels by 2020 through a combination of increased access to renewable energy, efficiency incentives for homeowners, and expanded recycling. Park City is often seen as an affluent resort, but one-quarter of its residents live below the poverty line. Outside of Park City, the rest of Summit County is mostly rural. It was the county and city governments that partnered, along with local power providers, to form the Summit Community Power Works, an effort to encourage energy efficiency improvement along all economic levels in the county.

It is working. They have done things such as retrofit the town's affordable

housing units with LED lightbulbs, taking impressive steps to increase efficiency and reduce carbon footprints. They don't have the ability locally to change zoning laws or building codes. In Utah that is all controlled by the State. Offering just the economic benefits of efficiency and limited financial incentives, they are already seeing inspiring results.

I left Utah optimistic. State climatologist Dr. Rob Gillies and the other climate scientists I met with from the University of Utah, Utah State University, and Brigham Young University are eager to see their research on climate change reflected in their State's clean energy goals. In all of my meetings and tours, I was struck by the industriousness and self-reliance demonstrated by Utah's climate and clean energy leaders. They are determined to stave off climate change and provide a healthy future for their children and grandchildren.

We in Congress owe it to them and to Americans in every State working to preserve a healthy climate to be every bit as serious as they are about the science and just as committed as they are to tackling the greatest environmental challenge of our lifetime. It may mean telling the fossil fuel industry to shove off. They have far too much control of this body. I will tell you this. If the Earth's greatest democracy can't handle one greedy special interest, even if it is the world's biggest greedy special interest, then we will deserve and earn our fate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

FOREIGN POLICY AND THE JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, it is always good to hear our friend and colleague Senator WHITEHOUSE and see his chart. I know he has given that speech or something like it many times, and I am tempted to respond to some of the things he said, but I will not because there is something else I want to talk about.

Yesterday I came to the floor to talk about President Obama's domestic policy legacy, and the No. 1 attribute of that is ObamaCare and how ObamaCare failed to deliver on the promises the President and the people who supported it made in terms of bringing down costs, making care available, not disrupting people with coverage they already had and liked.

The verdict is in on ObamaCare. The costs are up, access to care is down, and I have talked about the huge premium increases my constituents in Texas are going to experience because the masters of the universe who dreamed this up simply did not reflect reality or anticipate unintended consequences of their actions.

Today I would like to talk a little bit about President Obama's foreign policy and national security legacy. After almost 8 years of this administration, the main takeaway is, the world is more dangerous and the world is less stable than it was when President Obama took office 8 years ago. As the Director of National Intelligence, James Clapper, has pointed out, the array of threats confronting us and threatening our national security has never been greater—at least, he said, in his 50 years in the intelligence community.

Last month, I had a chance once again to visit Afghanistan and Iraq. I wanted to go back and get up to speed on exactly what the conditions were, the challenges we were facing there, and meet with our military leaders as well as constituents from Texas. I had a chance to also visit with a number of foreign leaders and of course discuss our ongoing efforts to combat terrorism and help those countries achieve some sort of stability. Obviously, the biggest focus right now is ISIS. The Islamic State is known in Arabic, I am told, as Daesh, which is more of a pejorative connotation. People resist the Islamic State because they say it is not a state, and indeed what I learned in Mosul and Raqqa, efforts are underway to basically destroy what ISIS now claims is its burgeoning caliphate.

The good news is we have some of the best and brightest patriots in the world working in very difficult places to advance our interests. The bad news is, they are not getting the strategic guidance and leadership we need from the White House. Because of that, success in the region is limited. Because our goals appear to be not actually disrupting and destroying the threat of Islamic radicalism, manifest in the name of ISIS or Al Qaeda, it appears to be more of a containment approach—let's do the best we can to contain it but let the next President and the next Congress worry about it.

We just completed a major offensive against ISIS in Afghanistan, but the Taliban and its ally, the Haqqani Network, are kidnapping Americans and overrunning regional outposts that had been held by the Afghans. One of the biggest problems in Afghanistan, I was reminded once again, is the fact that we have an unreliable partner in Pakistan because what happens is many of the Taliban come from Pakistan, where they have safe haven, and they come over into Afghanistan and attack Afghan security forces and the police and then they go back to this protective hideout in Pakistan.

We know ISIS still holds large swaths of territory in Syria and Iraq. If you look at a map, you actually see a line between Syria and Iraq, but that border has essentially been obliterated. We know ISIS continues to export its

terrorist ideology to Europe and the West, where there have been spectacular and deadly attacks either instigated by or inspired by this dangerous ideology.

The strategic and humanitarian crisis in Syria continues unabated, and it is beyond horrible. Now, because of our weakened strategic hand and diminished credibility in the eyes of friend and foe alike, we have apparently been forced to rely on the Russians to negotiate a ceasefire.

Last week, 4 years after President Obama promised that using a chemical weapon would constitute a redline that must not be crossed and that would result in a firmer U.S. response, it was reported that the Syrian Government has once again carried out gas attacks, this time with chlorine. Many were wounded. Two civilians were killed, one including a 13-year-old girl.

Obviously, the threats of redlines that must not be crossed because there were no consequences associated with crossing the redline, obviously Bashar al Assad feels he has impunity to do whatever he wants in order to maintain power because he probably realizes the alternative to doing that is not very good for him.

The line President Obama drew has now been repeatedly crossed by the murderous Assad regime. ISIS is still strong and the war criminal al Assad continues to use those chemical weapons against civilians. We also have seen that when we don't do everything in our power to root out and extinguish a serious jihadist threat abroad—like the one posed by ISIS in Syria and Iraq—that threat can make its way to our shores through ISIS-inspired attacks right here, the most recent one being the Orlando shooter who killed 49 people and wounded many more, who claimed allegiance to the leader of ISIS, al-Baghdadi.

That explains why, according to a recent poll, a majority of voters feel less safe today than they did before 9/11. Unfortunately, on national security issues, President Obama has spent most of his time cutting a deal with the foremost state sponsor of terrorism, Iran, and prioritized our relationship with this enemy over longstanding allies like Israel and Gulf States.

Now, I am afraid, those birds have come home to roost, and we are all paying a terrible price. Unfortunately, the families of the victims of the single biggest terrorist attack on American soil, September 11, 2001, are paying a price too.

We will be hearing more about this, but recently the Senate and the House unanimously passed the Justice Against Sponsors of Terrorism Act. This is bipartisan legislation that passed the Senate by unanimous consent and passed with every single Member of the House of Representatives voting for it just last Friday.

To refresh everyone's memory, this bill would provide victims of terrorism an avenue—really access—to justice to seek restitution from those who fund terrorist attacks on American soil.

Some have said this is fighting terrorism by lawsuit. No, it is not. That is not the goal. The goal is simple justice for those injured and the families who lost loved ones as a result of the largest terrorist attack on American soil on 9/11/2001.

President Obama, for some reason, has said he intends to veto the legislation because he thinks it will somehow interfere with his U.S. diplomatic relations with other countries. All this legislation does is amend a law that has been on the books since the late 1970s, the Foreign Sovereign Immunities Act. Over time, we have had a number of exceptions carved out to this doctrine of sovereign immunities. All this does is give people an opportunity to make their case in court without being summarily thrown out based on the invocation of this doctrine of sovereign immunities.

It is really inexplicable to me that the President would talk about vetoing this opportunity for the victims of 9/11 and their families to be able to make their case in court, but if he does so, I hope he will do so quickly. We sent the legislation over to him on Monday, and I hope he does whatever he is going to do. I would love to have him sign the legislation into law, but if he decides to veto it, I hope he does it quickly so we can just as quickly vote to override that veto. There is no reason why we need to make these families wait any longer.

It is worth noting that the Middle East isn't the only region of the country that is more unstable since President Obama took office. Just over the weekend, it was reported that North Korea completed yet another nuclear test—its fifth. According to reports, the warhead that was detonated was about twice as large as what they tested in the beginning of the year in January.

President Obama called the test a threat and that is about all, giving lip-service to two of our strongest allies, Japan and South Korea, but with no visible or tangible commitment to do anything about it. He said our commitment to them was unshakeable, and so it is, but you couldn't tell that by the reaction to this fifth nuclear test by North Korea. But just like our partners in the Middle East, not to mention Europe, these two East Asian allies don't have reason to put much faith in the Obama doctrine, whatever it is, because unfortunately our timidity in supporting our friends and allies emboldens our adversaries, while causing our friends and allies to wonder whether we will keep our commitments to them.

North Korea has accelerated its missile testing. It has already conducted

close to two dozen tests this year. Eventually, of course, the concern is that they will be able to mount nuclear warheads onto missiles that could not only hit our allies in the region but also the mainland United States at some point.

Even as enemies of America attempt to grow their arsenal of weapons of mass destruction, this administration is reportedly considering handing a gift to North Korea and other rogue regimes by adopting a no first use policy on nuclear weapons. Why in the world would you tell your adversaries beforehand what your intentions would be? This weakens, of course, the effectiveness of our own nuclear deterrent in furtherance of a fantasy goal of a world without nuclear weapons. I wish that it could be true, but it is a fantasy. The loss of deterrence caused by an announcement like that indeed creates an even more frightening and dangerous world.

Throughout his time in the White House, President Obama has done next to nothing to counter the threat posed by North Korea, and that is dangerous.

President Obama has just a few more months left in the Oval Office. At this point, it would be unrealistic to hope he uses the time to promote a solid foreign policy and national security agenda that reflects the best interest of the American people. Instead, we can only hope he does no further harm to our national security interests.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Iowa.

Mrs. ERNST. Mr. President, I ask unanimous consent to speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN POLICY

Mrs. ERNST. Mr. President, this past weekend we bowed our heads in remembrance of the nearly 3,000 lives we lost on September 11, 2001. The largest attack on U.S. soil since Pearl Harbor changed our lives drastically, but it did not impact America as our enemy had hoped. We did not falter. We bonded together. We fought back. From places such as Sub-Saharan Africa, Afghanistan, and the Philippines, U.S. troops operating under Operation Enduring Freedom showed those responsible for 9/11 the true power of the United States of America. The plan to fight against Al Qaeda and its hosts was as clear as its name: "Global War on Terrorism."

Through strong American leadership, support from our allies, and working alongside local forces, the United States embedded itself in places where extremism had spread to deny terrorism a safe haven. From combat operations in Afghanistan to advising missions in the Caribbean, there has long been a global and comprehensive

plan for our response to 9/11. Since then, the global fight on terrorism has continued to become narrower under our current administration, despite the continued threat of Al Qaeda and the clear expansion of ISIS. Without clear leadership, we are failing to stop the spread of terrorism.

Ignoring over a decade of lessons forged on the battlefield, this administration has not only failed to put together a comprehensive plan to fight Islamic extremism in the Middle East, but they have also dismantled the global effort and allowed groups to come back stronger in other regions of the world. This is especially true in Southeast Asia, a nearly forgotten safe haven for terrorists determined to cause harm. Southeast Asia was used for the initial planning of the horrific attack carried out by Al Qaeda that we all bowed heads for in remembrance this past weekend.

In 1994, Khalid Shaikh Mohammed used the Philippines as a safe haven to target the United States. Today, ISIS appears to be doing the very same thing. The warning signs in Southeast Asia are all too familiar to the ones we witnessed over a decade ago with Al Qaeda in that region. They used its Southeast Asia cells to organize and finance its global network. This included planning and financing for 9/11 and the safe harbor of Al Qaeda operative Ramzi Yousef, who was convicted for organizing the 1993 World Trade Center bombing.

Because of this, following the September 11 attacks, U.S. Special Forces were deployed to the southern Philippines in support of Operation Enduring Freedom. With an annual cost of less than one new F-35, the Joint Special Operations Task Force in the Philippines partnered with local forces and trained, advised, and assisted our allies in the fight against Al Qaeda-linked groups.

Up until the mission was officially ended under this administration, operations and efforts to assist Philippine forces in dismantling terror networks were hailed as a success. The threat of terrorism from extremist groups in the Philippines, such as Abu Sayyaf, were largely reduced. But the success from U.S. support in the region has been short-lived. Just as we have been witnessing throughout the globe, previously weak or splintered terrorist networks in Southeast Asia are banding together beneath the flag of ISIS. Yet the administration's plans to defeat ISIS have not changed and a comprehensive global strategy still fails to be defined.

We can not allow Southeast Asia to once again become a safe haven to target America. While it is easy to dismiss the terrorist groups in the region as mere criminal gangs and disorganized rebels, the Philippines lost 44 of its special police in a single battle against

groups now linked to ISIS in Southeast Asia last year. In April, 18 Philippine soldiers were killed in a fight quickly claimed by ISIS. Then, in June, ISIS released a call for other fighters to join them after beheading a Canadian hostage. The video proudly displaying the black flag of ISIS states: "If you can't get to Syria, join the mujahedeen in the Philippines." It is truly alarming.

Our efforts to counter ISIS in Asia can assist our broader goals of countering a rising China and dealing with an unstable North Korea.

Just before President Obama traveled on his final trip to Asia this month, I sent a letter urging him to discuss efforts for a new U.S. counterterrorism strategy in the region. Specifically, I asked President Obama to consider leveraging the five new bases recently announced for U.S. personnel in the Philippines to counter the rise of ISIS and to utilize our freedom of navigation patrols in the South China Sea to provide support capabilities. Like many of our efforts under Operation Enduring Freedom, this should be a fight with the support of our allies.

The use of U.S. Special Forces helping train the Filipino forces has a successful track record in the region, but it needs to be real support and real training—a commitment with American leadership—or else it will never have the full support of our allies in Southeast Asia. They have witnessed our failure to appropriately support allies in the Middle East, like the Kurdish Peshmerga. We must correct this building perception of poor American leadership and weak support on the battlefield. We cannot allow ISIS to use Southeast Asia as Al Qaeda did to plan their next attack on U.S. soil.

Shortly after I sent my letter to President Obama urging him to develop a strategy in Southeast Asia, ISIS claimed another attack, one that took the lives of 10 Filipino civilians. We cannot continue to downplay or ignore this part of the world when it comes to the threat of terrorism.

I stand here today to renew my call for this administration to develop a comprehensive strategy to destroy the enemies abroad who wish to do America harm and those who provide them with a safe haven. As the safe havens Al Qaeda used 15 years ago to target our homeland turned into a staging ground for ISIS, the need to support our allies and address this issue is far too clear.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

NOMINATION OF MERRICK GARLAND

Mr. UDALL. Mr. President, this week marks a sad milestone for the U.S. Senate, a milestone of inaction, ob-

struction, and failure. This week marks 6 months since President Obama nominated Judge Merrick Garland to the Supreme Court. President Obama did his job and his constitutional duty, and Judge Garland should have been confirmed by now. He is eminently qualified. He is a dedicated public servant and a respected judge. Instead, Judge Garland hasn't received a hearing. Today marks 182 days since his nomination, and not even a hearing. In the last 40 years, the average time from nomination to confirmation has been 67 days for a Supreme Court nominee no matter which party has controlled the White House and the Senate. We have always done our job. We have always given a President's nominees a hearing and a vote as the Constitution requires.

After my remarks, I will formally introduce a proposal to change the Senate rules to require that any judicial nominee who has been pending for more than 180 days receive a vote. I do not take this decision lightly, but I fear that a line has been crossed. This level of obstruction will only get worse in the years to come. We should not ever be in this situation again. I urge all of my colleagues to consider this proposal fairly and without partisan interests.

I had hoped that the Senate would act on Judge Garland's nomination. I met with him in May. It was a good meeting. We talked about some areas of the law of particular importance to New Mexicans, including campaign finance reform, tribal law, interstate water issues, and other topics. He is well-versed and well-informed, but he is not prejudging any issue. I really enjoyed the opportunity to get to know him better. He is an exceptional jurist who has dedicated his life to public service. He is a nominee who deserves our respect and a hearing and a vote.

But for several months now, Republicans have argued that President Obama's nominee shouldn't get a vote, that this President shouldn't get the same 4-year term as every other President. They argue that it is better for the Supreme Court to have a vacancy for what is likely to be more than a year. This makes no sense. It is hurting the Court and the American people. It leaves a highly qualified nominee in limbo.

Judge Garland has more Federal judicial experience than any other Supreme Court nominee in history. With many judges, that would be a problem—too many controversial opinions or decisions overturned—but Judge Garland's record is exceptional. He has spent nearly 20 years on the DC Circuit, the court often referred to as the second most powerful in the country. He has participated in over 2,600 merit cases and 327 opinions. He has heard many controversial cases. Yet the Supreme Court has never reversed one of

his written opinions. Judge Garland's record demonstrates an incredible ability to build consensus on a wide range of difficult subjects, and his opinions show that he decides cases based on the law and the facts. These are traits which will serve him well as a Supreme Court Justice and, more importantly, which will serve all plaintiffs and defendants who come before him.

Judge Garland's legal career before joining the bench is equally impressive. He was a Federal prosecutor and later served as a high-ranking Justice Department attorney. At Justice, he oversaw major investigations and prosecutions. He led the prosecution of the two Oklahoma City bombers and supervised the prosecution of the Unabomber. He was known for working closely with victims.

But he is more than just an exceptional judge and lawyer; he is a person of high moral character. For the last 18 years, he has tutored students at a local elementary school. He speaks to law students about public service careers. He also regularly speaks about the importance of pro bono services and access to the courts.

Judge Garland is a good American, and he is being treated unfairly. Many Republican Senators are so caught up in the politics that they have even refused to meet him. He is being denied a hearing in the Judiciary Committee, and the majority leader refuses to allow him to receive an up-or-down vote. This is unprecedented obstruction against one of the most qualified Supreme Court nominees in history.

My Republican colleagues will say it is not about Judge Garland. They say President Obama—who still had over 10 months in office at the time he made the nomination—had no right to fill the vacancy. They argue that it is the next President's job. But we are talking about a vacancy that will have been open for almost a year before the next President takes office. This defies common sense and defies historical precedent.

Sadly, obstruction in the Senate is the new normal. Judge Garland is just the most glaring example. A Supreme Court vacancy gets a lot of attention, but our lower courts have been understaffed for years. Right now there are 12 vacancies on the appellate courts, our district courts have 75 vacancies, and 33 of those are considered judicial emergencies because the court is so shortstaffed.

There are many nominees we could vote on today. Twenty-eight judicial nominees are on the Executive Calendar, voted out of committee with bipartisan support, but Republicans have slowed the confirmation process to a standstill.

Last year Senate Republicans confirmed the fewest judicial nominees in more than 50 years—11 for the entire year—matching the alltime record.

Only 18 have been confirmed this Congress. Let's compare that to the last 2 years of the Bush administration. With a Democratic majority, the Senate confirmed 68 judges.

All this gets back to something I have discussed since joining the Senate: the need to end the dysfunction so the Senate can work for the American people again. I pushed for reform of the Senate rules in the last three Congresses. We did change the rules to allow majority votes for executive nominees and judicial nominees to lower courts. That was a historic and much needed change. Without it, the judicial system would be even more overburdened. But even that change does no good if the judges remain blocked.

The majority leader is using the power over the calendar as a stealth filibuster, and that is what is happening in this Congress. The line gets longer and longer of perfectly qualified nominees denied a vote, denied even to be heard. Now a seat on the Supreme Court is empty and the majority leader is actually arguing that it should stay empty for over a year in the hopes that maybe a President Trump will be able to fill all of these vacancies that came up during President Obama's term. This isn't governing; this is an unprecedented power play.

Is it any wonder that the American people are frustrated and fed up with political games, with obstruction in the Senate, with special deals for insiders and campaigns that are being sold to the highest bidder? They see this obstruction as just another example of how our democracy is being eroded.

I believe it is so bad that we need a change in the Senate rules to address our broken judicial confirmation process. My suggestion is very simple: If the Judiciary Committee hasn't held a vote on a nominee within 180 days from the nomination, then he or she is discharged and becomes the pending business of the Senate and gets a cloture vote. It would be the same for nominees voted out of committee but blocked by the majority leader's inaction. After 180 days, they get their vote.

Let me be clear. If this rule is adopted, 180 days should not become the normal time period to confirm nominees. That is the longest it will take, but there is no reason the Senate shouldn't act quicker, as it has done throughout history.

We need to end the stealth filibuster of this President's nominees. No more burying nominees in committee. No more leaving them to languish on the Executive Calendar. The Senate will have to do its job.

Under my rules reform, Judge Garland would have his vote this week, Senators would do our jobs, and the voters would know where we stand. Many other nominees would finally get

their votes. There are currently seven appellate court nominees who have been waiting more than 180 days. There are 30 district court nominees, including 5 judicial emergency districts.

Some critics may argue that the tables will be turned and Democrats will object to a Republican nominee. Well, if a nominee is truly objectionable, then any Senator, Democratic or Republican, should convince the majority of the Senate to vote against confirmation. That is how democracy works.

It is time to get our courts fully staffed so our judicial system can do its work. We have already seen the impact of a Supreme Court with eight members—cases sent back to the lower courts without decisions. The Supreme Court isn't taking cases that are likely to deadlock. These are some of the most important cases for them to decide. When we fail to do our job, the justice system suffers and the public suffers. The old saying is so true: Justice delayed is justice denied.

It is time for Senate Republicans to do their job. The Constitution gives the President the responsibility to nominate Justices on the Supreme Court, and the Senate's job is to consider those nominees. The Constitution doesn't say: Do your job except in an election year.

The President has done his job by nominating Judge Garland. Many Republicans expected him to select a highly controversial nominee—someone to energize the liberal base in an election year—but the President took his responsibility seriously. He selected a widely respected nominee with impeccable credentials, a man who should be easily confirmed. It is time for us to take our responsibility seriously, give Judge Garland the hearing he deserves, and allow the Senate to take an up-or-down vote.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the time from 2 p.m. until 2:25 p.m. be under the control of Senator MANCHIN; further, that the time from 2:25 p.m. until 2:45 p.m. today be reserved as follows: Senator ENZI for 10 minutes and Senators INHOFE and BOXER for 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Iowa.

FOREIGN STATE-OWNED COMPANIES

Mr. GRASSLEY. Mr. President, I have been to the floor several times to call attention to foreign state-owned companies' growing investments in American companies and commercial markets. I come to the Senate floor to discuss this further with my colleagues.

It is becoming increasingly clear that foreign state-owned companies are highly involved in international commerce and competing with companies that are privately owned by shareholders with nothing to do with any government. This trend is part and parcel of globalization. While there are some obvious benefits to globalization, we also need to be aware of the challenges it may bring with it, and I think this is one of them.

To give an example, I have seen this trend at work in the agricultural sector of our economy. ChemChina, a Chinese state-owned company, is currently working on a deal to buy the Swiss-based seed company Syngenta. About one-third of Syngenta's revenue comes from North America—meaning the company is heavily involved with American farmers, including Iowans—and that is why I am interested in this transaction.

I have already been considering the approval aspect of this proposed merger. Senator STABENOW and I asked the Committee on Foreign Investment in the United States to review thoroughly the proposed Syngenta acquisition with the Department of Agriculture's help. We have raised the issue because, as I have said before, protecting the safety and integrity of our food system is a national security imperative as well as an economic issue.

There is another aspect of this issue I would like to focus on. I would like to consider the flip side of the approval question. As their involvement in

international commerce grows, how can we ensure that foreign state-owned companies are held to the same standards and the same requirements as their non-state-owned counterparts or companies that are in the private sector?

First, consider two age-old principles of international law. One is that American courts don't exercise jurisdiction over foreign governments as a matter of comity and respect for equally independent countries. Each is sovereign. This is called the foreign sovereign immunity. The second is that when foreign governments do in fact enter into commerce and then behave like market participants—conducting a state-owned business, for example—they are not entitled to foreign sovereign immunity because they are no longer acting as a sovereign but rather acting like any business. In that case, they should be treated just like any other market participant. This is called the commercial activity exception to the principle of foreign sovereign immunity.

Congress codified both of these age-old principles in the Foreign Sovereign Immunity Act of 1976. All of these principles are well and good, but I am concerned that in some cases they may not have their intended effects in today's global marketplace.

Some foreign state-owned companies have recently used the defense of foreign sovereign immunity—the principle that a foreign government can't be sued in American courts—as a litigation tactic to avoid claims by American consumers and companies that non-state-owned foreign companies would have to answer. In some cases, foreign state-owned corporate parent companies have succeeded in escaping Americans' claims. They have done this by arguing that the entity conducted commercial activities only through a particular subsidiary, not a parent company often closer to the foreign sovereign. Unless a plaintiff, which may be an American company or consumer, is able to show complete control of the subsidiary by the parent company, the parent company is able to get out of court before the plaintiffs even have a chance to make their case.

This results in two problems. First, there is an unequal playing field, where state-owned companies benefit from a defense not available to a non-state-owned company. Second, there is an uphill battle for American companies and consumers seeking to sue state-owned entities as opposed to non-state-owned entities. When a foreign state-owned entity raises the defense of foreign sovereign immunity, American companies as well as American consumers don't even get a chance to prove their cases.

Consider the example I talked about a few months ago. American plaintiffs brought claims against Chinese manufacturers for much of the drywall used

to rebuild the gulf coast after Hurricanes Katrina and Rita. The drywall in question was manufactured by two Chinese companies, one owned by a German parent and one owned by a Chinese state-owned parent company.

The court considering these plaintiffs' claims had this to say: "In stark contrast to the straightforwardness with which the litigation proceeded against the [German] defendants, the litigation against the Chinese entities has taken a different course." The German non-state-owned parent company appeared in court and participated in a bellwether trial, where plaintiffs were allowed to try to make their cases.

The manufacturer of the Chinese state-owned parent "failed timely to answer or otherwise enter an appearance" in court and didn't do so for a long period of time of at least 2 years. In fact, it waited until the court had already entered a judgment against it. Only then did the Chinese state-owned company finally appear in court. When that company did appear, it argued it was immune from suit in the United States because it was a state-owned company. After approximately 6 years of litigation, it ultimately succeeded in its request for dismissal. In contrast to the German parent company, the plaintiffs didn't have a chance to try to prove their case against the Chinese parent company merely because it happened to be owned by a foreign government. That is a great big problem.

To address these issues, I am proposing a very modest fix to the Foreign Sovereign Immunities Act. This change would extend the jurisdiction of the U.S. courts to state-owned corporate affiliates of foreign state-owned companies insofar as their commercial activities are concerned and only as far as their commercial activities are concerned. It wouldn't create any additional substantive causes of action against these foreign state-owned companies. Instead it would mean only that a foreign state-owned company would have to respond to the claims brought by both American companies and American consumers, just like any other foreign company that isn't owned by a government.

This fix has two main results correcting the problems I just mentioned. First, it levels the playing field between foreign state-owned and foreign private companies by making both subject to suit in the United States on the same footing, as the commercial activity exception originally contemplated. Second, it brings clarity to the sometimes opaque structures of foreign state-owned enterprises and provides American companies and American consumers the chance to prove their case against these companies just as they would have that opportunity against any private company.

In an age when sovereign-owned entities, with increasingly complex cor-

porate structures, are interacting with American companies and interacting with American consumers more than ever, it is appropriate to reexamine the commercial activity exception and to update that commercial activity exception. We have to make sure it is working as it was designed and as it was historically understood.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MERRICK GARLAND

Mr. DURBIN. Mr. President, not once in the history of America has the Senate refused to give a hearing and a vote to a Presidential nominee to fill a vacancy on the Supreme Court—not once—until this moment, a moment in history on the death of Antonin Scalia and President Obama's meeting his constitutional responsibility to send up a nomination to fill that vacancy.

A decision was made by the Republican majority, led by Senator McConnell, that he would not hold any hearing or vote. It has never happened before. Some will say: Oh, Senator Durbin, if the shoe were on the other foot—it was, not that long ago. It was the last year of Ronald Reagan's Presidency. He was, in nominal terms, a lameduck. There was a vacancy on the Supreme Court. There was a Democratic majority in the Senate. Ronald Reagan sent the name of Anthony Kennedy, his nominee to the Supreme Court, to the Democratic-controlled Senate.

The Senate not only held a hearing and a vote, but they voted in favor of President Reagan's nominee and sent him to the Supreme Court. But this time, with this vacancy on the Supreme Court, the Republican majority has refused to give this man a hearing for 182 days.

He just visited my office again. He was there 5 months ago. Life is more complicated now because he is the President's nominee. He is still the chief judge of the D.C. Circuit Court. That is one of the most important in the United States. He is recusing himself from cases on the chance that he may get a hearing and may get a vote. He is working on the administrative part of the court, but he is not dealing with decisionmaking and writing opinions. So he is trying to show an abundance of caution and not raise any ethical questions if he is eventually on the Supreme Court.

He is a good man. He is highly competent. The American Bar Association has ruled him "unanimously well qualified." This Senate and many of

the Republican Senators have voted for him when he went to the DC Circuit Court. Some have said publicly that he is a qualified person, but they have not said it recently.

One Republican Senator slipped back home at a town meeting and said: Well, I think that Merrick Garland, the President's nominee, at least deserves a hearing. That is what he said: At least he deserves a hearing. The Koch brothers came down on that Republican Senator like a ton of bricks and told him: Be prepared; we are going to run someone against you in the Republican primary. Within 24 hours, that Republican Senator reversed his position and said: No, no hearing for Merrick Garland.

So I think we understand the inspiration for this position. It is certainly not the Constitution we have all sworn to defend. The Constitution is very clear. With a vacancy on the Supreme Court, the President is obligated to send a nomination to fill the vacancy. Why would the Constitution require that? Because you can have some political gamesmanship. A President might decide: Well, I will just keep it vacant. Maybe it is to my political advantage.

The Constitution says: No, Mr. President, send a name. The Constitution goes on to say that the Senate has a responsibility to advise and consent to that nomination. That is where the process has stopped and fallen apart.

So why would the Republican majority in the Senate go out on a limb and take a position that has never been taken before in the history of the United States to deny Merrick Garland a hearing and a vote? Well, because there are certain people in high places who want to see a President named Donald Trump fill this vacancy. They believe he would pick a person closer to their political liking, someone who would serve their economic interests. It is a shame. It is unfortunate. Some would argue it is unconstitutional.

That is where we are, and that is what elections are about. I won't even speculate on the type of person Donald Trump would choose to fill that vacancy. I will leave that for someone else another day. It is really sad to think that a judge of Merrick Garland's quality, of his integrity is being treated so badly.

There was speculation that maybe—just maybe—if Donald Trump lost and Hillary Clinton won, the Republicans would relent and in the closing weeks of this year give him his hearing and his vote. Senator MCCONNELL, just a few days ago said: No, not at all, not on my watch—there won't even be a consideration of this nominee.

It is a sad chapter in the history of the Senate, written for political reasons, at the expense of a man who should have his day at a hearing in sworn testimony to tell us how he would like to continue to serve this Nation.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, there is an industry in the United States of America that is the most heavily federally subsidized private industry in our country. If I asked Members of Congress what that would be, many would say: Oh, it must be a defense contractor; right? Maybe it is some major farm operation. No, it is the for-profit college and university industry—for-profit colleges and universities.

Think of the University of Phoenix, Kaplan University, DeVry, Rasmussen, and those types of schools.

They are in business for profit. They are the most heavily subsidized businesses in America. The students who attend these for-profit colleges and universities receive Federal money in Pell grants, which they give to these for-profit colleges, and then they borrow money from the Federal Government to pay the tuition at these for-profit colleges. These for-profit colleges—many of them—receive more than 90 percent of their revenue directly from the Federal Treasury.

Well, you would think if an industry or a company were that heavily subsidized, they must be doing one great job—wrong. Here are some numbers. These are going to be on the final. So you may want to make a note. Ten percent of students enrolled in postsecondary education go to for-profit colleges and universities—10 percent.

Twenty percent of all the Federal aid to education goes to these schools. That is 10 percent of the kids and 20 percent of the aid money. Why? It is because they charge so much. Their tuition is so high. There are two other numbers that really tell the story—40. Forty percent of all college student loan defaults are students from for-profit colleges and universities. Why? Because they are so burdened with debt that they drop out or they end up graduating with worthless diplomas. The last number I will give you is 72. So 72 percent of the graduates of for-profit colleges and universities—72 percent, on average—earn less than high school dropouts in America. It is the most heavily subsidized private businesses in America and with awful, terrible results: 10 percent of the students, 40 percent of the loan defaults, 72 percent of the graduates not earning as how much as high school dropouts in America.

Last week, another one of those for-profit colleges bit the dust—ITT Tech, with 35 to 40,000 students nationwide, and 750 in Illinois. I would go home to Springfield, IL, and go by the local mall, and I would look up on the side of the mall and see a sign which read "ITT Tech." I said to myself: I know how this story ends. Some students are going to walk into that mall, and they are going to sign up for a course, and they are going to be disappointed. They are going to end up with a heavy student debt and a virtually worthless di-

ploma. Someday—just someday—that school may go bankrupt or go away.

That day has arrived. What happened to those students? Let me give you one illustration. If you walked into Springfield, IL, to the White Oaks Mall, to the campus of ITT Tech, this for-profit college and university, and signed up for a course in communications or an associate's degree in communication or in computer management, the tuition they charged students in Springfield, IL, for a 2-year degree was \$47,000—\$47,000.

Get in your car at White Oaks Mall in Springfield and drive for 15 minutes to Lincoln Land Community College, where you could get the same degree not for \$47,000 but for \$7,000—\$7,000. The hours that you accumulated would be transferrable to a 4-year school or wherever you wished to go. The hours at ITT Tech were a laughing matter when students tried to transfer.

So the school went down. The Federal Government took a close look at the practices. They found more than a dozen State attorneys general investigating ITT Tech. Why? What did they do wrong? Well, it was obvious what they were doing wrong. They were deceiving these students into coming into these schools and paying the tuition.

Many of them were steering them into loans—college loans—which were not the best for the students. They were paying higher interest rates than they should have paid. So when they started detecting these things in each of the States, the attorneys general decided to start investigating. More than a dozen of them were investigating this one school.

Then the Consumer Financial Protection Bureau, here in Washington, DC, did the same and found predatory lending. Higher interest rates were being charged by these schools than should have been for these students and the company was lying to students about their ability to repay them. Then the Securities and Exchange Commission got involved as well and found that this same school was really violating some of the basic rules in terms of disclosures under Federal law.

Well, as these and other problems continued to mount, the Department of Education said to ITT Tech: Stop. We are not going to let you go forward and bring in more students and receive more money from the Federal Government unless you put up a bond—a letter of credit—to guarantee to us that the taxpayers won't be left holding the bag if you go out of business.

ITT Tech said: Before we will do that, we will go out of business. They did. So these students are out there trying to figure out what is next in their lives. It is a heartbreaking situation. For many of them, they at least wasted 1 year or 2 years or more. A lot of them have piled up a lot of debt at a school that has now gone out of business.

I have written every community college in my State and said: Would you reach out to the 750 ITT Tech students in Illinois, sit down with them, see if they have taken any courses or training of value that can transfer, and put them on the right track in terms of perhaps getting that associate's degree at an affordable cost?

There is another thing that is offered through the Department of Education. Once one of these for-profit schools closes, the students have an option. It's called a Closed School Discharge. They can essentially keep the hours they have earned—the credits they have earned and the debt that was associated with it—or walk away from both.

So students will have to decide. I can't decide for them. Once they have had some counseling at the community colleges, they can make that decision. But here is what ultimately happens. When the students walk away from the debt and the hours they earned at these schools, the losers—the ultimate losers—are the taxpayers of America.

You see, when we pay taxes, it goes into the Federal Treasury. The money out of that Treasury is being loaned to these students to give to these schools. When the students default or if they are forgiven their loans, the Treasury is not paid back. Our tax dollars do not return to the Treasury to be loaned again.

So the taxpayers are the ultimate losers. It raises a very basic question. When is our Federal Government going to wake up to the fact that this for-profit college and university industry is causing great harm to a lot of innocent students across the United States and their families and ultimately to the taxpayers of this country?

Steve Gunderson was a Congressman from Wisconsin. I served with him in the House. He is now the spokesman for this industry. He was quoted in the papers yesterday saying that ITT Tech was being treated unfairly, that they were not given due process, and that this industry was being held to unreasonable standards. I could not disagree more.

What the Obama administration is calling for now is to measure the performance of these for-profit schools and to decide whether they should stay in the business. It is called gainful employment. Here is what it boils down to. If you graduate from a school, if you receive a certificate or diploma that they promised, how much debt did you accumulate? How much is your job paying as you come out of school? Can you reconcile the two? Did you end up with a job that ended up paying enough so you could pay back your loan?

Too few of these students can. Mr. Gunderson now argues that we should not hold the schools to those standards, that we should not be concerned about the amount of debt, and that we shouldn't really ask about what kind of

jobs these students end up with. I think we should. I think we owe it to the students and to their families to do just that.

I ask unanimous consent to have printed in the RECORD an editorial from the New York Times that is entitled: "Late to the Fight Against Predator Schools."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Sept. 8, 2016]

LATE TO THE FIGHT AGAINST PREDATOR SCHOOLS

The federal government's failure over decades to regulate for-profit colleges freed the schools to prey on veterans, minorities and the poor by saddling students with crushing debt and giving them worthless degrees in return. This is all the more outrageous because the schools rely on the federal student aid system for virtually all of their revenue.

The Obama administration has taken steps to get these schools off the federal dole. But regulators need to intervene decisively—and as soon as possible—when evidence of fraudulent conduct emerges. They must also reach out to students who are entitled to have their loans forgiven when a school defrauds them or shuts down while they are enrolled.

Just this week, ITT Technical Institute—one of the nation's largest for-profit operations—announced it was closing, leaving about 35,000 students in the lurch.

ITT blamed the Education Department, which recently barred it from enrolling students using federal funds, citing its accreditation problems and financial instability. The department also demanded that ITT come up with more than \$150 million to cover refunds in case it closed. According to the department, ITT could not do so.

The school has only itself and its business model to blame. In 2011, Senate hearings showed that ITT recruiters were deliberately targeting desperate unemployed people for some of the most expensive programs in the for-profit sector and that many students were taking on high-cost private debt after exhausting federal aid. It also emerged that the company was spending more on marketing than on instruction—a giveaway of what the game was about.

ITT's reputation got worse every time it came under investigation or was hauled into court. In 2014, the federal Consumer Financial Protection Board sued it for pushing students into high-cost private loans that were likely to end up in default. A year later, the Securities and Exchange Commission accused it of fraud and charged it with concealing financial information from investors.

Complaints have also arisen at the state level. This year, Massachusetts charged ITT with falsifying job-placement rates for one of its programs. The death knell finally sounded for ITT this spring when the organization that accredits independent colleges and schools told it that it did not comply with accreditation criteria that were not rigorous to begin with.

The Education Department is at fault for waiting so long to end ITT's use of federal aid. Now it needs to adopt and vigorously enforce recently proposed rules that shield the taxpayers from loss when a school is forced to close.

The most important rule would require schools that show signs of financial instability—like being sued by federal entities or

state attorneys general or failing to meet requirements for receiving federal aid—to put aside money for debt relief for students hurt by the school's conduct. The companies and their supporters in Congress want the rule rolled back. But the only way to hold schools accountable is to make the cost of abuse high.

Mr. DURBIN. This editorial says that this should be an eye opener. This should be an awakening for Congress and for our government. We saw Corinthian go down, another for-profit school. Do you know how much that cost the taxpayers? Over \$1 billion. Now, don't believe for a minute that the CEO of Corinthian or even the CEO of ITT Tech is sending any money back to the Treasury. No way. They are off with their millions of dollars—which, as presidents, they took out of these bogus universities—living a pretty sweet life. They got the money, the school went down the drain, and the students are left holding the bag with the taxpayers. We could lose over \$1 billion on Corinthian. Sadly, ITT Tech could turn into another billion-dollar baby. Which one of these for-profit schools is going to fail next?

One they are looking at closely is called Bridgepoint. Bridgepoint is based out of California, but they did something very interesting. Senator Tom Harkin of Iowa had a hearing and told the story of Bridgepoint. Bridgepoint, a for-profit school, bought a Franciscan college in Iowa—a small Catholic girls' college that was going out of business—and they created something called Ashford University. They said: Our campus is in Iowa. This is where we are going to do business.

It turned out it was a fraud on the public. It was the showcase for another for-profit school.

Listen to this. Tom Harkin's investigation found Ashford University had 1 faculty member for every 500 students. They put almost 25 percent of all their revenues into marketing, signing up students, picking up their Pell grants, picking up their college loans, turning it into profits, and paying millions of dollars to their CEO and the officers of their company.

Now they have closed down that campus in Iowa, and they are looking for a home. They need one because now one of the most lucrative businesses of for-profit colleges is the military and veterans. The military provides assistance for Active military members and their families to go to school. These for-profit schools are swarming all over our military bases trying to get these families to sign up and also those who come out of the military with GI bill rights. They have a lot of money to spend—as we want them to spend to improve their lives—and it is these for-profit schools that are crawling all over trying them, trying to get them to be part of it.

Well, they need a base of operations, Bridgepoint does, to continue to receive GI Bill benefits and no State

wants them. Iowa has said: No thanks. California, where they are based, has indicated they don't want them either.

So will Bridgepoint be the next? I don't know, but I know there will be another one. There will be more disappointed students. There will be more disappointed taxpayers.

The question that ought to be asked by those who are following this is, What are you doing in the Senate or the House to deal with this? How are you changing the rules and the law to protect students, their families, and taxpayers? The answer is, we are doing nothing—nothing. That is inexcusable, unacceptable.

I don't know if we will have time this year to take up an issue of this magnitude, but we must. I wish we would, but if we can't, then next year we must.

How many more students are going to face what the students at ITT Tech are facing at this moment? Do we care that the most heavily subsidized private businesses in America are doing such a miserable job for students across the United States? We should.

I sincerely hope my colleagues will join me in this effort. This should be bipartisan. We have a lot of Senators who spend a lot of time zeroing in on whether people are getting an extra 50 bucks a month for food stamps they shouldn't receive. I am against food stamp fraud, but are they not ready to zero in as well on this horrific waste of billions of dollars each year to an industry that is not serving America well?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am returning to the floor—and I can hardly believe this number—for my 50th edition of "Waste of the Week." I started this thinking that because we have not been able to secure any kind of long-term reform to our broken financial system, the least we can do is identify those documented wastes, frauds, and abuses that inspectors general, the Congressional Budget Office, and the Government Accountability Office have studied, examined, determined, and reported to us. The least we can do to control out-of-control spending by this Federal Government is to stop this waste, fraud, and abuse to the best extent we can—the least we can do.

When I started this, I thought that, well, I am going to come to the Senate floor once a week and we will see what we can determine. I wasn't sure we

would have enough information available to us so that I could come down each week during this cycle. We have been overwhelmed. I could come to the floor every day. We have been overwhelmed by what we have learned and found. It is shocking. It ought to be shocking to the taxpayer when they learn about how we waste their tax dollars. These are people struggling to get the mortgage paid at the end of the month, struggling to get the kids' education paid for, struggling to just keep their heads above water. They are dutifully paying taxes, which are withheld from their paychecks, sending it to Washington, DC. Then they learn it is wasted, that the abuse that goes on has not been corrected, that the efforts to run an efficient, effective government have simply not been implemented, that we have a government out of control in Washington, and that the right hand doesn't know what the left hand is doing.

So these wastes of the week have been pouring in, and this is No. 50. We thought the goal we wanted to reach would realistically be about \$100 billion. We are way above that, and I will be talking about that in just a moment.

Yet here we are again, and this is a big one, Medicaid: the waste of dollars that have been improperly sent to the wrong people in payments for Medicaid—to the wrong people, to people abusing the system or just simply errors. They were not corrected in the systems that account for whom we are paying, what we are paying them, and when they are getting the money.

I first wish to say I acknowledge that Medicaid is a vital safety net program, depended on by many low-income families and children who have no other health care options. Medicaid recipients rely on HHS to effectively supervise the Medicaid Program and so do the American taxpayers who are footing the bill with their hard-earned taxpayer dollars. This is in no way a criticism to take down a program that is necessary to provide needed medical help to low-income people who simply cannot find it any other way.

If we want to maintain the program's integrity, we have to root out the bad actors. We have to root out the abuse and waste of taxpayer dollars or at some point there simply will be a rebellion back that will undermine the necessity of this program.

Most importantly, the Health & Human Services' Cabinet must address the high rate of improper payments that have plagued this program from its very beginning and wasted billions of taxpayer dollars. It seems the problem is getting worse, even though Medicaid has routinely been identified as a high risk for potential waste. Being identified as a high risk, you would think alarm bells would sound and structures would be put in place so we

can solve some of these issues and not waste these taxpayers' dollars, give them to the wrong people, or deny others who are qualified and not receiving these payments.

In 2015, Medicaid had the second highest improper payment rate across the entire Federal Government. Over the past 3 years, Medicaid's improper payment rate averaged almost 10 percent each year. Earlier this month, the Department of Health & Human Services put out an alert that Medicaid's improper payment rate for 2016 is expected to increase to 11.5 percent. That is nearly double the rate of improper payments since 2013. So in just 3 years, the rate of improper payments has doubled.

Instead of correcting the program, instead of moving it in the right direction toward solvency and toward proper administration, it is going in the other direction. That means more and more taxpayer dollars are being simply burned, thrown to the wind. Put it in a fireplace. It is gone. It has gone to the wrong people, they are improper payments, and it is a staggering, staggering number. To put a dollar figure on this, nearly 10 percent of everything that goes out in Medicaid payments—we are talking about \$85.5 billion which will be improperly put out through Medicaid in just 3 years. That is an astonishing amount. Let me repeat that: Having acknowledged there is a serious problem with Medicaid payments and misuse of taxpayer dollars, instead of that being addressed successfully, it has put us in a situation where it is increasing dramatically. Now, in a 3-year period of time, \$85.5 billion has been wasted.

While these \$85.5 billion in improper payments were made, Medicaid enrollment continued to expand as a result of ObamaCare, which means more and more Americans are relying on an increasingly fraudulent system. So we have to ask the question: Why do these improper payments continue to take place? Why is it accelerating? What is happening?

Well, we dug into this. One reason was that a persistent problem lies within the HHS—Health & Human Services—data system for identifying and validating Medicaid and Medicare providers, which HHS directs States to use to help ensure those medical providers receiving payments are actually eligible. The system itself reminds me a lot of ObamaCare. Remember when they rolled out that system? I can't remember the number of billions and hundreds of billions of dollars that had to be spent to fix it when we were assured this was ready to go, all plugged in, and the system collapsed. The taxpayer then had to come in and rescue it with even more hundreds of millions of dollars.

So one problem here lies with the agency itself in terms of implementing

the right systems. Bureaucratic mismanagement, which is so prevalent throughout the Federal Government, has enabled providers to obtain Medicaid payments when they aren't even medically licensed in a State or when they do not even practice in the United States. Payments are going to bogus people. Payments are going to people who don't even practice in the United States and qualify for this.

The Government Accountability Office recently examined the addresses listed in HHS's database by some of these providers as their primary place of practice, and it turns out a lot of them are simply fake addresses. Let me put up this first chart that identifies the address of where Medicaid payments were going. This is a picture of an empty lot. There is no building. There is no place, unless someone has a little tent here or something like that saying: This is my place of practice. Payments are going to this address, and there is nothing there. Everything has been bulldozed. There is nothing there. That was determined by the government, and this is just one example among thousands in terms of how these Medicaid payments are being wasted.

Another listed the address, as we determined, of a fast-food restaurant. I am not going to mention which one it is, but a fast-food restaurant is receiving Medicaid payments. Maybe their food is bad. Maybe someone practices there on a 24-hour basis, sleeps on the floor, and I guess can get a burger for breakfast, a burger for lunch, and a burger for dinner, but it is yet another example.

This fake address was determined by the Government Accountability Office, not by any one of the thousands, tens of thousands of people—maybe hundreds of thousands of people—who work for HHS. One would think they would have something going on within that bureaucracy that would track all this information. Why does this have to go through an inspector general or go through the Government Accountability Office—some agency outside of these agencies such as HHS—to determine this kind of thing? Can't somebody figure that out?

We wonder why the public is frustrated with Washington. We wonder why the public thinks their taxpayer dollars are being misused, and obviously they are. We wonder why we are getting this backlash here in this political year. People are fed up with how the government is so dysfunctional and operates in such a dysfunctional way. They want change, and it looks as though it is going to happen.

Another problem is that criminals understand that poor oversight among the agencies gives them access to Medicaid, which harms patients, such as the case of a pediatric dental company that performed medically unnecessary procedures on children covered by Med-

icaid. It is bad enough that somebody puts a false address in and receives Medicaid payments in a fraudulent way, but it is outrageous—it is outrageous—that professional people, many of them with doctors' degrees, are using this as a basis to receive Medicaid payments by subjecting children to procedures that are not necessary. This case was a dental company that performed medically unnecessary procedures on children covered by Medicaid. These children went through significant physical pain, such as having a baby root canal. And there is no telling how many other patients have been harmed by providers who should have been prohibited from participating in Medicaid.

Yes, the \$85.5 billion in improper payments is a big deal, but it is also a big deal that Federal agencies are not doing their jobs and allowing billions of dollars to be squandered. HHS has the tools already at its disposal to prevent these improper payments, such as verifying the locations of physicians' offices and making sure providers are licensed.

My colleagues and I also must remain vigilant and ensure that HHS is fully utilizing its resources to crack down on improper payments and bad actors within Medicaid. We are elected. It is our responsibility to come here and make sure we are doing everything we possibly can to make these agencies cost effective and efficient, so we do not have to come down here every week to talk about some bureaucratic nightmare where taxpayer dollars have been wasted.

Initially, I said our goal was \$100 billion. We are way past that now. We are at \$200-some billion. And with this, we add another \$85.5 billion. Our chart can't accommodate it. We thought we would end up here; then we went to \$200 billion. This is just within this one cycle of Congress, and now we have to add to our chart. We are going to have to get a new chart because we are way up here now. We went way over our chart. The grand total of wasted taxpayer dollars is \$326 billion. That is not small change, Mr. President. That is hard-earned tax dollars.

Think what we could do to lower our debt. Think what we could do to provide for better education, better health care research, dealing with Zika with the CDC, paving roads, providing services, protecting our national security, helping our veterans. Think what we could do with \$326 billion of wasted money. And this is just a fraction.

The public understands. We expose this information to them. Do we then blame the public for being furious with the dysfunction that exists in Washington, DC? I think they are going to go to the polls in November and express how they feel.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Aloha, Mr. President.

REMEMBERING MARK TAKAI

Mr. President, I rise in memory of our friend and our colleague, Congressman Mark Takai. In June, Mark passed away after a courageous fight with pancreatic cancer. He leaves behind a legacy as a champion swimmer, a National Guard officer, and a public servant. Most importantly, Mark was a family man and friend to many.

Over the years, I have affectionately called Mark my younger brother. Mark was elected to the Hawaii State legislature in 1994, the same year I won my race to be our State's Lieutenant Governor. I came to count on Mark as one of my closest allies throughout my time in State government and here in Congress. I will continue to be a champion for the causes he believed in, particularly the fight to keep the promises we made to our Nation's veterans.

Mark always remembered personal details and would go the extra mile to give back to others. Knowing how much we all missed food from home, he hosted potlucks for his staff and others in the delegation. They often included one of my favorites—his mother Naomi's famous beef stew. Whenever his mother made a batch of her famous stew, Mark, always thoughtful, made sure he saved some for me. In return, when I made Portuguese bean soup and Korean kimchi, he got some too.

Mark embodied the aloha spirit of kindness and generosity and would bring a bit of Hawaii wherever he went. Last year, Mark and I traveled with dozens of our colleagues from both the House and Senate to Selma, AL, for a march commemorating the 50th anniversary of "Bloody Sunday," the civil rights march led by the Reverend Dr. Martin Luther King, Jr.

When Dr. King marched from Selma to Montgomery in 1965, he and other march leaders wore a white carnation lei from Reverend Abraham Akaka, the brother of Senator Daniel Akaka. Dr. King and Reverend Akaka had met and become friends the year before, and Reverend Akaka sent the lei from Hawaii to Alabama to stand in peace and solidarity with the civil rights marchers.

Mark decided to replicate that gesture of harmony and unity by giving a lei from Hawaii to all our colleagues from the House and Senate who joined in the commemorative march. He enlisted me in this goal. Over 100 lei were ordered and shipped to us in Selma. But there was a glitch. The lei were to arrive by plane and by truck, but arrive they did not. In fact, Mark and I had absolutely no idea where the boxes and boxes of lei were in transit from the west coast to where we were.

At that point, frustrated, I looked at Mark and said: You are the National Guard guy. You know logistics. I am

trusting you to get this done. Mark was on the phone day and night. We have pictures of him with his phone practically glued to his ear. Others later recounted that they wondered what he was doing with this phone for 2 days while all kinds of other commemorative march events were occurring.

Well, all of Mark's work paid off, and the lei were delivered safely. That Saturday we presented a white carnation lei to civil rights leader JOHN LEWIS. They were just like the ones that Reverend King and the other leaders had worn 50 years before. Together, we marched across the Edmund Pettus Bridge with our first African-American President, Hawaii's keiki o ka aina, President Obama.

As we celebrate Mark's life in the Capitol today, I recall his memorial services that took place in Honolulu last month. As we finished singing "Over the Rainbow" at the State Capitol rotunda in Honolulu—we were outside—the sun suddenly broke through and shown brightly on a large photo of Mark placed at the service. Mark was literally glowing. The photo was taken just after he was elected to the U.S. House, and you could see in his smile how joyful and happy he was. Later that day, during our services, a rainbow appeared over Pearl City, his hometown that he represented for decades in the State legislature. These are what we call in Hawaii "chicken skin moments"—moments where Mark's presence was very much felt.

Mark, you will be missed, but we will carry on your fight for what we believe is right, while treating each other with kindness and always aloha.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELLY. Mr. President, today we are debating the water resources development bill that contains crucial provisions to improve and rebuild some of our locks, dams, ports, and flood control systems across the United States. It also authorizes valuable habitat restoration programs like the Great Lakes Restoration Initiative. Those are all incredibly important issues and are worthy of our investment. Today, however, I wish to discuss an issue that is far too often overlooked by those of us in Congress: wastewater infrastructure.

Today when we talk about infrastructure, it translates into the critical structures we see every day—roads, bridges, locks, dams, airports. What is too often neglected in this con-

versation, however, is water infrastructure, which is just as critical to keeping our communities clean and livable and attracting investment and growth.

We all want clean water, particularly our local communities that are committed to working toward that goal. Unfortunately, too many of our cities and towns are in a situation where the Federal Government is demanding significant investments to prevent wastewater runoffs, while providing virtually no support to help meet those mandated goals.

I believe we should have high standards for our wastewater infrastructure, but those federally mandated standards should be achievable and met with a commitment to help make the necessary investments to protect the health and safety of our communities.

The truth is, unless we get serious about investing in all American infrastructure, including wastewater, we are hurting the very communities these regulations were initially intended to help.

This water resources bill includes some responses to the difficulties our communities are facing in preventing sewer overflows. We have established a technical assistance program for small and medium treatment waterworks, and our communities will now have more opportunities to develop integrated plans for dealing with multiple clean water requirements and have greater certainty when working with EPA to develop financially responsible investments in wastewater control systems. The bill also reauthorizes a grant program for cities that are addressing their combined sewer overflow, sanitary sewer overflows, and storm water discharge responsibilities.

The bill only authorizes, however, \$250 million for wastewater grants all of next year. That is a sizeable investment but not nearly adequate to help communities respond to the financial challenges they are facing. To put that \$250 million in perspective, local governments reported spending an average of approximately \$320 million per day—per day—on water and wastewater services and infrastructure in 2013. That means this bill will authorize grants for an entire year at an amount that is only 75 percent of what local governments spend in 1 day.

In my hometown of South Bend, IN, the city may need to spend up to \$1 billion to address its obligations to eliminate sewer overflows. The solution may include deep rock tunneling, with tunnels so deep they might as well build a subway system while they are down there and with a price tag so high, the required investments break down to \$10,000 per resident—in a town with a per capita income of \$19,000 per resident a year. It is not just one town, though; Fort Wayne, Indianapolis, Evansville, Richmond, and others—these Hoosier communities are forced

into consent decrees and are required to make significant investments with essentially no help from Congress, which made the rules in the first place.

I know we are operating in a time of budget constraints, but wastewater infrastructure investment is a problem. It is a problem Congress has failed to adequately address for far too long. That is why I have introduced an amendment that doubles the authorized funding for grants to local communities to respond to wastewater challenges. Even that is a modest investment, but we need to work together to find a way to do more.

I know that Chairman INHOFE—a former mayor of Tulsa—understands the challenges facing our cities, and local communities across the country are experiencing the same difficulties funding these improvements. Senator BOXER is such a tireless advocate on behalf of the communities in her home State, and I know she is interested in being as helpful as possible as well.

This bill makes improvements for our communities, and I appreciate that, but I am eagerly looking forward to finding ways to do more.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate be in a period of debate only until 2:25 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN POLICY

Mr. MCCAIN. Mr. President, events that are taking place in Syria and in the Middle East in general but in Syria and around the world show an incredibly dangerous deterioration of American national security, of our standing in the world, and can have consequences that are far-reaching and very damaging to the United States of America.

Yesterday the Washington Post—not known as a rightwing conservative periodical—had an editorial entitled "Whether or not the Syrian cease-fire sticks, Putin wins." It begins by talking about the circumstances concerning what happened with this so-called agreement, which, according to the New York Times today, has been objected to by the Secretary of Defense and other members of his own administration. The Washington Post editorial says:

When Russia launched its direct military intervention in Syria a year ago, President Obama predicted its only result would be a quagmire. Instead, the agreement struck by Secretary of State John F. Kerry on Friday with his Russian counterpart offers Mr. Putin everything he sought. The Assad regime, which was tottering a year ago, will be entrenched and its opposition dealt a powerful blow. The United States will meanwhile grant Mr. Putin's long-standing demand that it join with Russia in targeting groups deemed to be terrorists.

I might add that when the Russians came in, the first people they attacked were the moderate people whom we trained, armed, and equipped, slaughtering them.

If serious political negotiations on Syria's future ever take place—an unlikely prospect, at least in the Obama administration's remaining months—the Assad regime and its Russian and Iranian backers will hold a commanding position.

In exchange for these sweeping concessions, which essentially abandon Mr. Obama's onetime goal of freeing Syria from Mr. Assad and make the United States a junior partner of Russia in the Middle East's most important ongoing conflict, Mr. Kerry promises that humanitarian lifelines will be opened into the besieged city of Aleppo and other areas subjected to surrender-or-starve tactics. The Syrian air force will supposedly be banned from dropping "barrel bombs," chlorine and other munitions on many areas where rebels are based—though there seem to be loopholes in the deal, and its text has not been made public.

I might add that the text has not been made available to the Congress of the United States or the American people.

It goes on to say:

If that really happens, and lives are saved, that will be a positive benefit. Perhaps it's the only one available to a U.S. policy that swears off, as doomed to failure, the same limited military measures that Russia has employed with success. But Mr. Putin and Mr. Assad have agreed to multiple previous truces, in Syria and, in Mr. Putin's case, Ukraine—and violated all of them. Their reward has been to gain territory and strengthen their strategic positions, while receiving from the United States not sanction but more concessions and proposals for new deals. If the regimes observe their promises in this case, it may be because the time to exploit this U.S. administration—which has retreated from its red lines, allowed Russia to restore itself as a Middle East power and betrayed those Syrians who hoped to rid themselves of a blood-drenched dictator—is finally running out.

In other words, there may be a time when Vladimir Putin and Bashar Assad decide on an actual cease-fire, which has been violated time after time. After they have gained sufficient control, after they have driven any of the moderate forces out of the major regions of Syria—and for all intents and purposes, thanks to Hezbollah; the Iranian Revolutionary Guard; Russia; and more Iranian involvement by people like Qasem Soleimani, the head of the Iranian Revolutionary Guard; Hezbollah from Lebanon—they will have gained enough control over Syria

that they will be satisfied with what they have and then will seek a cease-fire.

This is one of the most disgraceful chapters in American history. Look at the map of Syria and Iraq in the Middle East in 2009 when Barack Obama became President of the United States and look at a map today. When Barack Obama came to power in 2009, Al Qaeda was defeated. The situation was under complete control thanks to the sacrifice of an enormous amount of American blood and treasure.

When my colleagues and the liberal media and others criticize what happened in Iraq and what a colossal failure it was, maybe there is an argument about going in. There can be no intellectual honesty unless you mention the fact that we had it under control. Al Qaeda was defeated. The casualties were down. All we needed to do was keep a residual force there to maintain control. Instead, the President of the United States decides to take everybody out, and the rest is history. Al Qaeda moves to Syria, Al Qaeda becomes ISIS, and the rest is history.

Why is it that the liberal media and my friends on the other side of the aisle who continue to talk about how Iraq was such a disaster fail to mention that thanks to GEN David Petraeus and brave young Americans who sacrificed time after time, we had it won? And the reason given for pulling everybody out was that we couldn't get a Status of Forces Agreement ratified by the Iraqi Parliament. We now have 4,500 permanent and thousands who are rotating in and out. Where is the Status of Forces Agreement with the Iraqi Parliament? Wasn't that the reason given by these experienced and talented members of the President's National Security Council, experts on—I believe science fiction was one of them, and others who have never heard a shot fired in anger and have no experience in the military of any kind? They are the ones who said we can't stay because we haven't got the Status of Forces Agreement, so we pulled out, and Al Qaeda rotated to Syria and became ISIS and now we have a caliphate. We may be able to finally destroy them, although this is the classic of incrementalism—50 troops here, 20 troops there, 50 more here, a gradual escalation in targets. Still, I have been told one-third or maybe as many as half of our aircraft that went out and flew on a mission returned without having fired a weapon or having dropped a bomb, and everything is run from those experienced tacticians and leaders at the National Security Council.

Here we are now, after Hezbollah, the Iranian Revolutionary Guard, the Russians came in, and the President declared a "quagmire," we now have a ceasefire that, according to our view and others, Putin wins. By the way,

there is also a New York Times story that shows there are severe divisions within the administration as to whether this was a good idea.

I draw my colleague's attention to this morning's Wall Street Journal. Syria's Regime is pressing a systematic effort to alter the country's demographics and tighten Assad's grip on power, U.N. officials and opposition figures said.

How do they do that? They surround an area, starve them out, and barrel bomb them. Barrel bombs are horrible weapons, my friends. They barrel bomb them and kill a whole bunch of them and then they declare a ceasefire and let them leave and take over that particular area. One of the most brutal and inhumane types of warfare is being practiced by Bashar al-Assad as we speak.

There are a lot of things going on in the world, which apparently includes the dictator in the Philippines now saying he is going to buy Russian and Chinese equipment and throw Americans out of the Philippines. The Philippine leader, Duterte, is seeking arms from Russia and China, signaling a shift in its alliance with the United States. The Chinese continue their aggressive behavior in the South China Sea, and of course we are now seeing the other Middle Eastern countries deciding they have to go their own way because the United States of America cannot be relied on for assistance as the situation continues to deteriorate.

I ask my colleague and friend from South Carolina for his comments about the deteriorating situation and this latest "agreement." I don't know what number that agreement is, by the way, but it certainly isn't the first nor the second nor third that has been reached in the hopes that somehow—and each time greater and greater concessions are made to Bashar al-Assad and now acknowledgment of the Russians as our senior partner.

I just ask my colleague: Are we supposed to enter into some kind of alliance with Vladimir Putin in this conflict in Syria? Vladimir Putin dismembered Ukraine, bombed the people we armed, trained, and equipped when they first went into Syria—I don't know how many were slaughtered—put enormous pressures on the Baltic countries, and has occupied parts of Georgia. Does anybody on Earth believe our new partners will insist that Bashar al-Assad leave Syria?

Mr. GRAHAM. Mr. President, I want to associate myself with everything my friend said. Here is our dilemma. There are two forces inside of Syria that are a threat to us, the region, and the people in Syria—ISIL, al-Nusra, and the other radical Sunni groups are certainly a threat to the United States. Raqqa, which is the capital of the ISIL's caliphate, is in Syria. They

planned the attacks in Paris and Europe out of Raqqa, and they communicate with sleeper cells throughout the world. Thousands of westerners have gone to Syria for training under ISIL's control. The bottom line is, it is in our interest to destroy this caliphate because the next 9/11-type attack is being planned in Syria. If you take the land away from ISIL, then you are doing a lot of damage to them, and they become a terrorist organization rather than a terrorist army. The plan to destroy ISIL is beyond ill-conceived.

I had dinner last night with the Turkish Ambassador. What is the ground force we are relying upon to go take Raqqa away from ISIL? You are clearly not going to win the war from the air. We have done a lot of damage, but the air campaign will not destroy the caliphate. Somebody has to go in on the ground and actually liberate Raqqa, take Mosul back, and all the other stuff.

Inside Syria, the main fighting force is a Kurdish force called the YPG. The Kurdish force inside Syria is the mortal enemy of Turkey. On two occasions, you have seen where Turkey used military force against the coalition we are training to destroy ISIL because in the eyes of Turkey, substituting ISIL for YPG Kurds is not a good trade.

Most Members of the body—I don't know if you are following this, but you should. The whole goal is not to destroy ISIL. It is to do as much damage to ISIL as possible and pass this problem on to the next President. For a couple of years, Senator MCCAIN and I have made the argument that the liberating force—if it is made up of Kurds—is doomed to fail. The Arabs in the region are going to have a hard time turning over more of Syria to the YPG Kurds, and it is a nonstarter for Turkey. This ceasefire is brought on by the fact that Aleppo is Hell on Earth.

The administration's goal was to destroy ISIL and replace Assad. Assad will be in power and Obama will be gone, and this failure of the Obama administration to act effectively has changed the balance of power. Four years ago, Senator MCCAIN and I and others argued to help the Free Syrian Army while it was intact. The entire national security team of President Obama advised him to aggressively train the Free Syrian Army to take Assad out because he is a puppet of Iran. The one thing I can tell you is, no Arab country in the region is going to recognize Assad as the legitimate leader of Syria because his main benefactors are the Iranians, their mortal enemy.

Instead of helping the Free Syrian Army, President Obama blinked and took a pass. That vacuum was filled. Hezbollah sent in 5,000 fighters. They are also a puppet of Iran. Their Hezbollah militia, which is supported by the Iranians, came to Assad's aid as

we backed off of helping the Free Syrian Army, and then Russia came in for Assad. So now the Russian President has been bombing forces trained by the American President, and we are not doing a damned thing about it.

All of the training we provided to the Free Syrian Army has been basically neutered by the fact that Russia and Iran are now firmly in Assad's camp. When we were trying to train Syrians to go take out ISIL, we also wanted them to take the fight to Assad. Obama's refusal to do anything about Assad has created a vacuum. Very few Syrians are going to go fight ISIL and not turn their attention to the "Butcher of Damascus," the person who has killed 250,000 to 400,000 of their family.

This whole Syrian strategy is flawed. The ceasefire is an opportunity for Assad and Russia to retrench. Here is what will happen. We are going to have a ceasefire. Hopefully, some of the humanitarian aid will get to Aleppo, but as Senator MCCAIN said, when it is all said and done, they are going to gobble up more territory. This idea of the United States partnering with Russia to go after the al-Nusra group, which has changed its name, to me, is very dangerous. Our military is very reluctant to share with the Russian military targeting and how we know where people are. Sharing information with the Russians is very dangerous to do in Syria because their goal is not to just destroy radical Islamic groups, their goal is to keep their puppet Assad in power.

This whole idea of a joint operation center, where the United States and Russia will focus their attention on al-Nusra elements, is doomed to fail because in the eyes of Assad, everybody who opposes him is a terrorist. All the people we are training to liberate Syria from Assad, in the eyes of Assad, are no different than ISIL. So to expect Assad and Russia to limit their military activity to radical Islamic groups and not go after the opposition in general defies the past.

Russia has dropped more bombs on people we have trained than they have on ISIL. Russia has hit more targets aligned with opposition to Assad than they have al-Nusra targets. Why? Russia is using their military might to give Assad military superiority and at the same time helping on the margins with radical Islam.

The biggest mistake of all was to not help the Free Syrian Army when they were intact and allow Russia and Iran to fill this vacuum. I will say this to anybody on the other side who believes this strategy is going to result in Assad leaving, you are completely out to lunch. Why would Assad leave when he is winning? Why would Assad leave when Russia and Iran are firmly in his camp? Why would Assad leave when the Russians can bomb the people the Americans are training to take Assad

out and America will do nothing about it?

This whole idea that there is some plan coming that will replace Assad is a complete fantasy. This ceasefire is not going to bring about the results we all would hope for, which is the destruction of ISIL and the removal of the "Butcher of Damascus," Assad, who is an enemy of the Syrian people, who helped send fighters into Iraq to kill American soldiers as we were trying to help Iraqis, who is a puppet of Iran and a proxy of Russia.

To the administration, most people are not paying any attention. You are literally getting away with national security malpractice because most people are not paying much attention, and there is a war over there involving people we can't relate to. All I can tell you is, you should be worried about what is going on in Syria because it will affect us here at home. We are about to give yet another Arab capital to the Iranians. This will be the fourth Arab capital that Iran has basically had to fight their control over, and that is not good for our interests because our Arab allies will be put in a spot one day where they will have to fight back.

If you want to create a bigger war in the Middle East, we are on track to do it. We are about to create a conflict for our Turkish allies and the people we are trying to liberate—Raqqa from ISIL inside of Syria. In the effort of destroying ISIL, we have created a nightmare for Turkey. In the effort of destroying ISIL, we are giving Assad a pass, which is nightmare for Jordan and Lebanon and all of our Arab allies.

In other words, in our effort to destroy ISIL, we are empowering Iran. In our effort to destroy ISIL, we are making Russia more effective in the Middle East than they have been since the early 1970s. In our effort to destroy ISIL, we have created an imbalance of power in the Middle East that will come back to haunt us. The bottom line is, Obama and his administration wanted this nuclear deal with the Iranians so much that he would not challenge their proxy in Syria. They want cooperation with the Russians so much when it comes to Iran and other issues, they will not challenge Russian aggression inside Syria.

Here is what will come back to bite us all. In the future, nobody in the Middle East will rely upon us. Every Arab government I have talked to has asked: Where has America gone? Why should we join with you? You are an unreliable ally. The stain on our honor is very great. All those young Syrian men who were brought to the fight and trained to fight ISIL and get rid Assad, many of them have been killed by Assad and Russia and we haven't done a damned thing about it.

What are the consequences of this? It is going to be harder for people to work with us in the future, and it is going to

be easier for our enemies to peel off people in the region. The vacuum we are creating today will grow over time.

I hope the next President, whomever he or she will be, will revisit our strategy in Syria because it is on a collision course.

Mr. MCCAIN. Mr. President, I ask unanimous consent for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I wish to add to my colleague's assessment when he said that 400,000 people were killed.

Mr. GRAHAM. All with families.

Mr. MCCAIN. All with families—barrel bombs, poison gas. By the way, there has been a recurrence of poison gas. Six million people are now refugees and it is putting an enormous strain on Europe. We can look around the world and see where all of this weakness is reflected, whether it be in Syria or whether it be in Iran, which threatened two American surveillance planes as they flew over the Straits of Hormuz—Philippines leaders seeking arms from the Russians and the Chinese, Chinese continued aggression in the South China Sea, and the list goes on and on.

In summary, I agree with the editorial in the Washington Post yesterday: "Whether or not the Syrian cease-fire sticks, Putin wins."

This election is going to be a very important one.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from West Virginia.

MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, I rise today to engage in a colloquy with my colleagues on a bipartisan bill that we have been working on, one of the most important pieces of legislation that we have before us today.

Basically, 16,000 retired miners and their widows are counting on this to be done. If we don't do it by the end of the year, 16,000 miners will lose their health care benefits at the end of this year. Another 3,500 miners will lose their health care at the end of March of next year, and another 3,500 will lose it by July. So 23,000 miners' lives are at stake.

This is a piece of legislation that fulfills a commitment and a promise we made starting back in 1946, 1950, 1974, 1990, 1992, 1993, and 2006. So basically, we as a government, we as lawmakers here have understood the value of the coal that has been produced by the Coal Miners of America and the United Mine Workers and this is to fulfill the promise that we made back in 1946 for what they have done from the start of the century—in the early 1900s—providing energy in a very difficult and tough way and then, basically, being able to guarantee a pension and a retirement plan to keep this country

moving forward. That is what this is about. If we don't fulfill this promise to the people who have given us the life we have and the superpower status and the freedoms we enjoy, then I would say God help us all.

I am joined by some of my colleagues who understand these people, understand how wonderful they are and the hard work they have provided—the mine workers all over this country. I wish to turn to my good friend from Ohio, Senator BROWN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the Senator from West Virginia, and I thank our colleague Senator CAPITO.

Last week I joined Senator MANCHIN, Senator CAPITO, and others to speak to hundreds of coal miners rallying on the lawn right outside the Capitol. It was an oppressively hot day, yet the heat and humidity seemed to bother them not at all. They are used to working in mines and working in some of the hardest and least safe conditions in this country.

One of the things that most impressed me at the beginning of this rally was when President Cecil Roberts, the president of the UMW, stood up and asked at the beginning of his remarks: How many of you are veterans? A huge number of miners put their hands up. He then asked about family members and World War II veterans. We think about these mine workers. Some stayed in the mines and continued to mine coal, to win our wars and to power our defense plants and to power our homes and our commercial establishments and everything else. So many of them went off to war. As if we don't owe them for the work they have done in the mines and the promises that Senator MANCHIN mentioned, we also owe so many of them for serving our country the way they did.

This is about retirement security. In my State alone, 6,800 Ohioans are covered and will be betrayed if we don't do our work, if the Senate doesn't do its job. If Congress fails to act, thousands of retired miners could lose their health care this year, and the pension plans could fail as early as 2017. This is retirement security that miners worked for, security they fought for, security that many of them sacrificed their own health for.

One of the things that Senator MANCHIN and Senator CAPITO and I understand—and that, frankly, a whole lot of Senators don't—is that when unions bargain and sit down at the bargaining table, they often—almost always—give up raises today for retirement security in the future. We call these legacy costs. During the auto rescue, I heard a number of my colleagues complain about the legacy costs that afflicted, in their words, the United Auto Workers. It is the same thing here. These are workers who rather

than take more pay now they said: We will forgo some of these raises, and we will put this money toward guaranteeing and ensuring our futures. So then they aren't wards of the State. They are not living off taxpayers. They are living off their own wealth that they created and invested so they would have health insurance and so they would have pensions when they retire. That is good for the country, not bad for the country. But a number of anti-union Members in this Senate—and I would say in the House, where Senator CAPITO and I used to serve—don't really understand that they have earned this health care and they have earned these retirement payments that have been promised to them. These workers have more than held up their end of the bargain.

I want to tell a couple of stories and then turn it over to Senator CAPITO. As do the two West Virginia Senators—they have more mine workers in their State than I do, but it is a major part of our State and a major part of the southeast quadrant of Ohio.

I have talked to some of these workers, Ohioans like Norm Skinner, Dave Dilly, and Babe Erdos. I first met Norm in March. I have known Babe Erdos for years.

I appreciate the work Senator WARNER has done. He is joining us now as well.

Norm is a veteran who started working as a miner for what became Peabody Coal 40 years ago. He worked 22 years. He retired in September of 1994. For every one of those years he earned and he contributed to his retiree health care plan and his pension plan. Sixty percent of his colleagues, he told me, at the mine have died of cancer because of the chemicals. Norm has been lucky. But after putting in decades in that mine, he is in danger of losing that health care that he worked for.

We know how to fix this. This block, if you will, seems to be down at the end of the hall in the majority leader's office. Because of the work of Senator CAPITO, Senator MANCHIN, Senator WARNER, and others, we would get a strong majority of Members of the Senate to pass this if we could get it up for a floor vote.

We must mark this bill up in the committee that Senator WARNER and I sit on—the Finance Committee. We were supposed to vote this week. For whatever reason, it was pushed back to next week. Senator MANCHIN and I have talked about how we hope this isn't a slow walk to delay it through the end of the year. The Senate has not been in session much this year, and we are not doing the work we should.

This is absolutely mandatory. The Senate Finance Committee should move on it next week. Senator CASEY is on that committee. He is also supporting it. It is time we do it.

I thank Senator MANCHIN, Senator CAPITO, and Senator WARNER for their

work on such an important issue for our country.

Mr. MANCHIN. I thank Senator BROWN.

At this time I wish to call on my colleague, Senator CAPITO.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I wish to thank my fellow Senator from the State of West Virginia for his lead on this, and I am happy to be his primary cosponsor. I wish to thank Senator BROWN as well. He brings a lot of passion. I got to follow him the other day at the rally. He is a hard act to follow. Senator WARNER, certainly your State of Virginia and the southwest portion right there—you are lucky enough to be really close to West Virginia—are going to feel a lot of this.

I think Senator BROWN really stated it when he spoke about the rally that we saw last week. It was a very hot day. There were thousands of miners and families there, and we all went for the show of hands. Senator PORTMAN is here now. Let's have a show of hands from those from Ohio and from West Virginia. It was really spread throughout the eastern part of the country. It wasn't just one State or the other. Everyone that I shook hands with I asked: Is this personally affecting you? It was amazing to me that most of the people I talked to, it personally affected them. Many of them are retired. They are not spring chickens, as a lot of us are not. They were willing to weather a really long bus ride, a really hot day to stand arm in arm in brotherhood and sisterhood for something that we all believe in and on which we are approaching a critical deadline.

So as I said before, these are the workers who power our Nation and who work hard. My kids have gone to school with their grandchildren. We go to church with many of them. In a small State like ours, Senator MANCHIN and I certainly know many of the folks and the faces that we saw that day and the ones that are affected by this.

We can't leave them in the lurch. This is where we are. We hear the statistics—22,000. Some of the statistics are a little bit different, but they could be losing their health care here in the next three months. The pension plan that provides benefits to over 90,000 current retirees could become insolvent.

We have a fix. Senator PORTMAN and I have talked a lot about this because we have those adjoining parts of our States that are very much affected, and we have worked hard to bring this fix and get it to the point where we think we are assured that the vote will come through the Finance Committee, on which Senator PORTMAN serves.

So I look forward to that. Even though it disappointingly was pushed back a week, we still are fighting the fight.

The war on coal in our State has resulted in thousands of lost jobs. Six of our counties are in a deep depression. We were at a local hearing in Morgantown where our State economist said that six of our counties are in a very severe depression. A lot of these counties are where a lot of these folks live. For these counties and communities across our State, the situation, if we don't do something, is going to get even worse.

This is not a partisan issue. We have Republicans and Democrats here. I would say it is more of a regional issue than a partisan issue. We are working with Chairman HATCH to get this bill marked up in the Finance Committee, and, hopefully, that will get us the next step that we need, which is the big step and which is to get it across the floor here in the halls of the Senate.

So with the hard-working men and women of Appalachia, with the leadership that Senator MANCHIN has shown on this, and with many of us here working together in the many different ways that we can affect the votes of our colleagues—somebody said to me: What is going to make the difference? You are on that side of the aisle where maybe there are a lot of folks that can't see why we should vote for this. What I would implore them to do is to look at the human faces of the people who are affected here. These are people, most of whom have worked hard their whole lives. Many of them have health issues—severe health issues. Many of them are living on limited resources. This really just kind of kicks the stool out from under their entire family.

So I join with everybody here today to make that real difference that we need to make, and we will keep the fight going here as we move through the next several weeks and months.

Thank you.

Mr. MANCHIN. Mr. President, I want to thank my colleague and friend. This has been a bipartisan piece of legislation, and we just need a little bit more help. I think we are going to get there.

Let me just paint the picture very quickly for everybody of what we are talking about—the energy for this young country in the early 1900s. The energy was needed to build the country. Then we had the industrial revolution, if you will. Then we had World War I, and then we had World War II and we needed the domestic energy in order to defend ourselves. From 1900 to 1946, these were people who were down in the mines. They would work hard, and they would provide the resources we needed to win the wars, to build the industrial revolution, and to build the middle class. They got no pensions, no benefits.

Here is one personal story. In 1927, there was a young man who had four children, and his wife was expecting her fifth. It was Christmastime 1927.

Have you ever heard the words of the song: "Sixteen tons, what do you get, another day older and deeper in debt." Tennessee Ford wrote that song. "I owe my soul to the company store." That was the fact. That was the absolute truth. From the paycheck at the end of the week, there was nothing left. They owed their soul to the company store. There was no money to take care of their family, no pension, no retirement plan, no health care as far as giving you the health care that you and your family would need to stay healthy.

This is what happened. A person—a young man in 1927—was talking to other people saying: We have to do something. We can't continue to carry on like this. We can't live this way. We can't take care of our family and ourselves. We are not getting ahead at all. That night, Christmas Eve, he was thrown out of his house. All of his furniture was thrown into the middle of the road—everything. Four kids and an expectant mother were thrown out.

That person's name was Joe Manchin, Sr. When you think about the commitment they made to our country, and the effort—that was my grandfather. You think about what they were willing to do, and they sacrificed everything for this country. We did not get a piece of legislation until 1946. Harry S. Truman—President Harry S. Truman signed an agreement, the Krug-Lewis agreement, because it was so important after the war to keep the economy going.

Without the miners that were providing the product, the coal that fired this Nation, we would not be a superpower today. We would not. People forget that. I think it sets the stage of who we are and what we are fighting for. This is a commitment we owe. This is a responsibility that we have.

I thank all of my colleagues who are here, all of my colleagues who are supporting this. We have 46 Democrats supporting this, and we have a minimum of 8, possibly more, of our Republican friends who are supporting it also. We need a few more. That is what we were asking for. We think we will be able to get that help and get that commitment for the markup. I wish it would have been done this week. It wasn't.

With that, I want to recognize my good friend from Virginia, the former Governor. We served together.

He worked in the coal fields. We have met many times in the coal fields. A coal miner is usually a veteran. These are the greatest people, the most patriotic people that you have ever met. They mine the coal that made the steel that built the country we have today. They give their blood, sweat, tears, and hard work.

With that, I want to turn it over to my good friend from Virginia who knows these people all so well, Senator WARNER.

Mr. WARNER. Mr. President, I want to start by echoing what Senator BROWN and Senator CAPITO and others have said and thank my friend from West Virginia for continuing to wage this fight. It feels a little bit like *déjà vu* all over again. We have been down here time and time and time again to simply reinforce the case that the Senator from West Virginia just went through in terms of history.

I think it is sometimes interesting that—I'm sure that the Senator from West Virginia did it earlier than I, but it was the early 1990s, the first time I went underground to see the working conditions of miners across this country. Even though the advances in technology in the 20th century and 21st century still endure, it is hard work. It is gritty work. Many of the miners who have spent years working underground come out with black lung and other illnesses. Their life expectancy is much shorter than so many other jobs.

The Senator from West Virginia has already gone through at some length the historic commitment to these miners. It started with President Truman. It was renewed a number of times, Democrats and Republicans alike.

Through this past year—again because of the Senator from West Virginia and those of us who tried to help—his State has the most, probably Kentucky has the second most, and Virginia has about 10,000 folks who are affected. We did finally force—and I want to thank the chairman and ranking member of the Finance Committee, Senator HATCH and Senator WYDEN. We did have a hearing. Families came in. All they said to us was: Keep your promise. The United States of America said: We are going to honor this commitment to make sure that your pension benefits and your health care benefits are honored.

The remarkable thing here—and many folks, including myself, are greatly concerned about our debt and deficit. So how are we going to pay for this? We have even identified a source of funding that is industry generated. So any of the typical “well, maybe not now” or “what if” or “how did this happen”—all of those issues have been addressed.

The Finance Committee held a hearing on the Miners Protection Act. Miners from Southwest Virginia came in, a couple of folks from Grundy, a couple of folks from Wise, which is very close to the State of West Virginia, close to Ohio—folks whose lives were going to be dramatically affected if these health care benefits and pension benefits are taken away.

Disproportionately, as the Senator from West Virginia has repeatedly said, the vast majority of those individuals, candidly, are not former miners, but they are the widows. So many folks have passed that the widows now depend upon these benefits in many ways.

They are still the lifeblood of the communities that have been hard hit by the changing nature of power generation, by government regulation, by a host of other things.

Last week, on that incredibly warm day, my good friend the Senator from Ohio and I were there, speaking to miners from all across the region and others who were supportive of the cause. The question I got as I walked through the crowd was: Are you guys going to keep your word? It was not Democrat, Republican—not particulars of the bill.

Are you going to keep your word that this country made to the coal miners and their beneficiaries that their pension and health care benefits are going to be honored?

So we are going to be tested on this, at least in terms of the next step. As a member of the Finance Committee, my hope and expectations have been—and my friend, the Senator from Ohio, a member of the Finance Committee, and in this case we have the support of the chairman and the ranking member—that we would mark up this legislation, that we would not add all kinds of extraneous other things that would take us off course or take us down into some other briar patch but that we would honor this commitment on the UMW health and pension benefits.

Well, as things often happen here, it got delayed. But I for one don't believe, even if we get our CR done and get Zika done, that the Finance Committee should leave town without having this markup. That commitment was made earlier in the year. I went through a whole group of folks, not just from Virginia, but from West Virginia, Ohio, Pennsylvania and Kentucky and said: Yes, I believe we are going to at least get the next step done and get this bill marked up out of the Finance Committee. And then it should be not just reported out of the Finance Committee but actually acted on here on the floor of the Senate.

We have all come and gone through the facts and the details on the variety of times that we have spoken about this issue on the floor. My appeal to my friends the chair and ranking member of the Finance Committee is that this date of September 21 does not slip again. I know in that committee markup we will have the votes. We need to get that bill reported out. We need to get it acted on before the end of the year because, as the Senator from West Virginia has so relentlessly continued to make the point, this is not something that we can kick the can on anymore. People start losing these benefits that their lives depend on at the end of calendar year 2016.

So I say to my friend from West Virginia and my friend the Senator from Ohio that we are in this together. It is bipartisan. There are not enough bipartisan things that are done here. I thank my friend from West Virginia for being

relentless on this issue. I thank my friend the Senator from Ohio—sometimes it is an issue that looks as if it is stacking up more on one side than the other—for his leadership on this as well.

I tell you, I think we owe it to those miners and families who depend upon these benefits to keep our word, keep the word we told them we were going to keep back when we held the hearing, keep the word that all of us said to the miners and others who rallied last week in the middle of that heat. If we do our job next Wednesday, we will be able to keep our word, bring this bill to the floor, and get it passed.

So with that, I thank the Senator from West Virginia.

Mr. MANCHIN. Mr. President, I appreciate so much the Senator's support. He knows the miners so well because we joined—his Southwest Virginia miners and my West Virginia miners work very well together. With that being said, we are very proud of our neighbors and friends from Ohio. Senator PORTMAN has been here, and he knows the mine workers of the Southeast, where most of them have congregated and where they really mine the coal, along with Southwest Virginia. We are very proud of that.

So we appreciate Senator PORTMAN's being part of this colloquy.

Mr. PORTMAN. Well, first, I want to thank my colleague from West Virginia for holding this colloquy today. I enjoyed listening to Senator CAPITO, his colleague from West Virginia, talk about it, and I know Senator BROWN was here. Senator WARNER, from Virginia, was out there at the rally just before me. I get to follow him again.

What I said the other day when we were at the rally was that this is not a partisan issue. This is one where you have Republicans and Democrats coming together to identify a real problem: 100,000 miners having their pensions endangered and 20,000 miners potentially losing their health care at the end of this year.

That is a really urgent problem for them. He did a good job today of talking about some of these issues. I loved when Senator MANCHIN talked about the fact that this country was built on an energy economy that included coal. I will tell you, we have mined 4 billion tons of coal in Ohio. We are still a State and a country that depends on coal for our electricity. In Ohio, it is about 58 percent of us who turn on a light when we go home and get our electricity from coal.

So it is incredibly important for our economy and has built this country, in effect. It has given us in Ohio the ability, frankly, to attract a lot of industry because we have had relatively low energy prices, stable energy prices.

This is about telling these miners who for years and years have been doing the hard work, playing by the

rules, doing exactly what they are supposed to do that we are not going to let them down. That is all this is about. It is just not fair to pull the plug after all of those years.

As was noted earlier, having talked to a lot of these miners, some of them are in poor health. Part of the reason they are in poor health is that they were in the coal mines for many years. There are higher rates of cancer, for instance, among some of these miners. There are a lot of widows because some of the spouses have moved on.

This is about keeping true to our commitment and our promise. I do think that we are going to have this committee vote a week from today. I am told it was pushed back from today to a week from today because the Congressional Budget Office had not done the score yet of what this costs.

OK. That is fine. But let's be darn sure that we do not leave town to go back in October without addressing this issue. That is something I am going to insist on, as will my other colleagues that I have heard from today. I got a commitment on this. I got a commitment from the leadership, from the chairman, who I know is good to his commitments. We ought to be darn sure that we do the right thing for these miners. We had a hearing on it. We had people come forward and talk about the specifics of it.

I will tell you, I know some people have differences of opinion on the fiscal impact of this. As a person who is a fiscal conservative and proud of that, I will tell you the alternative to this is that these plans could potentially go insolvent and the PBGC, the Pension Benefit Guaranty Corporation, which is the government program that backs all these up, would then be in deep trouble because this is the second biggest multiemployer plan that could be in trouble. That could result in taxpayers having to pick up the tab in a much more significant way.

The actuaries have looked at our plan. They believe this will enable us to get through this period of time where we have a tough issue with so many companies going bankrupt. The Senator from West Virginia, Mr. MANCHIN, and I have talked about the underlying problem here, which is that there are a lot of people who are trying to do away with coal.

The so-called war on coal is leading to some of these bankruptcies of these companies and some of these pension problems. That is part of the issue, too. So the Federal Government also has played a role here. We need to recognize that as well.

I am going to thank my colleagues for coming to the floor today. I want to say that we look forward to the opportunity to debate and discuss this issue in committee a week from today to get a strong vote. Let's make it a strong bipartisan vote. Let's be sure that it

comes to this floor with that kind of support and goes over to the House, and we can get something done to help those people who worked hard and played by the rules and deserve now for us in the Congress to look after them.

I thank my colleague.

I yield back.

Mr. MANCHIN. I thank my friend from Ohio, Senator PORTMAN. Let me just say in wrapping up that there has been concern and there is talk about—you know, we are concerned about the United Mine Workers, which are all union miners, and nonunion miners. I am concerned about all miners, but the agreement, if you think back to 1946, was about anybody and everybody who worked in the mines and belonged to the United Mine Workers of America. That is the agreement that was made to stop a strike from happening, to basically get people back to work and keep the country moving forward. We ratified that again. We ratified it in 1974, 1990, 1992, 1993, and 2006. It has the handstamp of basically the President of the United States. I am saying that if we can't keep that commitment, if we will not fulfill that promise—and people think everybody is basically saying: Well, we are going to subsidize this. It is a Federal Government guarantee. It was a guarantee that the coal that was mined—that the mine operators would pay into the pension plan. Then, through bankruptcy court, that evaporated.

Mr. President, I ask unanimous consent that I be allowed 1 additional minute to finish.

Mr. ENZI. It has already exceeded the time it was supposed to go.

Mr. MANCHIN. I ask unanimous consent that I have 1 additional minute to wrap up.

Mr. ENZI. Go ahead.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Thank you, my friend.

With that being said, you can see it is bipartisan. We are asking for that. We have had a commitment. We have been gone for 9 weeks. The only thing we are asking for—before we leave on the 21st, this has to be brought out of the Finance Committee. That is what we are asking for; that is what was promised. I hope that all of my colleagues will fulfill that promise that was made to all of us and to the 16,000—to the 102,000 miners who have been depending on this.

With that, thank you all. I appreciate it very much. I hope this body will rise to the occasion to take care of the people they made the promise to, the United Mine Workers of America.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I am going to return the discussion to the legislation that is actually on the floor at the moment, and that is the Water Re-

sources Development Act. It is a necessary update for Corps projects and for water quality systems, and I applaud the chairman and the ranking member for working in a bipartisan manner to ensure its passage. However, the amendment's inclusion of direct spending for Flint and other public drinking water supply systems doesn't comply with the Budget Committee's rules of enforcement. It would provide \$100 million in drinking water State revolving funds, it would provide \$70 million in water infrastructure loans, and it would provide an additional \$100 million for lead exposure programs. The Flint provisions will also result in \$53 million in revenue loss from increased utilization of tax-exempt bonds to finance water infrastructure projects.

The sponsors have sought to offset this new spending by prohibiting new loans after 2020 under the Advanced Technology Vehicles Manufacturing—ATVM—Program. This program was originally created in 2008 and was designated as an emergency. When Congress determines that an expenditure is an emergency, we make a conscious decision to spend above the limits of the budget. We tell the American taxpayer that these dollars are necessary to respond to sudden and unforeseen circumstances. In the case of the ATVM, Senators argued that the emergency designation was necessary to respond to the precipitous drop in auto sales caused by the 2008 credit crisis and subsequent recession.

Because advanced technology vehicles manufacturing dollars were originally provided under an emergency designation, budget rules will not allow the cancellation of future ATVM funds to be used as an offset. Phrased simply, if ATVM money didn't count going out, it cannot count coming in.

What we are talking about is dollars that might go out after 2020. In our budget process, we are going to have to refrain from trying to spend future money in the present. It just won't work.

The Government Accountability Office has recommended that Congress rescind all or part of the remaining credit subsidy due to the lack of demand for new ATVM loans, and Congress ought to do that. The remaining dollars in the ATVM Program should not be spent. That was a 2008 crisis, not a 2016 crisis and definitely not a 2020 crisis. But to use the emergency ATVM money 8 years later to increase unrelated spending represents a failure of Congress to act as good stewards of taxpayer money and is not compliant with our budget rules.

Congress must use restraint when designating expenditures as emergencies. If we don't, future lawmakers will simply designate everything as an emergency to escape the budget limits and then, years down the road, reprogram the funds for an entirely different

nonemergency purpose. The Senate must be judicious with its use of emergency-designated funds or risk diluting the meaningfulness of the designation altogether.

The CBO has estimated that under Senate scoring rules, the substitute amendment increases the on-budget deficit by \$299 million over the 2016–2026 period. As such, it exceeds the 2017 enforceable Senate pay-as-you-go lev-els.

I do have a motion that I will be making at the appropriate time, but in order for other discussion to happen, I reserve the remainder of my time and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, let me say that I agree with my friend from Wyoming that we must not allow bills to move forward that are not fully paid for, but this is not the case for the substitute. What we are talking about right now is the Inhofe-Boxer substitute, which would become S. 2848. But let me be clear. The substitute, S. 2848, does not add to the debt or the deficit, which CBO has verified.

The issue with this point of order involves a disagreement between the Senate Budget Committee rules and the CBO as it relates to the ATVM spending offset used. While CBO gives us credit for rescinding it, the Budget Committee does not.

The fact is that when we reported this bill out of committee in April, CBO verified that the rescission of spending authority for the Advanced Technology Vehicles Manufacturing Program generates \$300 million in real savings to the U.S. Treasury. In this substitute, we are taking those funds from a program that many believe is wasteful and unnecessary and we redirect the funds toward a crisis across the Nation that involves failing and outdated critical infrastructure, which we address in this bill.

Another issue is that the Budget Committee is concerned that the substitute is not budget neutral over 5 years based on how ATVM loan authority is rescinded. However, over a 10-year budget window, CBO says we actually reduce the deficit.

The Budget Committee does not want to count the rescission of an unnecessary ATVM program as real money because of how it was authorized, but the fact remains that it is real money and will be used to offset other spending if not used now—or at some other time—for this urgent and real need.

After the 90-to-1 cloture vote yesterday to end debate on this bill and a voice vote to adopt this fully paid for substitute, I urge Members to waive this budget point of order, which I will make at the appropriate time.

I yield the floor.

Mr. ENZI. Mr. President, parliamentary request: Is this the proper time for

me to make the motion? Has everyone finished with debating?

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would mention that the Congressional Budget Office has prepared a revised cost estimate for the committee-reported S. 2848, and I have a copy of the letter here, which says that CBO estimates that the net changes in outlays and revenues that are subject to pay-as-you-go procedures would increase budget deficits by \$294 million over the 2016–2026 period. As such, the pending measure, substitute amendment No. 4979, would violate the Senate pay-go rule and increase the on-budget deficit over the period of fiscal years 2016–2026. Therefore, I raise a point of order against this measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 4979, as amended, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. BOXER. Mr. President, I yield back all time from our side.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote “yea.”

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 85, nays 12, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—85

Alexander	Blunt	Brown
Baldwin	Booker	Burr
Bennet	Boozman	Cantwell
Blumenthal	Boxer	Capito

Cardin	Heller	Reed
Carper	Hirono	Reid
Casey	Hoeven	Risch
Cassidy	Inhofe	Roberts
Cochran	Johnson	Rounds
Collins	King	Rubio
Coons	Klobuchar	Sanders
Cornyn	Lankford	Schatz
Cotton	Leahy	Schumer
Crapo	Manchin	Shaheen
Cruz	Markey	Shelby
Daines	McCain	Stabenow
Donnelly	McCaskill	Sullivan
Durbin	McConnell	Tester
Ernst	Menendez	Thune
Feinstein	Merkley	Toomey
Fischer	Mikulski	Udall
Franken	Moran	Vitter
Gardner	Murkowski	Warner
Gillibrand	Murphy	Warren
Graham	Murray	Whitehouse
Grassley	Nelson	Wicker
Hatch	Paul	Wyden
Heinrich	Peters	
Heitkamp	Portman	

NAYS—12

Barrasso	Flake	Sasse
Coats	Isakson	Scott
Corker	Lee	Sessions
Enzi	Perdue	Tillis

NOT VOTING—3

Ayotte	Kaine	Kirk
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The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 12.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

VOTE ON AMENDMENT NO. 4979, AS AMENDED

The PRESIDING OFFICER. The question occurs on amendment No. 4979, as amended, offered by the Senator from Kentucky, Mr. McCONNELL, for the Senator from Oklahoma, Mr. INHOFE.

Is there further debate?

Hearing none, the question is on agreeing to the amendment, as amended.

The amendment (No. 4979), as amended, was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on Calendar No. 523,

S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 3, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—94

Alexander	Fischer	Paul
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Graham	Reed
Blunt	Grassley	Reid
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Boxer	Heitkamp	Rounds
Brown	Heller	Rubio
Burr	Hirono	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Schumer
Cardin	Isakson	Scott
Carper	Johnson	Sessions
Casey	King	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Lankford	Stabenow
Cochran	Leahy	Sullivan
Collins	Manchin	Tester
Coons	Markey	Thune
Corker	McCain	Tillis
Cornyn	McCaskill	Toomey
Cotton	McConnell	Udall
Crapo	Menendez	Vitter
Cruz	Merkley	Warner
Daines	Mikulski	Warren
Donnelly	Moran	Whitehouse
Durbin	Murkowski	Wicker
Enzi	Murphy	Wyden
Ernst	Murray	
Feinstein	Nelson	

NAYS—3

Flake	Lee	Sasse
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NOT VOTING—3

Ayotte	Kaine	Kirk
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The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 3.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent to enter into a colloquy with my freshmen colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFENSE APPROPRIATIONS

Mr. DAINES. Mr. President, just yesterday I joined a colloquy with my

freshmen Republican Members on the importance of our national security, the importance of our troops, the importance of the threats that are currently facing our Nation. I was honored to be on the floor with my fellow freshmen Members, including Senators ROUNDS, CAPITO, SULLIVAN, LANKFORD, and GARDNER. Today, Senators ERNST and PERDUE will also join us.

I wish to take this opportunity to talk about the Republican freshmen class and describe who we are. We were all elected just about 2 years ago, in the fall of 2014. While each one does much more than these brief descriptions, I thought it might be important to share this: Senator JONI ERNST from Iowa is a retired lieutenant colonel in the Army National Guard, where Iowa, of course, is home to Camp Dodge National Guard Base. Senator ERNST was the first woman to serve in the U.S. Senate as well as see combat. Senator DAN SULLIVAN of Alaska, lieutenant colonel, U.S. Marine Corps Reserve. Senator SULLIVAN is a marine. My dad is also a marine. Of course, Alaska is home to Joint Base Elmendorf-Richardson.

Senator MIKE ROUNDS, the former Governor of South Dakota. He is a great businessman, and he resides in South Dakota, which is also the home of Ellsworth Air Force Base.

Senator CORY GARDNER of Colorado serves on the Foreign Relations Committee. I served with CORY in the U.S. House. Of course, Colorado is proudly home to the U.S. Air Force Academy as well as NORTHCOM and NORAD.

Senator DAVID PERDUE of Georgia. Senator PERDUE has over 40 years of business experience, including being a CEO. Of course, Georgia is home to many military operations but is the home of Fort Benning as well.

Senator SHELLEY CAPITO of West Virginia, the first woman ever elected to the U.S. Senate from West Virginia. I also served with SHELLEY in the U.S. House. West Virginia is proudly the home of McLaughlin Air National Guard Base.

Then, Senator JAMES LANKFORD of Oklahoma. Again, I served with JAMES in the House. Oklahoma is the home of Tinker Air Force Base and many others. Senator LANKFORD is on the Homeland Security and Governmental Affairs Committee, as well as serving on the Appropriations Committee with me, and we will talk more about that in a moment.

We are all new to the Senate, and I can tell you we are scratching our heads trying to understand why this institution is not funding the Department of Defense. Here are the facts: The Department of Defense appropriations passed the U.S. House of Representatives in June on a bipartisan vote of 282 to 138. Forty-eight Democrats were part of that vote in the affirmative. I sit on the Appropriations

Committee of the U.S. Senate. We passed the Defense appropriations bill out of the Appropriations Committee on May 26. There are 16 Republicans and 14 Democrats on that committee, for a total of 30, and it passed 30 to 0. It was a shutout. Not one member on either side of the aisle opposed funding the Defense appropriations bill.

I ask my colleagues, what has changed? The other side has filibustered our troops a total of six times in the last year and a half.

Senator CAPITO raised a very good and simple question yesterday: Why? This past Friday, I visited Malmstrom Air Force Base in Great Falls, MT, home of 4,000 airmen in my home State, and I thought the same thing. Here we are having a 9/11 remembrance ceremony there in the beautiful chapel on Malmstrom Air Force Base. Here we are in the middle of Malmstrom Air Force Base that protects us and has responsibilities for 147 intercontinental ballistic missiles. Why can't my colleagues on the other side of the aisle vote to support the troops who keep us safe?

I can tell my colleagues one thing for certain. The world is a very dangerous place, and the defense of our country relies on properly and promptly funding the Department of Defense. Usually, the Defense appropriations is one of the easiest appropriations to get passed. It is the layup, if you will, that this body can do. I can tell my colleagues one thing. Our enemies aren't waiting around for Democrats to drop their political games. Why can't they support a bill that was voted out of committee unanimously on a bipartisan basis? Why can't they work with us to pass this very important bill that would provide the necessary funding for our military? What has changed?

I think I might have figured it out, and it is not a good answer. It is about political credit. The other side does not want to fund our military because they don't want the Republicans to take credit for funding our troops. That can't be, can it? I hope this body, the U.S. Senate—the great deliberative body of Congress—has not become a place where we hold up a noncontroversial bill that funds our troops because one side is playing politics.

I am very honored to have Senator JONI ERNST of Iowa join me. Senator ERNST is a great American. Senator ERNST is an officer, retired from the U.S. military; the first woman who has served in both the U.S. Senate and has been in combat.

It is an honor to stand with Senator ERNST on behalf of our troops, and I am looking forward to her comments.

Mrs. ERNST. Mr. President, I thank the Senator very much. It is an honor to join my freshmen colleagues on the floor of the U.S. Senate to talk about our failing national security strategy.

This past weekend, we all bowed our heads in remembrance of the nearly

3,000 brave souls we lost on September 11, 2001. The response to those horrific attacks was not as our Islamic extremist enemies had hoped. America did not falter. We bonded together and we fought back. We fought back.

The response to 9/11 was a comprehensive one, with an object as clear as its name—the global war on terror. From places like Sub-Saharan Africa, Afghanistan, and the Philippines, U.S. troops operating under Operation Enduring Freedom showed those responsible for 9/11 the true power of the United States of America. From combat operations in Somalia to advising missions in South America, there has long been a global and a comprehensive strategy to our response to 9/11. There was American leadership.

Today, the administration has dismantled that global strategy. There is no leadership. Their failure to develop a strategy in 2011 for the troop withdrawal in Iraq and their continued fight for lower troop numbers in Afghanistan, those are just a couple of examples that are the tip of the iceberg.

One of the most alarming things in this administration—one of the most alarming things they have done is not only ignore threats but also fuel those threats, just as they did with the Iran nuclear deal. The nuclear deal that this administration brokered with Iran is putting taxpayer dollars into the pockets of the largest State sponsor of terrorism.

Let's look at some of the recent headlines that are centered on Iran.

CNN: "Iran continues to seek illicit nuclear technology." That is from CNN.

Reuters: "Iran test-fired ballistic missiles," which is against international law.

The Wall Street Journal: "Iran begins construction on second nuclear power plant."

The New York Times: "Russia sends bombers to Syria using base in Iran."

And how about this alarming headline from the Wall Street Journal: "The U.S. sent another \$1.3 billion to Iran after hostages were released."

Yet we continue to allow this. We are allowing this.

Just last weekend, Iran threatened to shoot down our Navy aircraft in the region. These are our men and women, and Iran is threatening to shoot them down. What is next, folks? These actions will only continue because this administration yields to their demands. From the start, I have spoken out against this deal with Iran, which not only threatens our safety but the safety of our ally Israel. It threatens us here at home as well.

As we remembered the victims of 9/11 this past weekend, I was reminded of Iran's link to Al Qaeda, the ones who carried out that horrific attack on our homeland 15 years ago. In 2011, the

Treasury Department officially accused Iran. This is our Treasury Department. They accused Iran, as the Wall Street Journal report put it, "of forging an alliance with Al Qaeda in a pact that allows the terrorist group to use Iranian soil as a transit point for moving money, arms, and fighters to its bases in Pakistan and Afghanistan."

It is astounding that despite all of this, we continue to broker a deal with Iran. Before more of these dangerous acts continue, we should scrap this ill-advised deal and hold Iran accountable for all of their actions.

I say to Senator DAINES, I am very, very proud that my Republican colleagues are joining me here on the floor today to recognize that our country needs leadership. We need leadership. I look forward to the thoughts from my friend on the Armed Services Committee, the Senator from South Dakota.

Mr. DAINES. I say thank you to Senator ERNST. As I listened to Senator ERNST, I was struck by the fact that here to my right I have Lieutenant Colonel ERNST, who proudly served in the Iowa Army National Guard, and to my left I have Lieutenant Colonel DAN SULLIVAN, U.S. Marine Corps Reserve, the Senator from Alaska.

So it is really an honor to be here between veterans who are speaking on behalf of our veterans about what is going on here in Washington and how broken it is. It is my honor now to introduce Senator MIKE ROUNDS. MIKE was the Governor of South Dakota. So he had the Guard reporting to him as the Governor. Montana and South Dakota share a fence line, as we say, Senator ROUNDS. So my good friend and my neighbor from South Dakota, Senator ROUNDS, thanks for joining us.

Mr. ROUNDS. First of all, let me just thank you for putting together this discussion today. Let me thank both the Senator from Alaska and the Senator from Iowa for their service to our country, although the Senator from Iowa is clearly too young to have retired already.

I did have the opportunity and the true privilege of serving as the Governor of South Dakota and of working with a number of members of the National Guard—in fact, not only Ellsworth Air Force Base in Rapid City, SD, but also the 114th Fighter Wing of the Air National Guard, out of Sioux Falls. Both have participated in the defense of our country time and again.

Today, let me just add a little bit of my thoughts in terms of what is going on here in the Senate today. I speak of it not in terms of partisan issues but rather as statements of fact and finding a way to identify them and finding ways in which we can actually take our system, make it better than what it is today, and try to discover what it is that makes this system down here so

difficult to work through in times in which we should find solid support for such items as a Defense appropriations bill.

South Dakotans have heard me say time and again that the No. 1 responsibility of the Federal Government is the defense of our country. Unless that responsibility is fulfilled, our freedoms are in jeopardy. Yet, six times—six times—this body has been blocked by Senate Democrats from considering legislation to fund the Department of Defense. That is funding necessary for our troops to accomplish their missions.

It sounds partisan, but it is simply a fact. Democrats have made a conscious decision to block even debate of this appropriations bill on the floor of the Senate. Yet, as we noted yesterday during our colloquy yesterday, the Defense appropriations bill is not a partisan bill. In fact, it passed out of the Senate Appropriations Committee unanimously. There was not a single vote against it—Democrat and Republican alike sending it out, saying it is a good bill.

It is largely free of budget gimmicks, and it is in line with the budget that we agreed to last December. I have said since taking office that we must get back to what we call regular order when it comes to the budget process, by passing not only the Defense appropriations bill, but I think we should be passing all of the appropriations bills one by one—not as one single huge bill but as 12 separate appropriations bills in which we get the opportunity, with a 60-vote agreement, to debate the merits of each bill separately on the floor.

Leader McCONNELL, to his credit, set aside 12 separate weeks to bring those bills down in order to accomplish this. We have not gotten the job done. It is an important tool, I think. If we were to go through these 12 bills, it is the one way in which we can actually fine-tune part of the Federal budget.

But I guess there is another issue that should be discussed as well. Even if we did all 12 bills in the Senate—or in the House—we would be talking only about funding defense and nondefense discretionary funding—nothing about the mandatory payments that our Federal Government is expected to put together.

Right now, even if we pass all 12 bills, the only part of the budget that we talk about is \$1.15 trillion out of a \$4 trillion national budget on an annual basis. How do you fix a \$550 billion deficit if all you are going to talk about is 25 percent of the budget in the first place?

Yet what we are talking about is trying to balance that budget—half of which goes to defense—on the backs of the young men and women who stand up for our country. That is not right, yet, that is what sequestration does.

Now, all of my colleagues on the floor of the Senate today with me, in

addition to many of the others—both Republican and Democrat—are united in an effort to try to attack this crisis. You see, here is the deal. The Congressional Budget Office has already projected that within 10 years, 99 percent of all of the Federal revenue coming in—gas tax money, personal income tax money, corporate income tax money—is going to go back out in two categories: interest on the Federal debt and mandatory payments on mandatory programs such as Medicare, Medicaid, and Social Security.

There will be nothing left for defense, nothing left for roads and bridges, nothing left for research, nothing left for education. That crisis, which occurs in 10 years, is not a crisis then; it is a crisis now. How do we address that if we can't even start with the one item that we all seem to agree on, and that is funding our troops? That is the reason why we are here today.

We need to start someplace. So as freshmen, we are down here to say enough is enough. We want to change the way that the Senate operates. We are prepared to stand down here and to tell everybody else that there is a better way to do it. Back in South Dakota, when you send off young men who are in the National Guard, you send them off and you wish them the best. You really mean it. Their moms and their dads are there. You tell them that you will do everything you can to see that they come home safe.

We have that same obligation here in the Senate. You see, I don't want our forces to go to war and have it be a fair fight. What I want is for our forces to go to war with absolute certainty that they will crush whoever is in the way, that they will come in with the best strategic plan, that they will come in with the best intelligence, with the best equipment, and with all of the necessary supplies that they need.

They put their lives on the line. We should not be sitting here today trying to leverage—Republicans or Democrats—what we think is more important, rather than simply agreeing as Americans that this is the most important thing that we do. We defend our country. That is what we get sent here for in the first place. That is what we all committed to do.

Yet we find ourselves today in a position where, once again and for six times, our friends on the other side of the aisle have decided it is politically expedient to get other things done, that they are going to withhold what has been in the past a bipartisan agreement to fund our troops on a regular basis and in a timely fashion. This has to stop.

If we are going to talk about the bigger picture of fixing these budgets and talk about all of the other items that should be voted on every single year—not just the defense and nondefense discretionary items but the mandatory

payments as well—we ought to at least start with something that we all agree on.

Either side, Republicans or Democrats, will say that they care about our troops. I believe them. But let's put that into action. Let's actually step forward before we leave on this break and make darn sure that our troops are taken care of and that it is no longer a partisan issue or being held as a chit to try to get something else done within the Senate.

With that, I appreciate the fact that the Senator put this together. Once again, thank you to our other Members who are members of the Armed Services Committee. I am very, very proud to be a part of this very, very special body, but it is time we got back to work and that we recognize that the crisis 10 years from now should be addressed now and not in 10 years.

Thank you for the opportunity to address this issue. I look forward to listening to my other colleagues today as well. Thank you.

Mr. DAINES. I say to Senator ROUNDS, thank you.

We have heard from a lieutenant colonel, Senator ERNST. We have heard from a former Governor, Senator ROUNDS.

I say to Senator ROUNDS, I could see the passion. This is not just in our head, it is in our heart. You looked in the eyes of the troops. You have wished them the very best as they deployed—going into harm's way to protect our freedoms in this country—as the Governor of South Dakota. I am honored to stand here today with you and to push this institution to fulfill its duty on behalf of our men and women who serve in the Armed Forces and are performing their duty.

Speaking of executive leadership, I am honored now to ask Senator PERDUE of Georgia to share his thoughts on this. Senator PERDUE served 40 years in the private sector, rising to the highest level in the corporate world, to CEO. He brings that business experience, that focus on results, that accountability that Washington, DC, so desperately needs.

Senator PERDUE has the Naval Submarine Base Kings Bay, one of the two submarine bases that support the sea leg of our nuclear triad. In Montana, we have the ICBMs, the land leg. Senator PERDUE has the sea leg, one of the three legs of that very important deterrent that we have, a nuclear deterrent.

I say to Senator PERDUE, thank you for joining us today.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Georgia.

Mr. PERDUE. I say to Senator DAINES, I am honored to be here with the other freshmen. I am humbled by the emotion that I have heard here in the last half hour. I am humbled to be a part of this freshman class. By the

way, we all ran on this issue. We ran on the fact that government was not functioning, that it was dysfunctional. What we see today and why we are here on the floor of the Senate today is to talk about that dysfunction.

Let me just share a few highlights of what I have seen in the press in the last few weeks:

“Obama administration again underestimates Islamic State as Afghan affiliate grows into threat.”

“DC transit police officer charged with aiding ISIS.”

“ISIS increasingly using women and children to terrorize France.”

“Five US troops wounded in combat with ISIS in Afghanistan.”

“Vladimir Putin's rumblings raise new fears of Ukraine conflict.”

“Russia holds biggest military drill yet in Crimea.”

“Iran escalates high seas harassment of US Navy.”

“Iran threatens to destroy Israel with 100,000 missiles.”

“North Korea conducts fifth nuclear test, claims it has made warheads with ‘higher strike power.’”

“South Korea prepares for ‘worst case scenario’ with North Korea.”

These are just a few samples of headlines in the last few weeks alone. What we see right now going on in the Senate is gridlock—the gridlock that is creating the backlash that we are seeing in the Presidential race right now.

People back home know Washington is dysfunctional and that it is not working. But right now we have a situation where the Democrats are blocking these Defense appropriations. Yet again, the Senate has reentered this period of dysfunction. The world is more dangerous than it has been at any time in my lifetime.

I am a product of the nuclear age, the Cold War. I grew up in a military town, and at one point we had B-52s there. I remember the Cuban missile crisis, where KC-135s, B-52s, and C-141s were flying out of there in support of the blockade over Cuba. Yet, today I believe the world is more dangerous than it has ever been.

Right now we face a global security crisis. I believe it is on several levels.

First, there is the rise of aggressiveness in Russia and China, partly caused by our own intransigence, by creating power vacuums around the world and encouraging misbehavior.

Second, right now I believe ISIS is a product of our own creation in many ways. The early removal of our troops from Iraq created a vacuum into which ISIS has grown. They needed territory to validate their caliphate, and they got that.

We now face nuclear proliferation in Iran and North Korea.

We have a cyber war going on today. I personally believe we have been invaded, which means that today we are at war with nation states around the

world. Right now, two brigades are being stood up in my home State, in Augusta, GA, Fort Gordon. Two cyber warrior brigades are being stood up right now—2 of 31 brigades in our U.S. Army. I am proud of those people. They are going to stand up to this threat, but it is real.

Lastly, we have an arms race in space that nobody is talking about.

In my lifetime, I have never seen the symmetric threats and the asymmetric threats that we face in our country today. Ensuring the safety of our men and women in uniform—those who protect our freedom around the world—should never be open to political games, least of all now in the face of all these myriad threats, but obviously Senate Democrats in this body don't feel that way.

Since I came to the Senate, our colleagues across the aisle—many friends—have blocked funding for our military six times. Six times in my tenure here, Democratic Members of this body have put their partisan games before funding in support of our troops, and that is after the appropriations—as you just heard, 30 to 0—14 Democrats and 16 Republicans got together in a room, argued their differences, and came to a bipartisan agreement. Isn't that what we were sent here to do? That is what they did. They passed this bill in committee. There is no debate here; everybody in this body wants this bill. I just don't understand why they are now holding it hostage for other partisan political games they are playing right now.

One of only 6 reasons 13 Colonies came together in the first place was to provide for the national defense. Yet, some 200 years later, in the midst of a global security crisis, Congress can't even get that done. We can't fund our government and fund our military without drama. What message does this send to our men and women in uniform around the world? Can you imagine? They can't even depend on us here in this body to fund the needs they have every day. This is a total breakdown in the system.

Democrats are endangering our men and women in uniform, and they are not doing their job. I am outraged by this. Georgians back home are outraged. People around the country are outraged by this. Is anyone surprised that less than 20 percent of Americans trust the Federal Government? I am not surprised at all.

As I have said before, Democrats claim they want to support our military. They tell us all their heart-wrenching stories. Some of them have children in uniform. They call for action, and yet they are the ones blocking this bill and blocking us from debating this on the floor of the Senate. I don't understand that.

At a time when we should be united in the face of global threats, the

brinksmanship and gridlock permeating in this body are quite simply disgraceful.

America must lead again. It must lead in the world. I have traveled the world a lot, as the Presiding Officer has, in the last year and a half, and the No. 1 request I get from heads of state we talk with is America needs to lead again. They are not asking for us to be the police anymore; they just need us to lead to common solutions against these same threats that threaten their countries just as they threaten ours.

We have to lead again, but to do that, we have to have a strong foreign policy. To have a strong foreign policy, we have to have a strong defense. To have a strong defense, we have to have a strong economy. We know about the debt crisis. We can't fix our military without having a strong economy and solving this debt crisis.

One of the biggest complaints I hear when we are doing continuing resolutions—and that is what we do when we don't do our job, by the way—is that it really hurts the military's ability to plan and to train. They can't look forward, they are so worried about getting funding today. And I have seen those shortfalls around the world, as the Presiding Officer has. That is what it has come to.

My colleagues across the aisle believe their political gain in this Presidential election season is more important than our men and women in uniform and more important than protecting our country. This is not a partisan comment, this is fact.

I am an outsider of this process, and I have to tell you that I feel the same outrage the people back home feel. We can no longer take our security for granted, we can no longer take our military for granted, and we can no longer take our men and women in uniform for granted.

I firmly believe our Founders would be outraged by what is going on right now. Senator William Pew was the very first person in 1789 who stood in my seat right here. In the Senate room just down the hall, William Pew—ironic as it is, a direct descendent of his was on my staff when I ran for this office. But I think that man would be absolutely apoplectic about us not funding our military. Can you imagine somebody who put their life on the line back then looking at what we are doing right now, the nonsense we have going on?

The stakes are too high for this nonsense to continue. Democrats must drop this obstructionism. It is time for Washington to fund our military, pass the Defense appropriations bill, and move on to fund our government.

Senator DAINES, I can't thank you enough for arranging this colloquy today and for what we did yesterday.

I know Senator SULLIVAN is on the floor to speak. His leadership in this

regard has been very encouraging to me as well.

Thank you.

I yield the floor.

Mr. DAINES. I say to Senator PERDUE, thank you. Your clear eyes in bringing that clear-headed perspective and 40 years of experience in the private sector are so badly needed here. I am grateful for your love for our country and your experience here and fighting on behalf of our veterans in Washington, DC.

The Senator mentioned that the world is more dangerous than it has ever been before. I was flying back home to Montana late Thursday night, flying Delta Air Lines through Minneapolis back to Great Falls, MT, to be at Malmstrom Air Force Base, with the airmen there, on Friday. We often have Wi-Fi on planes today. I was watching my Twitter feed, and I saw the reports of the 5.0 quake that was reported in North Korea because they had conducted their fifth test—their most powerful test yet of an atomic bomb.

Six weeks ago I was in Israel. We talked about Iran, spoke about nuclear threats and existential threats to the world. We spoke to the Israeli leadership, to Prime Minister Netanyahu and the Israeli intelligence, about the threat from Iran. We crawled in the terror tunnels that came out of Gaza that Hamas had built—Hamas largely funded by Iran. We stood on the northern border of Israel staring into Lebanon at 100,000-plus rockets from Hezbollah pointed at Israel today that are primarily funded by Iran.

I agree with Senator PERDUE—the world is more dangerous today than it was on September 11, 2001, when you look at the threats and, as he pointed out, the cyber threats as well.

I am very privileged and honored to stand with Senator DAN SULLIVAN of Alaska. My father is a marine. He served with the 58th Rifle Company out of Billings, MT. To have a lieutenant colonel of the U.S. Marine Corps Reserve, Lieutenant Colonel SULLIVAN—Senator SULLIVAN, it is an honor to have you with us here today. Thank you for sharing your thoughts.

Mr. SULLIVAN. I say to Senator DAINES, I again thank you for your leadership. All of my colleagues, the Presiding Officer, you, the other colleagues we have seen on the floor—your leadership has been outstanding, my good friend from Montana.

It begs the question. Why have we, the Republican freshman class—really for weeks, we have all been coming to the Senate floor to talk about what is happening. We have been coming to the Senate floor to counter the minority leader's decision to filibuster our troops, as Senator ROUNDS mentioned, six times. There is no other bill in the Senate, since we have become Senators, that the minority leader wants to focus on and filibuster than the bill

that funds our troops. It is pretty remarkable. I think it is a disgrace.

So we are here because we want to bring attention to this issue. What is happening here? Sometimes it can be confusing.

We have the press that sits above the Presiding Officer's chair, and they watch what is going on. We want them to report this. We want the American people to know what is happening here because it doesn't matter where you are from, what State you are in, what party you are affiliated with in terms of politics, if you knew your Senator from your State was filibustering the spending that supports our troops when they are in combat all around the world right now, you would probably be very disappointed. You would think it was a story the press would want to write about, but they haven't yet, but we are trying because it is a very important issue. I believe the American people really care about this issue. That is why we are here.

I will tell you another reason why we are on the floor, why we have spent hours and weeks coming to this floor and talking about this issue, because there is someone else who cares about this issue—the men and women in the U.S. military. They really care about this issue.

I know there is this kind of sense in the Senate—when these votes are taken late at night and there are filibusters and procedural issues, I think a lot of my colleagues think that the troops don't know what is going on, that somehow they don't know the minority leader of the Senate and his colleagues have filibustered the funding for their mission and their welfare and their training six times in the last year and a half. But the troops do know that. They know it. They read about it. I guarantee you they are concerned about it. I think in some ways they think it is demoralizing, as Senator PERDUE mentioned. It doesn't give the military leadership the chance to plan long term.

Another reason we are on the floor—you know it—is we need to let our troops know we have their back. There might be somebody in this body who thinks filibustering spending for our troops six times is a policy they can be supportive of. Again, I don't know why the minority leader is doing this. I certainly don't know why my colleagues on the other side are blindly following him. But we need to be on the floor to let the troops know, when they watch this, when they hear about this and it confuses them, that we have their back. We don't think this is appropriate.

Yesterday when a number of us were on the floor, we talked about what we are asking—what the President, the Secretary of Defense, and our generals are asking our men and women in uniform to do. They are all over the world

keeping us safe—in Iraq, in Syria, in the South China Sea, in Europe. Many of the initiatives undertaken by the President in terms of our troops in these places—many of us are supportive of them, but this is a lot that they are responsible for. They are doing so much. You come back to this body, what is this body doing? Filibustering spending for our troops. They are certainly doing their job; it is time the minority leader let us do our job to fund them.

Recently, of all the different things they are supposed to be doing, we learned about something new that they might be doing. In a deal recently negotiated by Secretary Kerry, the men and women in the U.S. military might possibly soon be conducting joint airstrikes and sharing intelligence with the Russians. There was a New York Times article today that makes it clear that our military leaders are very, very skeptical of this deal. So it is another thing we might be asking them to do—share intelligence and conduct joint operations with a country we shouldn't be trusting, particularly in terms of military terms.

I will quote from the New York Times today. The result of this deal potentially—and by the way, the State Department has not yet allowed us to see the terms of it. We haven't been able to see it. It kind of sounds like that other deal Secretary Kerry negotiated, the Iran nuclear deal.

This is from the New York Times:

The result is that at a time when the United States and Russia are at their most combative posture since the end of the Cold War, the American military is suddenly being told that it may, in a week, have to start sharing intelligence with one of its biggest adversaries to jointly target Islamic State and Nusra Front forces in Syria.

This is from Gen. Philip Breedlove, the recent NATO Commander, who is very well-respected and who just stepped down.

I remain skeptical about anything to do with the Russians. There are a lot of concerns about putting us out there with this kind of agreement.

So that is again what we might be asking our military to do soon, yet we are not going to fund them.

The Washington Post today, in an editorial about this deal—titled “Either way, Putin wins”—made it clear this is a deal that is not in our interest. Yet that is what our military might be asked to do. But we will not fund them, and the minority leader continues to filibuster.

Mr. President, one of the things we have been asking of our colleagues on the other side of the aisle is to come down here and explain why they are doing this—why, for weeks—six times in a year, year and a half. Why?

To the credit of the Senator from Illinois, yesterday he actually did come down. Senator DURBIN did. He kind of had to because we made a unanimous

consent request to move this funding forward, so somebody actually had to come down and say no and do a little explaining. But at least he did. For those who saw it, the explanation fell way short. It was kind of DC mumbo jumbo, process bureaucratese. It was not convincing at all—at all. So it would be good if they could come down and explain it a little better than the Senator from Illinois did. But at least he gave it a shot.

Here is what we know. We need to fund our troops now. They are working so hard for us. It is the right thing to do. The American people want it, our troops need it, and it is our solemn responsibility and our duty in the Senate.

I thank Senator DAINES again for his leadership on this. This is a critically important issue, regardless of whether the media picks it up. We are going to continue to highlight it because it is an outrage that the No. 1 bill filibustered by the minority leader for the last year and a half in the Senate is the bill to fund our troops. It is an outrage.

I thank my colleague again for his leadership.

Mr. DAINES. I thank Senator SULLIVAN. I am not sure whether to call him Senator SULLIVAN or United States Marine Corps Lieutenant Colonel SULLIVAN, but his humility as a soldier, as someone who served in the United States Marine Corps leads me to brag about him. He is bringing the voice of the troops, as he is one—a reservist—to the floor of the Senate. He is a voice for those whose voices are not being heard right now. We are making that clear today, and I thank him again for bringing that voice to the floor.

I also think about Senator SULLIVAN when he talks about Russia. It is one thing being a Montanan and speaking about Russia, but when you are an Alaskan speaking about Russia—well, Alaska is on the doorstep of a resurgent Russia. I know this threat is particularly meaningful to him as an Alaskan, and he is proud of the men and women from Alaska who serve regarding that threat.

I am now looking forward to hearing from Senator GARDNER. I think we are going to have Senator SULLIVAN preside over the Senate so Senator GARDNER can come and share his thoughts.

Senator GARDNER is a dear friend. He also resides in a Rocky Mountain State. He is from Colorado, and I am from Montana. We share a love of the West and our beautiful States. I have been so impressed with Senator GARDNER's leadership as a freshman here in Washington, DC. We served together in the House, and then we came to the Senate. Senator GARDNER has been a leader on the threat of North Korea and helped to pass a bill with strong bipartisan support as a member of the Foreign Relations Committee.

I am grateful for his leadership and what he is doing for our country in coming to the floor today and speaking on behalf of our troops. I thank him.

(Mr. SULLIVAN assumed the Chair.)

Mr. GARDNER. I thank Senator DAINES for organizing this discussion again today, as he did the discussion we had yesterday. And I thank our colleague from Alaska for his leadership on this matter for a number of weeks as we have discussed why this funding bill for our troops, which pays our troops, gives our troops a pay raise, and is critical mission support, is being filibustered. Six times it has been blocked by a partisan minority that actually supported this measure out of the Committee on Appropriations unanimously.

I thank my colleague for bringing attention to this very important discussion as we end the fiscal year and continue providing the men and women in uniform with the resources they need to defend themselves, protect themselves, and defend this Nation's homeland.

This is incredibly important, not just for Colorado. Yes, Colorado is home to 49,000 Guard and Reserve members and uniformed military members. It is home to a number of defense installations across the front range of Colorado.

My colleague mentioned the important part of the triad that is in Montana. We also share a number of those ICBMs located in Eastern Colorado—a critical part of that triad, which is our deterrent, our efforts to make sure we have the ability to address threats to this Nation. The Senator from Montana mentioned the detonation of a nuclear weapon by Kim Jong Un. He wants nothing more than the ability to place a miniaturized warhead on top of a missile and use it against the United States. These are real threats. These are not made-up problems. These aren't just hypothetical issues. These are real threats.

We heard on the floor today from Lt. Col. DAN SULLIVAN, who has served this Nation in the armed forces; we heard from LTC JONI ERNST, who served this Nation; we heard from Governor ROUNDS, his unique perspective; and we have heard over the last couple of days and weeks from a number of people with a variety of backgrounds about the need to fund our troops and to pass this bill. We heard from a Governor who had called up members of the South Dakota National Guard and who has gone to ceremonies for National Guard members who are going overseas—Active Duty—and who has gone to funerals of people in South Dakota whom they lost. So this is a very important debate we are having right now.

There seems to be a key question that is not being asked, and that key question stems from that 30-to-0 vote

out of the Committee on Appropriations for this bill, with Republicans and Democrats alike voting for this bill. There were 30 people who voted for this bill. There was no one in opposition. Yet we cannot get this bill to the floor. There is a partisan obstruction, a tactic known as the filibuster, that is being employed against it to stop this from even being debated. We are not talking about being amended; it is not even being debated because they are afraid, for whatever reason, to bring this bill to the floor.

I guess the people of this country ought to be asking every Member of this Chamber—Members on the Democratic side of the aisle and Members on the Republican side of the aisle, anybody: Do you oppose this bill? It is a simple question that ought to be asked of every Member of this body: Do you oppose the Defense appropriations bill? Give the number of the bill.

The fact is, this bill passed 30 to 0 out of the Committee on Appropriations. When we asked for unanimous consent yesterday to move to the debate of the bill, we heard a glowing endorsement of the bill. We heard our colleagues on the other side of the aisle state how supportive they were of this legislation and the policies it contained. That is why they voted for the bill. So the question is, Do they oppose the bill? Let's get people in the Senate on record. Do they oppose the bill?

Right now, we know of no one who opposes the bill. So the next question ought to be: Why are you blocking it? If they do not oppose the bill—if people don't oppose the bill—then why are they blocking it? The answer clearly isn't policy because they support the policy. The answer isn't funding because they support the funding. The answer isn't that they oppose it because it funds the troops because they support funding the troops. So there must be another reason, right? Well, the reason is simply politics at its worst. The reason is a leadership decision to obstruct this bill—to obstruct the passage of legislation that would fund our troops.

Again, in the objection to our unanimous consent request to proceed to this bill, we heard from our colleagues on the other side of the aisle who are voting to obstruct the bill that, look, they agree with the bill. They agree with it. They agree with it. We just need different timing, we should wait until all the other bills are in place, or we should do it as one big package—basically ceding to this body that we should never do stand-alone appropriations bills, that we have to do everything as one big, massive chunk of omnibus appropriations or continuing resolutions.

You know, I don't think I could get away with this at home. If I told our 12-year-old daughter at home that she needs to take the trash out, and her re-

sponse to me is: Look, I agree with you. I agree the trash should be taken out. I agree that trash can is too full. But then she doesn't do it. That is a problem. That doesn't tell me she agrees the trash can is too full. That tells me she agrees to ignore the wishes of her dad—in that case. And that is the same analogy that can be used here.

Mow the lawn. Our son is a little too young for that. If my wife told me to go out and mow the lawn, and I said: You know what, I agree. The grass is too long. It needs to be mowed. I agree with you. But if the lawn never gets mowed, all my neighbors in that whole town know the grass is too tall and that I didn't do my job.

That is the same thing that is happening in the Senate. People can say they agree all they want with the funding for this bill, but when they vote to obstruct it, when they vote to shoot it down, when they fail to vote to bring it up for debate, I guess the only way you can consider that is that it is in opposition to the efforts to fund our troops.

Filibustering the Defense appropriations bill endangers our military's ability to respond to the threats they face every day, and they face significant threats. Let's just take a look at Iran alone. We only need to look at the recent uptick in unsafe encounters that have been widely reported in newspapers around the country between American sailors in the Persian Gulf and the Iranian Guard vessels in the Persian Gulf to see what happens when our enemies sense weakness.

In 2016, there have been 31 unsafe encounters between the U.S. Navy and Iranian vessels in the Persian Gulf. In all of 2015—the entire year—there were only 25 unsafe encounters in the Persian Gulf. Yet this year, in August and September, we have seen 31, far outnumbering what we saw in the entirety of last year.

Less than 2 weeks ago, seven Iranian fast attack boats were involved in an unsafe encounter with the USS *Firebolt*, with one Iranian craft coming to a stop in front of the American ship. That provocative maneuver brought the Iranian boat within 100 yards of the *Firebolt*, a coastal patrol boat that carries a crew of about 30. This was unsafe, unprofessional, and could have led to a collision.

Less than 3 weeks ago, the USS *Squall* had to fire three warning shots. They fired three warning shots when an Iranian Guard vessel came within 200 yards of it. GEN Joseph Votel, the Commander of the United States Central Command, has said the attacks are “concerning,” and he went on to say that he believes the “unsafe, unprofessional” behavior is an attempt by Iran to “exert their influence and authority in the region.”

So while this administration is paying Iran billions of dollars—while they

are giving that money, billions of dollars, to Iran, the same country that held American sailors hostage and that is performing unsafe, provocative maneuvers in the Persian Gulf—this body, the Senate, as a result of a partisan minority, is holding the DOD appropriations bill hostage. They are denying critical funds to those American sailors at the same time we are giving money to the army, the navy of those who would hold our own sailors hostage. They are doing this through the money—the billions of dollars—being given to the Iranian regime.

Now remember, this bill isn't a partisan product. This bill is the result of extreme bipartisan collaboration—input from leaders of the Department of Defense, strategists, people who know what they are talking about, and people on the Committee on Armed Services, such as the Presiding Officer of the Senate who served in the Armed Forces. This is a product that had 30 people voting for it—Republicans and Democrats. It is a bipartisan product, yet it is being blocked every time we try to bring the bill up.

If the Presiding Officer were on the floor with us now, I would ask him if he thinks that is a rational reason he could explain to the men and women in his unit. Could he say: Look, the Senate has said they support the bill, but they refuse to pass the bill. Would they say: OK. I understand. I get that. That is not the reaction he would receive.

When we look at the needs of the commanders to have certainty in their funding, it is real. They need passage of this bill. We can't wait until the last minute and cobble it together, put it together with a bunch of other bills, fund it for a couple of weeks and then do it again and again and again in an uncertain manner.

Secretary James said a full-year continuing resolution could underfund the Air Force by nearly \$1.3 billion and would cause many issues to their systems.

Delaying the annual appropriations bill could limit our ability to take our fight to the enemies because the enemies are certainly taking their fight to us. Production of the Joint Direct Attack Munition—the JDAM—currently being used in the fight against ISIL would be cut in the short term under a continuing resolution. Upgrades could be cut to the fleets of the MQ-9 Reaper unmanned aircraft, C-130 cargo transports, and both B-52 and B-2 bombers. Yet that is what our colleagues on the other side of the aisle are insisting by blocking this bipartisan legislation.

So to my colleague from Montana and the Presiding Officer from Alaska, I thank them for continuing to shine a light on this.

I hope the American people will ask this question to all of us: Do you support this bill? If you do, why do you refuse to pass the bill?

It is a simple question, and it is a simple answer. Politics don't cut it. The American people deserve results.

So I thank the Senator from Montana for his leadership on this. It is an honor to serve with him as we continue to highlight this failure of the Senate to move beyond petty partisan politics.

Mr. DAINES. I thank Senator GARDNER for those great thoughts.

This struck me: What if the Members of Congress were dependent upon the members of the U.S. military to vote on whether we got our paychecks or not? Maybe we ought to turn around the tables. Maybe we should halt paying this body until our troops get the assurance that they are going to get paid. Let's put the accountability right back on this institution.

I thank the Senator for standing up on behalf of the men and women who wear the uniform of the United States of America military.

I spent 28 years in business before I came to Capitol Hill. I spent one term in the House, and now this is my first term in the Senate. When I came here with my freshman class in January 2015, we came in here with our loved ones. Our friends and family were up in the Gallery, near where we stand here and sit here today. About 30 feet from where I am standing right here, we all stood on that step, and the Vice President, right there, administered an oath to us. We raised our right hand and took the oath. In that oath that I was honored to give that day after I was elected by the people of Montana, I swore and said: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God."

What has happened? We all took that same oath. It is time we started acting like it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIR TRAVEL TO AND FROM CUBA

Mr. RUBIO. Mr. President, I wish to cover something that happened today. A revelation was just made a few hours ago at a hearing in the House. I will give the history of this.

As we all know, after the President's opening toward Cuba, there was increased travel to Cuba, now including the opening of commercial travel to the island from the United States.

Back in May, the Assistant Secretary for Policy at the Department of Home-

land Security told the House Homeland Security Committee that new scheduled air service from the United States to Cuba, and vice versa, was not going to start until air marshals were allowed to be onboard those flights.

In August, the TSA provided the U.S.-Cuba Trade and Economic Council, as well as reporters, a statement . . . [and they said] that the United States and Cuba had "entered into an aviation security agreement that sets forth the legal framework for the deployment" of air marshals "on board certain flights to and from Cuba."

Today, at a hearing in the House, "a top TSA official divulged [for the first time] . . . that Cuba has yet to agree to allow U.S. air marshals aboard scheduled airline flights between the two countries—meaning there have been no air marshals on board thus far, despite" the fact that the administration said there would be. So, basically, what we have here is an outright lie.

Last month, to great fanfare, the Obama Administration announced that an agreement had been reached that there was going to be air marshals on commercial flights to and from Cuba, and today they confirmed that they weren't telling the truth. There was no agreement finalized. On most, if not all, of these flights there are no air marshals. This is endangering U.S. passengers.

This is a startling admission from the administration, and it is a startling admission by the TSA to the American people that they lied. They told us these flights would not begin until they had reached an agreement with the Cuban Government to have air marshals and other security measures in place. Today, only because they were asked—only because they were asked—did they admit that this is not happening.

It was incumbent upon the TSA to lock down a Federal air marshal agreement before these flights started taking off to begin with. That is what they told us they were going to do. That is what they said or implied was happening. Unless that question had been specifically asked today at that hearing, we would not have known about this.

My friends, this is the latest example of an administration that is so intent on burnishing its legacy, on getting credit for this opening, that they are willing to throw everything else out the window. They already are ignoring the human rights violations.

We have one of the leading human rights dissidents in Cuba on the verge of death because of a hunger strike, and this administration hasn't said a word about it. They don't do anything about it. They don't highlight that case. Instead, they are all celebrating and popping corks of champagne on these new flights, which they told us were going to be safe because they were going to have air marshals. Today, because they were specifically asked, we

find out that it is not true. This is outrageous. The TSA under the Obama administration has lied to us about the status of the security.

Last week, I filed a bill that would stop all commercial flights to Cuba until this agreement is in place, until adequate security is in place. Now we know for a fact that adequate security is not in place. These flights should be suspended until such time as this agreement is signed.

I want us to think about what this means if it doesn't happen—what it means is these are now flights that are vulnerable. There is a reason why we have air marshals on flights. It is because of the experience of 9/11, of which we just commemorated the anniversary on Sunday. We now have flights 90 miles from our shores that could theoretically be commandeered, and we could have a repeat of that, particularly in South Florida, which is just minutes away from the airport in Havana. This is just unacceptable.

Forget about how we feel about Cuba policy for a moment. They have lied to the American people. They have lied to this Congress, and they were only caught today because they were specifically asked about the status of this. This puts us in incredible danger.

By the way, it is important for everyone to remember that years ago there were no metal detectors even at airports. They started putting metal detectors at airports 30 years or 35 years ago because of hijackings to Cuba. There is a reason.

So now here we have this situation where theoretically some terrorist could travel from any country in the world into Cuba and then try to come into the United States, commandeer an aircraft, and I don't need to say what could happen next. I think this is an incredibly dangerous situation.

I think we need to unite across parties, across the aisle, and, basically, say: No matter how you feel about Cuba policy, we all agree that travel to Cuba should be safe—no less safe than travel to the Bahamas, no less safe than travel to the Dominican Republic, no less safe than travel to Mexico. Why are we allowing the Cuban Government to conduct flights without the same conditions we have on allies of the United States? Cuba is not an ally of the United States.

The Cuban Government hosts intelligence facilities for both the Chinese and the Russians. The Cuban Government harbors fugitives from American justice. The Cuban Government helped North Korea evade U.N. sanctions on missile technology and weapons. Yet we have allies in this hemisphere who have to comply with all of this, but not Cuba. This is absurd.

The TSA has lied. It leaves this Nation vulnerable. Those commercial flights need to be immediately suspended until such time as these secu-

rity measures are put in place. This is something that just broke hours ago, and I hope we can come together here and actually deal with it, irrespective of how we may feel about the issue of Cuba.

ZIKA VIRUS FUNDING

Mr. President, the Governor of Florida was here yesterday and again today to discuss Zika funding. I met with him personally yesterday, and we met with the majority leader earlier today to reiterate again its importance.

Let me reiterate again the statistics. There are now, on the mainland of the United States, almost 3,000 cases. In combination with U.S. territories—meaning, primarily, the island of Puerto Rico—there are now close to 16,000 cases. In my home State of Florida alone, we are up to 799 cases, and 70 of those cases are locally transmitted, meaning that they were not Zika infections acquired abroad. They were either sexually transmitted or transmitted by a mosquito in the State of Florida. As to infections involving pregnant women in Florida, there are 86. That is combined, both travel and local transmission. It has taken this Congress far too long to act.

Now, I believe the good news is that, given the conversations that are still ongoing, we are on the verge of getting something done on the fight against Zika. I remind everyone that the Senate did act on this issue back in May in a bipartisan way, and I would take this moment to point out that my colleague, Senator NELSON from Florida, has been great to work with on this and multiple issues—but on this in particular. I thank him for his partnership and hard work in this regard. I enjoy our partnership on many issues involving the State of Florida, including the water bill before the Senate, but on this issue of Zika in particular. But it is time for the rest of us to come together in the interest of our people.

I know that right now all the headlines are about the impact this is having on Florida. But make no mistake, Zika is a national problem, and it requires a Federal response including funding to develop a vaccine that will eradicate this virus. So I do appreciate Governor Scott's efforts at the State level to combat Zika. It is long past time that this Congress follows suit.

This is, by the way, Governor Scott's second visit to Washington to address Zika. I am not aware of any other Governor who has come up here for the same purpose. But I can assure you that if we fail to seize the chance to pass funding, we are going to see more Governors and more Americans from every State and territory beating down the doors here in Washington fairly soon. As I said earlier, there are almost 20,000 Americans that have now been infected, and I think it would be a tragic and terrible mistake to ignore their plight. We have a chance here to help

to prevent even more people from getting infected, but to do so we have to act now.

I want to point to one of the aspects of this issue that isn't talked about enough. We already understand the risk of microcephaly and what it means for unborn children. We understand the risk it poses to people in general. But I want to talk a little bit today about the economic impact of it. We can imagine that, as Zika outbreaks are being reported around the world and for the first time ever the CDC is actually designating areas of the continental United States as travel advisory areas that perhaps people should avoid, it begins to have an economic impact. I also don't need to remind people—although, maybe I should—how important tourism is to the State of Florida. The evidence that this is having an impact on our economy is now far more than just anecdotal. I will quote extensively from an article in the Miami Herald a few days ago.

In August, leisure airfare prices fell 17 percent year-over-year at Miami International Airport and Fort Lauderdale-Hollywood International Airport, according to an analysis by Harrell Associates. Fares for top routes at the nation's other airports rose 4 percent over the same time period.

So other airports saw a 4-percent increase in fares, and leisure airfare fell by 17 percent. People may think that this is good news for the consumer. But this is reflective of something—that demand is down and that the number of people wanting to travel there is down. This is not travel in general, because across to other airports it was up 4 percent. But in two airports in South Florida, it was down by 17 percent. That is evidence that this is having an impact on travel, both business and leisure.

Here is more evidence: "And hotel bookings in greater downtown Miami fell by nearly 3 percent in the first three weeks of August compared to last year. . . ."

As someone raised by parents who worked in the tourism sector—primarily in hotels—if these numbers and trends continue, not only are these hotels going to get hurt, but the people working there are going to get hurt.

There is a reason why this is happening. I will go to a couple more business aspects that we would think would go beyond simple tourism, just so we know this is not just about hotels and airports.

There is a Bay Harbor Islands-based company that does wedding planning called Forever Events. The owners said that a couple from California spent several months planning a destination wedding in Miami and then cancelled it. Instead, they are getting married in California.

A nanny service that provides babysitting for families staying at hotels

and resorts, often because they are in town to celebrate weddings, said the cancellations started coming as soon as the first travel-related cases were discovered in February. They said that families told them that because their wives were pregnant, they were too nervous to travel to Miami.

Business has plummeted by about 25 percent, she said, hurting her staff. Phones have gone quiet. . . . "We used to get calls every couple of weeks for a mom coming in town having her baby and now we haven't gotten any in months. . . . No calls at all."

The rationale behind all this, perhaps, is a Kaiser Family Foundation poll conducted in August, which found that "48 percent of Americans would be uncomfortable traveling to Zika infection areas within the U.S., including Miami."

So, again, this is not just something that is having an impact on our health care system, which is dramatic in and of itself, but it is having an economic impact as well, which is why it is so inexcusable that we didn't address this in April. We couldn't get final passage on this in May. I know the Senate did its part. It has gotten tangled up in all this election-year politics.

All I would say to my colleagues is, we fight about so many things around here. We have so many issues we could have a debate over. There are some significant differences between our political parties. In election years, they become more pronounced. Let's have debates about those issues, but at least when it comes to public health and safety, can't we say that on this issue, we are not going to play politics. Let's put this issue aside and let's not entangle it in all the political stuff that is going on because in the end, this does not discriminate. This is an issue that affects anyone and everyone, potentially.

That is what I hope is going to happen. We have taken far too long. Can you imagine going back at the end of next week or at the end of this month and explaining to people, not just in Florida but in America, that Congress once again couldn't get anything done on this?

I would ask both sides to show a tremendous amount of flexibility. I know there are ongoing conversations now behind the scenes to get some resolution on this. There are so many other issues we could have an argument over. On this one, let's just come together; let's provide the funding.

It is already less than what the President asked for, and I believe we will need more in the future. Let us come together, once and for all, and let's get this done in the Senate, and then let's work on encouraging our colleagues in the House to do the same so we have at least some good news to tell the American people at the end of this month. No. 1, your government didn't shut down; and, No. 2, Congress has fi-

nally provided funds, not just to help States and localities deal with Zika, not just to help health care facilities treat people with Zika, and not just to help people prevent Zika but to continue the research to develop a vaccine because once we have a vaccine, then I think this issue becomes very different. Then we have an answer with permanency to it. That is where I hope we are headed. That is why I encourage my colleagues to continue to work on it. Let's get this done once and for all. It is the right thing to do for America. It is the right thing to do for our people.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

Mr. CARPER. Mr. President, today we have made important progress on a piece of legislation that we refer to with another one of those funny sounding names. In this case, it is WRDA. It is spelled W-R-D-A. That stands for the Water Resources Development Act.

The average American who might tune into C-SPAN today probably has no idea what it means when we use its nickname. Frankly, they are likely confused with a lot of the other strange acronyms we use in Washington as well, but the truth is, the things this WRDA bill will accomplish will have a big effect on the everyday lives of a lot of Americans. Many of them will be things that happen behind the scenes.

There are many important functions of the Federal Government that require years of planning and action by Congress. We as private citizens oftentimes sort of take them for granted. Hearing your local Senator or Member of Congress talk about critical dredging projects might sound boring, but if ships carrying groceries into our country's ports can't reach their destination, the prices continue to rise; in some cases, by a whole lot. That means families struggling to put food on their tables must figure out how to stretch their strained budget even further.

For the neediest among us, that ship reaching its port isn't just a policy decision made in our Nation's capital, it is the difference between a hungry child and a healthy one, but it takes a lot more work to keep our children healthy.

In April of 2014, news broke of a horrendous drinking water crisis in Flint, MI. Our networks and our newspapers were flooded with images of families holding up jugs of discolored water that came from their kitchen sinks and from their bathtubs. It was like we were watching a nightmare unfold overnight, but in reality it was years in the making.

For decades, cities across this country have struggled to fund proper maintenance of their drinking water infrastructure. In Flint, officials repeatedly cut corners, with little regard for public health concerns, in order to avoid investing in a high-quality water system. Let's think about this. Really, what is more important than an investment in making sure our kids aren't drinking water that slowly stunts the growth of their brains and the development of their brains?

Unfortunately, while the national spotlight has focused on Flint, aging water infrastructure is a growing problem faced by way too many of our communities across this country. This year, the Guardian newspaper found that over the past decade, water departments in at least 33 large cities have chosen to test their water with methods that would underestimate the lead levels in their drinking water—underestimate.

Philadelphia, which is half an hour up the road from my home State and hometown of Wilmington, DE, has been accused of having some of the worst testing procedures of any city in the United States.

Congress banned lead water pipes some 30 years ago, but many of our pipes are older than that. In fact, we don't even know the full extent of the problem. Estimates of lead pipes still in use range from 3 to 10 million. That means some parts of our drinking water infrastructure are poisoning unsuspecting families across this Nation of ours.

We are doing good bipartisan work today by moving forward on authorizing programs that will begin to tackle not all but many of these issues, but in truth this is only the tip of the iceberg. The Environmental Protection Agency estimates it must spend nearly \$400 billion between now and 2030. Think about that, \$400 billion between now and 2030 in order to keep our drinking water safe. It is not only pipes that we have to maintain to ensure that our water supply is clean and that we have enough of it.

For example, the Delaware River Basin supplies drinking water for more than 15 million people. People don't just depend on this water for drinking. This river houses the catches our fishermen and fisherwomen depend on for their livelihood. This river serves as a shipping route to direct goods to and from our local businesses. It facilitates tourism that ripples through local economies up and down the eastern seaboard.

Today we have made important strides toward improving coordinated protection and restoration of the Delaware River Basin on which so many rely. With this legislation, we are also taking important steps to strengthen our coastal areas, which are the first line of defense against extreme weather and sea level rise.

For communities near the ocean in Delaware, a severe storm isn't just a day off from work or from school. It has the potential to wreak havoc on our cities and our towns, potentially destroying local businesses and causing irreparable damage to families' homes, as well as to our transportation infrastructure or water and wastewater treatment systems as well.

State and local governments that are already strapped for resources are then forced to scramble to help their residents rebuild. Instead of trying to patch the damage after every storm, maybe we ought to prepare ahead of time to make our coastlines more resilient. That will keep people safer and also save us a lot of money in the long term.

I learned this from my grandmother: An ounce of prevention is worth a pound of cure, and no place is this saying truer than with regard to maintaining our local critical infrastructure. Too often we in Congress neglect our responsibility to invest in the things that make life possible and better. We shy away from reminding people that things worth having are worth paying for.

We weren't elected to take the easy way out. That isn't what we come here for. We were elected to make the tough choices required of leaders. I am proud of the bipartisan work that has been done today to help make sure parents can feel confident about the glass of water they will give their kids to drink at the supper table tomorrow or the week after that.

I am proud we are taking action to address some of the often ignored businesses of running a nation like ours. I hope my colleagues on both sides of the aisle will join me to continue this good work. Let's remind the American people that with a little determination, with a little more dedication, we can accomplish the responsibilities which they entrust to us.

Mr. President, I see we have been joined by a friend from Arkansas. I am going to yield the floor to him.

The PRESIDING OFFICER. The Senator from Arkansas.

NATIONAL SECURITY

Mr. BOOZMAN. Mr. President, while I was traveling around Arkansas during our instate work period, one of the top issues I heard about from my constituents was national security. It remains at the forefront of the minds of Arkansans. I am sure my colleagues heard the same thing during their time at home.

The message I received was one of concern—concern with how the administration's terrible Iran deal is flushing the regime with cash and allowing Tehran to continue its nuclear activities while rebuilding its arsenal and belligerently bullying the United States and our allies. They are concerned that North Korea is ramping up

its nuclear program to try to get the same sweetheart deal, and they are concerned the threat from ISIS continues to grow despite the President's attempt to convince the public that radical Islamic terror is not a problem.

Let's start with Iran. Earlier this week, Iran threatened to shoot down two U.S. Navy surveillance aircraft for flying "too close to Iranian airspace." Yes, the country the Obama administration bent over backward to appease threatened us once again. This is the latest in a long line of provocations directed by Iran toward the United States.

Last month, Iran harassed our warships in the Persian Gulf on at least five occasions. Iran's belligerence has been matched by the nation's pursuit of weapons, all of which has been enabled by the terrible nuclear deal President Obama brokered—a deal Iran has zero intentions of abiding by.

Earlier this month, the regime in Tehran deployed a Russian-supplied surface-to-air-missile defense system around its Fordow underground uranium enrichment facility. This potent missile defense system was part of an \$800 million deal Russia signed with Iran in 2007. That deal has been voluntarily put on hold because of a 2010 U.N. Security Council resolution, but that hold was lifted after President Obama's weak Iran deal signaled to Russia that it is acceptable to sell weapons to Iran.

This news is shocking given that President Obama said his deal halts enrichment at Fordow. If that is the case, why does Iran need this potent defense system to protect its scientific facility? Where did Iran get the money for this system? The Obama administration and its negotiating partners agreed in secret to allow Iran to evade some restrictions in the nuclear agreement. This reprieve was grand in order to give Iran more time to meet the deadline for it to start getting relief from economic sanctions. For all of these concessions, what exactly did the international community get out of the deal? Certainly not peace of mind. Meanwhile, Iran gets concession after concession to build a peaceful nuclear program that no one outside the White House believes will remain that way, but outside the White House walls, the rogue actors of the world have a different perspective. What they see is a meal ticket—a way to get out of sanctions without having to end the pursuit of nuclear weapons.

Case in point, North Korea. They have seen the windfall Iran has received for agreeing to the President's deal and appear to be angling for a windfall of their own, which is why North Korea defied U.N. resolutions and detonated its fifth and largest nuclear weapon last week. After carrying out the test, North Korea boasted that the warhead could be used to counter

the American threat. Make no mistake, North Korea wants its own deal and will continue to try to provoke the United States.

Will President Obama cave in to North Korea's demands in the same manner in which he did with Iran? We certainly should not be granting sanctions relief to North Korea nor should we be doing so for Iran. In fact, we should be ratcheting up sanctions. We have passed legislation to do that for North Korea already. The chairman of the Foreign Relations Committee has a bill to make that happen for Iran as well. I am cosponsoring that bill and hope we can move it forward in the Senate.

While Iran and North Korea step up the posturing, ISIS just released a gruesome new propaganda video showing dozens of captured prisoners hung from meat hooks inside a Syrian slaughterhouse. The video then shows ISIS members slitting the throats of these prisoners. The brutality of these terrorists, which President Obama once referred to as the JV team, is shocking and revolting. The President has never presented a strategy to Congress for eliminating ISIS, and our sporadic airstrikes have done little to stop the terrorist group from pressing forward to strengthen its global reach.

As these events play out, Senate Democrats continue to block vital funding for our troops and our country's security and keep it from moving forward. This is why national security was the main concern I heard about during the instate work period and I continue to hear about now. The anxiety and unease created by this administration's failed foreign policy weighs heavy on the American people. We must change course.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MERRICK GARLAND

Mr. WARNER. Mr. President, after one of the longest recesses in modern history, Congress returned last week to Washington. Unfortunately, it seems that some of our colleagues have been more interested in continuing to play politics with the health and welfare of the American people than in getting the job done.

Nearly 19,000 Americans have been infected by the Zika virus, including hundreds of pregnant women. Yet Congress has failed to pass an emergency funding bill to address the Zika crisis, and as I discussed on the floor earlier this afternoon, thousands of retired mineworkers, many of them suffering

from serious illnesses, are still waiting for us to work on the bipartisan Miners Protection Act.

This afternoon, I would like to focus on another area where unfortunately the Senate has failed to do its job—an important job that is part of our constitutional requirements—which is to make sure we end this unprecedented obstruction regarding the vacancy on the Supreme Court. It has now been a record-breaking 182 days since President Obama nominated Judge Merrick Garland, and yet 182 days later, the Supreme Court is still forced to function one Justice short. It is an example of Washington dysfunction at its absolute worst.

The Senate confirmed Supreme Court Justices during Presidential election years at least 17 times, so there is no reason this should be a partisan issue. Until recently, both parties have recognized the Senate's constitutional responsibility to advise and consent on the President's nominations to the Supreme Court.

President Reagan himself said: "Every day that passes with a Supreme Court below full strength impairs the people's business in that crucially important body."

The truth is, Judge Garland's qualifications and dedication to public service are beyond reproach.

Again, today, as I did earlier this year, I am strongly urging my colleagues to do the job we were elected to do. Let's go ahead and vote on Judge Garland. If you don't want to support him, that is your right, but let's give him that hearing and take on that vote.

Let's make sure we take on the very important health care crisis around Zika. Let's make sure we don't leave the American people hanging in terms of a continuing resolution. Let's pass that and make sure the government stays funded.

Again, it is time for us to get to work. It is time for the Senate to do its job so we can make sure that when we go back to our constituents—as we continue with the final weeks before the election—we can look them in the eye and say: We have done our duty.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE. Without objection, it is so ordered.

OPIOID EPIDEMIC

Mr. MANCHIN. Mr. President, I have been coming every week and speaking about an epidemic we have across our country. The State of West Virginia has been hit hard. I know Utah has

been hit hard. There has not been a State that has been spared. This opioid epidemic, this prescription drug abuse is ravaging our country and a whole generation of our people.

We have come to a crisis point. In West Virginia, drug overdose deaths have soared by more than 700 percent since 1988. We lost 600 West Virginians to opioids last year alone—600—more than any other cause of death in my State. Of the 628 drug overdose deaths in the State in 2014, most were linked to prescription drugs. These are legal drugs.

Now, 199 were oxycodone related, with 133 attributed to hydrocodone. We have a situation where basically people ask: How did we get to this point? We have products that are being made by reputable companies that we depend on for lifesaving medication every day. So you have a reputable company. We have the Food and Drug Administration, the FDA, which basically is our guardian, if you will. It is the gatekeeper of whether things we are consuming are good for us and will not be harmful. Then you have your doctor, the most trusted person next to a member of your family, telling you and prescribing what you should take to make you better.

So we have a runaway epidemic on our hands. We have to get this genie back into the bottle. West Virginia had the highest rate of prescription drug overdose deaths by any State last year—31 per 100,000 people—31 people out of 100,000 people died. The next closest State was New Mexico at 25 deaths per 100,000. In West Virginia, providers wrote—I want you to listen to this figure. It is almost unbelievable. In West Virginia, providers wrote 138 painkiller prescriptions for every 100 people. I want to repeat that. They wrote—that means our doctors—prescribed 138 prescriptions for every 100 people. Now, that is impossible. You would think that is absolutely abusive. It is.

Between 2007 and 2012, drug wholesalers shipped—this is an unbelievable amount—they shipped more than 200 million pain pills to West Virginia. The population of my State is 1,850,000, give or take. So with a little over 1,850,000 people, the drug wholesalers shipped 200 million pain pills to my State of West Virginia—40 million per year.

This number does not include shipments from the two largest drug wholesalers. Every day in our country, 51 Americans die from opioid abuse, legal prescription drugs. National drug abuse facts. Drug overdose was the leading cause of injury death in 2013. Among people 25 to 64 years old, drug overdoses caused more deaths than motor vehicle crashes.

There were 41,982 drug overdose deaths in the United States in 2013. Of these, 22,767 or 51.8 percent were related to prescription drug overdose.

These are legal prescription drugs. Drug misuse and abuse caused about 2.5 million emergency room visits in 2011. Of these, more than 1.4 million of these emergency room visits were related to prescription drugs. Again, legal prescription drugs.

Among those emergency room visits, 420,000 visits related to opioid analgesics. Nearly 2 million Americans age 12 or older either abuse or were dependent upon opioids in 2013. Of the 2.8 million people who used an illicit drug for the first time in 2013, 20 percent began with a nonmedical use of a prescription drug—nonmedical—including pain relievers, tranquilizers, and stimulants.

The United States makes up only 4.6 percent of the world's population—4.6 percent. We are 330 million. Over 7 billion people live on Mother Earth. We make up less than 5 percent of the population. Yet we consume—the United States of America—80 percent of its opioids and 99 percent of the world's hydrocodone—99 percent of the world's hydrocodone.

Opioid abuse has jumped 287 percent in 11 years. In 2013, health care providers wrote 259 million prescriptions for painkillers, enough for every American to have a bottle of pills. Think about that—enough for every American to have a bottle of opioid pain pills. Misuse and abuse of prescription drugs cost the country an estimated \$53.4 billion per year in lost productivity, medical costs, and criminal justice costs.

If you talk to anybody, any of the law enforcement officers in your hometown, your home community, your State, they will tell you, 8 out of 10—a minimum of 8 out of 10 of the crimes that are reported that they go out on are drug-induced. Currently, 1 in 10 Americans with a substance abuse disorder receives treatment. So only 10 percent are getting treatment. So many people over the years believed—and I was one of them 20 years ago—believed if you fool with any types of drugs, you are committing a crime, and we are going to put you in jail.

Well, we put you in jail, but we just did not cure anybody. It didn't get any better. So we better try something different. It has been proven that addiction is an illness, and an illness needs treatment. There is no treatment. Only 1 in 10 can find it. Since 1999, we have lost almost 200,000 Americans—200,000—to prescription opioid abuse.

If we lost 200,000 in any other arena, I will guarantee you we would go into action. We would find a way to stop this, but we have not done a thing about this. In October, President Obama came to Charles Town, WV, to talk to people on the frontlines of the epidemic. Following the visit, he called for emergency funding to combat the opioid crisis. Now we have Presidential candidates talking about prescription drug abuse. Earlier this year, Secretary Clinton was in West Virginia

talking about ways we can work together to prevent and treat prescription drug abuse.

The FDA began making changes to the way it approves opioid medications. The CDC, the Centers for Disease Control, released much needed guidelines for the prescribing of opioids for managing chronic pain. We need a serious culture change in America, and I mean a serious culture change, to get to the root of the problem. We need to change the approval of opioid drugs at the FDA.

We can't have the Food and Drug Administration that is responsible for us getting products that are supposed to be good for us to consume not knowing what the effects may be. I keep telling them—I ask: Why do you continue to approve new opioid painkillers coming on the market? Why? Don't we have enough? If you do approve something new, don't you think something ought to be removed rather than just keeping more products on the market?

I am going to read a letter. I read letters because I have always said that this is a silent killer. The silent killer of drug abuse, of prescription drug abuse, is, if it is in your family, we don't want to talk about it. It is my son or my daughter, it is my mom or my uncle, it is my aunt, we will take care of it. We will keep it within ourselves.

So it is a silent killer because nobody talks about it. Nobody knew what was going on. Nobody knew the heartache and all of the absolutely devastating tragedies families were going through. They thought they could take care of it because we did not know it was an illness. We did not know it needs treatment. They did not have a place to turn. Most families don't have the resources to send them to the treatment centers. They are very expensive.

So we have asked people to start speaking out. I am getting letters from all over the country. I am going to read Samantha Frashier's letter. They are giving me names now. It is not anonymous. It used to be anonymous, "Don't use my name." They want you to know. They want you to know and put a real face with a real name and a real person:

I will start this off by saying, I am not from West Virginia. I live in Ohio. But I felt like I could still share my story.

My dad's family is from West Virginia and I have seen the devastation of the opiate epidemic there. It is just as bad here in Cincinnati and all of the suburbs surrounding it.

I grew up in Mason, Ohio, and had a good life. We weren't rich, but we weren't poor. My parents did everything they could to take care of me and my brother.

I was very involved with the youth group in high school and just an all-around happy person. I went to a Christian university and just started drinking a lot.

That went on for a few years, and by the time I was 21, I started using pills recreationally. Stupid choice. That was in 2008 and heroin was just starting to creep in everywhere.

I used for 5 years, every day. Once I started, it was like I made a decision I could never quit, that I would use forever. I was such an evil, manipulative liar and thief. I ruined every relationship I ever had.

Finally, I got in trouble. I went on a small car chase, (stupid, I know) and was booked into jail on 11 charges, which resulted in 2 felonies, and I was sent to Monday Correctional Institute in Dayton, Ohio. It was there that I was taught the skills I needed to survive. I had to dig deep and really figure out who I was and what issues I need to really work on.

I also received letters from women at church I didn't even know. I corresponded with them over the months. These women made me feel a sense of being surrounded, even though I was in a lockdown facility.

I spent 5 months there, got a job, became a manager and ran a failing pizza restaurant. About 10 months after being released, I found out I was pregnant with identical twin boys. I had some complications with my pregnancy and was on bed rest and still dealing with issues. My boys are 7 months old now. My boyfriend and I are both almost 3 years clean, and we are blessed enough to find someone to rent a house to us.

I am currently involved in starting a non-profit recovery home here in Warren County, Ohio, called "The Next." We will help women after they detox with a recovery home.

The other part of my story is that I have also watched my family become crippled by this disease of addiction. My brother recently was using drugs. We couldn't find him help anywhere. Waiting lists, insurance copays for thousands of dollars, flying to different states, nothing local. He ended up getting in trouble and he now has a felony.

My aunt has already lost one son to a heroin overdose and 3 weeks ago we sat in the hospital with her daughter, holding her down because she had alcohol poisoning, and she was intubated and on a breathing machine.

The pain, the hurt, I see it in everyone's eyes. I can't imagine what that is like. I look at my boys and pray that I will do everything I can to steer them away. It's in their genes and they have to be careful.

My heart is big and I have spent nights crying over this. My friend Pete's funeral is next week. He died of a heroin overdose. Every few weeks, someone dies, or they are sent to jail and get no help, get released, or go to prison and don't get help and spend their time with other people who don't want to change. They get released eventually and have no skills.

Everyone is set up for failure. This is affecting every single person in this community, and I know it is like this in so many other places.

I hope to hear of a dollar amount attached to the CARA act, and that there are changes. We need recovery homes, rehab, different laws to encourage getting help, helping those in prison that want to change to provide a reachable opportunity.

It is 100 percent possible to get clean. I want everyone to know it is possible to share the hope that a successful life is achievable. I have a huge passion to change things and to help that change. I have sent letters, e-mails, web messages to all the Congressmen, judges, prosecutors, City of Mason, Mason Police Department, and Warren County. I am doing whatever part I can.

This is killing so many young lives, and mothers, fathers, daughters, and sons, everyone, and they need to change.

This is a letter—and I want to answer this by saying we are trying. I have a

piece of legislation that I have drafted. This piece of legislation is going to have permanent funding that will go directly to treatment centers—directly—100 percent to treatment centers around this country.

What it does is it asks to be charged one penny per milligram—one penny per milligram—for every opioid produced and sold in America. That will raise about \$1.5 to \$2 billion. So I would say to all of my colleagues and friends who are afraid that, oh, this is a new tax—this is a treatment center. This is a way to get people clean again. This is what we are asking people to sign on to.

I will guarantee you there will not be one family—Democratic or Republican—that would vote against you if you can help save their child and give them a place to go to get clean. This is so important.

I thank you for allowing me to speak today, taking the time to read this letter, and allowing us to share this letter with so many people because it is personal. You can now put a face, a story, and a family behind it, and that is what we all should be doing.

It is no longer the silent killer. It is still a killer, but people are speaking out. They asking for help. That help comes right here in the Halls of the Senate and the Halls of Congress. We can make a difference in America and save a whole generation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE UNITED STATES CHESS TEAM

Mr. MENENDEZ. Mr. President, today I wish to recognize the remarkable accomplishments of the U.S. Chess Olympiad team. Widely considered to be the pinnacle of international chess, Chess Olympiad is a biennial competition organized by the World Chess Federation where teams from all over the world gather to compete. This year, over 175 nations and territories in attendance were represented at the Olympiad.

For the first time since 1976, the U.S. team emerged from a talented and

crowded field to claim victory and cement its spot at the top of the chess world. The team was led by U.S. champion Grandmaster Fabiano Caruana, who won a bronze medal in the individual competition, and boasted a strong lineup featuring 3 of the top 10 players in the world. Grandmaster Caruana, Grandmaster Hikaru Nakamura, Grandmaster Wesley So, Grandmaster Ray Robson, Grandmaster Samuel Shankland, team captain International Master John Donaldson, and coach Grandmaster Aleksandr Lenderman dedicating themselves to becoming the best in the world, and represented the United States with honor and pride at the 42nd Chess Olympiad.

I am proud to say that Fabiano Caruana has partnered with the Liberty Science Center in my home State of New Jersey to bring chess to a new generation of students across the State. As the visiting grandmaster and "Chess Rules!" ambassador, Caruana works with the Liberty Science Center to improve children's concentration, critical thinking, memory, and analytic skills in a fun and engaging way through the game of chess. I am pleased that Grandmaster Caruana's first stop upon returning to the U.S. will be an event at Liberty Science Center to celebrate the U.S. victory and continue the important work that he has been doing.

Let me conclude by again congratulating the U.S. Chess Olympiad team, and wishing all of its members continued success in the future.

Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO STEPHEN N. LIMBAUGH, JR.

• Mr. BLUNT. Mr. President, today I wish to honor Judge Stephen N. Limbaugh, Jr., of Cape Girardeau, MO, for his service and dedication to the State Historical Society of Missouri.

Judge Limbaugh is completing his final term as president of the society after a distinguished tenure leading the board of trustees. He is the first leader in the society's 118-year history to serve two terms as president. It has been my pleasure to work with him as a member of the board of trustees.

Judge Limbaugh's election as president of the State Historical Society of Missouri 6 years ago follows in the footsteps of his grandfather, Rush H. Limbaugh I, who served as vice president of the society during the 1940s.

Judge Limbaugh has been a guiding force in expanding the society's network of research centers to Cape Girardeau and Springfield. In addition, he facilitated an agreement with the University of Missouri that gave the State Historical Society "sole respon-

sibility" for the management of the Western Historical Manuscript Collection.

Judge Limbaugh successfully launched the Center for Missouri Studies, an educational initiative to advance the study of Missouri's history and culture with competitive, interdisciplinary fellowships. He worked unwaveringly to ensure passage of a bill in the Missouri General Assembly to finance the construction of the Center in Columbia, MO, which was agreed to in 2015. The building project begins a new era for the State Historical Society of Missouri and greatly enhances the Society's mission to collect, preserve, publish, and showcase material that features all of Missouri's unique history.

The leadership and dedication that Judge Limbaugh, Jr., demonstrates as president of the society is the same leadership and dedication he demonstrates in his personal and public life. He studied at Southern Methodist University in Dallas, TX, and went on to earn his master of laws in judicial process degree from the University of Virginia School of Law. He was elected prosecuting attorney of Cape Girardeau County in 1978 at the age of 26, after beginning his legal career with the family firm of Limbaugh, Limbaugh, and Russell. After serving a 4-year term, he returned to private practice until 1987, when he was appointed circuit judge for the 32nd Judicial Circuit. Judge Limbaugh held this position until he was appointed to the Missouri Supreme Court in 1992.

Judge Stephen N. Limbaugh, Jr., served for 16 years as a judge on the Supreme Court of Missouri, including a 2-year term as chief justice. He was recognized among his colleagues for his sound interpretation of the law and compassion for his fellow Missourians. In 2007, Limbaugh was nominated by President George W. Bush to the U.S. District Court for the Eastern District of Missouri. He was confirmed by the U.S. Senate with unanimous consent on June 10, 2008.

The judge's tireless dedication to public service has been recognized by the American College of Trial Lawyers, Legal Services of Eastern Missouri, the Adoption and Foster Care Coalition of Missouri, the National Eagle Scout Association, Professional Blackmen's Club of Southeast Missouri, and Rotary International.

He is the author of numerous historical works, including "The Antebellum History of Centenary Church of Cape Girardeau."

I am confident Judge Limbaugh will always continue to study Missouri's vibrant history and heritage and share his knowledge with individuals and groups across the great State.

In October, Judge Limbaugh will be awarded the Missouri Historical Society's Distinguished Service Award and

Medallion for his significant and lasting contributions to preserving Missouri's history and fostering recognition for Missouri's distinct role in our Nation's history.

Judge Stephen N. Limbaugh, Jr., has played a major role in the success of the State Historical Society of Missouri. His legacy will continue to impact future generations through the programs and partnerships he helped put in place. I am grateful for his friendship, and I thank him for his service to the country, citizens of Missouri, and the State Historical Society of Missouri.●

REMEMBERING LASKER "LAS" BELL, SR.

• Mr. BOOZMAN. Mr. President, today I wish to remember the life of Lasker "Las" Bell, Sr., an iconic radio and television personality who brought music into the hearts and minds of people living in Arkansas, Louisiana, and Mississippi, who passed away on September 12, 2016.

Bell was born in Homer, LA, and spent much of his childhood as a sharecropper, working alongside his maternal grandparents, who raised him. In 1944, he moved to Camden, AR, which became his home.

He honorably served his country as a corporal in the U.S. Army. When he was discharged in 1952, he returned to Camden where he put his vision to become a radio and television host into motion.

In 1967, Bell turned his passion for music into a hosting gig at KJWH in El Dorado. He continued that momentum and turned the excitement for soul music in the region into the "Las Bell Variety Show." By 1970, it was a weekly staple on the airwaves that helped define a generation of people in the region. He aimed to offer African Americans the same opportunity as the nationwide hit show "American Bandstand."

He broke barriers as the first Black interviewer for Channel 10 News and continued to pursue his other hosting responsibilities, adding a gospel show to the radio.

Bell's commitment to the community led him to serve on and establish civic organizations to help make a difference. His service includes founding the Elks Club in Camden and serving on the Bi-racial Committee for the Camden schools. He was appointed to the Human Resources Commission by Governor David Pryor and reappointed by Governor Frank White.

As a faithful follower of Christ, Bell shared the stories of Jesus. His friends remember his smile that would brighten anyone's day.

I want to offer my prayers and sincere condolences to Las's loved ones on their loss. I thank him for his lifelong passion for entertainment and sharing that with Arkansans and the region.●

RECOGNIZING BOY SCOUTS OF AMERICA TROOP 1 OF IDAHO

• Mr. CRAPO. Mr. President, today I wish to congratulate the Boy Scouts of America Troop 1 of Meridian, ID, on the troop's approaching 100th anniversary.

Troop 1's former scoutmaster Richard Weight reports that research indicates that the troop was formed on or before July 20, 1917, in Meridian and was in continuous operation until 1942 when wartime needs made operation of the troop impossible. In 1944, the troop rechartered and has been in continuous operation since. Troop 1 has taken part in service projects and efforts to have a positive effect on the community.

I have been involved in scouting for almost my entire life. I am proud of the young men who have demonstrated a commitment to the principles of scouting and the communities that support them. I commend the scouts and supporters of Troop 1 for advancing leadership and informative opportunities for area youth who gain invaluable experience while contributing to bettering our communities. The many benefits from scouting activities are made possible through the significant commitment of those who are actively involved with the troop.

Congratulations to Idaho's Boy Scouts of America Troop 1 on this remarkable milestone. Thank you for your efforts to build up our communities and expand opportunities for future leaders.●

REMEMBERING LIEUTENANT GENERAL JOHN BRUCE BLOUNT

• Mr. GRAHAM. Mr. President, today I wish to honor the memory of LTG John Bruce Blount, United States Army, Retired, who passed away peacefully on August 23, 2016, surrounded by his loving family. He was 88.

Lieutenant General Blount was born in Pawtucket, RI, on April 22, 1928, the son of Joseph Hagen Blount and Loretta Moody Blount. He played basketball in high school and set a school record that still stands today, scoring 66 points in a single game. During his collegiate years at the University of Rhode Island, John excelled in sports, scoring more than 1,000 points in basketball and serving as captain of both the basketball and baseball teams. He was selected for the All Yanks Conference and the All East Team and was named ROTC cadet colonel in his senior year.

As a distinguished military graduate, in June of 1950, John was commissioned as a Second Lieutenant in the U. S. Army Infantry. On June 17, 1950, he married Joan Adele Garrett of Belmont, MA.

Lieutenant General Blount's long career was distinguished as he rose through the ranks of the U.S. Army, with distinguished combat tours in

Korea and Vietnam. Among the many highlights of his career were his testimony at the Army-McCarthy hearings and his command of Fort Jackson, SC, one of the U. S. Army's most important and strategic training centers.

John was promoted to brigadier general on September 1, 1974. He was promoted to major general in October of 1977, and on June 30, 1983, John was promoted to lieutenant general and became chief of staff of the Allied Forces South, a large NATO command consisting of units from five countries, including Greece, Italy, Turkey, the United Kingdom and the United States.

Upon completion of this appointment, John retired from active service in Columbia, SC, near Fort Jackson, but did not discontinue his service to the Army that he loved. From 1985 to 1988, he served as director of defense study programs at the University of South Carolina. From 1988 to 1994, he served as chairman of the Army Retiree Council. For many years, he served as national vice president of the Association of the U. S. Army and as the retiree representative on the board of directors of the Army Morale, Welfare, and Recreation Association and headed the National Military Retirees Golf Tournament at Myrtle Beach, SC. He also served as the president of the South Carolina Korean Veterans War Memorial Committee and was instrumental in establishing the memorial in downtown Columbia, SC.

In recognition of his integrity, exemplary leadership, and outstanding service, the University of Rhode Island proudly conferred upon Lieutenant General Blount the honorary degree of doctor of laws in June 2000.

Lieutenant General Blount is a highly decorated soldier whose awards include the Army Distinguished Service Medal, Defense Superior Service Medal, Silver Star and Purple Heart earned in Vietnam and Korea, Legion of Merit, Bronze Star Medal, Meritorious Service Medal, Army Commendation Medal, Korean Campaign Service Medal with Four Campaign Stars, Vietnam Service Medal with Four Campaign Stars, and others too numerous to mention. In a rare distinction, he was twice awarded the Order of the Palmetto, the highest civilian honor in South Carolina, first by Governor James Edwards and again by Governor Carroll Campbell.

Lieutenant General Blount is survived by his wife and beloved partner of 66 years, Joan Adele Garrett Blount; by his children, Gail Leslie Blount of south Florida, Carol Linell Blount of Columbia, John Bruce Blount, Jr., of Washington DC, and Garrett Christopher Blount and his wife, Martha Ivey Blount, of Chicago; and by his grandchildren, John Bruce Blount III, Elizabeth Blount, Christopher Blount, Frances Blount, and Caroline Blount.

Mr. President, I ask that you and our colleagues join me in saluting Lieuten-

ant General Blount's many contributions and sacrifices made in the defense of our great Nation. A true American hero, LTG John Bruce Blount will be sorely missed.●

TRIBUTE TO KITTY PIERCY

• Mr. MERKLEY. Mr. President, I wish to state my congratulations to Eugene Mayor Kitty Piercy on her retirement after 12 years of service.

Throughout my time in public office, I have worked with Mayor Piercy at countless events and meetings covering a range of important issues. In my experience with Mayor Piercy, I have been particularly impressed by her work to save our environment with a new sustainability commission and local ordinance to cut carbon emissions, to fight for women and families, to revitalize downtown Eugene, and to move forward through a difficult recession.

Whether it be serving as a grassroots activist, the House Democratic Leader in the Oregon State Legislature, a board member for the Lauren Hill Center for individuals with mental illnesses, or the public affairs director for Planned Parenthood Health Services of Southern Oregon, Mayor Piercy has always been a fierce advocate for vulnerable community members in need.

When elected mayor of Eugene in 2004, Mayor Piercy took her commitment to her community to a new level—especially through her work on environmental justice. She was a key leader on the U.S. Conference of Mayors Climate Protection Agreement, working with 800 mayors across the country to push for changes at the congressional level. At the beginning of her time in office, she led an 18-month initiative to examine how Eugene could support the growth of businesses that create sustainable products or those that adopt more sustainable practices. Thanks to Mayor Piercy's commitment to environmental issues, Eugene has decreased its city carbon emissions by 10 percent.

Throughout her time in office, Mayor Piercy acted on her concern for children and families by serving as chair of the Lane County Commission on Children and Families and the Oregon Commission for Child Care. With these groups, she worked to strengthen families through early intervention and prevention services, as well as advised the Governor and legislature on the importance of high quality child care to Oregon's families and its economy. Mayor Piercy has also been a tireless advocate for homeless youth as a member of the State Commission for Children and Families, linking local efforts with those at the State level and advocating with the Oregon Coalition for Runaway and Homeless Youth for an effective State response to the many homeless youth in our State.

We need more leaders like Mayor Kitty Piercy in office. I thank Mayor Piercy for her hard work and dedication to public service and wish her the best in her well-deserved retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGES

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER TERMINATING THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13396 OF FEBRUARY 7, 2006, WITH RESPECT TO CÔTE D'IVOIRE, AND REVOKING EXECUTIVE ORDER 13396—PM 54

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report that I have issued an Executive Order that terminates the national emergency declared in Executive Order 13396 of February 7, 2006, and revokes that Executive Order.

The President issued Executive Order 13396 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Côte d'Ivoire, which had resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. In Executive Order 13396, the President addressed that threat by blocking the property and interests in property of, among others, persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, to be responsible for serious violations of international law in Côte d'Ivoire, or to have supplied arms to Côte d'Ivoire. Executive Order 13396 also implemented United States sanctions obligations under United Nations Security Council Resolution (UNSCR) 1572 and subsequent resolutions.

I have determined that the situation in or in relation to Côte d'Ivoire that gave rise to the national emergency de-

clared in Executive Order 13396 has improved significantly as a result of the progress achieved in the stabilization of Côte d'Ivoire, including the successful conduct of the October 2015 presidential election, progress on the management of arms and related materiel, and the combating of illicit trafficking of natural resources. With these advancements, and with the United Nations Security Council's termination of sanctions obligations on April 28, 2016, in UNSCR 2283, there is no further need for the blocking of assets and other sanctions measures imposed by Executive Order 13396. For these reasons I have determined that it is necessary to terminate the national emergency declared in Executive Order 13396 and revoke that order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, September 14, 2016.

NOTIFICATION OF THE PRESIDENT'S INTENT TO END THE SUSPENSION OF BURMA AS A BENEFICIARY DEVELOPING COUNTRY UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM, AND TO DESIGNATE BURMA AS A LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRY FOR PURPOSES OF THE GSP PROGRAM—PM 55

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

I am writing to inform you of my intent to end the suspension of preferential treatment for Burma as a beneficiary developing country under the Generalized System of Preferences (GSP) program, and to designate Burma as a least-developed beneficiary developing country for purposes of the GSP program. I have carefully considered the criteria set forth in sections 501 and 502(c) of the Trade Act of 1974, as amended (19 U.S.C. 2461, 2462(c)). After considering the criteria set forth in section 502(c), I have determined that it is appropriate to add Burma to the list of GSP beneficiary developing countries in the Harmonized Tariff Schedule (HTS) of the United States. After considering the criteria set forth in sections 501 and 502(c), I have determined that it is appropriate to add Burma to the list of GSP least-developed beneficiary developing countries in the HTS.

I submit this notice in accordance with section 502(f)(1) of the Trade Act of 1974 (19 U.S.C. 2462(f)(1)).

BARACK OBAMA.

THE WHITE HOUSE, September 14, 2016.

MESSAGE FROM THE HOUSE

At 12:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3590. An act to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care.

H.R. 5587. An act to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006.

H.R. 5985. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, September 14, 2016, he has signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 1579. An act to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

H.R. 3969. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic".

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3318. A bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3326. A bill to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 14, 2016, she had presented to the President of the United States the following enrolled bill:

S. 1579. An act to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself, Mr. REED, Ms. WARREN, Mr. SANDERS, and Mr. MERKLEY):

S. 3321. A bill to amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE:

S. 3322. A bill to provide an exemption to the individual mandate to maintain health coverage for certain individuals residing in service areas with no health insurance issuers offering plans on an Exchange, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3323. A bill to improve the Foreign Sovereign Immunities Act of 1976, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN:

S. 3324. A bill to amend the Fair Housing Act to establish that certain conduct, in or around a dwelling, shall be considered to be severe or pervasive for purposes of determining whether a certain type of sexual harassment has occurred under that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GARDNER (for himself and Mr. SULLIVAN):

S. 3325. A bill to promote sustainable economic development in Burma, and for other purposes; to the Committee on Foreign Relations.

By Mr. ALEXANDER (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. COCHRAN, Mr. JOHNSON, Mr. KIRK, Mr. PERDUE, and Mr. PORTMAN):

S. 3326. A bill to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges; read the first time.

By Mr. LEE (for himself and Mr. SESSIONS):

S. 3327. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mr. TESTER, Mr. KING, Mr. UDALL, Ms. BALDWIN, Mr. CASEY, Ms. HIRONO, Mr. MANCHIN, Mr. LEAHY, Mrs. MURRAY, Mr. BROWN, and Mr. SANDERS):

S. 3328. A bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PERDUE (for himself and Mr. LANKFORD):

S. 3329. A bill to ensure transparent enforcement of the Joint Comprehensive Plan of Action; to the Committee on Foreign Relations.

By Mr. MORAN:

S. 3330. A bill to reduce the benefits of employees of the Department of Veterans Affairs who are medical professionals and were convicted of violent crimes against veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO:

S. 3331. A bill to exempt health insurance of residents of the United States territories from the annual fee on health insurance providers; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. PORTMAN, Mr. BROWN, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. GRASSLEY, Mr. MARKEY, Mr. KING, Ms. WARREN, and Ms. AYOTTE):

S. Res. 559. A resolution designating the week of September 12, 2016, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 134, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1996

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1996, a bill to streamline the employer reporting process and strengthen the eligibility verification process for the premium assistance tax credit and cost-sharing subsidy.

S. 2217

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2217, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for

Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2415

At the request of Mr. FLAKE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2415, a bill to implement integrity measures to strengthen the EB-5 Regional Center Program in order to promote and reform foreign capital investment and job creation in American communities.

S. 2725

At the request of Ms. AYOTTE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2725, a bill to impose sanctions with respect to the ballistic missile program of Iran, and for other purposes.

S. 2748

At the request of Ms. BALDWIN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2748, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2765

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2765, a bill to provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, and for other purposes.

S. 2786

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2786, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 2957

At the request of Mr. NELSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 2962

At the request of Ms. CANTWELL, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2962, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 3065

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3090

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3090, a bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes.

S. 3111

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3111, a bill to amend the Internal Revenue Code of 1986 to extend the 7.5 percent threshold for the medical expense deduction for individuals age 65 or older.

S. 3132

At the request of Mrs. FISCHER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3170

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 3170, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 3213

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 3213, a bill to amend title 31, United

States Code, to provide for transparency of payments made from the Judgment Fund.

S. 3237

At the request of Ms. CANTWELL, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3237, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 3267

At the request of Mr. CORKER, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3267, a bill to protect against threats posed by Iran to the United States and allies of the United States, and for other purposes.

S. 3270

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3270, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 3285

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3314

At the request of Mr. MENENDEZ, the names of the Senator from Nevada (Mr. REID) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 3314, a bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes.

S. 3315

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3315, a bill to authorize the modification or augmentation of the Second Division Memorial, and for other purposes.

S.J. RES. 35

At the request of Mr. FLAKE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 35, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to "Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act".

S. RES. 199

At the request of Mr. NELSON, the name of the Senator from Pennsyl-

vania (Mr. TOOMEY) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 556

At the request of Mr. CORNYN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 556, a resolution expressing support for the designation of the week of September 12 through September 16, 2016, as "National Family Service Learning Week".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY:

S. 3323. A bill to improve the Foreign Sovereign Immunities Act of 1976, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I have mentioned before that I have been paying attention to foreign state-owned companies' growing investments in American companies and commercial markets. I would like to spend a few minutes discussing that issue today.

It is becoming increasingly clear that foreign state-owned companies are highly involved in international commerce and competing with companies that are privately owned by shareholders, not governments. This trend is part and parcel of globalization. While there are some obvious benefits to globalization, we also need to be aware of the challenges it may bring with it, and I think this is one of those.

To give one example, I have seen this trend at work in the agricultural sector. ChemChina, a Chinese state-owned company, is currently working on a deal to buy the Swiss-based seed company, Syngenta. About a third of Syngenta's revenue comes from North America—meaning the company is heavily involved with American farmers, including Iowans—and that's why I'm interested in the transaction.

I have already been considering the approval aspect of this proposed merger. Senator STABENOW and I asked the Committee on Foreign Investment in the United States to review thoroughly the proposed Syngenta acquisition with the Department of Agriculture's help. We raised the issue because, as I have said before, protecting the safety and integrity of our food system is a national security imperative.

Now there is another aspect of this issue I would like to focus on today. Consider this the flip-side of the approval question. As their involvement in international commerce grows, how can we ensure that foreign state-owned companies are held to the same standards and requirements as their non-state-owned counterparts.

First consider two age-old principles of international law. One is that American courts don't exercise jurisdiction

over foreign governments as a matter of comity and respect for equally independent sovereigns. This is called “foreign sovereign immunity.” The second is that when foreign governments do in fact enter into commerce and behave like market participants—conducting a state-owned business, for example—they are not entitled to foreign sovereign immunity because they are no longer acting as a sovereign, but rather as a business. In that case they should be treated just like any other market participant. This is called the “commercial activity exception” to the principle of foreign sovereign immunity. Congress codified both of these age-old principles in the Foreign Sovereign Immunities Act of 1976.

These principles are well and good, but I am concerned that, in some cases, they may not have their intended effects in today’s global marketplace.

Some foreign state-owned companies have recently used the defense of foreign sovereign immunity—the principle that a foreign government can’t be sued in American courts—as a litigation tactic to avoid claims by American consumers and companies that non-state-owned foreign companies would have to answer. In some cases, foreign state-owned corporate parent companies have succeeded in escaping Americans’ claims. They have done this by arguing that the entity conducted commercial activities only through a particular subsidiary—not a parent company often closer to the foreign sovereign. Unless a plaintiff—which may be an American company or consumer—is able to show complete control of the subsidiary by the parent company, the parent company is able to get out of court before the plaintiffs can even try to make their case.

This results in two problems. First, there’s an unequal playing field where state-owned foreign companies benefit from a defense not available to non-state-owned companies. Second, there is an uphill battle for American companies and consumers seeking to sue state-owned entities as opposed to non-state-owned entities. When a foreign state-owned entity raises the defense of foreign sovereign immunity, American companies and consumers don’t even get the chance to prove their case.

Consider the example I talked about a few months ago. American plaintiffs brought claims against Chinese manufacturers of much of the drywall used to rebuild the Gulf Coast after Hurricanes Katrina and Rita. The drywall in question was manufactured by two Chinese companies—one owned by a German parent and one owned by a Chinese state-owned parent company.

The court considering these plaintiffs’ claims had this to say: “In stark contrast to the straight forwardness with which the . . . litigation proceeded against the [German] defendants, the litigation against the Chinese

entities has taken a different course.” The German, non-state-owned parent company appeared in court and participated in a bellwether trial where plaintiffs were allowed to try to make out their cases.

The manufacturer with a Chinese state-owned parent “failed timely to answer or otherwise enter an appearance” in court—and didn’t do so for nearly two years. In fact, it waited until the court had already entered a judgment against it. Only then did the Chinese state-owned company finally appear in court. When it did, it argued, that it was immune from suit in the United States because it was a state-owned company. After approximately 6 years of litigation, it ultimately succeeded in its request for dismissal. In contrast to the German parent company, the plaintiffs didn’t have a chance to try to prove up their case against the Chinese parent company merely because it happened to be owned by a foreign government. I think that is a problem.

To address these issues I am proposing a modest fix to the Foreign Sovereign Immunities Act. This change would extend the jurisdiction of United States courts to state-owned corporate affiliates of foreign state-owned companies insofar as their commercial activities are concerned. It wouldn’t create any additional substantive causes of action against these foreign state-owned companies. Instead, it would mean only that a foreign state-owned company would have to respond to the claims brought by American companies and consumers, just like any other foreign company that isn’t owned by a government.

The fix has two main results—correcting the problems I just mentioned. First, it levels the playing field between foreign state-owned and foreign private companies by making both subject to suit in the United States on the same footing, as the “commercial activity exception” originally contemplated. Second, it brings clarity to the sometimes opaque structure of foreign state-owned enterprises and provides American companies and consumers the chance to prove their case against these companies just as against private companies.

In an age when sovereign owned entities, with increasingly complex structures, are interacting with American companies and consumers more than ever it is appropriate to re-examine the “commercial activity” exception and to update it. We have to make sure it is working as it was designed and historically understood.

By Mr. ALEXANDER (for himself, Ms. AYOTTE, Mr. BARASSO, Mr. COCHRAN, Mr. JOHNSON, Mr. KIRK, Mr. PERDUE, and Mr. PORTMAN):

S. 3326. A bill to give States the authority to provide temporary access to

affordable private health insurance options outside of Obamacare exchanges; read the first time.

Mr. ALEXANDER. Mr. President, I am here to talk about another issue that is also a real emergency. Later today, I will introduce, with other Senators, the State Flexibility to Provide Affordable Health Options Act. This bill addresses a real emergency. It provides immediate relief to families who use their ObamaCare subsidies to buy insurance on failing ObamaCare exchanges for the 2017 health care plan year.

Here is an example. If you are a single mother in Memphis who gets an ObamaCare subsidy to buy health insurance for your family, you might have read that Tennessee’s insurance commissioner says your rates may be more than 60 percent higher for the same health insurance policy for next year, 2017.

You may be eligible for an ObamaCare subsidy. This could soften the blow of some premium increases, but there is also a good chance the insurance you currently have may be gone by this November, 2 months from now, when you sign up for your insurance for next year, 2017. You will have to figure out how to stretch your subsidy dollars as your options shrink. Maybe the new plan options don’t include your doctor in their network so you will have to pay higher copays for your office visits. Maybe you need to buy a new plan altogether with new doctors. You can spend the new year trying to move all your records from your child’s old doctor to your child’s new doctor, if you can get an appointment.

This legislation will do two things for you and the nearly 11 million Americans who buy health insurance for themselves or their families on ObamaCare exchanges. No. 1, it gives States with a failing ObamaCare exchange the authority to allow residents to use their ObamaCare subsidy to purchase any health care plan of their choice, even those off the exchange for the 2017 plan year.

This opportunity would be available in every single State. It will give Governors the opportunity to step in if he or she determines this emergency relief is “necessary to ensure that residents of the state have access to an adequate number of affordable private health insurance options in the individual or small group markets.”

This bill means, the mother in Memphis can shop around for a health insurance policy that meets her family’s needs but is unavailable on the exchange in Tennessee. When she goes to pay for it, she can use the ObamaCare subsidy currently limited to exchange plans.

The second thing this bill does is this. If a State chooses to use this authority to allow residents to use subsidies outside the exchange, the legislation will waive the ObamaCare law's requirement that you must buy a specific health care plan or pay a fine of as much as \$2,000 for a family of four next year. In other words, if that mother cannot find affordable insurance options that meet her family's needs, meaning a plan that covers the right doctors and services on the ObamaCare exchange, then she doesn't have to waste her money or the taxpayer's money on a plan she does not want or does not need. She will not be threatened with paying a fine if she doesn't. The individual mandate and its penalty will be lifted.

Without this emergency bill, she is locked into a failing exchange. The only place her subsidy works is the exchange, and in the words of Tennessee's insurance commissioner last week, Tennessee's exchange is "very near collapse."

ObamaCare is unraveling at an alarming rate. In November, Americans in nearly one-third of the Nation's counties will have only one insurance carrier to choose from, when they have to buy health insurance on their regional ObamaCare exchange. Most Americans on the exchanges will face higher rates.

In my home State of Tennessee, residents will see their rates increase between 44 and 62 percent, on the average, next year. So even for a healthy, 40-year-old, nonsmoking Tennessean with the lowest price silver plan on Tennessee's exchange, premiums increased last year to \$262 a month. Next year it is \$333 a month.

Tennessee had to take extreme measures to allow these increases because insurance companies told the State: If you don't let us file for rate increases, we will have to leave. If that happened, Tennesseans might have had only one insurer to choose from. That is what is happening in States all over the country as ObamaCare plans and rates get locked in for next year.

According to the consulting firm Avalere Health, Americans buying insurance in one-third of ObamaCare exchange regions next year may have only one insurer to choose from. People buying on an ObamaCare exchange will have only one insurance carrier to choose from in the following States: Alaska, Alabama, Oklahoma, South Carolina, and Wyoming, according to the Kaiser Family Foundation.

The same Kaiser Family Foundation report found that in a growing number of States, States that have multiple insurers offering plans statewide will have only one insurer selling policies in a majority of counties. Tennessee is one of those States.

Last year, Tennesseans could choose ObamaCare plans between at least 2 in-

surers in all 95 counties in our State. For next year, 2017, it is estimated that 60 percent of Tennessee's counties will have only one insurer offering ObamaCare plans. North Carolina is experiencing the same thing. Next year, 90 percent of the counties in North Carolina are estimated to have only one insurer offering ObamaCare plans, up from 23 percent last year.

There is a similar picture in West Virginia, Utah, South Carolina, Nevada, Arizona, Mississippi, Missouri, and Florida. Just last week, the Concord Monitor in New Hampshire published an article with this headline: "Maine health insurance cooperative leaves N.H. market, reeling from losses." That is their headline.

The story goes on to describe how this health insurance plan will no longer be operating in New Hampshire after experiencing over \$10 million in losses in the ObamaCare exchange over just the first two quarters of this year alone.

That move leaves more than 11,000 individuals in the Granite State looking for new health care plans.

The bill I am introducing will not fix ObamaCare for Americans. It is not a permanent solution, but it does give the mom in Memphis a real solution for next year, for 2017. It lets her know we are on her side and we have not forgotten her and her family as we seek to repeal ObamaCare and replace it with step-by-step reforms that transform the health care delivery system by putting patients in charge, giving them more choices, and reducing the cost of health care so more people can afford it, which is precisely the alternative Republicans offered in 2008, 2009, and 2010, when ObamaCare was debated and voted in.

It also highlights the big structural change we will need to make in the near future to avoid a near collapse of our Nation's health insurance market.

Americans get their insurance, our insurance, through many different places, some from Medicare, some from Medicaid, and most from their employers, but nearly 11 million buy their insurance through the exchanges.

If the ObamaCare policyholder isn't bearing the cost of the higher premiums I just described, then you—the taxpayer—will because a large portion of ObamaCare premiums are subsidized with tax dollars. There is no excuse for having a failing insurance market where taxpayers are paying most of the bill and costs are so out of control that we may soon have a situation where no insurance company is willing to sell insurance on an ObamaCare exchange.

Where does that leave these 11 million Americans? ObamaCare and its one-size-fits all takeover of health care robs States of their abilities to provide access to affordable health care plans in a way that makes sense for their State populations and economies.

ObamaCare was supposed to create a marketplace where people would have more access to affordable, private health insurance plans. Robust, private, market competition was supposed to spur innovative insurance design and help drive down costs. But just the opposite has happened, as those stuck in ObamaCare are facing fewer and more expensive options.

Long term, Americans should have the freedom to make their own choices about their families' health care needs.

But short-term, in November, nearly 11 million Americans need freedom from the ObamaCare exchanges. And this legislation that I will introduce later today with other Senators will provide that immediately.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 559—DESIGNATING THE WEEK OF SEPTEMBER 12, 2016, AS "NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK"

Mr. CARDIN (for himself, Ms. COLLINS, Mr. PORTMAN, Mr. BROWN, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. GRASSLEY, Mr. MARKEY, Mr. KING, Ms. WARREN, and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 559

Whereas direct support professionals, including direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are key to providing publicly funded, long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals provide essential support to help keep individuals with disabilities connected to their families, friends, and communities so as to avoid more costly institutional care;

Whereas direct support professionals support individuals with disabilities by helping those individuals make person-centered choices that lead to meaningful, productive lives;

Whereas direct support professionals must build close, respectful, and trusted relationships with individuals with disabilities;

Whereas direct support professionals provide a broad range of individualized support to individuals with disabilities, including—

- (1) assisting with the preparation of meals;
- (2) helping with medication;
- (3) assisting with bathing, dressing, and other aspects of daily living;
- (4) assisting with access to their environment;
- (5) providing transportation to school, work, religious, and recreational activities; and
- (6) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

Whereas the participation of direct support professionals in medical care planning is critical to the successful transition of individuals from medical events to post-acute care and long-term support and services;

Whereas there is a documented critical and increasing shortage of direct support professionals throughout the United States;

Whereas direct support professionals are a critical element in supporting individuals who are receiving health care services for severe chronic health conditions and individuals with functional limitations;

Whereas many direct support professionals are the primary financial providers for their families;

Whereas direct support professionals are hardworking, taxpaying citizens who provide an important service to people with disabilities in the United States, yet many continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates that adversely affect the quality of support, safety, and health of individuals with disabilities;

Whereas the Supreme Court of the United States, in *Olmstead v. L.C.* by Zimring, 527 U.S. 581 (June 22, 1999)—

(1) recognized the importance of the deinstitutionalization of, and community-based services for, individuals with disabilities; and

(2) held that, under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), a State must provide community-based services to persons with intellectual and developmental disabilities if—

(A) the community-based services are appropriate;

(B) the affected person does not oppose receiving the community-based services; and

(C) the community-based services can be reasonably accommodated after the community has taken into account the resources available to the State and the needs of other individuals with disabilities in the State; and

Whereas, in 2016, the majority of direct support professionals are employed in home- and community-based settings and that trend will increase over the next decade: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 12, 2016, as “National Direct Support Professionals Recognition Week”;

(2) recognizes and appreciates the contribution, dedication, and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) commends direct support professionals for being integral to the provision of long-term support and services for individuals with disabilities; and

(4) finds that the successful implementation of the public policies affecting individuals with disabilities in the United States depends on the dedication of direct support professionals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5067. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 5068. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5069. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5070. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5071. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5072. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5073. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5067. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 5042 proposed by Mr. INHOFE (for himself and Mrs. BOXER) to the amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 210, strike lines 12 through 18 and insert the following:

(a) IN GENERAL.—The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS”, authorized by title I of Public Law 98-8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

(b) OPERATION AND MAINTENANCE.—The Secretary may operate and maintain those features of the project described in subsection (a) completed before the date of enactment of this Act in accordance with section 103(e)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(e)(2)).

SA 5068. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a con-

tract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 2 years after the date of enactment of this Act.

(c) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

SA 5069. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 7206 and insert the following:

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

Section 117(i) of the Federal Water Pollution Control Act (33 U.S.C. 1267(i)) is amended by adding at the end the following:

“(3) ANNUAL SURVEY.—The Administrator shall carry out an annual survey of sea grasses in the Chesapeake Bay.”.

SA 5070. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80. PROTECTION OF CONGRESSIONAL OVERSIGHT.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency may not enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by executive order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SA 5071. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1009 and insert the following:

SEC. 1009. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

SA 5072. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVIEW OF CERTAIN COST ALLOCATIONS.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall review the cost allocations applicable to the repair of Boca Reservoir in accordance with the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506 et seq.) and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding how the cost allocations are consistent with the purposes for which Boca Reservoir is currently being operated as required by the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101-618; 104 Stat. 3294) and the Truckee River Operating Agreement.

SA 5073. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVIEW OF CERTAIN COST ALLOCATIONS.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall review the cost allocations applicable to the repair of Boca Reservoir in accordance with the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506 et seq.) and

submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report regarding how the cost allocations are consistent with the purposes for which Boca Reservoir is currently being operated as required by the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101-618; 104 Stat. 3294) and the Truckee River Operating Agreement.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 14, 2016, at 2:15 p.m., to conduct a hearing entitled "NATO Expansion: Examining the Accession of Montenegro."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on September 14, 2016, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on September 14, 2016, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building to conduct a hearing entitled "The Future of the VA: Examining the Commission on Care Report and VA's Response."

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS AND FEDERAL COURTS

The Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts is authorized to meet during the session of the Senate on September 14, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Protection Internet Freedom: Implications of Ending U.S. Oversight of the Internet."

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN'S ISSUES

The Committee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues is authorized to meet during the session of the Senate on September 14, 2016, at 9:30 a.m., to conduct a hearing entitled "Protecting Girls: Global Efforts to End Child Marriage."

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session

of the Senate on September 14, 2016, at 2 p.m., in room SD-562 of the Dirksen Senate Office Building, to conduct a hearing entitled "Maximizing Your Social Security Benefits: What You Need to Know."

PRIVILEGES OF THE FLOOR

Mr. DONNELLY. Mr. President, I ask unanimous consent that floor privileges be granted to Sara Bauer of my staff for the duration of today.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 559, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 559) designating the week of September 12, 2016, as "National Direct Support Professionals Recognition Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, today I wish to ask my Senate colleagues to join me in designating the week of September 12, 2016, as National Direct Support Professionals Recognition Week. Direct support professionals—also known as DSPs—provide an invaluable service by caring for the most vulnerable among us, including seniors, people living with disabilities, and the chronically ill. Through the efforts of this essential health care workforce, these individuals are able to live, work, and fully participate in their communities.

As our population continues to grow and age, the demand for DSPs and other home- and community-based services will increase commensurately to address evolving health care needs. Studies show that approximately 12 million Americans currently need long-term services and supports LTSS, and about half of these individuals are over the age of 65. It is reasonable to expect that about one-half of seniors 65 years and older will develop a serious disability which requires LTSS. Although many will require care for an average of 2 years, one in seven seniors is expected to have care needs lasting for 5 years or more. During this time, most individuals prefer to be cared for in the comfort of their own homes, with the assistance of family caregivers and a multidisciplinary health care team.

Direct support professionals are often considered to be the backbone of the health care provider team, ensuring that patients adhere to treatment

plans and attend doctors' appointments and helping them navigate daily life. In our country, we are incredibly fortunate to have millions of service-oriented Americans who are willing to rise to the task of becoming a direct support professional. According to the Bureau of Labor Statistics, the employment of DSPs is projected to grow by an average of 26 percent from 2014 to 2024, compared to a 7 percent average growth rate for all occupations during that period. Unfortunately, direct support professionals are often forced to leave the jobs they love due to low wages and excessive, difficult work hours. Now, more than ever, it is imperative that we work to ensure that these hard-working individuals have the income and emotional support they need and deserve.

For these reasons, I am proud my colleagues Senators COLLINS, PORTMAN, BROWN, BLUMENTHAL, MENENDEZ, GRASSLEY, MARKEY, KING, WARREN, and AYOTTE have joined me in introducing a resolution designating the week of September 12 as National Direct Support Professionals Recognition Week. This time allows us the opportunity to celebrate DSPs' important work and renew our commitment to support this vital workforce. All Americans are entitled to equality, access, and choice, particularly in regards to comprehensive health care for underserved communities. Any concerted effort to improve care for our Nation's seniors, the disabled, and chronically ill must fully engage direct support professionals, community-based organizations, and every level of government.

DSPs are highly skilled, knowledgeable, and compassionate. The quality of home- and community-based services and overall patient experience truly lies in their hands. As we consider this year's National Direct Sup-

port Professionals Recognition Week, let us continue this bipartisan momentum to enhance our health care workforce and advance comprehensive health care for those in need.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 559) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 3326

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3326) to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the

Democratic leader, pursuant to the provisions of Public Law 107-12, the reappointment of the following individual to serve as a member of the Public Safety Officer Medal of Valor Review Board: Trevor Whipple of Vermont.

ORDERS FOR THURSDAY, SEPTEMBER 15, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2848, as amended, postcloture; further, that the time following leader remarks until 11:30 a.m. be equally divided between the two leaders or their designees; finally, that notwithstanding the provisions of rule XXII, all postcloture time with respect to S. 2848, as amended, expire at 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Thursday, September 15, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, September 14, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 14, 2016.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

MEMORIALIZING CHELSEY JEAN HOOD RUSSELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. COFFMAN) for 5 minutes.

Mr. COFFMAN. Mr. Speaker, I rise today to memorialize the tragic passing of Chelsey Jean Hood Russell of Denver, Colorado.

Throughout her life, Chelsey displayed extraordinary strength. She gave birth to her daughter 3 days before acing the Colorado bar exam. Her lifelong goal was to run a marathon in every State. Last summer, she ran a 100-mile race at elevations of over 9,200 feet near Leadville, Colorado.

Chelsey was a loving mother to her two children. Leading by example, she taught her children a love for outdoor adventures, a commitment to hard work, the importance of family and friendship, and a strong sense of passion, fearlessness, and a love of life.

Chelsey's life was cut short when she displayed the ultimate act of motherly love. At the end of a family vacation on Lake Powell in August, she suffered an acute cardiac event while rescuing her son from drowning.

Chelsey is survived by her mother, Trisha; her brother, Cayman; her children, Hayden and Harvey; and countless friends and family members who loved her dearly.

Mr. Speaker, Chelsey lived fully and died courageously. We can all learn from the passionate example she set in her 35 years.

OSCAR LOPEZ RIVERA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, Oscar Lopez Rivera is the last Puerto Rican political prisoner still held in Federal custody, now for more than 35 years. He never killed anyone and wasn't charged with killing anyone, but he is still in jail.

The man who shot President Reagan, John Hinckley, Jr., is no longer being held. Other high-profile offenders get clemency and have their sentences reduced.

All of us have seen in the past months that the Obama administration commuted the sentences of hundreds of nonviolent drug offenders. Most of us have applauded that decision, and Oscar Lopez Rivera is still in jail for 35 years—35 years.

No matter what party or faction or class or race or walk of life you are from in Puerto Rico or in the Puerto Rican communities all over the United States, you know about Oscar Lopez Rivera and what he symbolizes for the Puerto Rican people. He is our elder statesman, our Nelson Mandela, our pride, and our sense of nationhood.

We all cheered for Monica Puig at the Olympics and heard our national anthem played for the very first time. Yet there is a piece missing from our national identity, a piece missing from our souls because Oscar Lopez may be forgotten and may die in jail.

It is with deep sadness that I say that it is looking more and more like there is no meaningful review of his case going on at the Justice Department or at the White House or anywhere else.

I met with President Obama on June 8 in his office, and I took the opportunity to ask him about the case of Oscar Lopez Rivera. Lin-Manuel Miranda said that Oscar's case was on the

President's desk when they met, and everyone in Puerto Rico relaxed. But the President told me: No, his case is not on my desk. You need to talk to McDonough, my Chief of Staff. I did that at 3 that afternoon. He said: I don't know anything about the case, but the Deputy Attorney General will meet with you and discuss the case.

I tried and tried and tried to get the information from her about where the case stood and how the process of clemency works under the Obama administration. Well, 10 weeks later—yes, 10 weeks later—I heard from the DOJ's assistant to the assistant's assistant in legislative affairs, and he said: I don't know anything about Oscar's case. He went on to say that Deputy Attorney General Yates will not meet with me or anyone else. The reason is they only make contact with outside parties when they initiate it, when they are reaching out for more information on a candidate to make a decision. So they are not making a decision.

Basically, they said, don't call us, we will call you. But no one I know—no one—has received any kind of contact from the DOJ, which makes it pretty clear to me that they are not seriously reviewing the case.

To recap, the President said: It is not on my desk. The Chief of Staff said: I don't know anything about the case, talk to this person at DOJ; and that person, more than 2 months later, told someone to tell me that we will call you if we are seriously reviewing the case. And there has been nothing from the Obama administration.

That is why I continue to call on Puerto Ricans and people of good conscience to come on October 9 to Washington, D.C., as we join together to show our unity and resolve that Oscar Lopez Rivera should be set free to return to Puerto Rico.

Mr. Speaker, I don't mean to be rude, but my message to Puerto Ricans about Oscar Lopez Rivera is so important, I will deliver the rest in Spanish with a translation provided to the House.

(English translation of the statement made in Spanish is as follows:)

I am sad to say that our optimism and confidence that President Obama would finally set Oscar Lopez Rivera free is in jeopardy.

Every indication I am getting from the President and his staff is that the review of Oscar's case is not progressing, so we need to make our voices perfectly clear and work together to send the strongest possible message to the President.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

If you need to walk, take a bus, crawl, or swim to get to Washington on October 9, you should do so.

We will be gathering on Sunday, October 9, across the street from the White House in Lafayette Park with celebrities, leaders and Puerto Ricans of all kinds.

We cannot let our brother die in jail.

We cannot let our nation be ignored.

We must stand together as Puerto Ricans—no matter who we are, no matter where we were born, no matter where we live now—and tell the President of the United States and the government here in Washington that 35 years is enough. Enough.

We want our brother, Oscar Lopez Rivera, to walk amongst us and to touch his feet on the warm land of Puerto Rico again.

Show that you care and that you will not be silent. Join us on October 9.

Me da tristeza decir que el optimismo y la confianza que el Presidente Obama liberará a Oscar López Rivera está en grave peligro.

Cada vez que me he comunicado con el personal del Presidente me han indicado que la evaluación del caso de Oscar no está progresando; por eso tenemos que hacer nuestras voces perfectamente claras y trabajar juntos para mandarle el mensaje más fuerte posible al Presidente.

Si tienen que caminar, tomar un autobús, gatear o nadar para llegar a Washington el 9 de octubre, háganlo.

Estaremos reunidos con celebridades, líderes, y Puertorriqueños de todo tipo el domingo, 9 de octubre al cruzar la calle de la Casa Blanca, en Lafayette Park.

No podemos dejar que nuestro hermano muera encarcelado.

No podemos dejar que nuestra patria sea ignorada.

Debemos seguir unidos como Puertorriqueños—sin importar quienes somos, donde nacimos y donde vivimos ahora—y decirle al Presidente de los Estados Unidos y al gobierno aquí en Washington que 35 años es suficiente. Ya basta.

Queremos que nuestro hermano, Oscar López Rivera, camine entre nosotros y que sus pies toquen la tierra cálida de Puerto Rico una vez más.

Demuestren que esto les importa, y que no se quedarán callados. Únete a nosotros el 9 de octubre.

FISCAL CLIFF IS LOOMING

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, yesterday I heard Congressman MO BROOKS from Alabama give a very disturbing speech, but a speech that everyone should hear, and that is: America is headed toward Greece. Financially we are in a bad situation. We are \$19.4 trillion in debt.

In 2000 I was here when President Clinton was leaving office. We had a Republican House, a Republican Senate, and we were headed for a surplus. In fact, the debt in 2000 was \$5.6 trillion. Today that debt is \$19.4 trillion.

The poster I have with me, Mr. Speaker, I used all during August. It is a great political cartoon. It is kind of sad in a way, I guess. The cartoon is this: It has got Uncle Sam in a wheelchair, and Uncle Sam is saying, "I can see Greece from here," and the cliff has got written the words "fiscal cliff." And then who is pushing Uncle Sam but Mr. Obama, and he is saying, "Forward." And who is pushing Mr. Obama? The donkey, representing the Democrats? Who is pushing the donkey? The Republicans, the elephant. What it is saying is both parties are guilty of this debt that is going to strangle this country before very long.

Last week there was an article in Reuters News. The headline was: "U.S. Army Fudged Its Accounts by Trillions of Dollars, Auditor Finds." The auditor said that, in the year 2015, he found that the Army had misappropriated over \$6 trillion. I don't know where the outrage is anymore. I have no idea where it is. Six trillion dollars they cannot account for. And yet I hear very little about it from the Department of the Army and very little from leadership in the House of Representatives.

In addition to that, I, for months, and maybe even years now, have been talking about the absolute waste, fraud, and abuse in Afghanistan. It is one of the worst failed policies America has ever had. We are not changing anything.

You go back to Alexander the Great. Alexander the Great went to Afghanistan, or what was known as Afghanistan then. He was going to make it a different part of the world. It failed.

Then you had the British. Winston Churchill was a young reporter and was in Afghanistan in 1920. He wrote and said: What is this country? What is this land? It is impossible.

And then you had the Russians. The Russians went there, and they failed and they left. Now America is spending billions and billions of dollars, and it is failing.

There was an article about 3 months ago, and the title of the article was: "12 Ways Your Tax Dollars Were Squandered in Afghanistan." John Sopko is the inspector general for Afghan Reconstruction. What he said was:

Billions have been squandered on projects that were either useless or substandard, or lost to waste, corruption, and systemic abuse, according to SIGAR's reports.

That is John Sopko's group. They are known as SIGAR. Anyone can look it up on the Internet. They will just verify everything I am saying of just how much waste, fraud, and abuse, and how it is worse today than it was 15 years ago.

I do not understand how we in Congress can be complicit.

Well, what do you mean complicit?

Well, when we pass the bill to fund the Department of Defense, if we know a percentage of that money, billions of dollars, is going to Afghanistan waste, fraud, and abuse, aren't we being complicit? I think so. I started voting against the bills because I don't want to be part of that, quite frankly.

Mr. Speaker, in closing, I want to thank Congressman BROOKS for coming on this floor yesterday, as I have done many times, to warn not only Congress but the American people that we are going to have a collapse sooner rather than later if we don't change the way that we are spending money here in Washington.

Mr. Speaker, I want to thank our men and women in uniform, thank the families of our men and women in uniform, and thank the families who have given a child dying for freedom in Afghanistan and Iraq.

PEOPLE ARE JUSTIFIABLY CONCERNED ABOUT ZIKA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, after one of the longest congressional breaks in history, House Republicans are trying to wrap things up and leave town, leaving critical work unfinished. Meanwhile, millions of Americans in New York, Florida, and throughout the United States are justifiably concerned about the dangers of the Zika virus.

Nowhere has this disease hit harder than in Puerto Rico, where Zika has become an epidemic. As of last week, more than 1,380 pregnant women in Puerto Rico have been diagnosed with Zika; and overall, there have been 16,000 laboratory cases of the virus found on the island.

□ 1015

It would be a tragic and heart-breaking mistake for this Congress to ignore the severity of this threat. Let us be clear: this is the first time we have identified a "mosquito-borne" form of birth defect. It is also the first new, major infectious cause of birth defects in five decades.

There are some things we do not know about the Zika virus. It is not clear what proportion of infants affected by the virus will suffer birth defects, but what we have seen so far is saddening, troubling, and horrifying. To look upon their helpless faces and do nothing is unconscionable. Yet, despite what we do not know, one thing is tragically clear: this House has failed to provide adequate resources to address this danger.

It has now been 7 months since President Obama's administration requested

adequate resources to help stem the threat of Zika, but House Republicans have taken zero—I repeat, zero—votes on adequate funding that will help tackle this problem.

Now, the Centers for Disease Control and Prevention is telling us they are running out of money to deal with this potential catastrophe. There are critical public health steps we need to take but cannot because the CDC is essentially out of money. Already, NIH is drawing resources from other priorities, like HIV and AIDS and cancer research, because this body has failed to act.

Sometimes my colleagues on the other side like to talk about how we must “protect the unborn.” Well, let me ask you this: When we fail to tackle a disease that causes unborn babies to develop birth defects that will haunt them the rest of their lives, how are we protecting the unborn?

These are innocent children—American children in Puerto Rico and on the mainland—who are suffering enormously because this Congress has not done its job. We are learning that this disease is sexually transmitted, making contraception a key part of any solution. But Republicans are raising objections to adequate funding for contraception.

Mr. Speaker, protecting the safety and health of the American people is a solemn obligation for every Member of Congress. It is a responsibility that we are currently not living up to.

I call on my colleagues to do the right thing. Do your job. Pass a supplemental funding bill so the CDC can get to work and help stop this terrible virus from spreading.

DOL OVERTIME RULE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today to represent the concerns of Kentucky's Sixth Congressional District's business, education, and nonprofit leaders who will be negatively impacted by the Department of Labor's final rule on overtime pay. These new regulations will have a crippling effect on businesses' ability to create jobs and even continue operations in our already tough economic climate.

Today I want to share some stories from my constituents, who are among the millions of Americans whose businesses and educational institutions and nonprofits will be significantly harmed by the Department of Labor's final rule.

Darshana Patel, a first-generation American who emigrated to Kentucky from India, sat in my office with tears in her eyes, voicing concerns to me about the impact of the overtime rule on the three hotels that she worked hard to build and own.

As a result of the high cost of the rule, Mrs. Patel's small business will be forced to demote a manager who has worked with her for 14 years to an hourly position on December 1. She also worries that she will have to let go some of her employees. She says she will be forced to take these drastic actions because, with this rule, she will have to come up with about \$25,000 per property—money that she did not budget for.

This hardworking, first-generation American entrepreneur was crying because she said she came to this country to achieve the American Dream, and the government of the United States is tearing that dream apart with over-regulation.

According to the Asian American Hotel Owners Association, more than half of hotel managers in the United States start in entry level positions. The Department of Labor rule will reduce employment opportunities for these workers just starting off and significantly limit upward mobility.

The Department of Labor's overtime rule will also negatively impact educational employment opportunities at our colleges and universities. The Association of Public and Land-Grant Universities, which includes the University of Kentucky, in my district, has stated that the overtime rule will likely place upward pressure on tuition and adversely impact outreach missions of universities. Because of the rule, students who are already facing significant barriers to accessing higher education will be further burdened by increased tuition.

Caroline Ruschell, the executive director of the Kentucky Association of Children's Advocacy Centers, also reached out to me about the negative impact of the overtime rule on her organization's critical work with child victims of sexual abuse.

To avoid penalties under the overtime rule, many clinics that provide vital exams and treatment to sexually abused children will be forced to reduce the hours of salaried workers, while supplementing those lost hours by overworking other employees. This will result in lower quality care and longer wait times for children to receive the critical treatment they need after facing such horrific trauma.

While the Department of Labor bureaucrats claim that the overtime rule will improve economic conditions for middle-class employees, this onerous regulation on businesses, educational institutions, and nonprofits will have the exact opposite effect by reducing job opportunities and limiting hours for many workers. Nonprofit and universities doing critical work in our communities will be forced to reduce the reach of their efforts by these burdensome regulations.

Mr. Speaker, in 2015, regulations cost us \$1.89 trillion in lost productivity and

growth. At a time when job creation and small business growth are critical to our recovering economy, the Department of Labor's final regulation will be detrimental for millions of hard-working Americans.

This regulation, like so many other regulations in the avalanche of red tape coming out of the Obama administration, hurts the very people that they claim that they are trying to protect and that they are trying to help.

Nearly 8 years after the Great Recession, Americans are stuck in the slowest and weakest economic recovery of their lifetimes, and the reason is simple: this administration is burying the American economy in red tape.

Enough is enough. Leave the American people alone and let them do their work.

VOTE ON GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, on July 14, Republican leaders recessed the House for 7 weeks without taking a single vote on legislation to help keep Americans safe from gun violence.

Ignoring an issue that you don't want to deal with doesn't make it go away. House Republicans desperately need to learn that lesson. When Republican leaders in the House refuse to deal with gun violence, the American people pay the price.

During the 7 weeks that the House was in recess, 2,015 people were killed by someone using a gun. Thousands of families across our country have spent the last 7 weeks grieving.

While Republicans are putting their fingers in their ears and pretending that our country isn't in the grips of a gun violence epidemic, innocent people continue to die. What makes this inaction even harder to accept is the fact that, for over 3½ years, I have had bipartisan, pro-Second Amendment legislation that would help make these tragedies less common.

My bill would close a dangerous loophole in our background check system that allows criminals, domestic abusers, and the dangerously mentally ill to bypass a background check in 34 States when purchasing guns online, at a gun show, or through classified ads.

Background checks are our first line of defense when it comes to making sure that dangerous people don't purchase guns. We know that, when used, they work. Every day, background checks stop more than 170 felons, some 50 domestic abusers, and nearly 20 fugitives from buying a gun. But, sadly, this gaping hole allows those same felons, domestic abusers, and fugitives to easily bypass a background check when buying firearms.

H.R. 1217 has 187 bipartisan coauthors and 90 percent of the American people support strengthening and expanding our background check system.

Mr. Speaker, let us have a vote on this bill. Gun violence shouldn't be a partisan issue. When deranged gunmen open fire in a nightclub, movie theater, or school, they don't care if you are a Democrat or Republican. Together, we can build a country in which all Americans feel safe being who they are, having fun in a nightclub, going to school, seeing a movie, going to Bible study, an office party, or simply walking down the streets of their own neighborhood.

Mr. Speaker, let us do the work the American people sent us here to do. Let us vote on the legislation they want to see enacted. Let us vote to keep our fellow Americans safe.

Each day the Republican majority drags its feet and refuses to give us a vote on bipartisan, pro-Second Amendment bills to help keep guns out of dangerous hands, more innocent lives are lost.

Give us a vote. And give us a vote now, before you recess for another break.

CONSTITUTION WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, September 17–23 is Constitution Week, where we celebrate the document and principles that are the foundation of this great Nation. Constitution Day on the 17th marks the ratification of this great document.

The Constitution is the basis of our Nation. It is the reason we are here today. It lays out the fundamental principles and structures of our Nation and our government. And the Bill of Rights makes clear the rights we enjoy as Americans and the fact that the Federal Government cannot infringe on these rights. Every decision I make as a Member of Congress is informed by the words written in the pages of this Constitution.

All over the world, our Constitution stands as a pillar of justice, freedom, and good governance. Other countries look to our Constitution for guidance as they write their own constitutions and establish their own democracies.

As we celebrate Constitution Week, I also want to recognize the great work of the Daughters of the American Revolution, including the chapters in my district, for their efforts to educate America about this document and its history.

We owe a debt of gratitude to our Founding Fathers in crafting this great document, a Constitution that has stood the test of time.

VA ACCOUNTABILITY

Mr. JENKINS of West Virginia. Mr. Speaker, during two townhall meetings

recently, I had the opportunity to hear from our veterans about the care they are receiving from VA hospitals. They want, they need—no, they deserve—a VA healthcare system that works for them, one that gives them timely care, one that treats our veterans with respect and one that holds VA bureaucrats accountable.

I am proud to support H.R. 5620, a necessary step to getting the VA working again for our veterans. I will not stand for a system that rewards Washington bureaucrats for failing to do their job. There are a lot of good, caring people at the VA and their employees at our hospitals, and we need to make sure they have an environment and system where they can serve our veterans.

□ 1030

I stand with our veterans, and for the commonsense reforms to the problems that they are facing. I will continue to work to make sure the VA is held accountable; that veterans receive the best health care in the country—no, in the world—and that a broken system is fixed. Our veterans have sacrificed so much for us, and we must keep the promises we have made to them.

SILENCE EQUALS DEATH IN THE FIGHT AGAINST GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, I rise today to demand a vote on commonsense gun safety legislation. It has been 26 years since our country has passed any meaningful gun safety legislation.

I have only been in the House for a little over 2½ years, and we have had 10 moments of silence to recognize victims of mass shootings during that time.

After Fort Hood in April of 2014, when 19 people were shot in a deadly rampage, Republican leaders brought us together for a moment of silence, but there was no discussion about honoring those lives with our action.

In May of 2014, the country came together after a massacre in Santa Barbara, and families looked to our Nation's leaders to see what they could do. What did they hear? More silence.

In June of 2015, nine parishioners were murdered by a hate-filled radical—who was able to get his gun because of a loophole—while they were at a Bible study at the Emanuel Church in South Carolina. While those lost inspired our country, the Members of Congress bowed their heads in silence and did nothing else.

Then there was Chattanooga, Roseburg, Colorado Springs, and San Bernardino. Dozens were murdered in senseless killing spree. And while the

country demanded a vote to finally do something about gun violence, this Congress responded with silence.

Three months ago, after the worst gun massacre in modern history took place at the Pulse nightclub in Orlando, Florida, some of us had finally had enough. If our friends in the LGBT community have taught us anything, it is that silence equals death. And this is no time to be silent.

Our frustration, and the frustration of the American people, resulted in a sit-in that gave voice to the American families who are fed up with a Congress that is cowed into silence by the rich and powerful gun lobby.

Here we are, 3 months later, and House Republicans have spent more time thinking about how they can punish us for that sit-in than doing anything to address the gun violence devastating Americans.

In July, rather than allow debates and votes on keeping American children and families safe, Republican leaders adjourned this House. Since then, an additional 2,015 Americans were killed by guns. In Chicago alone, 3,000 people have been killed or injured by guns just this year.

This is a public health crisis, and this Republican Congress has returned to its routine silence instead of working to keep Americans safe. I am here to tell you, the American people will not forget and will not continue to stand for this silence and inaction.

Every single day, victims and survivors of gun violence come and tell their heart-wrenching stories to Members of Congress.

I have stood with Felicia Sanders as she gathered the courage to stand in front of our Nation's Capitol and tell the story that no mother should have to tell. At Emanuel Church in North Carolina, Felicia's son, Tywanza, ran toward the gunman while trying to shield others in his Bible study group. Tywanza was only 26 when Felicia said her final goodbye.

I have had the honor of thanking Catherine Bodine for coming and telling her story to the American people. Her abuser, who had prior felony convictions, found a loophole, purchased a gun online with no background check, no waiting period, nothing. Catherine was shot three times trying to protect her 10-year-old daughter. Her daughter, Sami, the girl she called her best friend and her inspiration, died in her arms.

These mothers, and thousands more like them, get up every single morning and summon the bravery to be beacons for change this country is asking for. Although their lives are forever changed by violence, they take it upon themselves to fight for their communities, tell their stories, and make sure that no other family has to experience this horror.

My question, Mr. Speaker, is this: If everyday people, moms like Felicia and

Catherine, can find the courage to fight for change, why is their courage met with the cowardice of silence?

Let's have a vote, have the debate to honor the lives that they have lost and that we have lost as a country, and let's end this stony, callous silence.

NATIONAL MANUFACTURING DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to recognize October 7 as National Manufacturing Day here in America. As the bipartisan co-chair of the House Manufacturing Caucus, with my good friend from Ohio, TIM RYAN, I think it is only right that we stand to recognize the efforts of U.S. manufacturing across our great country.

We care about U.S. manufacturing because it brings family-sustaining, good quality jobs to the 12.33 million workers that are employed in the United States in the manufacturing industry. That is 9 percent of our workforce, Mr. Speaker, and it contributes \$2.17 trillion to the U.S. economy on an annual basis.

In my district alone, in western New York, the 23rd Congressional District, Mr. Speaker, there are over 404 manufacturers who employ approximately 44,000 people. That is food on the table, Mr. Speaker. That is roofs over the heads of those workers and their families, and it provides an opportunity for those families and the generation that follows with an opportunity to succeed and advance in their life.

It is only right, Mr. Speaker, that we join together, on a bipartisan basis, to support U.S. manufacturing in America. That is why I partnered with my good friend on the other side, JOE KENNEDY, to author and finally get passed into law the Revitalize American Manufacturing and Innovation Act that is the source of innovation in advanced manufacturing going forward.

That is also why I support an all-of-the-above energy plan. That is why we have also put forth a plan in writing to advance the energy effort here in America.

Also, on the Ways and Means Committee on which I serve, I am fully committed to a better way when it comes to revising and reforming the American Tax Code. It is time for us to have a fair, simple, and competitive Tax Code for all Americans.

On the trade front, Mr. Speaker, I stand in unison with my colleagues on the other side who want to make sure that we have fair trade; that we have enforceable agreements where unfair practices by countries that violate the spirit, the rules, and the law of trade are held accountable. That is why we need to make sure that when we engage in these trade negotiations going forward that we have trade agreements

that not only open our market but also, most importantly, open the market of the 95 percent of the world's consumers that live outside of America's borders.

We need to stand with U.S. manufacturers in those negotiations. We need to make sure that U.S. manufacturing interests are put at the foremost priority of the negotiation points.

There is a firm philosophy that I adhere to in our office when it comes to U.S. manufacturing. We have one of the greatest, if not the greatest—no, strike that, Mr. Speaker. We have the greatest workforce in the world. We have the brightest minds in the world in America, and we have the ability to make it here and sell it there.

So I urge my colleagues to join me in recognizing October 7 as U.S. Manufacturing Day. And if you are so inclined, join us in the U.S. Manufacturing Caucus, so you can be an active member participating in the debate to advance U.S. manufacturing interests so that we do, again, make it here to sell it across the world, and we put America's manufacturing interests first in all conversations that we have.

GUN VIOLENCE IS A PUBLIC HEALTH CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 5 minutes.

Ms. PELOSI. Mr. Speaker, there is a public health emergency in our country. Are you thinking of Zika? Are you thinking of opioids? Yes, they are public health emergencies, but there is another ongoing, long-term public health emergency, and that is gun violence.

I thank the chair of our task force, Mr. THOMPSON; Mr. LARSON for organizing it; the great icon, JOHN LEWIS, for galvanizing all of the concern in the Congress around this issue; DAVID CICILLINE and, of course, our distinguished Member we just heard from, Congresswoman CLARK from Massachusetts, for their leadership.

ROBIN KELLY of Illinois has been a champion, and so has JUDY CHU. So many Members have taken the lead on this issue, as ELIZABETH ESTY did before she was even sworn in in Congress, addressing the concerns at Newtown.

Ninety-one people lose their life to gun violence every day. That is not a statistic, that is an outrage. It is a challenge to the conscience of our Nation to end Congress' appalling inaction on gun violence prevention.

Across America, communities are standing up, speaking out, and lighting the way. A preventable public health crisis is taking the lives of our children, our neighbors, and our friends. You would think that when the lives of little children in school were taken that that would be the end of it, that would end the discussion, and that any common ground that we could find to

expand the background checks, which is not a big thing really, in terms of just including Internet sales and gun shows—just expanding what we have, not a big legislative move but would make a tremendous difference in saving lives in our country.

This Congress must hear the voices of those calling for action to keep guns out of the wrong hands. And I want to just talk about some of the voices that I recently heard when I was in Florida a couple of weeks ago. I went to Orlando and visited Pulse, the nightclub where the gun violence there took place. It was gun violence, and it was a hate crime, which is a deadly combination.

When I met with the families and some of the survivors there to hear their concerns about hate crimes and gun violence, they said to me, really to a person, please do something to stop gun violence. As consumed as they were with the fact that this was a hate crime, the gun violence issue was what each one of them spoke about, that they had lost their loved ones.

These are young people out on a Saturday night. One mom who went there to take her son to see his friends and the rest and make sure he was safe, the mom died, and the son survived. Any mom would prefer that outcome, but why does that have to be the choice?

So here they are: if you are in kindergarten, if you are in the movie theater, or if you are in church praying, as was referenced by our colleagues about South Carolina—that was a hate crime, too. The awful statements made by the perpetrator of that crime where he exploited the hospitality that was extended to him to pray together, and then for him to make his hateful remarks, racist remarks, and then do violence on the people who had welcomed him to pray with them.

So where is it that people are safe? What can we do to make a difference?

Well, for one thing, if you are too dangerous to fly, you should be too dangerous to buy a gun. Eighty to 90 percent of the American people subscribe to that. That shouldn't be controversial in the Congress.

We are supposed to be Representatives representing the will of the people. And where there is consensus—we have enough disagreement, but where there is consensus, a public health emergency, and loss of life, even to little children, people in church, young people out on the town, people going to the movies, what is it that our colleagues don't understand?

□ 1045

What is it that our colleagues don't understand? In addition to keeping guns out of the hands of those who are too dangerous to fly, our Nation depends on keeping guns out of the hands of those who shouldn't have them, again, just simply expanding to gun

shows and Internet sales. Yet House Republicans won't even give the American people a vote.

Give us a vote and see how it goes. What are you afraid of? Are you afraid? Are you afraid that the American people will be done and that we will have a successful vote on no fly, no buy, strengthening our background check system?

So we are going to be leaving soon. Before we left for the summer, under the leadership of our distinguished leader, whom we all consider a privilege to call colleague, JOHN LEWIS, there was a sit-in on the floor of this House that reverberated across the country. Then we left. Congress shut down and we left.

We are about to do so again, but we have a little time. We have a little time to save lives. What more important thing does any of us have to do than to stay here and pass a law to save lives? If somebody said to you: You could save 90 lives by passing a bill today, wouldn't you do that? Or, why wouldn't you do that? Why wouldn't you do that?

It is really quite a sad thing when people go to the movies—as my colleague, Mr. ISRAEL, keeps pointing out. When they go to the movies, usually they are concerned about are they going to be able to get their popcorn and their whatever in time to get a seat in the theater. Now they want to know where the nearest exit is when they go to the theater. What is that about?

Some people say it is about politics and it is just too politically dangerous for some of our colleagues to vote for the simple expansion of the background check legislation and passing no fly, no buy. It is politically dangerous to them. Whose political survival is more important than the lives of these children, of those people in church, and of those young people out on a Saturday night, people going to the movies? Whose political survival is more important than protecting the American people? That is the oath we take, to protect and defend, whether it is the Constitution, whether it is protecting our country's national security, our neighborhood security, or our personal security.

So let's honor our oath of office. Let us honor our sense of responsibility. Let us respond to those moms and family members and survivors from polls that said: Why? Why are you not passing legislation in the House of Representatives to prevent gun violence, to save lives—to save lives?

So, in any case, I think it is really important. I thank Mr. LARSON for, again, bringing us together. We are not going away. This will go on and go on and go on until we disarm hate. We are here to save lives here and across the country. We are not going to stop until we enact gun violence prevention laws.

We are not going to stop until we get the job done.

Again, I thank our leaders on this important issue. I thank the gentleman from California (Mr. THOMPSON) for his leadership for years now on this subject. Again, hopefully, it won't be too long before our colleagues see the light and decide that their political survival is not more important than the survival of little children in first grade.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

HONORING SHELBY POLICE DEPARTMENT'S OFFICER TIM BRACKEEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, I rise today to deliver a speech to this body that no one wants to deliver. It is with a heavy heart that I speak today in honor of Tim Brackeen, an officer with the Shelby, North Carolina, Police Department, who was mortally wounded in the line of duty this past weekend.

Officer Brackeen was doing his job, keeping our community safe, when he was shot in the line of duty very early Saturday morning. He passed away from his injuries on Monday.

Officer Brackeen was only 38 years old. He leaves behind his wife, Mikel, and a 4-year-old daughter, Daphne.

Officer Brackeen was a law enforcement officer who loved his job and loved what he was doing. He had been with the Shelby Police Department since 2004 and, prior to that, was a detention officer with the Cleveland County Sheriff's Office. For the past several years, he had worked as a K-9 officer with his partner, Ciko. He had a passion for his work and was well-known throughout the community. Officer Brackeen and his dog, Ciko, often did demonstrations to show how officers and their K-9 partners work together to keep us safe.

In 2012, Officer Brackeen's service and dedication to his duty was recognized as he was named the Shelby Police Officer of the Year. The city of Shelby is a truly special place, and so was this police officer.

It was Shelby Police Chief Jeff Ledford who summed up the officer best when he said: "Tim was a great person. If you want to know what Tim was like, just look around this town."

He is exactly right because, Mr. Speaker, Shelby is that very special

place. It is a tight-knit community that still exhibits what it really means to be a community. That was clear Monday night when hundreds and hundreds of people in this small town representing a variety of backgrounds packed the Court Square to pray for Officer Brackeen's family and his fellow officers. It is clear as you drive around Shelby and the rest of Cleveland County and see the black and blue ribbons and the messages of sympathy that adorn the windows of businesses and homes. It was clear yesterday as police officers, firefighters, and everyday citizens lined the streets and overpasses to pay respect to this fallen law enforcement officer as the procession traveled to the funeral home.

This is not the first time I have spoken on the House floor about the Shelby Police Department. In June of 2015, after the tragedy in Charleston, that horrific violence that occurred there, it was the Shelby Police Department that apprehended that vile shooter in that event. What we saw then was a community where faith leaders from every part of that region worked hand in hand with law enforcement to replace the divisions we see in other parts of the country with conversation and understanding that represents the best of what is in western North Carolina. I have no doubt Shelby will respond to this tragedy in similar fashion.

With the perpetrator of this heinous crime captured, our focus turns solely to paying tribute to Officer Brackeen and his life of service.

Mr. Speaker, I extend my condolences to Officer Brackeen's family and to the entire Shelby Police Department as they mourn this tragic loss. May we keep his family, fellow officers, and all our men and women in blue in our prayers.

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Mr. Speaker, I rise today disappointed by the lack of leadership on display in this House. Gun violence is a terror in many of our communities, and we must stop it. In 2016, we have had more than 10,000 preventable gun deaths in America.

Consider this: this past Labor Day, the city I represent, Chicago, saw its 500th homicide of the year. We have seen 3,000 people, alone, shot in 2016—3,000 shot, 500 dead, and 90 murdered in August, alone, in one city.

Too often we write gun violence off as an urban condition. But the gun deaths we are facing are not only urban; it is everywhere and impacts us all:

Kids died in Newtown; people were murdered on live TV in Roanoke and massacred in Orlando. Gun violence

has altered the lives of Speaker RYAN's constituents in Oak Creek, Wisconsin. It turned fatal for Nykea Aldridge, a mother of four young children in Chicago, who was just walking back from registering her children for school. It turned family movie night into a horrific final act for 12 people in Aurora, Colorado. Gun violence turned a fun night out in to a final terrifying moment for 49 people in Orlando and left indelible emotional wounds in the hearts of more than 50 others who suffered injury.

Mr. Speaker, what will you do before this year ends to prevent even more unnecessary and preventable gun violence? What are you and your caucus going to do to change the fact that American children are 4 times more likely to be killed by a gun than Canadian children, 7 times more likely than Israeli children, and 65 times more likely than British children?

There is no room for your deafening silence. There is no justification for your gavel to drown out the cries of families being terrorized by gun violence. It is said that "the blood brother of apathy is the inability to prioritize that which is important."

Mr. Speaker, your apathy is America's agony. Our constituents elected us to work together to solve our Nation's biggest problems. If gun violence is not monumental, then what is? Right now, anyone can buy a gun online or at a gun show without a background check. Why does that make sense? We have a gaping hole in our system that must be closed.

Some States and municipalities already have strong, comprehensive background check laws, but many others do not, preventing laws from truly having their fullest impact. This is the case in Illinois.

I represent communities plagued by gun violence. Despite Chicago and Illinois having strong gun laws, our neighbors have very weak gun laws; so a criminal, a domestic abuser, a terrorist, or a person who is dangerously mentally unstable cannot get a gun in Illinois, but they can jump in their car, drive to a gun show in a bordering State like Wisconsin to buy a gun, and drive back to commit a horrible and preventable crime.

In a 4-year period from 2010 to 2014, 10,000 crime guns recovered in Illinois were from other States. Nearly 1,000 of the guns killing my fellow Illinois residents came from the Speaker's home State of Wisconsin. Wisconsin's lax gun laws are tied to 10 percent of Illinois crime guns.

This demonstrates what is all too obvious to 90 percent of the American public: it is the duty of Congress to pass comprehensive background checks to ensure that no matter where a dangerous person lives or travels, they cannot access a firearm.

If you are too dangerous to buy a gun in Illinois, you are too dangerous to

buy a gun in Wisconsin. Forty percent of gun sales are online or at gun shows, where a background check is not required.

What if 4 out of every 10 people at an airport or right here in the Capitol didn't have to go through security? Would we enjoy the same level of safety as we do?

Requiring comprehensive background checks is a simple, logical measure. It is embarrassing that we are even having this discussion. This isn't about taking away our constitutional right to bear arms. Law-abiding citizens who aren't dangerous and can pass a background check will still have access to their firearms for hunting, self-defense, and for personal, legal use.

So, if you are not a danger to yourself or others, is undergoing a background check in order to maintain and buy a gun really that much of a big burden? Second Amendment rights, like all other Amendments guaranteed by our Constitution, have logical limits.

Keep guns out of the hands of the terrorists killing our children, off our playgrounds and streets, and away from people who are killing police officers like the one we just heard about. Once again, I ask: Who has to get shot, and just how many have to die before you do your job, Mr. Speaker?

MINNESOTA'S HUMANITARIAN SERVICE MEDAL RECIPIENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize the incredible work of Keith Kieffer, which has made him the deserving recipient of the Humanitarian Service Medal.

Keith began his service to this great Nation when he joined the Air Force in 1975. Three years after his enlistment, Keith received orders to go to Eniwetok Atoll in the Marshall Islands, where his mission was to clean up contamination from 43 atomic bombs that were dropped on that island.

During his time on the island, Keith cleaned up World War II wreckage as well as dug trenches, which exposed him to contaminated soil.

□ 1100

Upon his retirement from the Air Force in 1978, Keith earned the title of "Atomic Veteran."

Keith is a true American hero. He selflessly put his own well-being on the line to protect future generations.

Congratulations on receiving the long, overdue Humanitarian Service Medal, Keith. Your service will never be forgotten.

REMEMBERING HAZEL YOUNGMAN

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate the

life of Hazel Youngmann, a St. Cloud native who dedicated her life to helping the disabled.

Hazel worked tirelessly to reform our community in order to make it more accessible for those with disabilities. She did so through her work on the Whitney Senior Center Board, the St. Cloud Parks and Recreation Board, and the Stearns County Human Services Advisory Committee, just to name a few.

Even though Hazel had her own limitations with mobility, hearing loss, and vision loss, she pushed through and attended countless meetings despite the physical toll it took on her.

Hazel's unwavering optimism, determination, and passion for others is an inspiration and should serve as a model for the rest of us. Our thoughts and prayers are with Hazel and her loved ones during this difficult time. Be assured and comforted that her legacy will live on.

EVERSON'S HARDWARE CELEBRATES 50 YEARS OF SUCCESS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate Everson's Hardware in Waconia, Minnesota, for 50 years of business success.

Ron and Mary Ann Everson bought the store back in 1966, when they were just a young couple with two growing children. Throughout the years, Everson's Hardware has become a well-respected and established part of the community, and the Everson family has realized their American Dream.

Eventually, Ron and Mary Ann passed the store along the way to Tracy and Deborah Everson, who continue to work behind the counter in this family store today. Small, family-operated businesses are what make Minnesota so great. They make our community special.

I want to thank the Everson family for their lasting contribution to Waconia. Congratulations and best of luck on the next 50 years.

GUN VIOLENCE PREVENTION DAY OF ACTION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise in support of all Americans whose lives and communities have been affected by gun violence, and to highlight the Gun Violence Prevention Day of Action.

After the tragic 2014 mass shooting in my Congressional District on the central coast of California, our community declared that not one more life should be lost to gun violence. Yet, today I stand before this Chamber with a heavy heart to mourn the many individuals who have been killed by a gun since that tragedy. And that number is staggering.

In fact, over 2,000 men, women, and children have lost their lives to gun violence since the start of the congressional recess in July. That is 2,000 people in just 60 days. Right here in our country. Our country is better than this.

House Republicans' decision to dismiss the House for 7 weeks without so much as debating gun violence legislation is shameful. Going home to our districts without addressing life and death issues is not what the American people expect of us. They deserve better.

But here we are, back in D.C., with Democrats ready to work together to move commonsense gun safety measures. We just need a partner. We cannot ignore these problems because they are hard. We cannot stand by hoping the problem of gun violence will go away by itself. We cannot continue to shirk our duties as Representatives while those we represent are dying.

There are commonsense regulations for Congress to debate. The American people overwhelmingly support closing loopholes in the background check system for firearm sales. Democrats, Republicans, gun owners, even members of the NRA support background checks; but the Republican leadership will not debate expanded background checks.

The American people also support closing gun sale loopholes, which let dangerous individuals gain access to weapons without any review. Democratic and Republican lawmakers have introduced bills that would close gun sale loopholes, but the Republican leadership will not allow the House to debate closing these dangerous loopholes.

The American people support the no fly, no buy bill, which would prevent terror suspects—terror suspects on the FBI watch list—from purchasing weapons. This is the very least we can do. But, again, the Republican leadership will not bring up no fly, no buy for debate.

By not allowing these kinds of votes, or even these important debates, House leaders are failing the American people. We know that if we do nothing, if we don't even try, nothing will change. Our communities are hurting, and they demand action. It is time to answer that call.

Mr. Speaker, whether or not you support this legislation, the American people demand that you do your job and hold a vote on the commonsense gun legislation they overwhelmingly support. It is the least we can do.

105TH ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA ON TAIWAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, this Nation has many friends around the world, but almost no country has been a better friend to the United States than has been the Republic of China on Taiwan, or, as it is more commonly known, Taiwan.

I would like to recognize Taiwan in advance of the 105th anniversary of the founding of that great country. On October 10, the people of Taiwan will commemorate the founding of a nation which has much to be proud of in this year.

Over the past 50 years, Taiwan has undergone dramatic political, social, and economic changes, and is now the only democracy in the Chinese-speaking world. This year, the people of Taiwan witnessed the third peaceful transition of power. This election was especially meaningful with the election of the first woman President, Dr. Tsai Ing-wen.

There are important common values and principles that fundamentally link the United States and Taiwan, including respect for human rights, freedom, and democracy. I commend President Tsai Ing-wen for refreshing Taiwan's commitment to renewing Taiwan's commitment to these values.

The Republic of China on Taiwan has become a trailblazer in the industrialized world with a vibrant and growing economy and a flourishing free people. Taiwan has surpassed India and Saudi Arabia to become the 10th largest trading partner of the United States. I cannot overemphasize how important this economic powerhouse and democratic ally is to the United States and to our trade relations.

While I have some very serious concerns regarding the Trans-Pacific Partnership, if the United States ends up finalizing this agreement, Taiwan should definitely be included.

In the early 1960s, my father was the mayor of Knoxville, and he met at that time a man named Nelson Nee. Mr. Nee was then head of the University of Tennessee's international students program, but he later became a very successful businessman in California importing products from Taiwan. The result of Mr. Nee and my father's efforts to bring students from Taiwan to UT has resulted in a very large UT alumni group in Taipei—an alumni group of several hundred. Also, we have a very large and active Taiwan group in Knoxville and east Tennessee.

I had the privilege of spending a week in Taiwan, along with Congressman PETE SESSIONS and former Congressman Sonny Callahan, about 15 years ago. At the end of that trip, I asked one of the officials to tell me how you say in Chinese, "Thank you for your friendship." I was told that you say, "Shieh shieh ni de yo yi."

I simply will end by saying to Taiwan once again, thank you for your friendship.

UNIVERSAL BACKGROUND CHECK AND NO FLY, NO BUY LEGISLA- TION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ESHOO) for 5 minutes.

Ms. ESHOO. Mr. Speaker, I was proud to join our Nation's great civil rights leader, JOHN LEWIS, and so many of our outstanding colleagues that have spoken out on the issue of gun violence when we had our historic sit-in in the House in June.

Our request then and our request today are the same. I think it is really rather simple. We are asking to be allowed to vote on two commonsense bills to keep guns out of the hands of dangerous people—a universal background check bill that will close loopholes and no fly, no buy legislation to prevent people who are on the FBI's terrorist watch list from buying guns. Imagine, the FBI has them on a watch list but they can still buy guns. Both proposals have overwhelming support of the American people and they have bipartisan support in Congress.

Background checks are supported by 9 out of 10 Americans, and they have been proven to be successful at keeping guns out of the wrong hands. Every day, background checks stop more than 170 felons, 50 domestic abusers, and 20 fugitives from buying guns. Where these loopholes have been closed in States, such as Connecticut, the numbers have dropped dramatically.

Today, under current law, up to 40 percent of gun sales are completed with no background checks whatsoever. In our great country, no background checks whatsoever. People can buy guns online the way you can go out and buy M&Ms. Meanwhile, the most common places where the American people go—to church, to school, to movie theaters—they are under siege.

This Congress, do you know what this Congress has done, for anyone who is listening in?

We have had 31 moments of silence.

Mr. Speaker, sympathy is not enough. In fact, it comes off as being hypocritical. As sincere as people have been when they bow their heads for less than a minute, it is not enough. We have an epidemic in our country, and we can do something about it. We have bipartisan legislation.

Now, meanwhile, bills have been brought to the floor without one cosponsor. But Mr. KING's and Mr. THOMPSON's legislation, H.R. 1217, has 186 cosponsors.

Now, why can't we vote on this? Why?

I think that there is a complicity with the NRA with all of these deaths around the country, the violence that has taken place, of innocent people—children, young people, adults—and then all of the aftermath of grieving. And the families that have lost someone, they have a mark on their soul. They will grieve the rest of their lives.

We are asking for a vote. If you don't agree with me, vote "no." But, Mr. Speaker, we have a responsibility, and I think a high moral responsibility, to address this. We are asking that these two bills be brought to the floor. Law enforcement supports these bills. The American people support these bills. Mr. Speaker, I think it is about time that these bills be brought to the floor. We can save American lives. Imagine that. By adopting these two bills, we can save American lives.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY), someone who has been a leader on this issue.

Ms. ESTY. Mr. Speaker, we need a vote. What will it take for this House, the people's House, to finally vote on commonsense, bipartisan legislation to save American lives?

Since the murder of 20 schoolchildren and 6 educators in one of my communities in Newtown, Connecticut, 3 years and 9 months ago, we have not had one single debate and not one vote.

□ 1115

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. CAPUANO) for 5 minutes.

Mr. CAPUANO. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, we are here again today because the American people are demanding action; they are begging us to stop the killing. And I urge my Republican colleagues: Listen to your constituents. Do your job. Pursue commonsense gun violence legislation.

We need to vote on legislation that makes a real impact on the epidemic of gun violence in this country, and we need to vote now. The American people want us to do our job. They want bipartisan legislation, and we have a moral obligation to take action.

For each of us, it is personal. In every community, the effects of gun violence have left scars that will never heal. In my home State of Connecticut, we know how devastating this can be. After the tragedy at Sandy Hook Elementary, we lost 6 incredible caring adults, 20 beautiful children. We said, "Never again."

Since Sandy Hook, 39,000 or more people have been killed by a gun. There have been over 1,200 mass shootings in movie theaters, churches, nightclubs, and safe havens. We have held 31 moments of silence on the floor of the House in honor of these brothers, sisters, children, and babies; yet we have held zero votes on bipartisan gun violence prevention legislation.

Let's move to a real no fly, no buy bill, one that actually prevents poten-

tial terrorists from getting dangerous weapons. We need to address the issue of universal background checks. The gun lobby would have you believe that background checks are a wedge issue. It is a lie. Ninety two percent of gun owners support background checks and 72 percent of NRA members support background checks.

The victims' families do not get a break from their grief, so we will not take a break until we get a bill, a real bill with concrete, enforceable measures that will stop the killing. The American people deserve real, concrete gun legislation.

How many more people must suffer and die before we open our eyes?

GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, you probably haven't heard of Tamia Sanders. This young woman here was 14 years old. She was killed while sitting on her porch next to her mother on August 12 in Jacksonville. You probably didn't hear that Tamia was an honor student or that she had a beautiful smile. There were no moments of silence for Tamia on the House floor because she was just another little Black girl killed by street violence.

You probably haven't heard about Willow. She was 2 years old. She and her mother, her 8-year-old sister Liana, and 6-year-old brother Mark, Jr., were killed. Willow was just 2 years old when her father killed her along with the rest of the family on August 6 in Sinking Spring, Pennsylvania. And you probably haven't heard that Willow had survived a heart transplant when she was 6 days old and that her mother fought hard to make sure Willow had enough medication.

Willow didn't get a moment of silence on the House floor either because she was just another child killed by someone who was supposed to love her.

You definitely didn't hear about the two people found dead in the house in Mead Valley, California, on August 5. No one published their names or their ages or whether anyone noticed they were dead.

The same can be said for an unidentified woman killed on the street in Los Angeles on August 8, two unidentified men killed in a parking lot on August 13 in Milwaukee, and two unidentified women killed on the street on August 28 in St. Louis. They certainly didn't get a moment of silence on the House floor because they were just more anonymous victims of gun violence.

There have been 322 mass shootings this year, more shootings than there have been days in the year so far; 416 people gunned down; 1,161 people who have been injured. Yet we only tell their stories if the killing is particu-

larly large, like the Pulse nightclub, or particularly terrifying and political, like the San Bernardino terrorist attacks.

Daily mass shootings have somehow become commonplace, their victims nameless and mourned only by those who knew them. But I say that this is a national tragedy, and we should all mourn.

We should grieve for Antonio Hinkle, who was 32 when he was killed at a cookout on August 27 in Brighton, Alabama. He died pushing children out of the way of gunfire, and he left behind three children of his own.

We should grieve for Isaiah Solomon, 15, and Tafari West, 22, who were killed when someone opened fire on a vigil for another dead teenager on August 27 in Miami, Florida.

We should grieve for Shannon Randall, 35; her boyfriend, Joseph Turner, 27; her brother, Robert Brown, 26; and their relatives Justin Reed, 23, and Chelsea Reed, 22, who were killed in their sleep by a friend's boyfriend on August 20 in Citronelle, Alabama. They were sheltering their friend who had fled an abusive relationship. Chelsea was 5 months pregnant when she and the others were gunned down.

These are the people who don't make the national news: the girl walking to her neighborhood convenience store, the boy playing on the front lawn, the woman trying to leave an abusive relationship, the grandfather sitting on his porch. They were robbed of life because this Congress refuses to act.

Colleagues, we must honor them by speaking out. Now is the time for a vote. Let's lift the ban on research on gun violence. Let's expand background checks to all gun purchases. Let's close loopholes that let known and suspected terrorists buy guns. Let's commit resources to make smart guns that are less dangerous to children who find them.

A little girl was killed while sitting on her porch right next to her mother. Say her name, Tamia Sanders, and honor her memory with more than a moment of silence.

PREVENTING GUN VIOLENCE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. LEWIS) for 5 minutes.

Mr. LEWIS. Mr. Speaker, I rise yet again to speak out about mass shootings and gun violence in our Nation. When I think of Newtown, of Charleston, of Orlando, my heart just breaks.

Mr. Speaker, what would it take for Congress to act? How many more must suffer? How many more must die? How many more little children must die? How many more mothers and fathers will mourn the loss of a child?

Today, Mr. Speaker, I ask you to think of Taylor Hayden, the beautiful

young woman celebrating a girls' weekend in Atlanta who was killed by gang crossfire. Please think of the young woman killed while driving home from work in southwest Atlanta. Think of the woman fighting for her life at this very moment in Grady Hospital in downtown Atlanta. Just last week, she was injured in a shooting that brought the interstate, I-85, to a stop.

Mr. Speaker, time and time again, we asked for compassion. Time and time again, we asked for action. Time and time again, we asked for leadership. Our people are sick and tired of a do-nothing Congress. They elected us to do our jobs. Instead, Mr. Speaker, we take a break.

Mr. Speaker, Republicans must join with Democrats and do what is right, what is just, what is fair, and what is long overdue. There are good, commonsense proposals that not only protect rights, but also will save lives. These bills should be passed. Bring them to the floor. Let us have a vote. Give us a vote. Time is of the essence. We cannot be silent, and we will not be silent. We cannot wait for another time, another place, another person. Mr. Speaker, the time is now for us to act.

Today I urge all of my colleagues to join us. Be brave. Be bold. Take a stand for what is good and necessary. Or if you prefer, please take a seat, roll up your sleeves, and let's go to work. The time for silence is over. It is time to move.

Mr. Speaker, I truly believe that the spirit of history is upon us. We have a mission. We have a moral obligation and a mandate to do what is right. History will not be kind to us if Congress continues to turn a blind eye and a cold shoulder to those crying, begging, and pleading for action.

I ask my colleagues, each and every one of you, to join me in the well. We must pass commonsense legislation to prevent gun violence and mass shootings in our country, and we must act now. History is demanding, the people are demanding that we act, and that we act now—not next week, next month, or next year, but now, before we leave and go home.

FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 27 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at noon.

PRAYER

Reverend Dr. Phillip L. Pointer, Sr., Saint Mark Baptist Church, Little Rock, Arkansas, offered the following prayer:

Great Eternal One, we thank You for these Representatives whom you have given the sacred trust of participating in governing this great Nation.

We ask for Your blessing as they begin this session, which will serve to improve the lives of the citizens of this country. Please give them Your wisdom, resolve, and compassion.

May Your Spirit guide every heart, mind, and word so that, by Your power, justice, peace, prosperity, and wholeness are experienced by all who are blessed to live in this land.

Help our Representatives to continue to fully embrace the enormity of this task and to carefully execute their duties with integrity.

Bless their families and loved ones who participate in the sacrifice of governing vicariously.

Encourage them and grant them Your joy during difficult and lonely times.

Let Your loving light emanate from this House today and every day for the sake of Your glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. KILDEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KILDEE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr.

ROTHFUS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROTHFUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. PHILLIP L. POINTER, SR.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas (Mr. HILL) is recognized for 1 minute.

There was no objection.

Mr. HILL. Mr. Speaker, I rise to welcome today's guest chaplain and my good friend, Reverend Phillip Pointer, or "Pastor P" as he is known throughout our community.

Realizing his love for preaching the ministry as a teen, Pastor P earned his Doctor of Ministry from United Theological Seminary in Dayton, Ohio, and his Master of Divinity with honors from The Samuel Dewitt Proctor School of Theology at Virginia Union University in Richmond, Virginia.

Having devoted much of his life to the church, Pastor Pointer found his way to Saint Mark Baptist Church in my hometown of Little Rock, Arkansas, in 2012, after 10 years as pastor of St. John Baptist Church in Alexandria, Virginia.

As a loving husband and father, Pastor P understands the challenge in balancing his responsibility to the church and to his family. At Saint Mark Baptist Church, Pastor P highlights the importance of our youth, with the church, adopting the motto "You. Grow. Here." to advance a safe, loving environment for families and children.

Within 2 years of Pastor P's time as senior pastor of the church, a new youth center was built to give Saint Mark kids a safe environment to learn and play.

Pastor P is the proud husband of his wife, Keya, and he is the loving father of their three children, Gabie, P.J., and Elijah.

I want to thank Pastor Pointer for gracing us with a wonderful opening prayer, and I wish him, his family, and Saint Mark Baptist Church continued success in the Little Rock community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

VA REFORMS NECESSARY

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, I heard from veterans in my district years ago—long before I was the majority leader—that they weren't getting the disability payments they deserved. They submitted their claims, but the VA was too backed up. The process was taking months, sometimes years. The appeals process quickly became a never-ending bureaucratic maze.

After a report from the GAO and countless legislative hearings and testimony, today we vote on reforms by Chairman MILLER to ease the backlog that has only gotten worse.

Reforms to the VA are necessary. You can ask any vet who has had to wait or any whistleblower frustrated with the VA's culture. The VA has a long laundry list of changes it must make, but there is a problem. Unless the VA holds that handful of employees accountable who turn a blind eye, show up to work intoxicated, or falsify wait times, the culture won't change.

So, Mr. Speaker, I ask: What would you do if you found an employee drunk on the job? Or, what if an employee was caught high on cocaine or found selling heroin in his free time? I think the words, "you're fired," come to mind pretty quickly. But for reasons I cannot even begin to understand, this logic is suspended for government employees.

When you turn a blind eye to unacceptable behavior, that is more than a management issue. Bad employees can make mistakes that threaten people's very lives.

Today, the average time to dismiss somebody from the VA is more than a year. That is unacceptable. That is why Chairman MILLER's bill is needed. We need to protect the VA and those who go to it—the veterans who need the service. That is why I ask all, when we bring the bill up, please support it.

GUN VIOLENCE

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Mr. Speaker, I rise today to speak on gun violence.

Two-thirds of gun deaths are suicides, but rarely part of the conversation. These deaths are not inevitable. Allowing Centers for Disease Control and Prevention to research this, along with doing universal background checks, can and do save lives.

September is Suicide Prevention Awareness Month. It is time for advocates to share stories of hope and to find solutions to self-harm. We must educate ourselves and our neighbors on signs and symptoms of depression to reduce suicide by gun.

Further work is needed. We must promote gun safety without stigmatizing those with mental illness. Congress must work to keep guns out of the hands of people who should not

have them: domestic abusers and individuals with violent histories like assaults.

This is too important. We must act now. No longer can we tolerate it.

STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY

(Ms. STEFANIK asked and was given permission to address the House for 1 minute.)

Ms. STEFANIK. Mr. Speaker, in my district, industries ranging from manufacturing to renewable energy production to mineral production regularly tell me about the need for a trained and qualified workforce. When I visit with students and families across my district, I hear about how eager workers are for these advanced opportunities.

Over the past 2 years, I have visited many of the BOCES, CV-TEC, and P-Tech programs throughout my district and know how critical the training they provide is to preparing our students to compete in a 21st century economy.

This is why I was proud to work with my colleagues on the Education and the Workforce Committee to pass the Strengthening Career and Technical Education for the 21st Century Act. This bipartisan bill will help equip students with the skills and experience they need to find jobs that will lead to long, fruitful careers by encouraging more local control and flexibility.

I am pleased that the House overwhelmingly passed this important legislation, and I urge the Senate to pass it and send it to the President's desk.

VOTE ON GUN LEGISLATION

(Ms. ESTY asked and was given permission to address the House for 1 minute.)

Ms. ESTY. Mr. Speaker, the American people deserve and the American people demand a vote on commonsense, bipartisan gun safety legislation.

During the 7 weeks that Congress was in recess, thousands of Americans were killed by guns. Each one of those Americans was precious. They had family, loved ones, coworkers, and neighbors. In the 3 years and 9 months since 26 people were killed in my district—20 first-graders, six teachers and educators—we have had not one debate, not one vote on this legislation.

The time has come. The time is now. We demand a vote.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today in support of H.R. 5620, the VA Accountability First and Appeals Modernization Act, of which I am a cosponsor.

We owe our brave veterans a debt we can never repay. As a small token of our gratitude, we have the privilege of providing veterans with appropriate care and benefits. Too often, the care provided at the VA expresses the opposite of gratitude and does not demonstrate the privilege of serving veterans.

This legislation promotes accountability by allowing incompetent VA employees to be fired for poor performance or misconduct. This legislation will also help the thousands of veterans stuck in the appeals quagmire by providing veterans more options in the appeals process.

Restoring accountability and transparency at the VA should not be a political issue. I urge all my colleagues to join me in support of H.R. 5620.

GUN ACTION THREAT OF CENSURE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, it has been almost 3 months since I joined JOHN LEWIS and my Democratic colleagues right here for a sit-in on the House floor to demand a vote on commonsense gun violence legislation.

Instead of letting us vote, instead of confronting this issue, Speaker RYAN and my Republican colleagues left town. Now we are back in session, there is still no talk about holding a vote, but there is a lot of talk coming from my colleagues on the other side of the aisle about punishing us for protesting on the House floor.

I hope they do. But I am not going to apologize for what I did. I am proud that I did something to try to save lives.

I think they should apologize to the American people because they have not allowed us to vote on commonsense gun violence legislation. I think they should apologize, but they continue to do the bidding of the gun lobby. And I think they should apologize that, during our 7-week recess, 2,015 Americans were shot and killed.

My Democratic colleagues and I took action. They continue to sit on their hands.

□ 1215

LITTLE KIM WANTS WAR WITH THE UNITED STATES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, "This is not directed at Japan. The nuclear development is toward the United

States," said an adviser to North Korean dictator Kim Jung Un.

Frankly, Little Kim makes his father look normal. His saber-rattling regime has once again attempted to fire intercontinental ballistic missiles. Meanwhile, the administration is naively pursuing a strategy they call "strategic patience." In layman's language, that means "doing nothing."

This hopeless appeasement policy has not worked. The North Korean plan is to launch nuclear missiles from submarines at the United States. Isn't that lovely?

The rogue state's belligerency has put the entire region at grave risk of aggression, nuclear proliferation, and war.

Historically, North Korea, like Iran, was a state sponsor of terrorism. Eight years ago, the United States withdrew the designation when North Korea lied and promised to halt its nuclear program. But North Korea continues to develop nukes.

Strategic patience is a blissfully ignorant failed foreign policy. North Korea must have consequences for its aggressive and belligerent actions. Time to put Junior Kim's regime back on the State Sponsors of Terrorism list, because he is a terror to world peace.

And that is just the way it is.

GUN VIOLENCE

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I would like to discuss gun violence facing our citizens and police.

Law enforcement officers and first responders across the country are faced with difficult and often unpredictable situations on a daily basis that require careful response to ensure public safety. That is why I introduced H.R. 5864. This bill aims to provide officer and law enforcement personnel with appropriate intervention tools and techniques to address interactions involving individuals with mental illness experiencing a crisis.

H.R. 5864 calls for specialized training that provides officers with the tools to recognize the signs and symptoms of mental illness, including stabilization and deescalation techniques; partnerships community resources; and provides funding to create State databases for public safety and outreach.

I urge my colleagues to support H.R. 5864 to provide our police with additional resources benefiting our communities.

THE EPIDEMIC OF DRUG USE

(Mr. ZINKE asked and was given permission to address the House for 1 minute.)

Mr. ZINKE. Mr. Speaker, I rise today to highlight the need for us to work together to fight the epidemic of meth and other dangerous drugs. Meth affects all of our communities.

In Montana, the criminal justice and foster care systems are being pushed to their absolute limits. In Missoula County this year, 72 cases of meth. At the same time in 2007, there were zero. And the meth seizures are up 38 percent.

So what can we do? We need to stop the drug from making its way to communities, and we need to secure our southern border. The FBI, DEA, Border Patrol, and local law enforcement officials all say the same thing. Mexico is where the preponderance of the drugs are coming from. We know how to stop it and we can shut it down, and we can secure our southern border.

We also need to empower our health providers to provide addicts and users a path for recovery. All too often, those who suffer drug addiction also battle with mental health issues, and, sadly, it drives many to take their own lives.

I was at a powwow with the Assiniboine-Sioux, the great nation, and a gentleman told me a term for it, "oh-nee-op-ee," which means complete loss of hope. I haven't lost hope. I believe this House and this Nation are up to the task.

TRIBAL PIPELINE

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, recently, the Standing Rock Sioux Tribe watched in anger as an oil pipeline project near their homes moved forward. Sadly, the tribe's concerns about the impact on their drinking water and on sacred lands was not properly taken into account, so the tribal members raised their voices, and they weren't alone.

In an unprecedented demonstration of support, thousands of Americans, tribal members from all over, including many from my region, journeyed to North Dakota to stand in solidarity and peaceful protest with the Standing Rock Sioux.

The call to respect their rights was heard. Thanks to the Obama administration, construction in the disputed area has been halted so that there can be further review, and that is a victory.

But there is more work to do. I joined many of my colleagues to call on the Government Accountability Office to thoroughly inspect Federal policies that protect the health and environmental security of American Indian and Alaska Native communities.

We have a sacred trust and treaty obligations to our tribal neighbors that cannot be broken. Their sovereignty must be respected, not just on this project, but whenever the Federal Gov-

ernment is acting in a way that impacts them.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, our Nation is being ravaged by skyrocketing levels of prescription opioid and heroin abuse, and our veterans have been particularly hard hit. Today, 68,000 veterans are struggling with opioid abuse disorder.

Veterans suffer higher rates of opioid abuse than their civilian counterparts, and the number of opioid abuse disorders among veterans has increased 55 percent over the past 5 years.

This is why I joined my colleague from across the aisle, BILL KEATING, in introducing H.R. 5057, the Safe Prescribing for Veterans Act. This bill encourages increased safety in opioid prescribing practices by ensuring that healthcare professionals within the VA who are authorized to prescribe controlled substances complete at least one continuing medical education course in pain management every 2 years.

Last night, Mr. KEATING and I offered this proposal as an amendment to H.R. 5620, the VA Accountability First and Appeals Modernization Act, and it passed with strong bipartisan support. This amendment has the potential to save thousands of lives by increasing opioid abuse awareness among the nearly 55,000 VA health professionals working across the country.

I commend my colleagues for supporting our efforts.

THE NUMBERS ARE VERY GOOD

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, yesterday's annual report by the Census Bureau brought some very good news to the American people.

Last year, for the first time in nearly two decades, three key economic indicators all moved in the right direction: median household income is up a staggering 5.2 percent, which translates into over \$2,800 a year for the typical American family; the poverty rate went down by the largest amount, or largest 1-year drop, in recorded history; and the number of Americans without health insurance has now dropped to a historic low. Add to all of that an unemployment rate at 4.9 percent, and we have witnessed the largest and longest streak of job growth in history.

These numbers show, even as we face serious challenges, our progress is real,

our recovery is sound, and our reasons to hope are many.

IRAN MONEY FOR HOSTAGES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, Iran is the single biggest state sponsor of terrorism in the world, but that didn't stop the Obama administration from providing \$1.7 billion in cash, we finally found out, to the Iranian Government. This money, along with the \$150 billion already in sanctions relief that Iran previously received, will likely be used to finance acts of terrorism directed at our interests and our allies.

Many Americans at home are probably wondering why their government provided such a large cash payment to a country that sponsors terrorism, especially in the dark of night on a big pallet. The Obama administration says these payments were connected to an Iranian purchase of American airplane parts back in the 1970s.

Of all the disastrous foreign policy blunders this administration has made, this is the hardest one to understand. Paying \$1.7 billion in cash to one of our adversaries is outrageous, and the fact that these payments were used as leverage in order to secure American hostages raises serious questions about the administration and the State Department's judgment.

Iran refuses to act like a responsible nation that respects international norms and rules. Our government should treat them accordingly. That is why I am proud to sponsor Chairman Ed ROYCE's bill, H.R. 5931, which will prohibit all cash payments to Iran.

HONORING THE HEROIC ACTIONS OF ROB MCCANN

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, I want to talk for a moment about Rob McCann.

Rob came to our office in Maine a year ago as a fellow with the House Wounded Warrior Program. Just as he served our country in countless combat missions in Afghanistan, Rob is now serving Maine veterans as a congressional staffer.

Last week, Rob represented our office at the retirement ceremony of an employee at Togus, our VA Hospital in Maine. The retiree's 92-year-old father, a World War II veteran, was there to participate in the ceremony. But moments before it ended, as they walked to a barbecue nearby, he collapsed from a heart attack.

Rob leapt into action and put his Marine Corps training to work. With the

help of a few other bystanders, he began administering CPR, which they continued until medical professionals from the hospital arrived.

Thanks to Rob and the VA employees who jumped in to help, a World War II vet is alive and well and walking around today.

I couldn't be more proud of the work that Rob does in our office every day, and I am especially proud of his quick response to save the life of a fellow veteran last week.

NORTH SHORE SENIOR CENTER CELEBRATES 60TH ANNIVERSARY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to celebrate the North Shore Senior Center's 60th anniversary. Since 1956, they have been a vital part of our community. I am proud to have one of the largest senior centers in the entire Nation in our community.

We have seen their impact firsthand on thousands of our residents. Our seniors benefit from the many services and activities they offer, providing help for all who need it, regardless of social, physical, or economic hardships.

Mr. Speaker, the organization has won countless awards throughout their 60 years of service, and I would like to acknowledge them once again.

I offer my most sincere congratulations to the executive director, Jordan Luhr, and president emeritus, Joan Golder, and everyone else who has helped make this center grow over the years.

Moving forward, I remain committed to working with the leadership at the North Shore Senior Center to continue their strong legacy of providing a positive and healthy community for seniors in the 10th Congressional District.

SUICIDE PREVENTION MONTH

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today out of respect for all those across the country who have lost a loved one due to suicide.

September is Suicide Prevention Month, time to raise awareness of a mental illness that far too many of our veterans and their families find great difficulty discussing.

We have all heard the numbers: an estimated 20 veterans commit suicide every day, nearly one life every hour. Those horrific numbers have names, the names of men and women who put themselves in harm's way to keep each other and every one of us safe.

Last year, we passed the Clay Hunt Suicide Prevention for American Veterans Act. It addresses the need for

more mental health care experts inside the VA, evaluates what is working and what is not, and gives veterans more time to get the mental health care they need.

In Nebraska, we are working with the VA to create centers of excellence, a national model for veterans care that will include top-flight mental health treatment, including for post-traumatic stress, depression, and anxiety.

The debt we owe our veterans is a debt that can never be repaid, but we must keep our promises to our veterans and support their unique healthcare issues.

CONGRATULATING SOUTHWEST INDIANA CHAMBER

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to congratulate the Southwest Indiana Chamber on an outstanding and well-deserved national recognition. In August, the Southwest Indiana Chamber of Commerce was named the National Chamber of the Year at a gathering of the Association of Chamber of Commerce Executives.

This national designation is a testament to the indelible impact the men and women at the Southwest Indiana Chamber have made in the community to improve education, transportation, economic development, and the quality of life of our fellow citizens.

Southern Indiana has a reputation as a great place to live, work, and raise a family, and people around the country are taking notice, thanks in part, to the hard work and dedication of this organization.

So congratulations to the entire staff, board, and members of the Southwest Indiana Chamber of Commerce on this outstanding and much-deserved recognition.

□ 1230

GUN VIOLENCE

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, in just 7 weeks, as Members were in their districts this summer, at least 2,015 lives were lost to gun violence—2,015 men, women, and children. Add a few more weeks to that total and you have almost as many people as were murdered in the deadliest terrorist attack in the United States when two planes flew into the World Trade Center. That is the equivalent of 41 Orlando terror attacks in 7 weeks. This is appalling, and yet these killings are barely discussed, as if they are simply the new normal.

In a town hall I hosted last month, I talked with constituents about gun

safety and how we could attack the scourge of gun-related deaths in this country. The message from that meeting was clear: we need universal background checks. We need the ability to prevent terrorists and the seriously mentally ill from getting easy access to deadly weapons. If you can't fly, you can't buy. These are steps that the vast majority of constituents, gun owners, and Americans all across the country agree are necessary.

In refusing to pass the most basic legislation, the Congress is complicit in this continued slaughter. The Speaker must do his job and let us vote so that we can do ours.

LEE MEMORIAL HEALTH SYSTEM CELEBRATES 100TH ANNIVERSARY

(Mr. CLAWSON of Florida asked and was given permission to address the House for 1 minute.)

Mr. CLAWSON of Florida. Mr. Speaker, Lee Memorial Hospital recognized 100 years ago that Lee County needed a quality healthcare provider, so it opened its doors at that time to a 15-bed hospital back on October 3, 1916. That small hospital has now grown into a world-class premier healthcare system in southwest Florida providing top quality care throughout the area.

Lee Memorial today has a team of over 15,000 highly qualified and skilled staff members and volunteers making it one of our largest organizations in southwest Florida.

I want to thank the Lee Memorial team, and particularly those who took care of my mom during her final days. When loved ones are sick, what we really want is for those that take care of them to show love. For that, I express appreciation to the Lee Memorial folks. Numerous times Lee Memorial has been recognized with national and State awards for outstanding performance.

My constituents and I are blessed and grateful for the staff members, physicians, and volunteers who work at Lee Memorial. I am certain that they will continue to provide top quality care for 100 more years and beyond.

On another personal note, I want to express my big thank-you to Jim Nathan, president of the system, for his leadership and for his selfless service to our community for so long.

Jim, I don't know what we would do without you.

Mr. Speaker, it is with great honor that I recognize Lee Memorial Health System for its commitment to southwest Florida as it celebrates 100 years.

RECOGNIZING CALIFORNIA STATE UNIVERSITY—FRESNO

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to recognize my alma mater, California State University at Fresno.

Fresno State recently was ranked number 25 this year on Washington Monthly's Top 30 Universities listed in America and yesterday earned the number one spot for graduation rate performance from U.S. News & World Report. This is indeed good news.

To use President Joseph Castro's words, the school secured places on these lists by "being bold." From conducting drought research to encouraging community service, offering Ph.D.'s, they have done an outstanding job of integrating campus life and student research to benefit the people of our valley, our State, and our Nation.

Additionally, nearly 70 percent of Fresno State's 25,000 students are the first in their family to attend a 4-year university.

President Castro and his staff have made it their mission to ensure that all valley students in the San Joaquin Valley of California have access to high quality, affordable university education.

As a proud Bulldog, it is an honor to congratulate Fresno State on these very well-deserved national recognitions. I thank the student body and the faculty for being bold and making a difference in our community, State, and Nation. As the red wave likes to chant: Go dogs.

DEPARTMENT OF LABOR'S OVERTIME RULE

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, recently, President Obama's activist Department of Labor released its final rulemaking to revise overtime regulations. This rule doubles the overtime salary threshold to just over \$47,000 virtually overnight when it goes into effect on December 1.

Many Americans will soon realize they have fewer job prospects, less flexibility in the workplace, and less opportunity to move up the economic ladder. Those who least can afford it will be hit the hardest—small businesses, nonprofits, and educational institutions.

Augusta University, the second largest employer in my district, is just one example of the many organizations that is affected by this ill-advised rule. The school just announced it will have to switch about 800 employees from salary to hourly wages to comply with this new mandate resulting in a partial paycheck for them during this transition.

A university administrator stated that keeping the employees salaried is not an option and, while tearing up, said this move will be tough for the

employees and their families. Even one employee went so far as to say: It is going to kill us.

We need to get the government out of the way to let Americans do what they do best—innovate, flourish, and create jobs for generations to come.

RECOGNIZING CHESSY PROUT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize Chessy Prout, a courageous young woman who has shown tremendous bravery and resolve in the wake of a tragic and disturbing act that no one should ever have to face.

Chessy was sexually assaulted by an upperclassman at her boarding school when she was just 15 years old. Just last month, after lengthy and traumatic legal proceedings, Chessy came forward on national television to reclaim her identity and take back what was stolen from her. Chessy's willingness to publicly share her story will let other survivors know that they, too, can come out of the shadows and that they are not alone.

Speaking out against this painful ordeal Chessy went through took a huge amount of strength and courage. Like so many people, I am inspired by her actions, and I hope that they empower other survivors to come forward.

Sadly, Chessy's ordeal is not unique. One out of every six American women have been victims of sexual assault. While our country has made progress on this issue, survivors of sexual assault continue to face far too many obstacles in their pursuit of justice.

That is why I have cosponsored the Survivors' Bill of Rights Act, legislation that would codify important basic rights for sexual assault survivors. The House and Senate have passed this bill, and I urge the President to sign it into law.

Thanks to the courage of people like Chessy Prout, we have taken important steps to change the culture around sexual assault, and I know that together we can build on our progress.

HONORING INVALUABLE CONTRIBUTIONS OF ROXCY BOLTON

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Roxcy Bolton, a true pioneer who, at the age of 90, is hailed as a champion of women's rights, as well she should be. It is because of Roxcy's efforts that our Nation gathers each year to celebrate Women's Equality Day.

As a brave and outspoken woman, Roxcy made waves on many issues, including the creation of the first rape

treatment center in the country located at Jackson Memorial Hospital in Miami. This was at a time when people didn't even want to talk about rape. Roxcy also organized Florida's first crime watch to help curb crime against women.

Roxcy was in the front lines fighting on behalf of abused women and created the first women's rescue shelter in our State to provide services to women in crisis.

It was because of Roxcy's leadership that residents and visitors in south Florida can learn about the many contributions of women through the creation of The Women's Park of Miami-Dade County, which was correctly renamed after Roxcy Bolton.

Roxcy's vision will live on forever. She is an honored constituent, a voice of hope for all women, and I am proud to call her a friend.

GUN SAFETY LEGISLATION

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, a sit-in on the House floor should not be necessary to get a vote on gun safety legislation overwhelmingly supported by the American people. That is what I had to do as a kid in the civil rights movement.

Why would I be driven and why would Democrats have to be driven to do that in this House?

Closing the loophole after Charleston and Orlando has become a virtual mandate. Orlando probably accounted for my success in keeping dangerous bills from coming to the floor this session to erase three D.C. gun laws that protect residents, Federal officials, and 20 million visitors alike.

Congress, close the loophole. Do your job.

RECOGNIZING CONTRIBUTIONS OF HAPPY VALLEY LAUNCHBOX

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, small businesses are, and have always been, a key to the economic success of our Nation. With that in mind, I want to recognize the importance of the Happy Valley LaunchBox, which was introduced last year as part of the Invent Penn State initiative.

As an alumni and longtime friend of the university, I am proud to consistently celebrate the unique accomplishments of the leadership, faculty, staff, and student body at Penn State.

Additionally, in my role as a senior member of the House Committee on Education and the Workforce, I often have the opportunity to highlight the

importance of cutting-edge concepts—such as the Invent Penn State initiative—in strengthening the overall economy of our Nation.

The Happy Valley LaunchBox is a place where entrepreneurs from the community as well as Penn State faculty, students, and staff can work to commercialize their innovative business concepts.

Last month I had the chance to meet with university officials and those, including students, who have been able to get their small businesses off the ground thanks to this initiative.

I know that I join those from the university and the Centre County region in wishing the LaunchBox the best of success in the future.

GUN SAFETY LEGISLATION

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I rise today to join my colleagues in, again, calling for this Congress to just simply call a vote on commonsense, lifesaving gun safety legislation. It has been almost 3 months since House Democrats have taken to the floor to call for a vote, and the statistics indicate that this Congress' inaction has been complicit in thousands of lost lives.

Mr. Speaker, gun violence continues to claim the lives of too many young people in this country. Sadly, it appears that every time I take to this podium to speak out against this Congress' inaction, there is another life lost to gun violence in my home district.

As a nonvoting Delegate of Congress, I may not have a vote on the floor, but I have a voice; and I want to use that voice in joining the American public and my constituents in the Virgin Islands in saying enough is enough.

As the mother of four young Black men, I hold my breath every time my sons go out to go about constructive daily life. Statistically, my sons are in the sight of being the victims of gun violence. Twice last week, one of my sons was within blocks and minutes of others in my community being shot—people doing their job.

While we were in recess, my own former scheduler lost her husband, a fireman on his job, to gun violence in our community. Dorene, the prayers of all of us are with you and your family.

Every day this Congress fails to act, more American families mourn, more American lives are cut short, and more American cities continue to mount homicide and shooting statistics. We can ensure responsible gun ownership while closing loopholes that allow terrorists and criminals to get their hands on dangerous weapons.

I am urging—urging—my colleagues across the aisle to bring commonsense gun safety legislation to a vote.

□ 1245

COMMEMORATING DR. PREM PAUL

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute.)

Mr. FORTENBERRY. Mr. Speaker, I rise today to commemorate the life and accomplishments of my friend, Dr. Prem Paul, vice chancellor at the University of Nebraska, who recently died.

Prem was an extraordinary person with an inviting personality and tireless enthusiasm. I recall seeing Prem at a speech in 2001 when I was finishing up my own work on the Lincoln City Council, and it was clear then that his vision was solid for the university. It was so different and so refreshing.

Dr. Paul established a culture of excellence at our university, and he went on to establish the Nebraska Center for Energy Science Research, as well as the Center for Brain, Biology and Behavior, and the Social Sciences Behavioral Research Consortium.

Prem is survived by his wife, Missi; daughter, Neena; son, Ryan; and granddaughter, Ashland, of whom Prem was very, very proud. It was a privilege to know Dr. Prem Paul. It was a privilege to work with him. It was a privilege, most importantly, to call him my friend.

Well done, my friend, well done.

LISTEN TO THE MILLENNIALS

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise today on the Gun Violence Prevention Day of Action to highlight the voices of my district's young people.

Nearly one-third of my constituents are millennials. These young people are smart, they are active, and they are very optimistic about their future.

This summer I asked them a simple question: What is the most important issue Congress should be working on? Despite all of the challenges facing young people, from mounting student debt to growing income inequality, their answer was clear: Do something about gun violence.

For young people, gun violence is a harsh reality. They have seen it, they have lived it, and they have lost friends and family to it.

Since 2013, there have been 192 school shootings, including one at Hillside Elementary School in my district. Schools are supposed to be places of learning, not war zones.

More than 80 percent of young people, including 83 percent of young Republicans, support commonsense background checks for all gun sales. This one commonsense solution to help prevent gun violence is what we need to do. We need to do our job and pass this legislation today.

Mr. Speaker, it is time that we start listening to these young people. Let's ensure a background check for every gun sale and help stop this senseless violence.

GUN VIOLENCE

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, on June 22, along with many of my colleagues, I sat on this floor right here with my Democratic colleagues demanding that Speaker RYAN give us a vote on commonsense gun violence prevention legislation.

In July, I again joined my colleagues on this floor holding up photos of Americans lost to gun violence, and again Speaker RYAN failed to give us a vote. Instead, he and the rest of the House Republicans left town for the longest recess in decades.

During the recess, 2,015 people died from gun violence—76 people in Chicago alone, my hometown. That is the worst month for gun violence in Chicago since 1997.

We have called for solutions like comprehensive background checks that have overwhelming public support. But 2 months later, House Republicans still refuse to bring these measures to a vote.

Each day that we fail to act, more families lose loved ones to gun violence. So I come to the floor again today, and I will come back as often as it takes, until Congress finally steps up to stop gun violence.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. PALMER) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 14, 2016 at 9:45 a.m.:

That the Senate agreed to without amendment H. Con. Res. 131.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5351, PROHIBITING THE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND PROVIDING FOR CONSIDERATION OF H.R. 5226, REGULATORY INTEGRITY ACT OF 2016

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 863 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 863

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. All points of order against consideration of the bill are waived. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-63. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall

rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. McGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 863 allows for consideration of two pieces of legislation.

First, H.R. 5226, the Regulatory Integrity Act, would require the publication of information relating to proposed and pending agency regulations. Already, in this year alone, the Obama administration has imposed \$63 billion in new regulatory costs and has proposed an additional \$16 billion.

When I tour small businesses back in southwest Alabama, the top complaint I hear is that they are drowning in red tape and regulations. They are forced to take time and resources away from running their business and instead focus them on complying with government bureaucracy. Regulations don't just hurt businesses. They in turn cause prices to increase on goods and services, which is felt by American families all across the United States.

This bill is about transparency and open government. It simply requires Federal agencies to post, in a central unified location, information regarding regulatory actions. Americans shouldn't have to search Web site after Web site looking for this information, if they can even find it at all.

The bill also would prevent agencies from actively lobbying or campaigning in support of any proposed rules. This has been an issue in the past, and it is simply not the role of a Federal agency to act as a lobbyist or an activist.

Mr. Speaker, I find it hard to believe that anyone will disagree with making the government more open, transparent, and accessible. I hope this legislation passes with broad, bipartisan support.

The other bill covered under this rule is very important as it relates to our

Nation's national security. H.R. 5351 will prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. This bill would prevent any of the 61 prisoners remaining at Guantanamo Bay from being brought to the United States or transferred to a foreign country.

President Obama's pledge to close Guantanamo Bay started as a campaign promise in 2007. After his election, he signed an executive order declaring that the prison would be closed in 1 year. Thanks to bipartisan opposition by Congress and resistance by intelligence agencies, these efforts have so far proved unsuccessful.

President Obama originally planned to bring the prisoners to a new facility here in the United States. Not surprisingly, no State wanted to be the one selected to house terrorists. Members of this body from both sides of the aisle were up in arms.

Since that plan failed, President Obama has been releasing these terrorists to foreign countries, most of which are located in the Middle East. So here we are in the waning days of the Obama administration, and I fear that the President may try a new trick to close the prison. In fact, on August 15, President Obama released 15 Guantanamo detainees at once. That is the most detainees he has released at one time during his entire Presidency.

I think it is also important to remember that most of the remaining prisoners are very dangerous. Yesterday, in testimony before the Rules Committee, the ranking member of the Armed Services Committee, Mr. SMITH, testified that 41 of the remaining detainees are "considered to be so dangerous as to be untransferable." So this legislation is necessary and is required in order to keep the American people and our allies around the world safe.

One of the main goals of Guantanamo Bay is to keep these terrorists from returning to the battlefield. Sadly, it has become clear that some of the detainees released have returned to the fight against the United States.

Information on the status of released detainees is hard to come by. The White House has released very few details and hidden almost all of the information out of the eye of the American people by placing it under extreme classification requirements. But in testimony before Congress, an Obama administration official admitted that at least 12 individuals released from Guantanamo Bay have gone on to launch attacks and kill Americans—12 individuals released from Guantanamo Bay have gone on to launch attacks and kill Americans.

□ 1300

During testimony before the House Foreign Affairs Committee, the official

testified that, "What I can tell you is unfortunately, there have been Americans that have died because of Gitmo prisoners."

Reports have indicated that it was a former Guantanamo detainee who helped organize and plan the attack on the U.S. diplomatic compound in Benghazi, Libya. Let's not forget that four Americans lost their lives during that attack.

I want to point out that this problem isn't new under the Obama administration. In fact, reports show that 111 of the prisoners released by former President George W. Bush returned to terrorist activities.

And let's be clear, any life lost at the hands of a former Guantanamo detainee is one life too many. These are deaths that are preventable, if we just keep these terrorists locked up.

Mr. Speaker, we ask our servicemembers to put their lives on the line each day and every day in order to keep the American people safe. How can we ask them to do that while knowing that we are releasing cruel, brutal terrorists back to the battlefield? It is reprehensible.

These releases and efforts to close the prison must stop. It is a shame that congressional action is even needed, but that is the reality of the situation.

And let's not forget, the individuals still left in Guantanamo are the worst of the worst. The Pentagon told Senator KELLY AYOTTE that 93 percent of the detainees left at Guantanamo were "high risk" for returning to terrorist activities.

Here is a quick snapshot of the remaining terrorists: Many of them fought on the front lines against U.S. coalition forces in Afghanistan. Some of them served as bodyguards for Osama bin Laden and worked as instructors at al Qaeda training camps. One person is well versed in explosives and served in an al Qaeda improvised explosive device cell that targeted coalition forces in Afghanistan. When captured, he had 23 antitank land mines.

These are just a few examples of the people we are talking about here. We aren't talking about low-level operatives. These are really bad guys.

So I fear this President may once again put politics above national security. I fear he is more concerned about keeping a campaign promise than he is about keeping the American people—especially our servicemembers fighting in the Middle East—safe.

Ultimately, if we don't keep them in Guantanamo, where exactly do you want these terrorists to go? Do you want them to be transferred into the United States? I would ask my colleague on the other side of the aisle: Would he want them in his home State of Massachusetts? Or do you want us to send them back to the Middle East, where we can't control what actions they take and where many of them are returning to terrorist activity?

To me and a majority of Americans, the choice is clear: We need to keep these terrorists in Guantanamo Bay where they can do no more harm.

Mr. Speaker, I urge my colleagues to support House Resolution 863 so we can move forward with consideration of these two very important bills.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this rule and to the underlying legislation.

We are only scheduled to be in session for two more weeks before leaving until after the November election. And instead of considering legislation to adequately respond to the Zika crisis or address the water crisis in Flint, Michigan, or deal with the terrible gun violence plaguing our communities, we are back on the floor with more Republican messaging bills that are going nowhere.

On these pressing matters, where is the leadership from Speaker RYAN and the Republican Conference? How can this Congress further delay action on these issues that are so important to the health and the safety of the American people?

The rule before us today provides for consideration of two deeply flawed pieces of legislation. The first, H.R. 5226, imposes overly burdensome requirements designed solely to hamstring the Federal rulemaking process. The second, H.R. 5351, prohibits the transfer of any individual detained at the prison at the U.S. Naval Station, Guantanamo Bay, Cuba. Until January 21, H.R. 5351 would prohibit the transfer of any detainee held at Guantanamo not just to the United States but also to any foreign country.

The Republican leadership could have chosen to use these final months to work constructively with the administration on how to transfer to other countries the approximately 20 remaining detainees who have been cleared for transfer. The Republican leadership could have chosen to help build a consensus around the timeframe for transferring to maximum security facilities in the United States the remaining detainees who have been charged with crimes or deemed too dangerous to release.

Instead, they chose to bring this bill to the House floor and close down any and all reasonable avenues to safely and securely reduce the population at Guantanamo. Mr. Speaker, this is simply crazy.

Continuing the operation of Guantanamo prison is a threat to our national security of our own making. It damages our relations with key allies and partners. It provides a rallying cry to violent extremists. And it undermines

our moral authority and credibility in ways large and small across all aspects of our foreign policy and military policy.

Since it opened in 2002, the prison at Guantanamo has cost the American taxpayer \$4.8 billion. In 2013, U.S. taxpayers spent \$454 million on this prison, which now holds just 61 detainees. That is about \$7.4 million for each prisoner, compared to around \$70,000 for a prisoner held in solitary confinement in a maximum security prison here in the United States.

Mr. Speaker, the Oklahoma City bomber was tried and imprisoned in the United States. The World Trade Center bomber was tried and imprisoned in the United States. The Boston Marathon bomber was tried and imprisoned in the United States. Serial killers, psychopaths, terrorists, saboteurs—they have all been in custody, tried, and imprisoned safely and securely in the United States and, I would add, far more successfully than any trial or tribunal held at Guantanamo and at a much smaller taxpayer expense. Why not the remaining detainees at Guantanamo?

There should be a way for both parties to work this out. If only the leaders of this Congress were willing to work with this administration and be committed to finding a way to shut down Guantanamo once and for all. But instead, we are here today throwing up yet another set of roadblocks.

Eight years ago, Presidential candidates JOHN MCCAIN and Barack Obama agreed on one issue: it was time to shut down the prison at Guantanamo Bay, Cuba. Former President George W. Bush believes we should shut it down.

I have a letter dated yesterday and addressed to all Members of Congress from Marine Corps Major General Michael P. Lehnert, the very first commander of the detention facility at Guantanamo, asking us to oppose this bill and to close Guantanamo.

I have another letter here, dated March 1, from retired generals and admirals who also advocate for the closure of our prison at Guantanamo.

Mr. Speaker, the failure to close Guantanamo is a stain on Congress. It is Congress that has hindered efforts to release detainees cleared for transfer to third-party countries. It is Congress that has barred the Pentagon from moving those who must remain in prison to maximum security facilities here in the United States. It is Congress that has undermined America's standing as a champion for human rights.

Mr. Speaker, this bill is going nowhere. It certainly will never be signed into law. It is a waste of time that could be better spent on addressing the crisis of clean water in Flint, Michigan, granting real money to deal with the national opiate crisis and the spread of the Zika virus in the United States, and responding to the crisis of

gun violence in our cities and communities across America.

Mr. Speaker, in June, when 49 innocent people were ruthlessly killed in an LGBT nightclub in Orlando, Americans across the country were heartbroken and looked to their leaders for action. Surely in the face of such tragedy, House Republicans would put partisan politics aside. Surely both parties could come together to pass bipartisan legislation to reduce gun violence by keeping guns out of the wrong hands.

House Democrats tried repeatedly to bring up bipartisan gun reform legislation that the overwhelming majority of the American people support. The bills would expand background checks and stop anyone on the FBI's terrorist watch list from buying a gun. What could be more common sense than that?

All we wanted was to debate the legislation and have a fair up-or-down vote, but Republicans continued to put up roadblocks and refused to even let us consider these bills. So House Democrats held a 25-hour sit-in on the House floor, raising the voices of millions of Americans who are sick and tired of seeing their families and neighbors gunned down in communities all across the country while Congress does absolutely nothing.

Instead, Speaker RYAN and House Republicans abruptly shut Congress down for summer recess, the longest in modern era. While House Republicans were on summer vacation, more than 2,300 Americans were killed by guns.

Now Congress is back, and, instead of doing the right thing and finally bringing bipartisan gun reform legislation to the floor, we hear through the press that Speaker RYAN and House Republicans are looking at ways to punish Democrats for our sit-in demanding action to reduce gun violence.

Really? Congress is only scheduled to be in session for 2 weeks until we recess again, and this is one of the Republican priorities?

We need real leadership, not more finger wagging. I urge my colleagues on the other side of the aisle to ask themselves: Is this really what your constituents want? Is this what they sent you to Congress to do?

And let me be clear, and let me be crystal clear. If Republicans think that we will be intimidated or silenced by any legislation that they bring to the floor to slap us on the wrist simply for asking Congress to do its job, they are wrong.

The fact that Republicans are appalled by our demand to debate and the fact that they are appalled by our demand that there be a debate and a vote on gun safety legislation I find outrageous.

My question is: Why aren't my Republican friends appalled by the massacres in Orlando and San Bernardino and Aurora and Newtown and Charles-

ton—and I could go on and on and on and on. Why are they not appalled by the gun deaths that happen each and every day in these United States of America? All we get from them is nothing. All we get from them is silence and indifference and apathy and, oh, legislation to condemn Democrats for wanting to do something. It is sad, and it is pathetic, Mr. Speaker.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question; and if we defeat the previous question, I will offer an amendment to the rule to bring up the bipartisan no fly, no buy legislation that would allow the Attorney General to bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

Mr. Speaker, the time to act is now. There were more than 2,000 gun-related deaths during this summer alone while we were on recess. This country cannot tolerate Republican intransigence any longer. Mr. Speaker, we are asking and we are demanding that the Republican leadership and this House do its job.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from the State of Washington (Mr. NEWHOUSE), my colleague from the Rules Committee.

Mr. NEWHOUSE. I would like to thank the gentleman from Alabama for yielding.

Mr. Speaker, I rise today in support of the rule and the underlying legislation, H.R. 5226, the Regulatory Integrity Act. In recent years, a disturbing trend has emerged among Federal agencies. In a number of instances, Federal agencies have used taxpayer dollars to fund public communication campaigns attempting to lobby for agency regulations. Despite multiple Federal laws explicitly prohibiting this, agencies continue to ignore these laws and use taxpayer dollars to lobby on the very regulations their agencies are developing.

Several months ago, in my own home State of Washington, a campaign known as What's Upstream came to light. I would like to point your attention to this poster. Through this broad and unfair ad campaign, all farmers were demonized as careless polluters. What's Upstream used billboards, bus and radio ads, and a visually assaulting Web site depicting dead fish and polluted water to encourage private citizens to contact their State legislators and push for stricter regulations on

farmers. It is also important to note that it has been discovered that these images were not even from the State of Washington.

□ 1315

As a lifelong farmer myself, who has seen firsthand the remarkable proactive steps farmers have taken to protect our resources, I was insulted by the blatant lies this campaign has spread about farmers. What is probably more insulting, though, can be seen by these pictures of the What's Upstream Web site. What's Upstream encouraged site visitors to send messages to "Washington State Senators whose votes we hope to influence." This is lobbying in the truest sense of the word. The real kicker is when you scroll down to the bottom of the page to see who it was funded by: "This message has been funded wholly or in part by the United States Environmental Protection Agency."

Now, just stop and think about that for just a second. Your hard-earned taxpayer dollars are being used by the EPA to lie about farmers and then to lobby State legislators to put in place stricter regulations against farmers. It is unconscionable, and it violates the law.

Earlier this year, I was proud to colead a letter with my friend from Nebraska, Congressman ASHFORD, to EPA Administrator McCarthy expressing outrage and demanding an investigation into this campaign. I was honored to have 145 House Members—fully one-third of the entire body—join us on that letter demanding accountability.

This campaign exposed us to a very real need for grant and lobbying reform, which H.R. 5226 takes a good first step in bringing. By requiring all executive agencies to disclose their public communications, it will help bring transparency to agency communications and ensures that these types of activities cannot hide or go unnoticed. While future steps may be necessary, I was proud to work with Congressman WALBERG to introduce this legislation, and I thank him for his leadership on this issue.

Our agricultural community and the American taxpayers deserve accountability, and I look forward to continuing to work for this bill's enactment.

Mr. MCGOVERN. Mr. Speaker, so let me get this straight. In response to 49 people killed in Orlando, 14 in San Bernardino, 9 in Charleston, 27 mostly kids in Newtown, 12 in Aurora, 6 in Tucson, Arizona—and our former colleagues, Congressman Giffords and Congressman Ron Barber, were shot there—and 32 in Virginia Tech—I can go on and on and on.

So, in response to all of that, what my Republicans friends are doing is bringing a bill to the floor, and we are talking about legislation that is going

nowhere. The Senate is not going to take it up. And even if it did, the White House is going to veto it. That is the response.

That is where the frustration on this side of the aisle is, that there are real, meaningful things that we need to do in this Congress, including protect the American people from this epidemic of gun violence, and instead of bringing legislation to the floor to do that, instead of working with us, instead of holding hearings, we get press releases from the Republican Congressional Campaign Committee that are going nowhere. We are wasting our time. We are wasting the American taxpayers' money.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMPSON) for the purpose of a unanimous consent request.

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kenneth D. Whitaker, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The Chair would advise the minority manager that the customary 30 minutes of debate time that has been yielded to him is for debate purposes only.

As a result, the Chair must ask the majority manager if he would yield for this unanimous consent request.

Mr. BYRNE. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

The SPEAKER pro tempore. The gentleman from Alabama does not yield; therefore, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. HONDA) for the purpose of a unanimous consent request.

Mr. HONDA. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jeanette Hernandez, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. Once again, the gentleman from Massachusetts is reminded that the time yielded is for purposes of debate only. The gentleman from Alabama has not yielded for purposes of this unanimous consent request, and it, therefore, cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. CASTOR) for the purpose of a unanimous consent request.

Ms. CASTOR of Florida. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Martavious Carn, age 3, a Florida victim of gun violence

who never received a moment of action on the House floor.

The SPEAKER pro tempore. Once again, the gentleman from Alabama has not yielded for this unanimous consent request. It cannot be entertained at this time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU) for the purpose of a unanimous consent request.

Ms. JUDY CHU of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Justin Lee Sifuentes, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request. It cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. NAPOLITANO) for the purpose of a unanimous consent request.

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jennie Lou Hawley, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request, so it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. HAHN) for the purpose of a unanimous consent request.

Ms. HAHN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, in honor of the memory of Jennie Marie Keener, a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request; so, therefore, it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY) for the purpose of a unanimous consent request.

Ms. ESTY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Fredrick Richardson of Bridgeport, Connecticut, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The gentleman from Alabama has not yielded for this unanimous consent request, so it cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Mrs. CAPPS) for the purpose of a unanimous consent request.

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent to bring up H.R.

1076, the bipartisan no fly, no buy legislation, to honor the memory of Lekeshia Moses, a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. ESHOO) for the purpose of a unanimous consent request.

Ms. ESHOO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan close-the-loophole-on-background checks legislation, to honor the memory of Jeffrey Adams, a victim of gun violence who never received a moment of action on the floor of this House.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Nevada (Ms. TITUS) for the purpose of a unanimous consent request.

Ms. TITUS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Megan, Liana, Mark Jr., and Willow Short, who never received a moment of action on this House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER) for the purpose of a unanimous consent request.

Ms. SPEIER. Mr. Speaker, I ask unanimous consent to take up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of a constituent, Teqnika Moultrie, a school bus driver who at age 30 was gunned down outside a doughnut shop, and never received a moment of action on the House floor on her behalf.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

As the Chair advised on January 15, 2014, and March 26, 2014, even though a unanimous consent request to consider a measure is not entertained, embellishments accompanying such requests constitute debate and will become an imposition on the time of the Member who yielded for that purpose.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. BROWNLEY) for the purpose of a unanimous consent request.

Ms. BROWNLEY of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Officer Michael Krol, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. SWALWELL) for the purpose of a unanimous consent request.

Mr. SWALWELL of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Miguel Angel Leon Bravo, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) for the purpose of a unanimous consent request.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Jordan Ebner, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY) for the purpose of a unanimous consent request.

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kayana Armond, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from California (Ms. LEE) for the purpose of a unanimous consent request.

Ms. LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Lakeith Hurd, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Massachusetts (Ms. CLARK) for the purpose of a unanimous consent request.

Ms. CLARK of Massachusetts. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Aimee Kirst, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania

(Mr. CARTWRIGHT) for the purpose of a unanimous consent request.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of 41-year-old Officer Matthew Gerald, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE) for the purpose of a unanimous consent request.

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Christopher Jerome Smith, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for the purpose of a unanimous consent request.

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Rosemond Octavius, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. MEEKS) for the purpose of a unanimous consent request.

Mr. MEEKS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Tyreke Borel, who was 17 years old, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER), the distinguished ranking member of the Rules Committee, for the purpose of a unanimous consent request.

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Bobbie Odneal, III, 23 years old, Cincinnati, Ohio, who died a victim of gun violence and never received a moment of action on the House floor.

□ 1330

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I would like at this time to yield to the gentlewoman from Connecticut (Ms. DELAURO) for the purpose of a unanimous consent request.

The SPEAKER pro tempore. The gentleman is advised that time will be deducted from the gentleman's time for the last unanimous consent request.

The gentlewoman from Connecticut is recognized.

Mr. MCGOVERN. Mr. Speaker, may I inquire why?

The SPEAKER pro tempore. As was advised earlier, embellishments constitute debate, and as such, the time will be deducted from the gentleman's time.

The gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Officer Montrell Jackson, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from New York (Mr. CROWLEY) for the purpose of a unanimous consent request.

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Ana Solis, 46 years of age when she was a victim of gun violence, who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. FRANKEL) for the purpose of a unanimous consent request.

Ms. FRANKEL of Florida. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Donald Stoney Boatman, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from California (Mr. HUFFMAN) for the purpose of a unanimous consent request.

Mr. HUFFMAN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Alex Freeman, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Hamp-

shire (Ms. KUSTER) for the purpose of a unanimous consent request.

Ms. KUSTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, to honor the memory of Paula Nino, age 20, of Houston, Texas, a tragic victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Colorado (Mr. PERLMUTTER) for the purpose of a unanimous consent request.

Mr. PERLMUTTER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Sheree Barker, age 24, from Colorado Springs, Colorado, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) for the purpose of a unanimous consent request.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Chelsea and Justin Reed from Citronelle, Alabama, killed in their sleep, who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. LARSON) for the purpose of a unanimous consent request.

Mr. LARSON of Connecticut. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Daquarius Tucker, who was a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for the purpose of a unanimous consent request.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent to bring up H.R. 1076, the bipartisan no fly, no buy legislation, in honor of the memory of Lisa Ann Fabbri, 38 years old, a victim of gun violence who never received a moment of action on the floor of the United States Congress.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I am proud to yield to the distinguished gentleman from Georgia (Mr. LEWIS), a leader on issues of justice and non-violence, for the purpose of a unanimous consent request.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, in the memory of Billy Talley from Union, Mississippi, a victim of gun violence who never, ever received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I would like to yield to the gentlewoman from Alabama (Ms. SEWELL) for the purpose of a unanimous consent request.

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, in honor of Robert Lee Brown from Alabama, age 26, who was killed in his sleep by a friend of an abusive boyfriend, a victim of gun violence who never received a moment of silence on the floor of the House of Representatives.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

The time consumed by the gentlewoman from Alabama will be charged to the gentleman from Massachusetts' time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Oregon (Mr. BLUMENAUER) for the purpose of a unanimous consent request.

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of James "JJ" Hurtado, a victim of gun violence killed at age 14 in Hermiston, Oregon, by his mother's ex-boyfriend, who never received a moment of silence or moment of action on the House floor.

The SPEAKER pro tempore. As previously announced, the unanimous consent request cannot be entertained.

Time consumed by the gentleman from Oregon will be deducted from the gentleman from Massachusetts' time.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. ESTY) for the purpose of a unanimous consent request.

Ms. ESTY. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the expanded background checks legislation, in honor of Anna Bui, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from New Mexico

(Ms. MICHELLE LUJAN GRISHAM) for the purpose of a unanimous consent request.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Corey Bishop, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from Rhode Island (Mr. CICILLINE) for the purpose of a unanimous consent request.

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Kiesha Betton, a victim of gun violence who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentlewoman from California (Mrs. DAVIS) for the purpose of a unanimous consent request.

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Abner B. Garcia, age 23, an Army veteran who never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentlewoman from Texas (Ms. JACKSON LEE) for the purpose of a unanimous consent request.

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Charles Jackson, age 28, Houston Texas, killed on the Fourth of July and a father of 3, a victim of gun violence who never received a moment of silence or action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

The gentleman from Massachusetts is advised that the time consumed by the gentlewoman from Texas will be charged to the time of the gentleman.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON) for the purpose of a unanimous consent request.

Mr. ELLISON. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Mary Matzke and Birdell Beeks, victims of gun violence who

never received a moment of action on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I yield to the distinguished gentleman from California (Mr. THOMPSON) for the purpose of a unanimous consent request.

Mr. THOMPSON of California. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of John Comer, a victim of gun violence who never received a moment of silence on the House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained.

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to bring up H.R. 1217, the bipartisan expanded background checks legislation, to honor the memory of Jennifer Rooney, age 44 from Bristol, Virginia, who was shot by a stray bullet while driving. She is a victim of gun violence who never received a moment of action on this House floor.

The SPEAKER pro tempore. The unanimous consent request cannot be entertained, and the gentleman's time will be charged.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I mean, I don't know what it is going to take to compel my Republican colleagues to do something, to do more than just have a moment of silence in the aftermath of every massacre. I mean, these are real people. They had families. They were loved, and now they are gone, and we need to do something.

For the life of me, I can't understand the inaction in this House, the silence and the indifference. It is appalling. I would suggest to my colleagues, rather than trying to bring legislation to the floor to slap us on the wrist for having the audacity to come to the floor and demand that this House of Representatives do its job, my Republican friends ought to do their job and bring these bills to the floor.

Let's have a debate and let's have a vote, and let's try to save some lives. This is real. This is meaningful. It is a heck of a lot more important than the message bills that are going nowhere that are being brought to this floor.

I urge my colleagues to vote to defeat the previous question so we can have a vote on the no fly, no buy legislation, and I plead with my Republican colleagues: Do your job. Do something. Enough of this silence. Enough of this indifference. Too many people in this country are dying.

I yield back the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself the balance of my time.

Let's see, where were we? We were talking about a rule that covers two

bills. One bill would stop Federal departments and agencies from using their money to spread falsehoods against innocent Americans. The gentleman from Washington gave a very good, very clear statement of a precise fact situation that happened in the State of Washington where a Federal agency was using its money to spread falsehoods about farmers. That is what we were talking about. And I think that is a very important piece of legislation for us to deal with and deal with right now.

And the other piece of legislation, the other piece of legislation would protect the people of the United States from a President who wants to let very dangerous people out of Guantanamo Bay. As I said before, at least 12 individuals who have already been released from Guantanamo Bay have gone on to launch attacks and kill Americans. That is what we were talking about. That is what we are talking about. That is what this rule and the underlying legislation is all about.

This House is here to do its work and do its job to defend the people of the United States and also to protect the people of the United States from their own government preying on them. So I think this legislation is completely appropriate. I am glad to bring this rule before the House.

I, again, urge my colleagues to support House Resolution 863 and the underlying bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 863 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 863 will be followed by 5-minute votes on adopting House Resolution 863, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 232, noes 172, not voting 27, as follows:

[Roll No. 505]

AYES—232

Abraham	Flores	Love
Aderholt	Forbes	Lucas
Allen	Fortenberry	Luetkemeyer
Amash	Fox	Lummis
Amodei	Franks (AZ)	MacArthur
Babin	Frelinghuysen	Marchant
Barr	Garrett	Marino
Barton	Gibbs	Massie
Benishek	Gibson	McCarthy
Bilirakis	Goodlatte	McCaul
Bishop (MI)	Gosar	McClintock
Black	Gowdy	McHenry
Blackburn	Graves (GA)	McKinley
Blum	Graves (LA)	McMorris
Bost	Graves (MO)	Rodgers
Boustany	Griffith	McSally
Brat	Grothman	Meadows
Bridenstine	Guthrie	Meehan
Brooks (AL)	Hanna	Messer
Brooks (IN)	Hardy	Mica
Buchanan	Harper	Miller (FL)
Buck	Harris	Miller (MI)
Bucshon	Hartzer	Moolenaar
Burgess	Heck (NV)	Mooney (WV)
Byrne	Hensarling	Mullin
Calvert	Herrera Beutler	Mulvaney
Carter (GA)	Hice, Jody B.	Neugebauer
Carter (TX)	Hill	Newhouse
Chabot	Holding	Noem
Chaffetz	Hudson	Nugent
Clawson (FL)	Huelskamp	Nunes
Coffman	Huizenga (MI)	Olson
Cole	Hultgren	Palmer
Collins (GA)	Hunter	Paulsen
Collins (NY)	Hurd (TX)	Pearce
Comstock	Hurt (VA)	Perry
Conaway	Issa	Peterson
Cook	Jenkins (KS)	Pittenger
Costello (PA)	Jenkins (WV)	Pitts
Cramer	Johnson (OH)	Poe (TX)
Crenshaw	Jolly	Poliquin
Culberson	Jones	Pompeo
Curbelo (FL)	Jordan	Posey
Davidson	Joyce	Price, Tom
Davis, Rodney	Katko	Ratcliffe
Denham	Kelly (MS)	Reed
Dent	Kelly (PA)	Reichert
DeSantis	King (IA)	Renacci
Diaz-Balart	King (NY)	Ribble
Dold	Kinzinger (IL)	Rice (SC)
Donovan	Kline	Rigell
Duffy	Knight	Roby
Duncan (SC)	Labrador	Roe (TN)
Duncan (TN)	LaMalfa	Rogers (AL)
Ellmers (NC)	Lamborn	Rogers (KY)
Emmer (MN)	Lance	Rohrabacher
Farenthold	Latta	Rokita
Fitzpatrick	LoBiondo	Rooney (FL)
Fleischmann	Long	Ros-Lehtinen
Fleming	Loudermilk	Roskam

Ross	Smith (TX)	Walters, Mimi
Rothfus	Stefanik	Weber (TX)
Rouzer	Stewart	Webster (FL)
Royce	Stivers	Wenstrup
Russell	Stutzman	Westerman
Salmon	Thompson (PA)	Westmoreland
Sanford	Thornberry	Williams
Scalise	Tiberi	Wilson (SC)
Schweikert	Tipton	Wittman
Scott, Austin	Trott	Womack
Sensenbrenner	Turner	Woodall
Sessions	Upton	Yoder
Shimkus	Valadao	Yoho
Shuster	Wagner	Young (AK)
Simpson	Walberg	Young (IA)
Smith (MO)	Walden	Zeldin
Smith (NE)	Walker	Zinke
Smith (NJ)	Walorski	

NOES—172

Adams	Foster	Moore
Aguilar	Frankel (FL)	Moulton
Ashford	Fudge	Murphy (FL)
Bass	Gabbard	Nadler
Beatty	Gallego	Napolitano
Becerra	Garamendi	Neal
Bera	Graham	Nolan
Beyer	Grayson	O'Rourke
Blumenauer	Green, Al	Pallone
Bonamici	Green, Gene	Pascrell
Boyle, Brendan F.	Grijalva	Pelosi
Brady (PA)	Gutierrez	Perlmutter
Brown (FL)	Hahn	Peters
Brownley (CA)	Hastings	Pingree
Bustos	Heck (WA)	Pocan
Butterfield	Higgins	Polis
Capps	Himes	Quigley
Capuano	Hinojosa	Rangel
Cardenas	Honda	Rice (NY)
Carney	Hoyer	Richmond
Carson (IN)	Huffman	Roybal-Allard
Cartwright	Israel	Ruiz
Castor (FL)	Jackson Lee	Ruppersberger
Castro (TX)	Johnson (GA)	Sánchez, Linda T.
Chu, Judy	Johnson, E. B.	Sanchez, Loretta
Cicilline	Kaptur	Sarbanes
Clark (MA)	Keating	Schakowsky
Clarke (NY)	Kelly (IL)	Schiff
Clay	Kennedy	Schrader
Cleaver	Kildee	Scott (VA)
Clyburn	Kilmer	Scott, David
Cohen	Kind	Serrano
Connolly	Kirkpatrick	Sewell (AL)
Conyers	Kuster	Sherman
Cooper	Langevin	Sinema
Costa	Larsen (WA)	Sires
Courtney	Larson (CT)	Slaughter
Crowley	Lawrence	Smith (WA)
Cuellar	Lee	Speier
Cummings	Levin	Swalwell (CA)
Davis (CA)	Lewis	Takano
Davis, Danny	Lieu, Ted	Thompson (CA)
DeFazio	Lipinski	Thompson (MS)
DeGette	Loebach	Titus
Delaney	Lowenthal	Tonko
DeLauro	Lowey	Torres
DelBene	Lujan Grisham (NM)	Tsongas
DeSaulnier	Lujan, Ben Ray (NM)	Van Hollen
Dingell	Lynch	Vargas
Doggett	Maloney,	Veasey
Doyle, Michael F.	Caroline	Vela
Duckworth	Maloney, Sean	Velázquez
Edwards	Matsui	Walz
Ellison	McCollum	Wasserman
Engel	McGovern	Schultz
Eshoo	McNerney	Watson Coleman
Esty	Meeks	Wilson (FL)
Farr	Meng	Yarmuth

NOT VOTING—27

Barletta	Granger	Palazzo
Bishop (GA)	Guinta	Payne
Bishop (UT)	Jeffries	Price (NC)
Brady (TX)	Johnson, Sam	Rush
Crawford	LaHood	Ryan (OH)
DesJarlais	Lofgren	Visclosky
Deutch	McDermott	Waters, Maxine
Fincher	Murphy (PA)	Welch
Gohmert	Norcross	Young (IN)

□ 1403

Mr. ENGEL changed his vote from "aye" to "no."

Mr. DUNCAN of South Carolina changed his vote from “no” to “aye.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. MURPHY of Pennsylvania. Mr. Speaker, on rollcall No. 505, I was unavoidably detained and missed the vote on the previous question. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 171, not voting 22, as follows:

[Roll No. 506]

AYES—238

Abraham	Fleischmann	LoBiondo
Aderholt	Fleming	Long
Allen	Flores	Loudermilk
Amash	Forbes	Love
Amodel	Fortenberry	Lucas
Babin	Fox	Luetkemeyer
Barr	Franks (AZ)	Lummis
Barton	Frelinghuysen	MacArthur
Benish	Garrett	Marchant
Billakis	Gibbs	Marino
Bishop (MI)	Gibson	Massie
Bishop (UT)	Gohmert	McCarthy
Black	Goodlatte	McCaul
Blackburn	Gosar	McClintock
Blum	Gowdy	McHenry
Bost	Graves (GA)	McKinley
Boustany	Graves (LA)	McMorris
Brady (TX)	Graves (MO)	Rodgers
Brat	Griffith	McSally
Bridenstine	Grothman	Meadows
Brooks (AL)	Guthrie	Meehan
Brooks (IN)	Hanna	Messer
Buchanan	Hardy	Mica
Buck	Harper	Miller (FL)
Bucshon	Harris	Miller (MI)
Burgess	Hartzler	Moolenaar
Byrne	Heck (NV)	Mooney (WV)
Calvert	Hensarling	Mullin
Carter (GA)	Herrera Beutler	Mulvaney
Carter (TX)	Hice, Jody B.	Murphy (PA)
Chabot	Hill	Neugebauer
Chaffetz	Holding	Newhouse
Clawson (FL)	Hudson	Noem
Coffman	Huelskamp	Nugent
Cole	Huizenga (MI)	Nunes
Collins (GA)	Hultgren	Olson
Collins (NY)	Hunter	Palmer
Comstock	Hurd (TX)	Paulsen
Conaway	Hurt (VA)	Pearce
Cook	Issa	Perry
Costello (PA)	Jenkins (KS)	Pittenger
Cramer	Jenkins (WV)	Pitts
Crawford	Johnson (OH)	Poe (TX)
Crenshaw	Jolly	Poliquin
Culberson	Jones	Pompeo
Curbelo (FL)	Jordan	Posey
Davidson	Joyce	Price, Tom
Davis, Rodney	Katko	Ratcliffe
Denham	Kelly (MS)	Reed
Dent	Kelly (PA)	Reichert
DeSantis	King (IA)	Renacci
Diaz-Balart	King (NY)	Ribble
Dold	Kinzing (IL)	Rice (SC)
Donovan	Kline	Rigell
Duffy	Knight	Roby
Duncan (SC)	Labrador	Roe (TN)
Duncan (TN)	LaHood	Rogers (AL)
Ellmers (NC)	LaMalfa	Rogers (KY)
Emmer (MN)	Lamborn	Rohrabacher
Farenthold	Lance	Rokita
Fitzpatrick	Latta	Rooney (FL)

Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)

Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski

Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

□ 1410

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 506.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 145, answered “present” 2, not voting 32, as follows:

[Roll No. 507]

AYES—252

Abraham	Crenshaw	Hastings
Aderholt	Crowley	Heck (WA)
Allen	Cuellar	Hensarling
Babin	Culberson	Higgins
Barr	Davidson	Himes
Barton	Davis (CA)	Hinojosa
Beatty	Davis, Danny	Honda
Becerra	DeGette	Huffman
Bera	DeLauro	Huizenga (MI)
Billakis	DeBene	Hultgren
Bishop (MI)	Denham	Hunter
Bishop (UT)	Dent	Issa
Black	Diaz-Balart	Johnson (GA)
Blackburn	Dingell	Jolly
Blum	Doggett	Kaptur
Blumenauer	Donovan	Katko
Bonamici	Duckworth	Keating
Boustany	Duffy	Kelly (MS)
Brady (TX)	Duncan (SC)	Kelly (PA)
Brat	Duncan (TN)	Kennedy
Bridenstine	Edwards	Kildee
Brooks (AL)	Ellmers (NC)	King (IA)
Brooks (IN)	Emmer (MN)	King (NY)
Brown (FL)	Engel	Kline
Buchanan	Eshoo	Kuster
Bustos	Esty	Labrador
Butterfield	Farenthold	LaMalfa
Byrne	Farr	Lamborn
Calvert	Fleischmann	Langevin
Capps	Forbes	Larsen (WA)
Carney	Fortenberry	Latta
Carter (TX)	Foster	Lipinski
Castro (TX)	Frankel (FL)	Long
Chabot	Franks (AZ)	Loudermilk
Chu, Judy	Frelinghuysen	Love
Cielline	Garamendi	Lowe
Clark (MA)	Garrett	Lucas
Clawson (FL)	Gibbs	Luetkemeyer
Clay	Goodlatte	Lujan Grisham
Cole	Gosar	(NM)
Collins (NY)	Gowdy	Lujan, Ben Ray
Comstock	Graham	(NM)
Conaway	Grayson	Lummis
Conyers	Griffith	Maloney
Cook	Guthrie	Carolyn
Cooper	Hahn	Massie
Courtney	Hardy	McCarthy
Cramer	Harper	McCaul
Crawford	Harris	McClintock

NOES—171

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cielline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
Loebach
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)

Barletta
DesJarlais
Deutch
Doyle, Michael F.
Fincher
Granger
Guinta

NOT VOTING—22

Jeffries
Johnson, Sam
Larson (CT)
Levin
Lofgren
Maloney
Carolyn
McDermott

Norcross
Palazzo
Payne
Rush
Schrader
Titus
Visclosky
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

McCollum
McHenry
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (PA)
Napolitano
Neugebauer
Newhouse
Noem
Nugent
Nunes
O'Rourke
Olson
Palmer
Pascrell
Perlmutter
Pingree
Pocan
Polis
Pompeo
Posey
Price (NC)

Quigley
Rangel
Reichert
Ribble
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Royce
Ruiz
Ruppersberger
Russell
Salmon
Sanford
Scalise
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (NE)
Smith (NJ)

Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Takano
Thornberry
Tiberi
Trott
Tsongas
Upton
Van Hollen
Wagner
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yarmuth
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—145

Adams
Aguilar
Amash
Ashford
Bass
Benishek
Bishop (GA)
Bost
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Buck
Bucshon
Burgess
Capuano
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Chaffetz
Clarke (NY)
Clyburn
Coffman
Cohen
Collins (GA)
Connolly
Costa
Costello (PA)
Cummings
Curbelo (FL)
Davis, Rodney
DeFazio
Delaney
DeSantis
DeSaulnier
Dold
Doyle, Michael
F.
Ellison
Fitzpatrick
Fleming
Flores
Fox
Fudge
Gibson
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al

Green, Gene
Grothman
Guinta
Gutiérrez
Hanna
Hartzler
Heck (NV)
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hoyer
Hudson
Huelskamp
Hurd (TX)
Israel
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Knight
LaHood
Lance
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
LoBiondo
Loebach
Lofgren
Lowenthal
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
McGovern
McKinley
Mulvaney
Murphy (FL)
Neal

Nolan
Pallone
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Price, Tom
Ratcliffe
Reed
Renacci
Rice (NY)
Richmond
Roe (TN)
Ros-Lehtinen
Rouzer
Roybal-Allard
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schrader
Sewell (AL)
Sires
Smith (MO)
Swalwell (CA)
Thompson (MS)
Thompson (PA)
Tipton
Torres
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Walberg
Walden
Watson Coleman
Weber (TX)
Wilson (FL)
Woodall
Yoder
Young (AK)

ANSWERED "PRESENT"—2

Rice (SC) Tonko

NOT VOTING—32

Amodi
Barletta
Beyer
Cardenas
Cleaver
DesJarlais
Deutch
Fincher
Gabbard
Gallego
Gohmert

Granger
Grijalva
Hurt (VA)
Jeffries
Johnson, Sam
Kelly (IL)
Levin
Matsui
McDermott
Nadler
Norcross

Palazzo
Payne
Pelosi
Pitts
Rush
Schakowsky
Thompson (CA)
Titus
Visclosky
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1416

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WELCH. Mr. Speaker, I was unable to vote on rollcall 505, 506, and 507. I would have voted "no" on rollcall 505 and 506, and "aye" on rollcall 507 had I been there.

TERMINATION OF EMERGENCY
WITH RESPECT TO THE SITUATION
IN OR IN RELATION TO
CÔTE D'IVOIRE—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 114-163)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report that I have issued an Executive Order that terminates the national emergency declared in Executive Order 13396 of February 7, 2006, and revokes that Executive Order.

The President issued Executive Order 13396 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Côte d'Ivoire, which had resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities. In Executive Order 13396, the President addressed that threat by blocking the property and interests in property of, among others, persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, to be responsible for serious violations of international law in Côte d'Ivoire, or to have supplied arms to Côte d'Ivoire. Executive Order 13396 also implemented United States sanctions obligations under

United Nations Security Council Resolution (UNSCR) 1572 and subsequent resolutions.

I have determined that the situation in or in relation to Côte d'Ivoire that gave rise to the national emergency declared in Executive Order 13396 has improved significantly as a result of the progress achieved in the stabilization of Côte d'Ivoire, including the successful conduct of the October 2015 presidential election, progress on the management of arms and related materiel, and the combating of illicit trafficking of natural resources. With these advancements, and with the United Nations Security Council's termination of sanctions obligations on April 28, 2016, in UNSCR 2283, there is no further need for the blocking of assets and other sanctions measures imposed by Executive Order 13396. For these reasons I have determined that it is necessary to terminate the national emergency declared in Executive Order 13396 and revoke that order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.

THE WHITE HOUSE, September 14, 2016.

ENDING THE SUSPENSION OF
PREFERENTIAL TREATMENT
FOR BURMA—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 114-164)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

I am writing to inform you of my intent to end the suspension of preferential treatment for Burma as a beneficiary developing country under the Generalized System of Preferences (GSP) program, and to designate Burma as a least-developed beneficiary developing country for purposes of the GSP program. I have carefully considered the criteria set forth in sections 501 and 502(c) of the Trade Act of 1974, as amended (19 U.S.C. 2461, 2462(c)). After considering the criteria set forth in section 502(c), I have determined that it is appropriate to add Burma to the list of GSP beneficiary developing countries in the Harmonized Tariff Schedule (HTS) of the United States. After considering the criteria set forth in sections 501 and 502(c), I have determined that it is appropriate to add Burma to the list of GSP least-developed beneficiary developing countries in the HTS.

I submit this notice in accordance with section 502(f)(1) of the Trade Act of 1974 (19 U.S.C. 2462(f)(1)).

BARACK OBAMA.

THE WHITE HOUSE, September 14, 2016.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 3 p.m.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 859 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5620.

Will the gentleman from Pennsylvania (Mr. ROTHFUS) kindly take the chair.

□ 1501

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. ROTHFUS (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, September 13, 2016, amendment No. 13 printed in House Report 114-742 offered by the gentleman from California (Mr. LOWENTHAL) had been disposed of.

AMENDMENT NO. 14 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114-742.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. IDENTIFICATION OF MATTERS RELATING TO PART-TIME EMPLOYMENT OF MEMBERS OF THE ARMED FORCES WHO ARE PHYSICIANS.

The Secretary of Veterans Affairs shall identify—

(1) the number of members of the Armed Forces serving on active duty who are physicians employed at a Department of Veterans Affairs medical facility on a part-time basis;

(2) the process by which the Department hires such physicians on a part-time basis; and

(3) the process by which the Department hires civilian physicians on a part-time basis; and

(4) the steps the Department is taking to recruit members of the Armed Forces serving on active duty who are physicians for employment at Department medical facilities on a part-time basis.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, my amendment directs the VA to produce a report related to the part-time employment of Active Duty military positions at VA health facilities.

In 2014, Congress passed the Veterans Choice Act to help address the access to care crisis facing our Nation's veterans. As part of those reforms, the legislation called for a Commission on Care to examine how best to strategically organize the Veterans Health Administration, locate healthcare resources, and deliver health care to veterans over the next 20 years. The report was released on July 15 of this year.

The report's very first recommendation highlights VHA's provider shortages and suggests the VHA should expand their provider networks. They specify: "These providers must be fully credentialed with appropriate education, training, and experience, provide veterans access that meets VHA standards, demonstrate high-quality clinical and utilization outcomes, and demonstrate military cultural competency."

Recently, it came to my attention that Active Duty military physicians are confronting a number of hurdles when seeking part-time positions at our VA facilities and that these hurdles are preventing an entire group of physicians who exceed these standards from caring for our veterans.

The Department of Defense employs over 11,000 Active Duty military physicians. For many reasons, a number of these physicians choose to seek part-time employment in civilian hospitals. In fact, physician moonlighting is encouraged by the Department of Defense.

Yet, despite these military doctors exceeding all of the VA's employment standards, longstanding red tape seems to be preventing the VA from hiring them. At a time when VA facilities across the country are struggling to hire enough physicians, we cannot afford to turn away qualified doctors.

Recently, my office raised this issue with the Veterans Health Administration, and I appreciate the VHA's willingness to work with me on this issue. However, we need to get these facts on the record in order to continue the conversation and address this issue.

I would also like to thank Chairman MILLER for giving me the opportunity to raise this issue, and I look forward to working with my colleagues on both sides of the aisle to do what we can to help soldiers treat our vets.

While I greatly appreciate all physicians who choose to use their training, skills, and time to serve our Nation's veterans, there is no one more naturally equipped to care for our vets than our military physicians.

Mr. Chairman, I want to thank the chairman and the committee staff on both sides of the aisle for their work here.

At this time, I yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Chair, I thank my colleague, Representative BEN RAY LUJÁN from New Mexico, for yielding.

I urge my colleagues to support this legislation to ensure our veterans are fully taken care of.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I yield myself such time as I may consume.

I do support this amendment. It does require a report on DOD physicians who are part-time VA employees, and it is important to have an accurate accounting of how DOD clinicians are practicing at the VA on a part-time basis and how they are recruited.

So I want to thank Representative LUJÁN for bringing this valuable piece of legislation to the floor.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN of New Mexico).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from New York (Mr. SEAN PATRICK MALONEY), I offer amendment No. 15.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. EXTENSION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR THE CONDUCT OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101

note) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, as this body works to find ways to ensure that the VA is meeting the needs of the veteran community, we must ensure that we do not rob them of critical tools which have already helped the VA to address its claims backlog.

This amendment, based on Representative SEAN PATRICK MALONEY’s standalone legislation, the Disabled Veterans Red Tape Reduction Act, ensures that the VA has one more tool in its toolkit in order to meet its mission. It accomplishes this by allowing veterans to have their medical examinations done by physicians outside the VA system to help process veterans’ disability claims faster.

In the past, we have been able to work across party lines in order to keep in place this essential tool the VA needs to address the backlog. This important authority is due to expire at the end of the year; and without timely action from Congress, the VA would be even more overburdened.

This program works; that is why we need it. The fact that Congress would otherwise let this expire, when our VA system is already overburdened, is just unconscionable.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose it.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chair, I thank the gentleman from California (Mr. TAKANO) for bringing this piece of legislation to the floor. It is something that we already have passed, but putting it in a couple of different places probably doesn’t hurt, so I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. TAKANO. Mr. Chair, at this time, I would like to use the remaining time I have on this amendment to make the following statement.

I would like to take a moment to recognize Chairman MILLER, who will be retiring at the end of this Congress.

I have only been acting ranking member for a couple of months, but I have enjoyed working with him as a member of the committee for the last 4 years. He is a dedicated public servant.

He is charming and wily, and, with a smile, he can convince anyone across the table from him that his way is the right way, even though it is not.

I consider him a friend, but also a worthy adversary. Although we are at odds today on this underlying bill, I have enjoyed the bipartisan nature of the Veterans’ Affairs Committee. I think we set an example for the American people that Congress can come together and get things done.

With all this talk about Congresswoman DINA TITUS’ Appeals Modernization bill, I am reminded of another Titus bill. I worked with the chairman to include language in the Choice Act that increased the number of graduate medical education slots at the VA—1,500, to be exact. It was one of my proudest moments as a legislator, and I will look back fondly on the experience of working with Chairman MILLER. We did right by veterans, and we did right by the American people.

Mr. Chairman, I thank you for your service, and I wish you the best of luck with your retirement.

I urge my colleagues to support my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. O’ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114-742.

Mr. O’ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:
SEC. 11. RECRUITMENT OF PHYSICIANS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 7402(b)(1) of title 38, United States Code, is amended—

(1) by inserting “or to be offered a contingent appointment to such position,” after “position,”; and

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B)(i) have completed a residency program satisfactory to the Secretary; or

“(ii) with respect to an offer for a contingent appointment upon the completion of a post-graduate training program, complete such a residency program by not later than two years after the date of such offer; and”.

(b) OVERSIGHT OF GRADUATE MEDICAL EDUCATION PROGRAMS.—The Secretary shall—

(1) ensure that a recruiter or other similar official of each Veterans Integrated Service Network visits, not less than annually, each allopathic and osteopathic teaching institu-

tion with a graduate medical education program within the Network to recruit individuals to be appointed to positions in the Veterans Health Administration; and

(2) submit to Congress an annual report on the implementation of paragraph (1), including the success of such recruiting efforts.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O’ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O’ROURKE. Mr. Chairman, I rise today to speak on behalf of amendment No. 16, which will allow us to help the VA fulfill its responsibilities and truly be accountable to our veterans by hiring enough physicians and care providers so that we can meet the demands and the needs and the care that has been earned by these veterans.

Today, by the VA’s own admission, there are 43,000 authorized, funded, but unfilled positions in our community clinics and hospitals throughout the country. That means that veterans are waiting far too long and, in some cases, are not able to get in to receive that care that they have earned.

This amendment would allow the VA to begin doing what everyone else in modern medicine in America is doing today, and that is recruiting effectively from this country’s residency programs.

Today, the VA is prohibited from talking to residents until they have completely completed their residency. As we all know, by that point, most of those residents have selected an employer, and that employer is not the VA.

This brings us into line with every other Federal recruiting practice throughout the government and brings us in line with the private and other public sector employers against whom we are competing.

I will note that this amendment is also sponsored by Ms. STEFANIK of New York. It enjoys bipartisan support.

I urge my colleagues to join me in supporting this.

Lastly, Mr. Chair, before I yield to my ranking member, I want to join Representative TAKANO in recognizing the incredible service of Chairman MILLER, who has really ensured that this is the most bipartisan committee in the Congress, and that bipartisanship is needed now more than ever. If we are going to fix a VA system and deliver the care that those veterans have earned, we are going to need everyone working together as closely as possible, and Chairman MILLER has done a lot of work toward that end. So I want to thank him for his service and for what he has done for this committee and for veterans throughout the country.

Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from Texas has 2½ minutes remaining.

Mr. O'ROURKE. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. TAKANO), the ranking member.

Mr. TAKANO. Mr. Chairman, I fully support the gentleman's amendment, and I encourage my colleagues to do the same.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, I want to thank Mr. O'ROURKE, a valued member of our committee, and Ms. STEFANIK for bringing this timely piece of legislation to the floor in amendment form. I think it is very important.

As the VA tries to recruit new physicians to fill the 40,000-plus openings that they may have at any one time, it is important to be able to get the younger folks that are coming in so that they can be a part of the VA system and helping our veterans.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

□ 1515

AMENDMENT NO. 17 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114-742.

Mr. O'ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 11. AUTHORITY TO DISCLOSE CERTAIN MEDICAL RECORDS OF VETERANS WHO RECEIVE NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

Section 7332(b)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(H) To a non-Department entity (including private entities and other departments or agencies of the Federal Government) that provides hospital care or medical treatment to veterans.”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. I yield myself such time as I may consume.

Mr. Chairman, as we now know, we are 43,000 providers short within the

VA, which means that there is an unmet need and demand from veterans in the communities that we serve and whom we represent. To be able to bridge this gap, we are going to have to more effectively leverage capacity for care in public and private institutions throughout this country. These are public hospitals, private hospitals, and public and private clinics.

There are different means of doing this right now, which the VA Secretary seeks to streamline into one program, and I support this; but in the meantime, while we are largely dependent on the Choice Program that this Congress passed not too long ago, we must ensure that the care for these veterans is coordinated in a seamless manner.

Part of the problem in doing that is that the medical records for veterans are not effectively traveling with them from the VA to their provider in the community, and, in fact, because of an antiquated interpretation of veterans' medical information records, veterans have to sign a waiver allowing the VA to share that information.

Now, no other provider of medical care in this country operates under those same standards. And today, it is estimated that fewer than 3 percent of veterans have affirmatively signed these release forms allowing their information to be effectively shared with the community providers so that provider can make informed medical decisions for that veteran's treatment.

Inclusion of this amendment in the final bill's passage will ensure that we bring the VA up to modern medical standards, where veterans will still be protected by HIPAA and privacy laws but will have their critical medical information effectively shared without fear of exposure of any of their private and identifiable information.

Mr. Chairman, I ask that the Congress support this amendment into inclusion in the final bill so that we can effectively leverage that care in the community.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Again, Mr. O'ROURKE has brought an outstanding addition to this important piece of legislation. It is critical for continuity and the provision of safe, quality health care to our veterans to allow them to be able to communicate back and forth without any impediments, so I appreciate Mr. O'ROURKE's

hard work and, again, bringing this amendment to the floor. I urge my colleagues to support it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MR. O'ROURKE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114-742.

Mr. O'ROURKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. SURVEY OF VETERAN EXPERIENCES WITH DEPARTMENT OF VETERANS AFFAIRS MEDICAL CARE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into a contract with a non-government entity with significant experience conducting scientifically verifiable surveys and research to conduct an annual survey of a statistically significant sample of veterans who reside in the geographic area served by each of the medical facilities of the Department of Veterans Affairs to determine the nature of the experiences of such veterans in obtaining hospital care and medical services furnished by the Secretary at each such medical facility. Each such survey shall be conducted using scientific and verifiable methods. Such contract shall provide that the non-government entity shall conduct such annual surveys during the five-year period beginning on the date on which the Secretary enters into the contract with the non-government entity.

(b) CONTENTS.—The contract entered into under subsection (a) shall provide that each survey conducted pursuant to the contract shall be specific to a medical facility of the Department and shall include questions relating to the experiences of veterans in requesting and receiving appointments for hospital care and medical services furnished by the Secretary at that medical facility, including questions relating to each of the following:

(1) The veteran's ability to obtain hospital care and medical services at the facility in a timely manner.

(2) The period of time between the date on which the veteran requests an appointment at the facility and the date on which the appointment is scheduled.

(3) The frequency with which scheduled appointments are cancelled by the facility.

(4) The quality of hospital care or medical services the veteran has received at the facility.

(c) CONSULTATION.—The contract entered into under subsection (a) shall provide that in designing and conducting the surveys for each medical facility of the Department pursuant to such contract, the non-government entity shall consult with veterans service organizations.

(d) CERTIFICATION.—The contract entered into under subsection (a) shall provide that—

(1) before conducting a survey pursuant to the contract, the non-government entity shall submit the proposed survey to the Comptroller General who shall assess whether the survey is scientifically valid and whether the proposed sample size of veterans to be surveyed is statistically significant; and

(2) the non-government entity may not conduct such a survey until the Comptroller General provides such a certification for the survey.

(e) **SUBMITTAL OF RESULTS AND PUBLIC AVAILABILITY OF INFORMATION.**—Not later than 30 days after the completion of the surveys conducted pursuant to a contract entered into under subsection (a) for a year, the Secretary shall make the results of the surveys publicly available on the Internet website of the Department.

(f) **PAPERWORK REDUCTION.**—Subchapter I of chapter 35 of title 44, United States Code shall not apply to this section.

(g) **DEADLINE FOR IMPLEMENTATION.**—The Secretary shall enter into a contract under subsection (a) for each medical facility of the Department by not later than 180 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Texas (Mr. O'ROURKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. O'ROURKE. I yield myself such time as I may consume.

Mr. Chairman, I rise today to speak on behalf of this amendment No. 18, which we are referring to as the Ask a Veteran amendment to the underlying bill.

This essentially builds on some of the pioneering work taking place in the community I have the privilege to represent in El Paso, Texas. Before the wait-time scandal broke in Phoenix, we were hearing alarming discrepancies between what the VA was telling us that a veteran was waiting in our community and what we were hearing at our townhalls from veterans themselves.

In order to try to resolve this issue, we conducted a scientific survey by an independent third-party with a margin of error under 4 percent to ask veterans from their own experience and in their own words what they had experienced in terms of care at the VA. We found that instead of meeting the 14-day standard then in place by the VA for access to care, veterans, on average, were waiting over 70 days to see a primary care physician and over 60 days to see a mental health care provider.

Most alarmingly, 37 percent of the veterans who were surveyed who sought mental health care were not able to get an appointment in 14 days or 60 days or 1 year. They never got in at all. It is important that we remember that in the context of the VHA's recent admission that after a scientific survey of veterans in all 50 States, an average of 20 veterans a day are taking their lives in this country, and 14 of those 20 veterans who will take their lives today have not had a chance to see someone at the VA.

We have learned that we cannot depend on the VA to tell us how the VA is doing. We must ask veterans directly. This amendment will do just that. It will, in every community that

we serve, ask the veterans themselves how long they are waiting, when they first requested care and when that was received, the continuity of that care, the quality of that care, and the customer service.

If we are to create a culture of accountability in the VA, as the chairman has said over and over again, and which I agree with wholeheartedly, we need to ask the veterans directly about their experience. We can no longer make the same mistake of trusting the VA to tell us how the VA is doing.

Mr. Chairman, I ask for this body's full support of this measure that will help us hold the VA in check, keep them accountable, and ensure that veterans always have a voice in oversight of this most important institution.

Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. TAKANO), the ranking member.

Mr. TAKANO. Mr. Chairman, I thank the gentleman from Texas for yielding me 30 seconds. Mr. Chairman, I fully support his amendment, and I encourage my colleagues to do the same.

Mr. O'ROURKE. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Again, Mr. O'ROURKE has brought another good piece of legislation to the floor. In fact, this has previously passed the House in the 113th Congress. I think that veterans' voices must be heard, and we also must be careful how the questions are asked. We know how any survey or poll can be manipulated. It is very important that this is a trusted survey. I would urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. O'ROURKE).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from Minnesota (Mr. WALZ), I offer amendment No. 19.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) **VETERAN STATUS.**—

(1) **IN GENERAL.**—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

“§ 107A. Honoring as veterans certain persons who performed service in the reserve components

“Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

“107A. Honoring as veterans certain persons who performed service in the reserve components.”

(b) **CLARIFICATION REGARDING BENEFITS.**—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise in support of the amendment, which would provide deserved recognition for the National Guard and Reserve retirees.

The National Guard and Reserve component retirees who have served less than 180 straight days of Active Duty are not able to call themselves veterans due to the legal definition. This is despite their 20 years of service to their State and their Nation and despite their service in emergencies like floods, fires, and other natural disasters.

The amendment allows these National Guard and Reserve retirees to say “I am a veteran,” the ability to get a license plate showing their veteran status and to go to the store and buy a hat that says “Proud Veteran” without feeling guilty. It is simply a way to honor the men and women who have served in and retired from our National Guard and Reserve forces. It has no cost, and it already passed the House last by a vote of 407-0. I urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, even though I do not oppose it.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, this is an important piece of legislation to many. It would

give the ability for those who have served in the National Guard or Reserve for 20 years selflessly to be able to call themselves a veteran. It has already passed the House, as my colleague has already brought to our attention, back in February.

Representative WALZ is steadfast in his support of the National Guard and Reserve and all those who have worn the uniform of this Nation. I think it is very fitting that it be a part of this legislation today. I urge its passage.

Mr. Chairman, I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, I have no further speakers, and I urge all my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114-742.

Mr. TAKANO. Mr. Chairman, as the designee of the gentleman from Minnesota (Mr. WALZ), I offer amendment No. 20.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, add after line 2 the following:

SEC. 11. PROVISION OF REHABILITATIVE EQUIPMENT AND HUMAN-POWERED VEHICLES TO CERTAIN DISABLED VETERANS.

(a) IN GENERAL.—Section 1714(a) of title 38, United States Code, is amended—

(1) by striking “Any veteran” and inserting “(1) Any veteran”; and

(2) by adding at the end the following new paragraph:

“(2)(A) The Secretary may furnish rehabilitative equipment to any veteran who is entitled to a prosthetic appliance.

“(B) In carrying out subparagraph (A), the Secretary may modify non-rehabilitative equipment owned by a veteran only if the veteran elects for such modification.

“(C) The Secretary shall annually submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report on rehabilitative equipment furnished to veterans under subparagraph (A). Each such report shall include, with respect to the year covered by the report—

“(i) the number of veterans eligible to receive such rehabilitative equipment;

“(ii) the number of veterans who received such rehabilitative equipment;

“(iii) the number of veterans who elected to receive modified equipment pursuant to subparagraph (B); and

“(iv) any recommendations of the Secretary to improve furnishing veterans with rehabilitative equipment.

“(D) In this paragraph, the term ‘rehabilitative equipment’ means—

“(i) rehabilitative equipment, including recreational sports equipment that provide an adaption or accommodation for the veteran, regardless of whether such equipment is intentionally designed to be adaptive equipment; and

“(ii) includes hand cycles, recumbent bicycles, medically adapted upright bicycles, and upright bicycles.”.

(b) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated to carry out the requirements of this section and the amendments made by this section. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise in support of the amendment, which would allow the VA flexibility in providing equipment to help injured veterans recover through adaptive recreation. Specifically, it allows the Secretary of the VA to furnish rehabilitative equipment to veterans entitled to prosthetic appliances or modify non-rehabilitative equipment owned by a veteran. For example, this bill would allow a veteran with a prosthetic to bring his or her bike in and have it fitted to work with their prosthetic.

Currently, the VA can purchase new recreational equipment to support healing for the veteran, but sometimes a veteran just wants to use his or her own equipment; they want a return to normal after a major life-changing event that led to their need for a prosthetic.

This bill has no cost since the VA already has the equipment and the people to do this. I urge my colleagues to support this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Chairman, this is another valuable piece of legislation brought to us by our friend, Mr. WALZ. Disabled veterans do, in fact, need access to adaptive equipment, including recreational sports equipment. I think that this is a very commonsense amendment. I support it. I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 21 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114-742.

Mr. DUFFY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. APPOINTMENT OF LICENSED HEARING AID SPECIALISTS IN VETERANS HEALTH ADMINISTRATION.

(a) LICENSED HEARING AID SPECIALISTS.—

(1) APPOINTMENT.—Section 7401(3) of title 38, United States Code, is amended by inserting “licensed hearing aid specialists,” after “Audiologists.”.

(2) QUALIFICATIONS.—Section 7402(b)(14) of such title is amended by inserting “, hearing aid specialist” after “dental technologist”.

(b) REQUIREMENTS.—With respect to appointing hearing aid specialists under sections 7401 and 7402 of title 38, United States Code, as amended by subsection (a), and providing services furnished by such specialists, the Secretary shall ensure that—

(1) a hearing aid specialist may only perform hearing services consistent with the hearing aid specialist’s State license related to the practice of fitting and dispensing hearing aids without excluding other qualified professionals, including audiologists, from rendering services in overlapping practice areas;

(2) services provided to veterans by hearing aid specialists shall be provided as part of the non-medical treatment plan developed by an audiologist; and

(3) the medical facilities of the Department of Veterans Affairs provide to veterans access to the full range of professional services provided by an audiologist.

(c) CONSULTATION.—In determining the qualifications required for hearing aid specialists and in carrying out subsection (b), the Secretary shall consult with veterans service organizations, audiologists, otolaryngologists, hearing aid specialists, and other stakeholder and industry groups as the Secretary determines appropriate.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter during the five-year period beginning on the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the following:

(A) Timely access of veterans to hearing health services through the Department of Veterans Affairs.

(B) Contracting policies of the Department with respect to providing hearing health services to veterans in facilities that are not facilities of the Department.

(2) TIMELY ACCESS TO SERVICES.—Each report shall, with respect to the matter specified in paragraph (1)(A) for the one-year period preceding the submittal of such report, include the following:

(A) The staffing levels of audiologists, hearing aid specialists, and health technicians in audiology in the Veterans Health Administration.

(B) A description of the metrics used by the Secretary in measuring performance with respect to appointments and care relating to hearing health.

(C) The average time that a veteran waits to receive an appointment, beginning on the date on which the veteran makes the request, for the following:

(i) A disability rating evaluation for a hearing-related disability.

(ii) A hearing aid evaluation.

(iii) Dispensing of hearing aids.

(iv) Any follow-up hearing health appointment.

(D) The percentage of veterans whose total wait time for appointments described in subparagraph (C), including an initial and follow-up appointment, if applicable, is more than 30 days.

(3) CONTRACTING POLICIES.—Each report shall, with respect to the matter specified in paragraph (1)(B) for the one-year period preceding the submittal of such report, include the following:

(A) The number of veterans that the Secretary refers to non-Department audiologists for hearing health care appointments.

(B) The number of veterans that the Secretary refers to non-Department hearing aid specialists for follow-up appointments for a hearing aid evaluation, the dispensing of hearing aids, or any other purpose relating to hearing health.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 1530

Mr. DUFFY. Mr. Chairman, I rise today in support of my amendment, amendment No. 20, to Chairman MILLER's VA Accountability First and Appeals Modernization Act.

My amendment would add hearing aid specialists to the list of medical providers at the VA, allowing veterans access to timely hearing aid adjustments while still providing them with the same quality of care.

I come from rural America. One of the issues that we come across is that many of our veterans have hearing issues and—by the way, hearing and audiology issues are increasing at a rate of 10 percent per year in the VA—it takes a long time to get an appointment with an audiologist.

Once they get that appointment with the audiologist and they get a hearing aid, oftentimes they have to come back to the audiologist, waiting 2 weeks, 4 weeks, 6 weeks for that appointment to get that hearing aid adjusted and fitted. Or if something goes wrong, they have to wait another 4 weeks to go back to get it refitted and fixed.

So what this amendment would do is allow for our veterans to use hearing aid specialists, oftentimes in their own community, getting quick access to care so that they can hear. It is also

going to free up our audiologists to do the more serious work that is necessary with our veterans. We are in a scenario where not only are we going to save money, but we are also going to be able to provide better quality care to our veterans.

In my neck of the woods, if a veteran can get a hearing aid adjusted in their own community as opposed to driving 2 hours or 3 hours to a VA facility, it is a big, big deal for them.

So often I am hearing stories from family members who talk about their loved one who is maybe from Vietnam or from World War II. They will sit around the table and just smile, nodding their head in conversations because they can't hear.

I have heard stories where they have gotten their hearing aids and they have actually thrown them away because they can't get appointments. They don't know how the darn things work.

This is an easy fix. I appreciate the chairman's support. I think we have support from my friends across the aisle. It is an easy fix with no cost.

Mr. Chairman, I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I claim the time in opposition, though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. TAKANO. Mr. Chair, I am prepared to support the amendment, and I urge my colleagues to do the same.

Mr. Chair, I yield back the balance of my time.

Mr. DUFFY. Mr. Chair, I appreciate the gentleman's support.

Mr. Chair, I include in the RECORD six letters from numerous veterans service organizations in support of H.R. 5620, as amended.

IRAQ AND AFGHANISTAN
VETERANS OF AMERICA,
August 26, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs, Washington, DC.

DEAR CHAIRMAN MILLER, Iraq and Afghanistan Veterans of America (IAVA) and our 425,000 members are pleased to offer our strong support for H.R. 5620, the VA Accountability First and Appeals Modernization Act.

It has been over two years since the scandal in Phoenix alerted the country to the egregious state of the VA health care system. And yet little has been done to ensure the VA is equipped with the necessary authorities to address workforce accountability. The large majority of VA employees serve veterans with distinction, but there are employees whose poor performance or, at worst, gross negligence put veterans at risk. They need to immediately be removed from the VA to restore trust within the VA system. IAVA believes this legislation provides the VA leadership those necessary authorities while still providing due process. While accountability at the VA is past due, the changes to due process and the appointments clause ensure such accountability is done responsibly.

Additionally, this legislation provides many improvements to the disability compensation appeals process desperately needed at the VA to better manage the appeals backlog. Reducing burdensome red tape will better serve veterans and their families and will improve efficiency within the VA.

Veterans have made great sacrifices in service to our nation, and IAVA believes they deserve a VA that can provide the level of care they have earned. If we can be of help, please contact Tom Porter, IAVA's Legislative Director.

Sincerely,

JONATHAN SCHLEIFER,
Interim Chief Policy Officer,
Iraq and Afghanistan Veterans of America.

NATIONAL ASSOCIATION FOR
UNIFORMED SERVICES,
Springfield, VA, July 13, 2016.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of the nationwide membership of the National Association for Uniformed Services (NAUS), I would like to offer our full support for H.R. 5640, a bill that combines VA accountability provisions with personnel appeals reform.

Your legislation would enhance the power of the Department of Veterans Affairs to hold its employees accountable for their actions and for when they abuse their public trust and their obligation to care for sick and injured veterans. At the same time, your bill is balanced. It does not come at the expense of fairness and equitable treatment of VA employees.

NAUS supports efforts to reform VA into an organization worthy of the veterans it is charged with serving. Various personnel policies and antiquated rules have played a part in pushing its ranks into a culture of corruption that has led to a list of scandals in VA facilities nationwide. It is time to ensure accountability where it is needed.

Once again, thank you for introducing legislation that will address the intolerably corrosive culture of no-accountability at the Department of Veterans Affairs. Thank you as well, for your continued support for America's veterans.

Sincerely,

RICHARD A. JONES,
Legislative Director.

RESERVE OFFICERS ASSOCIATION,
Washington, DC, July 15, 2016.

Hon. JEFF MILLER,
Chairman, Committee on Veterans Affairs, House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: The Reserve Officers Association of the United States supports H.R. 5620, the "VA Accountability First and Appeals Modernization Act of 2016," to amend title 38 U.S.C., giving the Secretary of Veterans Affairs broader authority to establish performance accountability among employees within the department and to reform the disability claims appeal process.

The public's trust in the quality of VA health care and benefits administration has needlessly suffered because VA employees were not doing their jobs and because VA managers at all levels neglected their responsibilities. Poor performance has cost veterans their health and even their lives; veterans die waiting for a claim settlement. Families trust that their loved one will be taken care of and not taken from them.

Civil servants must be accountable; poor performance must not be tolerated, nor rewarded with promotions and bonuses. The

VA leadership's disciplinary failure is clear: according to congressional sources, in the wake of the 2014 scandals only three employees have been terminated; of 452 disciplinary cases, nearly a third were mitigated. "... in the San Diego [regional office], a Veteran Service Representative was proposed for removal, but the employee only received a suspension for less than 14 days. The suspensions can also be misleading as we have seen plenty of cases where VA merely uses a 'paper' suspension but in reality the employee serves a much shorter suspension, if they serve one at all."

Accountability will strengthen the civil service: high-performing teams will attract quality into public service. Of special value are measures impacting the Senior Executive Service. Essentially beyond the reach of discipline and accountability, the SES is the "center of gravity" for an agency's performance: the effects of mediocrity at the top, with bonuses unjustified by performance, cascades devastatingly through the ranks.

ROA also supports the act's increased whistleblower protections; in truth, the legislative branch and the agency's internal controls, such as its inspector general, have at best a limited capacity to identify abuses of the public trust that occur beyond detection, deep in the bureaucracy. Whistleblowers are a veteran's best friend and must be encouraged and protected.

But merely giving an agency the tools to make internal corrections does not necessarily lead to their use: Congress must exercise rigorous oversight, unsparingly revealing to public scrutiny the failures of agency heads and the administration in discharging their duties, and exerting all influential means appropriate to bring about correction.

ROA has a membership of 50,000 and is the only national military association that exclusively supports all the uniformed reserve components of the United States. Thank you for your efforts on this issue, and your support of our veterans. Please have your staff call Susan Lukas, ROA's legislative director with any question or issue you would like to discuss.

Sincerely,

JEFFREY E. PHILLIPS,
Executive Director.

STUDENT VETERANS OF AMERICA,
Washington, DC, July 7, 2016.

Chairman JEFF MILLER,
Committee on Veterans Affairs,
House of Representatives.

CHAIRMAN MILLER: On behalf of Student Veterans of America (SVA), a coalition of over 1,390 student veteran organization chapters at colleges and universities with over 550,000 student veterans at those campuses, I am writing to express our support of HR 5620 the "VA Accountability First and Appeals Modernization Act of 2016". The bill supports stronger accountability measures for Department of Veterans Affairs employees and increases the efficiency of the disability appeals process. This bill gives the VA secretary the authority to take necessary action against negligent employees, such as recalling their bonuses and relocation expenses. Accountability is a major challenge for the VA and this bill addresses accountability challenges with specific measures. In addition, we support reform of the benefit appeals process.

As supporters of the previous legislation the "VA Accountability Act of 2015", we support these necessary changes. Student veterans nationally rely on the Department of

Veteran Affairs for benefits and for health care as well as other programs and services. The goals of HR 5620 align with those of SVA. As Secretary McDonald said, "As the Nation's foremost advisory body in medicine and healthcare, you know that the Department of Veterans Affairs is in the midst of overcoming problems involving access to healthcare. We own them, and we're fixing them."

The Secretary of the Department of Veterans Affairs requires legislative authority to fix accountability challenges so he may hold employees accountable with appropriate policies and processes. SVA supports this bill for these reasons. Please contact us should you have any questions or concerns.

Respectfully,

JAMES SCHMELING,
Executive Vice President.

JULY 22, 2016.

Hon. JEFF MILLER,

Chairman, House Committee on Veterans Affairs, Washington DC.

DEAR CHAIRMAN MILLER: VetsFirst, a program of United Spinal Association is writing to express its upmost support for H.R. 5620, "VA Accountability First and Appeals Modernization Act of 2016." As a VA recognized National Veterans Service Organization, United Spinal Association, through its VetsFirst program, advocates on behalf of all of our nation's veterans. With the numerous scandals plaguing VA now, it is essential that Congress take action to rectify the situation and this legislation is an important first step.

The VA Accountability First and Appeals Modernization Act of 2016 is a worthy piece of legislation as it proposes to tackle several issues that have undercut the taxpayers' faith in VA. H.R. 5620 provides for the removal or demotion of employees based on performance or misconduct. This is critical as it not only removes bad apples within VA, but addresses the culture of VA and shows that Congress will no longer tolerate the abuse of our nation's veterans. It provides for the reduction of benefits for senior executive service (SES) members convicted of certain crimes, recoups bonuses and relocation bonuses of certain VA employees, streamlines personnel actions and addresses the treatment of whistleblowers. Finally, it provides much needed reform to the current VA appeals process. This reform is essential as it addresses employee's misconduct more efficiently, while establishing procedures that ensure the accused's Constitutional rights are properly protected.

VetsFirst, believes that Veterans deserve honest, timely and efficient service. For too long VA and its culture have allowed for abuses against those who have sacrificed for this nation. H.R. 5620 addresses both the abuses and the need for cultural reform. Therefore, we are proud to offer our support for this meaningful legislation.

If we can be of further assistance, please contact Ross Meglathery, Vice President of VetsFirst, if VetsFirst can be of assistance.

Sincerely,

ROSS MEGLATHERY,
Vice President, VetsFirst,
a program of United Spinal Association.

UNITED STATES ARMY,
WARRANT OFFICERS ASSOCIATION,
Herndon, VA, August 9, 2016.

Hon. JEFF MILLER,

Chairman, House Veterans Affairs Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN MILLER: The United States Army Warrant Officers Association

(USAWOA) is the only military service organization thoroughly devoted to the welfare of Army Warrant Officers—serving, former and retired—and their families. The USAWOA writes in support of your bill, H.R. 5620, the "VA Accountability First and Appeals Modernization Act of 2016."

Your bill would provide the Secretary of the Department of Veterans Affairs (VA) increased flexibility to remove VA employees for performance or misconduct, would provide improved protections for whistleblowers (including restricting bonus awards for supervisors who retaliate against whistleblowers), and would strengthen accountability of VA Senior Executive Service (SES) employees.

This legislation would also reform and streamline the VA's appeals process for disability benefits. This is crucial, as the backlog of appeals appears to be growing at geometric rates.

USAWOA joined other members of The Military Coalition in working hard with members of Congress on the VA Choice Act in 2014. H.R. 5620 expands on this good work, to provide vastly more efficient service to our Veterans in need, as it also enforces greater accountability of the professionals tasked with serving them.

The USAWOA thanks you for your leadership on this issue. Please do not hesitate to contact me for clarification of USAWOA's position on this, or any other issue in the future.

Sincerely,

JACK DU TEIL,
Executive Director.

Mr. DUFFY. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. TAKANO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 22 OFFERED BY MR. MILLER OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114-742.

Mr. MILLER of Florida. Mr. Chair, I offer an amendment as the designee of the gentleman from New Jersey (Mr. LANCE).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 54, after line 2, insert the following:

SEC. 11. ANNUAL REPORT ON PERFORMANCE OF REGIONAL OFFICES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7734 of title 38, United States Code, is amended—

(1) in the first sentence, by inserting before the period the following: "and on the performance of any regional office that fails to meet its administrative goals";

(2) in paragraph (2), by striking "and";

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following new paragraph (3):

“(3) in the case of any regional office that, for the year covered by the report, did not meet the administrative goal of no claim pending for more than 125 days and an accuracy rating of 98 percent—

“(A) a signed statement prepared by the individual serving as director of the regional office as of the date of the submittal of the report containing—

“(i) an explanation for why the regional office did not meet the goal;

“(ii) a description of the additional resources needed to enable the regional office to reach the goal; and

“(iii) a description of any additional actions planned for the subsequent year that are proposed to enable the regional office to meet the goal; and

“(B) a statement prepared by the Under Secretary for Benefits explaining how the failure of the regional office to meet the goal affected the performance evaluation of the director of the regional office; and”.

The Acting CHAIR. Pursuant to House Resolution 859, the gentleman from Florida (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chair, I offer this amendment, which is similar to a provision that was previously passed in the House in the 113th Congress. It improves transparency and provides important information about each regional office's accuracy and productivity.

I think that each regional office is required to submit a report whenever it fails to meet its goal of processing claims within 125 days and with 98 percent accuracy. Those are numbers that VA has set forth. I think that it is very important that we keep a timely track on this and not allow the backlogs to continue for an inordinate period of time.

I urge my colleagues to support the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MILLER).

The amendment was agreed to.

Mr. MILLER of Florida. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MILLER of Florida) having assumed the chair, Mr. ROTHFUS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5226) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, had come to no resolution thereon.

REGULATORY INTEGRITY ACT OF 2016

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5226.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 863 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5226.

The Chair appoints the gentleman from Pennsylvania (Mr. ROTHFUS) to preside over the Committee of the Whole.

□ 1538

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, with Mr. ROTHFUS in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Missouri (Mr. CLAY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my bipartisan bill, H.R. 5226, the Regulatory Integrity Act of 2016, a good government transparency bill.

This bill is a simple concept, but I believe it will have an important and positive impact on the public's participation in the regulatory process. That positive impact will, in turn, benefit the regulatory process as a whole.

Mr. Chairman, the public comment period is an essential part of upholding our democratic values. It ensures that Americans will have their voices heard in the Federal Government's regulatory process.

H.R. 5226 helps preserve the integrity of the public commenting in two primary ways. First, the bill defines the parameters of how an agency should communicate when the agency is offering a proposal to the public and when asking that the public provide feedback. This bill requires agencies to do only what you should expect them to do, if the request for feedback was genuine and sincere.

Mr. Chairman, H.R. 5226 requires the agency to, one, identify itself; two,

clearly state whether the agency is accepting public comments or considering alternatives; and, three, most importantly, speak about the regulation in a neutral, unbiased tone.

The people I represent in Michigan's Seventh District are ready to offer honest and thoughtful feedback, but they currently lack confidence that Federal agencies are actually open to their insights and constructive criticism.

There may be no better example of this tendency to ignore the American public than the EPA's Waters of the U.S. Rule. The EPA not only overlooked the very real concerns of the countryside—concerns expressed by my constituents in Monroe, Jackson, and Lenawee County—but the EPA actually engaged in a social media campaign to gin up support for their proposal.

In fact, the Government Accountability Office found that the EPA undertook a “covert propaganda” campaign by soliciting social media comments in support of their proposed rule. GAO also told the EPA to report this violation to the President and Congress because “the agency's appropriations were not available for these prohibited purposes.”

The public comment period is the opportunity afforded to American people to voice their concerns on proposed rules, and agencies must take their input seriously.

Mr. Chairman, this bill simply tells agencies that they need to keep to the facts and avoid soliciting support when they ought to be soliciting comments.

Mr. Chairman, the second way this bill helps to preserve the integrity of the regulatory process is that it establishes transparency requirements for the agency in how it communicates to the public.

The bill requires agencies to post on their Web site some basic information about each communication the agency makes about pending regulatory action. For each communication, the public will be able to see a copy of the communication, the intended audience, the method of communication, and the date the communication was issued.

Additionally, agencies will be required to post online a description of each regulatory action, the date the agency first began to consider or develop each action, the status of each action, and the expected date of completion for each action.

Mr. Chairman, these basic transparency measures will allow the public to have a central source for all communication about a specific regulatory action so that the public can have a full and equal opportunity to understand the intent of the agency.

It will also allow Congress and the American public to verify that communications to the public about regulatory actions are honest, unbiased,

and compliant with the requirements of the bill.

Mr. Chairman, although individuals may disagree about how much regulation is appropriate or how intrusive regulations might be, we should all agree that the public's participation is a vital part of legitimizing the rule-making process. Without input from the public—input that is fully considered by the agency promulgating the rule—something fundamental is missing from the legislation itself.

Unfortunately, we have seen over and over again agencies that seem to believe that the regulatory process is simply a perfunctory act of compliance necessary to reach the end goal of whatever regulatory scheme the agency's staff feels is best.

What we see when the agency diminishes the public input is that the rule-making process is used by agencies to advocate for what should be a proposed rule rather than used to refine and improve upon the agency's existing thoughts.

□ 1545

In fact, Congress originally established the regulatory process as a way to crowdsource the development of regulations long before the term "crowdsourcing" was even a thing.

Mr. Chairman, this bill helps us return to our original intent of crowdsourcing regulatory efforts, by preventing agencies from boasting to the public about how great their proposal is, instead of honestly and earnestly asking for feedback, constructive criticism, and a dialogue about how best to solve problems. As a result, H.R. 5226 will restore integrity to our regulatory process.

I appreciate the opportunity to bring the bill to the floor today. I urge my colleagues to support this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 5226, and I cannot support this bill as drafted. This legislation is another attempt by House Republicans to attack agency rulemakings with which they disagree. This attack is done under the guise of creating more transparency, but the bill will actually lead to less openness in the agency rulemaking process.

The bill we are considering today supposedly aims to prohibit improper communications by agencies, known as agency aggrandizement. What the bill actually does is muzzle agencies from talking about pending rules.

This bill would prohibit agencies from making public communications to solicit support for or to promote a pending agency regulatory action. Agencies currently are prohibited from grassroots lobbying for an agency rule or from engaging in publicity or propaganda.

The GAO has issued opinions that define what agencies can and cannot say. GAO says that three categories of communications are off limits: one, covert communications; two, self-aggrandizement; and three, purely partisan activities.

This bill goes far beyond that by prohibiting communications that are to promote a rule. Almost anything an agency says would be considered promotion of a rule. The practical impact of this legislation is that almost any action the agency made to communicate the benefits of a rule could be considered to be improperly promoting a pending action.

The bill defines public communication to include every oral, written, or electronic communication. This means that tweets as innocuous and as popular as the Department of the Interior's daily nature photo could even be considered improper promotion. I cannot believe that the sponsors of this bill would really intend to regulate nature photos on Twitter.

In addition to limiting communications between agencies and the public, this legislation contains a number of other unnecessarily burdensome requirements.

Yesterday, the White House issued a Statement of Administration Policy that said that, if this bill were presented to the President, his senior advisers would recommend that he veto the bill. That statement said: "The Regulatory Integrity Act would be duplicative and costly to the American taxpayer. The separate tracking and reporting of agency communications as prescribed by the bill is unnecessary, is extremely burdensome, and provides little to no value while diverting agency resources from important priorities."

I urge my colleagues to reject H.R. 5226.

I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank the gentleman for his leadership on this important issue.

Congress and the courts have stated time and again, agencies cannot use taxpayer funds to lobby Congress on rules and regulations. It is supposed to be perfectly clear, but, unfortunately, we have seen that this administration thinks it is above the law, disregarding the clear differences between disseminating information and lobbying.

In 2004, The New York Times—yes, The New York Times—reported on the EPA's use of taxpayers' funds for a propaganda campaign to promote its proposed clean water rule.

The minority talks about muzzling. Well, we do need to muzzle propaganda. At the same time the EPA was working with outside groups to actively promote the rule on social media like

Facebook and Twitter, this covert propaganda came, despite the clear line that prohibits Federal agencies from engaging and lobbying on causes.

Enough is enough, Mr. Chairman. Federal agencies should not be using taxpayer dollars to lobby on behalf of rules and regulations they are issuing, as The New York Times pointed out and discovered.

I have heard from farmers, manufacturers, miners, and more in West Virginia about their concerns with rules such as waters of the U.S. Their concerns are legitimate, and the EPA should not be drowning out criticism by actively lobbying for their own rules on social media.

This is a commonsense bill. This deserves bipartisan support by all Members of Congress. It shouldn't matter which party is in control of Congress or which party is in the White House. It is simply good policy.

I encourage approval of this legislation.

Mr. CLAY. Mr. Chairman, I continue to reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

I am awaiting additional Members who would like to speak to this issue, but, in the intervening time, let me just say again I certainly, having majored in forestry and land management early in my academic career, love pictures of nature. We are not attempting to stop that from taking place. We are simply saying that the American public deserves the opportunity, in regulatory issues, to make clear public comments and to know, with transparency, what agencies are doing.

To find out, with the new social media opportunities, that agencies like the EPA are using taxpayer dollars to purchase specific tools, electronic media tools, to engage in encouraging people only to comment positively about their rules, that is a great concern. So, Mr. Chairman, I think it is appropriate for us to put a little further block in saying taxpayers ought to be considered and agencies ought to listen to them, and not the other way around.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I have a letter in my possession signed by numerous groups, public interest groups, stating their opposition to H.R. 5226. It is a very interesting combination of groups: the AFL-CIO, AFSCME, American Association of University Women, Americans for Financial Reform, Clean Water Action, Consumer Action, Consumer Federation of America, Consumers for Auto Reliability and Safety, Earthjustice, U.S. PIRG, United Steelworkers, Voices for Progress, WE ACT for Environmental Justice, Project on Government Oversight, Public Citizen,

Prairie Rivers Network, and NETWORK Lobby for Catholic Social Justice.

What they all agree on is that the Regulatory Integrity Act will significantly undermine a Federal agency's ability to engage and inform the public in a meaningful and transparent way regarding its work on important, science-based rulemakings that will greatly benefit the public.

As a result, the bill will lead to decreased public awareness and participation in the rulemaking process in direct contradiction of the Administrative Procedure Act and agencies' authorizing statutes which specifically provide for broad stakeholder engagement.

They point out that substantial ambiguities in the bill threaten to create uncertainty and confusion among agencies about what public communications are permissible and, thus, risk discouraging them from keeping the public apprised of the important work that they do on its behalf.

In an era when agencies should be increasingly embracing innovative 21st century communications technologies needed to reach the public, including social media, H.R. 5226 sends exactly the wrong message. So that means that all of these groups feel as though this legislation would dampen or chill the public's ability to be able to weigh in on a rule, to be able to even know what those agencies are doing. I just, for the life of me, cannot understand what the urgency is to pass this bill into law and to have the chilling effects that it would have on the public's ability to communicate with its government.

Mr. Chairman, I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

I thank my friend and colleague from Missouri. I appreciate his concerns, appreciate the list. But in that list, I didn't hear anyone that would have to live directly under the new regulations that are being proposed or people that would offer comment with great concerns of how it would impact them.

I am thinking of the agriculture community in my district, major community in the district, with great concerns about waters of the U.S. and the impact that it would have in doing away with the opportunity of the family farm, in many cases.

So I don't see any significant problems with any ambiguity, if there be any, which this legislation might produce amongst agencies because we are always open to agencies coming to Congress asking questions. What did we mean?

I think debates like this, that I appreciate, give an opportunity to look back and say this is what we debated, this is what we meant to do, and this is how you ought to carry it out. So the

issue of any ambiguity that would come up from this legislation, in fact, I don't think it is a problem. It adds more insight.

I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, again, listening to the critical nature of this issue about communication—I served 18 years in our State legislature. One of the great awakenings to me up here was the fact that, once we pass a law and we tell the administration, who tells an agency to craft a rule to carry out that law, under the Federal system, the agency can do essentially whatever it wants to do.

□ 1600

That rule doesn't officially come back and not go into effect until the Congress gives its stamp of approval. The agency basically can do almost anything it wants. The role, responsibility, and power of Congress is somewhat limited.

In the State legislature, a rule had to come back in West Virginia and get the full approval of the legislature once again. That was the voice of the legislature to say: We think you got it right, agency, or not.

We don't have that luxury here. That is why in this rulemaking process, the communication as the draft rule and proposed final rule get published, we run into the issue where an agency, through all these incredible communication tools, might cross the line and actually try to influence the public comments to bolster their rule, essentially lobbying for their own rule. That is simply wrong. We need to have a clearly defined rule.

That is what this bill does. We need to put the power back in the people and to make sure that they are not unduly influenced by an agency that is simply trying to sell their rule. Communicating with the public is important. We have incredible communication tools. That is a positive thing. But they have to be used in the right way, and that is why this legislation makes sure that they are used in the right way and why this is so important.

Mr. CLAY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, my friend from Michigan mentioned that he didn't hear in the list people that may be impacted by this legislation. The list includes 34 different groups, and some of them that I think that all of us represent that would be impacted by this arbitrary legislation are groups like Consumer Federation of America, Earthjustice, Environment America, Greenpeace, Natural Resources Defense Council, and Prairie Rivers Network—I am not even sure where that is based, but I represent the confluence of the Mississippi and Missouri rivers right at St. Louis, so water is important to the

people in my region—U.S. PIRG, Union of Concerned Scientists, United Steelworkers, and United Support and Memorial for Workplace Fatalities. Those are some of the groups that are represented in this letter.

Mr. Chairman, I yield the balance of my 5 minutes to the gentlewoman from the U.S. Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Chairman, I thank my colleague from Missouri.

Mr. Chairman, H.R. 5226, the Regulatory Integrity Act of 2016, would, we believe, impose duplicative and unnecessary procedural requirements on agencies that would prevent them from efficiently performing their statutory responsibilities and could potentially lead to a less informed public due to the nature of the communication that is requested or not to be requested by this bill. Additionally, Mr. Chairman, these duplicative services will be costly to the American taxpayer.

While we agree that some increased transparency should be considered, this bill actually grinds regulatory processes and has an onerous and chilling reporting requirement to it. The bill increases bureaucratic red tape my Republican colleagues purport to be the problem with government and creates additional oversight by the Federal Government on agencies. We do have the ability to keep agencies from what their rulemaking is through our own appropriation of those agencies and what they do.

If that isn't reason enough not to support this legislation, its added costs to the American taxpayers should do the job. The separate tracking and reporting of agency communications as prescribed by the bill is unnecessary and extremely burdensome and provides little to no value while diverting agency resources from the important priorities and work that the agencies with limited resources as it is are supposed to carry out.

This bill is designed for the majority to more easily combat agency actions that they disagree with.

Mr. Chairman, there are more urgent matters that we need to be taking up at this time that need our immediate attention: the Zika virus, the Flint water crisis, gun violence, and the heroin and opiate crisis that are going on right now. This is really unnecessary time that this Congress should be taking, and we believe that this should be struck down by this Congress.

Mr. WALBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BISHOP), my good friend and colleague.

Mr. BISHOP of Michigan. Mr. Chairman, I thank Mr. WALBERG for all his hard work on this issue. It is a very important issue for this country and the people that we represent.

Every year, unelected bureaucrats create thousands of onerous rules that have the full effect of a law without

any input from the people that they will impact—rules like the EPA's waters of the United States rule or the Department of Labor's overtime rule—which I hear about often in my office. These rules are able to be crafted and adopted behind closed doors without ever being voted on by a single elected official with absolutely no transparency and no public debate.

Nevertheless, this administration continues to churn out these rules without regard for the negative consequences or the fact that this rule-making process is contrary to the express terms of the United States Constitution, Article I, section 1, which gives exclusive lawmaking power to the legislative branch.

These rules have so many negative consequences like fewer jobs and less workplace flexibility, and they impact virtually everyone in some way or another. That is why I support Mr. WALBERG's bill, H.R. 5226, the Regulatory Integrity Act. It provides much-needed transparency into the rule-making process by requiring agencies to post all public comments in a central location. It also prohibits Federal agencies from actively soliciting support for any and all proposed rules during the public comment period.

Mr. Chairman, I have worked here for 2 years, and I am still shocked by the brazen disregard this administration has shown for the rule of law and the United States Constitution. I urge my colleagues on both sides of the aisle to vote "yes" on this measure.

Mr. WALBERG. Mr. Chairman, I would like to make the gentleman from Missouri, my friend, aware that I have no further speakers and I am prepared to close.

Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to close by reiterating a few of the problems with the Regulatory Integrity Act. This bill would require agencies to report every interaction with the public regardless of whether it is a phone call, email, tweet, or more formal statement. The bill would prove completely unworkable and would have the effect of chilling agencies' interactions with the public and leading to less transparency with the agency rulemaking process.

I would support a bill that actually improved transparency. This bill will not accomplish that, and I cannot support it. I, again, urge my colleagues to reject this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. WALBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleague for the concerns. I think we really want the same thing. We want to make sure that in the process of doing regu-

lation rules, that they fit the need, but I guess I would add to the point that as limited as possible in order to keep the liberty, opportunity and growth in our country is what I would feel to be necessary.

We have regulatory agencies that are—because of their strength, their power, and their pervasiveness—able to direct the course of regulation under the guise of having public comment, under the guise of seeking that advice and even best practices; yet behind the scenes are using resources with some of the abilities they have today with social media and other things to lobby for a particular proposal before they have even looked at the comments from those that have to deal with it, whether it is a corporation or whether it is a farmer or whether it is a union.

As a former proud United Steel worker myself, I understand that regulations are important to make sure that protections are taken. But as a steelworker, I wanted to know that I had a job to come back to at a site to come back to. The place I worked at in the south side of Chicago is no longer there. Many of the reasons were because of bad decisions by the corporation, but also a regulatory climate that made it difficult to compete.

So all we are asking here is that there be full transparency, that Congress gets more involved in saying yes to good ideas from the agencies or saying no to bad ideas from the agencies, in listening to people and making sure that their concerns are met first and foremost. That is all I ask.

Mr. Chairman, that is why I ask support for H.R. 5226, I believe a common-sense and, yes, a bipartisan proposal to put transparency back into the system and integrity in the way we do our regulatory reform.

Mr. Chairman, I yield back the balance of my time.

Ms. NORTON. Mr. Chair, there is loads of work for Congress to do "before we sleep"—from the budget for the federal government itself to funding for the Zika health emergency before it gets any more out of control.

Instead, the House just wasted time on H.R. 5226, the badly misnamed Regulatory Integrity Act, a bill so costly to taxpayers and so redundant of existing legislation that it has attracted a veto threat.

The bill adds wasteful costs to the regulatory process Republicans incessantly claim is too costly now. H.R. 5226 requires every public communication to be published within 24 hours. Duh! Public communications are by definition—public.

Republicans have never seen a regulation they like. Putting new and costly work on agencies won't make regulations any less acceptable. If the point was the same as usual—to try to deter regulations—Republicans are going to have to try harder.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to HR 5226, the Regulatory Integrity Act of 2016.

The Regulatory Integrity Act seeks to bar a federal agency from promoting or soliciting

public support for its actions, such as proposed regulatory rules. Under current law, agencies are already prohibited from spending funds on publicity or propaganda lobbying, but in some cases agencies may communicate with the public regarding the benefits of a rule. If this bill becomes law, any such action could be interpreted as illegal. Further troubling, the bill requires an agency to report each of its communications with the public on the rules about which the Agency has been most vocal. Such an effort will dramatically increase the cost of Federal rulemaking to the public.

In my opposition to this bill, I associate myself with the remarks of Ranking Member ELIJAH CUMMINGS who said, "Agencies already are barred from engaging in 'substantial grassroots lobbying campaigns' when those campaigns are aimed at encouraging members of the public to pressure Members of Congress to support the Administration or department legislative or appropriation proposals. The bill would require agencies to report to Congress every communication to the public—including every oral communication from an agency official—about the five regulatory actions the agency issued the most communications on in the previous year. This would be unnecessarily burdensome and likely would not be workable for agencies."

The Administration also opposes the bill, threatening a veto on the grounds that the measure is "duplicative, vague, costly and puts unnecessary procedure requirements on agencies that would prevent them from efficiently performing their statutory responsibilities and potentially lead to a less informed public."

The public has a right to know how a proposed regulation will affect them personally and the agency issuing that regulation is uniquely qualified to offer the data necessary to make that determination. In the absence of such information, the public will be at the mercy of any well-funded special interest or high priced lobbyist who might want to defeat regulations that protect the public interest, but not their profits.

The Acting CHAIR (Mr. WESTMORELAND). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-63. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Regulatory Integrity Act of 2016".

SEC. 2. PUBLICATION OF INFORMATION RELATING TO PENDING REGULATORY ACTIONS.

(a) AMENDMENT.—Chapter 3 of title 5, United States Code, is amended by inserting after section 306 the following new section:

“§307. Information regarding pending agency regulatory action

“(a) DEFINITIONS.—In this section:

“(1) AGENCY REGULATORY ACTION.—The term ‘agency regulatory action’ means guidance, policy statement, directive, rule making, or adjudication issued by an Executive agency.

“(2) AGGRANDIZEMENT.—The term ‘aggrandizement’ means—

“(A) any communication emphasizing the importance of the Executive agency or agency regulatory action that does not have the clear purpose of informing the public of the substance or status of the Executive agency or agency regulatory action; or

“(B) any communication that is puffery.

“(3) PUBLIC COMMUNICATION.—The term ‘public communication’—

“(A) means any method (including written, oral, or electronic) of disseminating information to the public, including an agency statement (written or verbal), blog, video, audio recording, or other social media message; and

“(B) does not include a notice published in the Federal Register pursuant to section 553 or any requirement to publish pursuant to this section.

“(4) RULE MAKING.—The term ‘rule making’ has the meaning given that term under section 551.

“(b) INFORMATION TO BE POSTED ONLINE.—

“(1) REQUIREMENT.—The head of each Executive agency shall make publicly available in a searchable format in a prominent location either on the website of the Executive agency or in the rule making docket on Regulations.gov the following information:

“(A) PENDING AGENCY REGULATORY ACTION.—A list of each pending agency regulatory action and with regard to each such action—

“(i) the date on which the Executive agency first began to develop or consider the agency regulatory action;

“(ii) the status of the agency regulatory action;

“(iii) an estimate of the date of upon which the agency regulatory action will be final and in effect; and

“(iv) a brief description of the agency regulatory action.

“(B) PUBLIC COMMUNICATION.—For each pending agency regulatory action, a list of each public communication about the pending agency regulatory action issued by the Executive agency and with regard to each such communication—

“(i) the date of the communication;

“(ii) the intended audience of the communication;

“(iii) the method of communication; and

“(iv) a copy of the original communication.

“(2) PERIOD.—The head of each Executive agency shall publish the information required under paragraph (1)(A) not later than 24 hours after a public communication relating to a pending agency regulatory action is issued and shall maintain the public availability of such information not less than 5 years after the date on which the pending agency regulatory action is finalized.

“(c) REQUIREMENTS FOR PUBLIC COMMUNICATIONS.—Any public communication issued by an Executive agency that refers to a pending agency regulatory action—

“(1) shall specify whether the Executive agency is considering alternatives, including alternatives that may conflict with the intent, objective, or methodology of such agency regulatory action;

“(2) shall specify whether the Executive agency is accepting or will be accepting comments;

“(3) shall expressly disclose that the Executive agency is the source of the information to the intended recipients; and

“(4) may not—

“(A) solicit support for or promote the pending agency regulatory action; or

“(B) include statements of aggrandizement for the Executive agency, any Federal employee, or the pending agency regulatory action.

“(d) REPORTING.—

“(1) IN GENERAL.—Not later than January 15 of each year, the head of an Executive agency that communicated about a pending agency regulatory action during the previous fiscal year shall submit to each committee of Congress with jurisdiction over the activities of the Executive agency a report indicating—

“(A) the number pending agency regulatory actions the Executive agency issued public communications about during that fiscal year;

“(B) the average number of public communications issued by the Executive agency for each pending agency regulatory action during that fiscal year;

“(C) the 5 pending agency regulatory actions with the highest number of public communications issued by the Executive agency in that fiscal year; and

“(D) a copy of each public communication for the pending agency regulatory actions identified in subparagraph (C).

“(2) AVAILABILITY OF REPORTS.—The head of an Executive agency that is required to submit a report under paragraph (1) shall make the report publicly available in a searchable format in a prominent location on the website of the Executive agency.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 5, United States Code, is amended by adding after the item relating to section 306 the following new item:

“307. Information regarding pending agency regulatory action.”.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 114-744. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BOUSTANY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114-744.

Mr. BOUSTANY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 13, strike “; and” and insert a semicolon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

“(v) if a regulatory impact analysis or similar cost-benefit analysis has been conducted, the findings of such analysis, including any data or formula used for purposes of such analysis.

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I am here to offer an amendment to H.R. 5226, the Regulatory Integrity Act of 2016. This amendment is based on legislation I proposed earlier in the year.

By creating a new process that requires the administration to keep a clear, organized, and easy-to-understand list of all proposed and outstanding rules and regulations, we are forcing transparency on bureaucrats who are currently running amok.

I also want to thank my colleague, Mr. LOUDERMILK, for working with me to offer this very sensible amendment.

Our simple amendment requires the administration to make the data collected and the formula used for all Regulatory Impact Analysis, or RIA, publicly available. This is about simple transparency.

In other words, for an example, let's say BSEE, under the Department of the Interior, says that the well control rule—a proposal that will drastically affect the Louisiana energy offshore sector—will only cost the offshore oil and gas industry \$800 million to implement, and industry projections put that number over \$9 billion, well, BSEE should be required to prove how they reached those figures. They should be required to make completely transparent their assumptions and their methodology. That is what the American people ask for.

□ 1615

The Obama administration is responsible for an unparalleled expansion of the regulatory state, with the imposition of 229 major regulations since 2009, a lot of costs incurred.

These proposals are being made with little regard to impact on businesses at a time of weak economic growth. The constant barrage of new regulations is causing some of the rules to be counterproductive, contradictory, difficult to understand, and impossible to implement.

This simple amendment will allow Congress to send a clear message to the administration that regulations must be based in facts, clearly understood, and completely transparent to the impacted industry and to the American public.

I encourage my colleagues to join us in supporting this amendment.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

This amendment does not alleviate my concerns with the underlying bill. In fact, this amendment may lead to more confusion.

It would require an agency to publish a cost benefit analysis for all rules if

such a study was conducted. Agencies are already required to conduct a cost-benefit analysis for major rules under Executive Order 12866. Agencies publish the results of those analyses in the rulemaking dockets for those rules.

This is an unnecessary amendment, and I oppose it.

I yield back the balance of my time.

Mr. BOUSTANY. Mr. Chairman, this is an absolutely essential amendment because we need more transparency about methods and how these assumptions are built into what they are proposing.

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Chairman, I thank my colleague from Louisiana for working with us on combining two really good amendments to this.

Mr. Chairman, we live in an era right now of vast growth of our government. Those that are bearing the burden of this growth and this overregulation are the American people. The average American family pays \$15,000 a year in hidden regulatory costs. The burden of regulation upon the market and upon the industry today in our businesses is almost \$1.9 trillion, nearly a \$2 trillion impact on our economy that is coming out of our GDP.

If we want to see a recovery, if we want to actually see success in this Nation in our economy, let's reduce the regulation. But we live in an era right now where the mentality of this government is: if it breaths, tax it; if it doesn't breathe, subsidize it; and if it is successful, then we will regulate it.

All this amendment does is require that these regulatory agencies be honest with the American people, be transparent with the American people, and let the American people know the cost that is going to come out of their pocketbooks for increasing regulation upon Americans, upon individuals, and upon their businesses.

I thank the gentleman for stepping forward and working with us on this amendment.

Mr. BOUSTANY. Mr. Chairman, I thank the gentleman.

The American people want transparency. I don't understand why our friends on the other side of the aisle would be opposed to transparency. All we are asking is that these agencies be truthful and very clear with the American public and provide all assumptions built into their methods of calculating the impact and the cost.

This is a simple amendment. It is a simple ask. We shouldn't even have to ask for this.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CLAY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. FLEMING

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114-744.

Mr. FLEMING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 13, strike “; and” and insert a semicolon.

Page 3, line 15, strike the period at the end and insert “; and”.

Page 3, after line 15, insert the following:

“(v) if applicable, a list of agency regulatory actions issued by the Executive agency, or any other Executive agency, that duplicate or overlap with the agency regulatory action.

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from Louisiana (Mr. FLEMING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. FLEMING. Mr. Chairman, I rise to offer an amendment to H.R. 5226, also known as the Regulatory Integrity Act.

My amendment requires agencies to disclose where a proposed rule would duplicate or overlap with other existing rules when they are making the on-line disclosure required by the underlying bill. Our economy, and small businesses in particular, are suffering under a wet blanket of legislation, and it is particularly onerous when businesses have to comply with multiple sets of these regulations. One area that hits particularly close to home in Louisiana is the EPA's methane rule and its overlap with the BLM's methane and waste reduction rule.

Louisiana's Fourth District is home to the Haynesville Shale, one of our Nation's largest sources for natural gas. BLM doesn't have any authority under the Clean Air Act to regulate emissions, so, instead, they decided to regulate methane emissions under the guise of eliminating waste. This is a poorly disguised attempt to double-regulate those who produce natural gas on Federal lands and comes after BLM has superseded State fracking regulations with their own additional layer of costly Federal regulation.

EPA's regulation alone will make many oil and gas production wells cost prohibitive in today's economy, which of course is their desire as they pursue a “keep it in the ground” agenda. That is why I introduced H.R. 4037, the Keeping Oil and Natural Gas Flowing for Consumers Act, to block EPA's harmful rule and protect consumers.

One example that might appeal to my colleagues on the other side of the aisle is with respect to renewable energy. Now, I do not believe the Federal Government should be subsidizing any form of energy. We should have a marketplace where the most affordable and reliable energy sources freely compete with one another. But if my colleagues do want to subsidize wind farms, I would ask them, why do they have 10 different regulatory agencies with 96 forms that impose 3 million hours of paperwork costing an estimated \$177 million to complete? That seems counterproductive to their cause.

The House has recognized the need to eliminate costly and duplicative regulations. In January of this year, we passed H.R. 1155, the SCRUB Act, by JASON SMITH. My amendment would complement that effort by requiring agencies to identify, within their own regulations, where there is duplication or overlap with other regulations and disclose that to the public.

As we seek to root out corruption and prevent agencies from organizing Astroturf advocacy campaigns to promote costly regulations on the public, we must also be on the lookout for commonsense changes we can make to help our struggling economy recover. Identifying and ending duplicative rules is an easy way to start.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. CLAY. Mr. Chairman, this amendment does nothing to fix the unworkable reporting requirements in the underlying bill. This amendment would require an agency to report if a proposed rule duplicates or overlaps with an existing regulation.

Executive Order 13563, issued by President Obama in 2011, already requires agencies to review rules for duplication and overlap. This amendment, itself, is duplicative and adds an unnecessary requirement without fixing the underlying problem.

I oppose this amendment, along with the underlying bill, and urge my colleagues to do the same.

I yield back the balance of my time.

Mr. FLEMING. Mr. Chairman, I thank my good friend from Missouri. However, if such executive orders were actually enforced, we wouldn't have this problem. That would be great if President Obama's executive orders actually did prevent duplication and overlapping and the conflict and the problems that occurred. That would be great.

But, evidently, people in his own administration, the Obama administration, don't heed the requirements that are set forth by the leader of that,

which is President Obama. That is why we need this in law, Mr. Chairman, because Congress itself needs to hold the agencies, and certainly the Obama administration, accountable for not enforcing the very executive orders that they put out.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. FLEMING).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114-744.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 3, strike “; or” and insert a semicolon.

Page 5, after line 3, insert the following new subparagraph:

“(B) be sent through the private email account of an officer or employee of the Executive agency; or”.

Page 5, line 4, strike “(B)” and insert “(C)”.

The Acting CHAIR. Pursuant to House Resolution 863, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I rise in support of this amendment. It is a fairly simple amendment which will prevent employees and other officers of an executive agency from using private email accounts when discussing pending regulatory actions.

In doing so, we will ensure that there is a clear record of communication throughout the rulemaking process, while making certain that no favoritism is received privately to a particular organization or outside group when drafting a rule.

Private communications—and that is the key word, “private communications”—between those that stand to gain from a pending rule and a regulatory agency raise, I believe, legitimate questions. We have seen this time and time again in the last few years. Specifically, there has been evidence of these private emails being used and working in the shadows with outside groups on cross-State air pollution, the Clean Power Plan, and Pebble Mine, just as examples.

These attempts to circumvent transparency by secretly using an outside group, by providing an outside group a seat at the table when regulations are being developed, is unacceptable and unfair. It has to stop, Mr. Chairman. This amendment would prevent this from happening and go a long way to promoting transparency, accountability, and integrity by our regulatory officials.

I urge my colleagues to support this amendment and final passage of the bill.

I reserve the balance of my time.

Ms. PLASKETT. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from the Virgin Islands is recognized for 5 minutes.

Ms. PLASKETT. Mr. Chairman, I respectfully submit that this amendment is simple, but it is simply another excuse for Members on the other side to talk about emails. I believe that the issue that my colleague is attempting to address has already been addressed when, in 2014, President Obama signed into law the Presidential and Federal Records Act Amendments.

That legislation was sponsored by the ranking member of the Oversight and Government Reform Committee, ELIJAH CUMMINGS, and it added into law, for the first time, a specific requirement for Federal employees who use personal email accounts. That law now requires Federal employees, if they create a Federal or Presidential record using a personal email account, to forward a copy of the email to their official account within 20 days of that email.

□ 1630

This amendment would create a unique requirement for emails about rulemaking. I agree that employees should use their government email accounts whenever possible, but this bill is not the place to make new rules about Federal records. I—and I hope my colleagues—will oppose this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chair, what I could hear was that what we are trying to do here actually is expand that deal with rules and regulations. We understand it can be on other matters. I accept that. If they want to use official communication, that is fine. We just want a record that someone doesn't have to explore to try to find out what that is under rules and regulations.

So, again, I believe that we should stand on this, adopt this amendment, and ultimately pass the bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. BOUSTANY

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 241, noes 154, not voting 36, as follows:

[Roll No. 508]

AYES—241

Abraham	Gosar	Noem
Aderholt	Gowdy	Nugent
Allen	Granger	Nunes
Amash	Graves (GA)	Olson
Amodei	Graves (LA)	Palmer
Ashford	Graves (MO)	Paulsen
Babin	Green, Gene	Pearce
Barletta	Griffith	Perry
Barr	Grothman	Peters
Barton	Guinta	Peterson
Benishek	Guthrie	Pittenger
Bilirakis	Hanna	Pitts
Bishop (GA)	Hardy	Poe (TX)
Bishop (MI)	Harper	Poliquin
Black	Harris	Pompeo
Blackburn	Hartzler	Posey
Blum	Hice, Jody B.	Price, Tom
Bost	Hill	Ratcliffe
Boustany	Holding	Reed
Brady (TX)	Hudson	Reichert
Brat	Huelskamp	Renacci
Bridenstine	Huizenga (MI)	Ribble
Brooks (AL)	Hultgren	Rice (SC)
Brooks (IN)	Hunter	Rigell
Buchanan	Hurd (TX)	Roby
Buck	Hurt (VA)	Roe (TN)
Bucshon	Issa	Rogers (AL)
Burgess	Jenkins (KS)	Rogers (KY)
Byrne	Jenkins (WV)	Rohrabacher
Calvert	Johnson (OH)	Rokita
Carter (GA)	Jolly	Rooney (FL)
Carter (TX)	Jones	Ros-Lehtinen
Chabot	Jordan	Roskam
Chaffetz	Joyce	Ross
Clawson (FL)	Katko	Rothfus
Coffman	Kelly (MS)	Rouzer
Cole	Kelly (PA)	Royce
Collins (GA)	King (IA)	Salmon
Collins (NY)	King (NY)	Sanford
Comstock	Kinzing (IL)	Scalise
Conaway	Kline	Schrader
Cook	Knight	Schweikert
Cooper	Labrador	Scott, Austin
Costa	LaHood	Sensenbrenner
Costello (PA)	LaMalfa	Sessions
Cramer	Lamborn	Shimkus
Crawford	Lance	Shuster
Crenshaw	Latta	Simpson
Cuellar	Lieu, Ted	Sinema
Culberson	LoBiondo	Smith (MO)
Curbelo (FL)	Lofgren	Smith (NE)
Davidson	Long	Smith (NJ)
Davis, Rodney	Loudermilk	Smith (TX)
Denham	Love	Stefanik
Dent	Lucas	Stewart
DeSantis	Lummis	Stivers
Diaz-Balart	MacArthur	Stutzman
Dold	Marchant	Thompson (PA)
Donovan	Marino	Thornberry
Duffy	Massie	Tiberi
Duncan (SC)	McCarthy	Tipton
Duncan (TN)	McCauley	Trott
Ellmers (NC)	McClintock	Turner
Emmer (MN)	McKinley	Upton
Farenthold	McMorris	Valadao
Fitzpatrick	Rodgers	Wagner
Fleischmann	McNerney	Walberg
Fleming	McSally	Walden
Flores	Meadows	Walorski
Forbes	Meehan	Walters, Mimi
Fortenberry	Mica	Weber (TX)
Fox	Miller (FL)	Webster (FL)
Franks (AZ)	Miller (MI)	Wenstrup
Frelinghuysen	Mooney (WV)	Westmoreland
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gibson	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	

Yoder
YohoYoung (AK)
Young (IA)Zeldin
Zinke

NOES—154

Adams	Frankel (FL)	Nadler
Aguilar	Fudge	Napolitano
Beatty	Gabbard	Neal
Bera	Gallego	Nolan
Beyer	Garamendi	Norcross
Blumenauer	Graham	O'Rourke
Bonamici	Grayson	Pallone
Boyle, Brendan F.	Green, Al	Pascrell
Brady (PA)	Grijalva	Payne
Brown (FL)	Hahn	Perlmutter
Brownley (CA)	Hastings	Pingree
Bustos	Heck (WA)	Pocan
Butterfield	Higgins	Polis
Capps	Himes	Price (NC)
Capuano	Hinojosa	Quigley
Cárdenas	Honda	Rangel
Carney	Hoyer	Rice (NY)
Carson (IN)	Huffman	Richmond
Castor (FL)	Israel	Roybal-Allard
Castro (TX)	Jeffries	Ruppersberger
Chu, Judy	Johnson (GA)	Ryan (OH)
Cicilline	Johnson, E. B.	Sánchez, Linda T.
Clark (MA)	Kaptur	Sanchez, Loretta
Clarke (NY)	Kelly (IL)	Sarbanes
Clay	Kennedy	Schakowsky
Clyburn	Kildee	Schiff
Cohen	Kilmer	Scott (VA)
Connolly	Kind	Scott, David
Conyers	Kirkpatrick	Sewell (AL)
Courtney	Kuster	Sherman
Crowley	Langevin	Sires
Cummings	Larsen (WA)	Slaughter
Davis (CA)	Larson (CT)	Smith (WA)
Davis, Danny	Lee	Speier
DeFazio	Levin	Swalwell (CA)
DeGette	Lewis	Takano
Delaney	Lipinski	Thompson (CA)
DeLauro	Lowenthal	Titus
DelBene	Lowe	Tonko
DeSaulnier	Lujan Grisham	Torres
Deutch	(NM)	Tsongas
Dingell	Luján, Ben Ray	Van Hollen
Doggett	(NM)	Vargas
Doyle, Michael F.	Maloney,	Vela
Duckworth	Carolyn	Velázquez
Edwards	Maloney, Sean	Walz
Ellison	Matsui	Wasserman
Engel	McCollum	Schultz
Eshoo	McDermott	Waters, Maxine
Esty	McGovern	Watson Coleman
Farr	Meeks	Welch
Foster	Moore	Yarmuth
	Moulton	
	Murphy (FL)	

NOT VOTING—36

Bass	Johnson, Sam	Ruiz
Becerra	Keating	Rush
Bishop (UT)	Lawrence	Russell
Cartwright	Loebback	Serrano
Cleaver	Luetkemeyer	Thompson (MS)
DesJarlais	Lynch	Veasey
Fincher	McHenry	Visclosky
Gutiérrez	Meng	Walker
Heck (NV)	Messer	Westerman
Hensarling	Moolenaar	Williams
Herrera Beutler	Palazzo	Wilson (FL)
Jackson Lee	Pelosi	Young (IN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining.

□ 1654

Mrs. DINGELL, Mr. PALLONE, and Miss RICE of New York changed their vote from “aye” to “no.”

Mr. SHIMKUS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. GUTIERREZ. Mr. Chair, I was unavoidably absent in the House chamber for rollcall vote 508 on Wednesday, September 14, 2016. Had I been present, I would have voted “nay.”

Ms. JACKSON LEE. Mr. Chair, I was unavoidably detained at the White House. Had I been present, I would have voted: Rollcall No. 508, “nay.”

Ms. WILSON of Florida. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 508.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5226) to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes, and, pursuant to House Resolution 863, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. Mr. Speaker, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 5226 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

Page 5, after line 6, insert the following:

“(d) APPLICABILITY.—The restriction described in subsection (c)(4) shall not apply to any public communication to combat a public health crisis including the Zika virus, opioid abuse, and lead poisoning.”

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will imme-

diately proceed to final passage, as amended.

This bill is yet another Republican attempt to delay the formation of critical regulations, including those we need to keep our communities safe. In addition, this bill actually prohibits agencies from publicly communicating to the American people about why a proposed regulation or action is beneficial, including vital information about the impact on public health. We cannot allow the underlying bill to impede the government's ability to share critical public health information.

□ 1700

Mr. Speaker, my motion to recommit is pretty simple. It would allow agencies to provide critical information to the public in order to combat public health crises, like Zika, like opioid abuse, or like the lead poisoning that has been experienced in my hometown of Flint. I know what happens when we ignore or impede the ability to enforce regulations. Thousands of children in my hometown of Flint, Michigan, have suffered from lead poisoning.

Even now, I know many Members on both sides of the aisle ask: How is it going in Flint? They often ask me: Is this crisis over; has it been settled? Today, a year after this crisis became public, 2 years after the State of Michigan switched Flint's drinking water source from the Great Lakes to the Flint River in order to save money, 2 years later, 2 years after lead has poured through the pipes into the bodies of children, you still can't drink the water in Flint.

If you came to Flint today, you would see families still lugging bottled water from distribution sites into their homes to drink, to cook, to bathe their children in bottled water. In the 21st century, in the greatest country on Earth, the wealthiest nation ever imagined, we have a city of 100,000 people that can't drink the water that comes from the tap because it is poisoned.

Federal standards require action if water gets above 15 parts per billion. Because the State of Michigan ignored the regulations and assured the public that the water was safe, we have levels in Flint that have been tested not at 15 parts per billion, 150 parts per billion, 1500 parts per billion, 23,000 parts per billion in the city of Flint today, a year after this crisis became public.

How did this happen? It happened because State agencies decided that dollars and cents come before the health of people, ignored the regulations that are on the books, were prevented from explaining that to the people, and, in fact, told them a story that the water was safe. And a year later—a year later—the State has barely acted, sending Flint a get-well card. As many of you know, I have come to this well time and time again, imploring my colleagues to join me in providing some relief to the people of Flint.

I came here with a lot of folks in 2012, when I was elected. In 2013, one of the first votes I cast on the floor of the House of Representatives was to provide help, much-needed help to the victims of Hurricane Sandy. Not my district, but I was proud—I am still proud of that vote because I and so many of us stood with Americans who were facing the biggest struggle they ever faced. Yet, a year later, in this poor community, which in many ways has been left behind before, you still can't drink the water in Flint, and we can't get even a little help to try to rebuild this community.

Look, time matters. We can't wait more months. Every day, every week that passes that this community does not get the help it needs just to make sure that this doesn't happen again, just to fix the distribution system, to replace some of those lead lines so that a year from now or 2 years from now this doesn't happen again and these children are poisoned again, at the very least, for God's sake, at the very least, we ought to be able to help this community provide its families with water that they can drink. That is all I am asking for.

Mr. Speaker, I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. WESTMORELAND). The gentleman from Michigan is recognized for 5 minutes.

Mr. WALBERG. Mr. Speaker, I am going to say from the outset, I certainly appreciate my good friend. I want to join, as I have all along, in support for my good friend and colleague from Flint in making sure that we do something about what has gone on there, the pain and suffering that they have gone through needlessly.

I am proud to say that I have been supportive and have traveled to Flint and have been supportive of the legislation we have moved from this House. We look forward when we hear possible good reports of optimism that something will be coming from the Senate, that we will do something further in dealing with that problem. I want to stand with my friend on that.

I think there are questions that have to be addressed relative to public health, but in this legislation, that goes way outside of what we are talking about. First of all, in committee, as well as in the Committee on Rules, this amendment wasn't offered. I think it wasn't because it didn't need to be.

Nothing in this legislation precludes an agency from communicating on these issues, whether it be lead poisoning in the water, Zika, or opioid abuse. Nothing precludes that from taking place. In fact, that is what we are encouraging, when agencies are promulgating a rule and a proposed

rule has been put forward that they put forward the facts. That is all.

They have a power way beyond the general public to get information out, but, in turn, the general public ought to know that when they have an opportunity for public comment that agencies will honestly listen to what they are offering, and that the American public and American free enterprise system will be heard, and then the opportunity for Congress to interact as well with the bureaucratic agencies, and ultimately a rule will be promulgated and put in place that makes sense for all concerned, and people are protected.

That is what this bill does. It goes against agencies such as EPA. On the waters of the U.S., EPA and organizations should have been assisting Michigan and their environmental protection entities in dealing with issues of lead poisoning. Rather, on waters of the U.S., they were putting out releases, public statements through media, social media, saying: "Choose clean water," "clean water is important to me," "I support EPA's efforts to protect my health, my family, and my community." Send that back in the rulemaking process. They were lobbying, and we have laws against that. This beefs that up and makes it very clear that the bureaucracy will listen to us to meet our needs, to make sure we are taken care of, and ultimately society works well.

Mr. Speaker, I encourage my colleagues to oppose this motion to recommit and vote against it, vote it down.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 238, not voting 8, as follows:

[Roll No. 509]

AYES—185

Adams	Blumenauer	Capuano
Aguilar	Bonamici	Cárdenas
Ashford	Boyle, Brendan	Carney
Bass	F.	Carson (IN)
Beatty	Brady (PA)	Cartwright
Becerra	Brown (FL)	Castor (FL)
Bera	Brownley (CA)	Castro (TX)
Beyer	Bustos	Chu, Judy
Bishop (GA)	Butterfield	Cicilline
Blum	Capps	Clark (MA)

Clarke (NY)	Israel	Pelosi
Clay	Jackson Lee	Perlmutter
Cleaver	Jeffries	Peters
Clyburn	Johnson (GA)	Peterson
Cohen	Johnson, E. B.	Pingree
Connolly	Jones	Pocan
Conyers	Kaptur	Polis
Cooper	Keating	Price (NC)
Costa	Kelly (IL)	Quigley
Courtney	Kennedy	Rangel
Crowley	Kildee	Rice (NY)
Cuellar	Kilmer	Richmond
Cummings	Kind	Roybal-Allard
Davis (CA)	Kirkpatrick	Ruiz
Davis, Danny	Kuster	Ruppersberger
DeFazio	Langevin	Ryan (OH)
DeGette	Larsen (WA)	Sánchez, Linda
Delaney	Larson (CT)	T.
DeLauro	Lawrence	Sanchez, Loretta
DelBene	Lee	Sarbanes
DeSaulnier	Levin	Schakowsky
Deutch	Lewis	Schiff
Dingell	Lieu, Ted	Schrader
Doggett	Lipinski	Scott (VA)
Doyle, Michael	Loebach	Scott, David
F.	Lofgren	Serrano
Duckworth	Lowenthal	Sewell (AL)
Edwards	Lowey	Sherman
Ellison	Lujan Grisham	Sinema
Engel	(NM)	Sires
Eshoo	Luján, Ben Ray	Slaughter
Esty	(NM)	Smith (WA)
Farr	Lynch	Speier
Foster	Maloney,	Swalwell (CA)
Frankel (FL)	Carolyn	Takano
Fudge	Maloney, Sean	Thompson (CA)
Gabbard	Matsui	Titus
Gallego	McCollum	Tonko
Garamendi	McDermott	Torres
Graham	McGovern	Tsongas
Grayson	McNerney	Van Hollen
Green, Al	Meeks	Vargas
Green, Gene	Moore	Veasey
Grijalva	Moulton	Vela
Gutiérrez	Murphy (FL)	Velázquez
Hahn	Nadler	Visclosky
Hastings	Napolitano	Walz
Heck (WA)	Neal	Wasserman
Higgins	Nolan	Schultz
Himes	Norcross	Waters, Maxine
Hinojosa	O'Rourke	Watson Coleman
Honda	Pallone	Welch
Hoyer	Pascrell	Wilson (FL)
Huffman	Payne	Yarmuth

NOES—238

Abraham	Cook	Graves (LA)
Aderholt	Costello (PA)	Graves (MO)
Allen	Cramer	Griffith
Amash	Crawford	Grothman
Amodei	Crenshaw	Guinta
Babin	Culberson	Guthrie
Barletta	Curbelo (FL)	Hanna
Barr	Davidson	Hardy
Barton	Davis, Rodney	Harper
Benishek	Denham	Harris
Bilirakis	Dent	Hartzler
Bishop (MI)	DeSantis	Heck (NV)
Bishop (UT)	Diaz-Balart	Hensarling
Black	Dold	Herrera Beutler
Blackburn	Donovan	Hice, Jody B.
Bost	Duffy	Hill
Boustany	Duncan (SC)	Holding
Brady (TX)	Duncan (TN)	Hudson
Brat	Ellmers (NC)	Huelskamp
Bridenstine	Emmer (MN)	Huizenga (MI)
Brooks (AL)	Farenthold	Hultgren
Brooks (IN)	Fitzpatrick	Hunter
Buchanan	Fleischmann	Hurd (TX)
Buck	Fleming	Hurt (VA)
Bucshon	Flores	Issa
Burgess	Forbes	Jenkins (KS)
Byrne	Fortenberry	Jenkins (WV)
Calvert	Fox	Johnson (OH)
Carter (GA)	Franks (AZ)	Jolly
Carter (TX)	Frelinghuysen	Jordan
Chabot	Garrett	Joyce
Chaffetz	Gibbs	Katko
Clawson (FL)	Gibson	Kelly (MS)
Coffman	Gohmert	Kelly (PA)
Cole	Goodlatte	King (IA)
Collins (GA)	Gosar	King (NY)
Collins (NY)	Gowdy	Kinzinger (IL)
Comstock	Granger	Kline
Conaway	Graves (GA)	Knight

Labrador Palmer Simpson
LaHood Paulsen Smith (MO)
LaMalfa Pearce Smith (NE)
Lamborn Perry Smith (NJ)
Lance Pittenger Smith (TX)
Latta Pitts Stefanik
LoBiondo Poe (TX) Stewart
Long Poliquin Stivers
Loudermilk Pompeo Stutzman
Love Posey Thompson (PA)
Lucas Price, Tom Thornberry
Luetkemeyer Ratcliffe Tiberi
Lummis Reed Tipton
MacArthur Reichert Trott
Marchant Renacci Turner
Marino Ribble Upton
Massie Rice (SC) Valadao
McCarthy Rigell Wagner
McCaul Roby Walberg
McClintock Roe (TN) Walden
McHenry Rogers (AL) Walker
McKinley Rogers (KY) Walorski
McMorris Rohrabacher Walters, Mimi
Rodgers Rokita Weber (TX)
McSally Rooney (FL) Webster (FL)
Meadows Ros-Lehtinen Wenstrup
Meehan Roskam Westerman
Mica Ross Westmoreland
Miller (FL) Rothfus Williams
Miller (MI) Rouzer Wilson (SC)
Moolenaar Royce Wittman
Mooney (WV) Russell Womack
Mullin Salmon Woodall
Mulvaney Sanford Yoder
Murphy (PA) Scalise Yoho
Neugebauer Schweikert
Newhouse Scott, Austin
Noem Sensenbrenner Young (AK)
Nugent Sessions Young (IA)
Nunes Shimkus Young (IN)
Olson Shuster Zeldin
Zinke

NOT VOTING—8

DesJarlais Meng Rush
Fincher Messer Thompson (MS)
Johnson, Sam Palazzo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1715

Mr. TROTT changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CLAY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 250, noes 171, not voting 10, as follows:

[Roll No. 510]

AYES—250

Abraham Bishop (GA) Brooks (IN)
Aderholt Bishop (MI) Buchanan
Allen Bishop (UT) Buck
Amash Black Bucshon
Amodei Blackburn Burgess
Ashford Blum Byrne
Babin Bost Calvert
Barletta Boustany Carter (GA)
Barr Brady (TX) Carter (TX)
Barton Brat Chabot
Benishkek Bridenstine Chaffetz
Bilirakis Brooks (AL) Clawson (FL)

Coffman Jenkins (KS)
Cole Jenkins (WV)
Collins (GA) Johnson (OH)
Collins (NY) Jolly
Comstock Jones
Conaway Jordan
Cook Joyce
Cooper Katko
Costa Kelly (MS)
Costello (PA) Kelly (PA)
Cramer King (IA)
Crawford King (NY)
Cuellar Kinzinger (IL)
Culberson Kline
Curbelo (FL) Knight
Davidson Labrador
Davis, Rodney LaHood
Denham LaMalfa
Dent Lamborn
DeSantis Lance
Diaz-Balart Latta
Dold LoBiondo
Donovan Long
Duffy Loudermilk
Duncan (SC) Love
Duncan (TN) Lucas
Elmers (NC) Luetkemeyer
Emmer (MN) Lummis
Farenthold MacArthur
Fitzpatrick Marchant
Fleischmann Marino
Fleming Massie
Flores McCarthy
Forbes McCaul
Fortenberry McClintock
Foxy McHenry
Franks (AZ) McKinley
Frelinghuysen McMorris
Garrett Rodgers
Gibbs McSally
Gibson Meadows
Gohmert Meehan
Goodlatte Messer
Gosar Mica
Gowdy Miller (FL)
Granger Miller (MI)
Graves (GA) Moolenaar
Graves (LA) Mooney (WV)
Graves (MO) Mullin
Griffith Mulvaney
Grothman Murphy (PA)
Guinta Neugebauer
Guthrie Newhouse
Hanna Noem
Hardy Nugent
Harper Nunes
Harris Olson
Hartzler Palmer
Heck (NV) Paulsen
Hensarling Pearce
Herrera Beutler Perry
Hice, Jody B. Peterson
Hill Pittenger
Holding Pitts
Hudson Poe (TX)
Huelskamp Poliquin
Huiuzenga (MI) Pompeo
Hultgren Posey
Hunter Price, Tom
Hurd (TX) Ratcliffe
Hurt (VA) Reed
Issa Reichert

NOES—171

Adams Cartwright
Aguiar Castor (FL)
Bass Castro (TX)
Beatty Chu, Judy
Becerra Cicilline
Bera Clark (MA)
Beyer Clarke (NY)
Blumenauer Clay
Bonamici Cleaver
Boyle, Brendan Clyburn
F. Cohen
Brady (PA) Connolly
Brown (FL) Conyers
Brownley (CA) Crowley
Bustos Cummings
Butterfield Davis (CA)
Capps Davis, Danny
Capuano DeFazio
Cárdenas DeGette
Carney Delaney
Carson (IN) DeLauro

Grayson Renacci
Green, Al Ribble
Green, Gene Rice (SC)
Grijalva Rigell
Gutiérrez Rokita
Hahn Roe (TN)
Hastings Rogers (AL)
Heck (WA) Rogers (KY)
Higgins Rohrabacher
Himes Rokita
Hinojosa Rooney (FL)
Honda Ros-Lehtinen
Hoyer Roskam
Huffman Ross
Israel Rothfus
Jackson Lee Rouzer
Jeffries Royce
Johnson (GA) Russell
Johnson, E. B. Salmon
Kaptur Sanford
Keating Scalise
Kelly (IL) Schrader
Kennedy Schweikert
Kildee Scott, Austin
Kilmer Scott, David
Kind Sensenbrenner
Kirkpatrick Sessions
Kuster Shimkus
Langevin Shuster
Larsen (WA) Simpson
Larson (CT) Sinema
Lawrence Smith (MO)
Lee Smith (NE)
Levin Smith (NJ)
Lewis Smith (TX)
Lieu, Ted Stefani
Lipinski Stewart
Loeb sack Stivers
Lofgren Stutzman
Thompson (PA) Thompson (PA)
Thornberry Tiberi
Trotter Tipton
Turner Trott
Upton Turner
Valadao Valadao
Vela Vela
Wagner Wagner
Walberg Walberg
Walden Walden
Walker Walker
Walorski Walorski
Walters, Mimi Walters, Mimi
Weber (TX) Weber (TX)
Webster (FL) Webster (FL)
Wenstrup Wenstrup
Westerman Westerman
Westmoreland Westmoreland
Williams Williams
Wilson (SC) Wilson (SC)
Wittman Wittman
Womack Womack
Woodall Woodall
Yoder Yoder
Yoho Yoho
Young (AK) Young (AK)
Young (IA) Young (IA)
Young (IN) Young (IN)
Zeldin Zeldin
Zinke Zinke

NOT VOTING—10

Courtney Johnson, Sam Rush
Crenshaw Meng Thompson (MS)
DesJarlais Palazzo
Fincher Richmond

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1721

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Pursuant to House Resolution 859 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5620.

Will the gentleman from Georgia (Mr. WESTMORELAND) kindly take the chair.

□ 1723

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 22 printed in House Report 114-742 offered by the gentleman from Florida (Mr. MILLER) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-742 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WALZ of Minnesota.

Amendment No. 3 by Mr. TAKANO of California.

Amendment No. 5 by Ms. KUSTER of New Hampshire.

Amendment No. 15 by Mr. TAKANO of California.

Amendment No. 19 by Mr. TAKANO of California.

Amendment No. 20 by Mr. TAKANO of California.

Amendment No. 21 by Mr. DUFFY of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WALZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. WALZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 250, not voting 8, as follows:

[Roll No. 511]

AYES—173

Adams	Clarke (NY)	Edwards
Bass	Clay	Ellison
Beatty	Cleaver	Engel
Becerra	Clyburn	Eshoo
Beyer	Cohen	Esty
Bishop (GA)	Connolly	Farr
Blumenauer	Conyers	Foster
Bonamici	Cooper	Frankel (FL)
Boyle, Brendan	Costa	Fudge
F.	Courtney	Gabbard
Brady (PA)	Crowley	Galleo
Brown (FL)	Cummings	Garamendi
Brownley (CA)	Davis (CA)	Graham
Butterfield	Davis, Danny	Grayson
Capps	DeFazio	Green, Al
Capuano	DeGette	Green, Gene
Cárdenas	Delaney	Grijalva
Carney	DeLauro	Gutiérrez
Carson (IN)	DeBene	Hahn
Cartwright	DeSaulnier	Hastings
Castor (FL)	Deutch	Heck (WA)
Castro (TX)	Dingell	Higgins
Chu, Judy	Doggett	Himes
Cicilline	Doyle, Michael	Hinojosa
Clark (MA)	F.	Honda

Hoyer	Matsui	Sanchez, Loretta	Pitts	Russell	Upton
Huffman	McCollum	Sarbanes	Poe (TX)	Salmon	Valadao
Israel	McDermott	Schakowsky	Poliquin	Sanford	Wagner
Jackson Lee	McGovern	Schiff	Pompeo	Scalise	Walberg
Jeffries	McNerney	Schrader	Posey	Schweikert	Walden
Johnson, E. B.	Meeks	Scott (VA)	Price, Tom	Scott, Austin	Walker
Kaptur	Moore	Scott, David	Ratcliffe	Sensenbrenner	Walorski
Keating	Moulton	Serrano	Reed	Sessions	Walters, Mimi
Kelly (IL)	Murphy (FL)	Sewell (AL)	Reichert	Shimkus	Weber (TX)
Kennedy	Nadler	Sherman	Renacci	Shuster	Webster (FL)
Kildee	Napolitano	Sires	Ribble	Simpson	Wenstrup
Kilmer	Neal	Slaughter	Rice (SC)	Sinema	Westerman
Kind	Nolan	Smith (WA)	Rigell	Smith (MO)	Westmoreland
Kirkpatrick	Norcross	Speier	Roby	Smith (NE)	Williams
Kuster	O'Rourke	Swalwell (CA)	Roe (TN)	Smith (NJ)	Wilson (SC)
Langevin	Pallone	Takano	Rogers (AL)	Smith (TX)	Wittman
Larsen (WA)	Pascarella	Thompson (CA)	Rogers (KY)	Stefanik	Womack
Larson (CT)	Payne	Titus	Rohrabacher	Stewart	Woodall
Lawrence	Pelosi	Tonko	Rokita	Stivers	Yoder
Lee	Perlmutter	Torres	Rooney (FL)	Stutzman	Yoho
Levin	Peterson	Tsongas	Ros-Lehtinen	Thompson (PA)	Young (AK)
Lewis	Pingree	Van Hollen	Roskam	Thornberry	Young (IA)
Lieu, Ted	Pocan	Vargas	Ross	Tiberi	Young (IN)
Lipinski	Polis	Veasey	Rothfus	Tipton	Zeldin
Loeb sack	Price (NC)	Vela	Rouzer	Trott	Zinke
Lofgren	Quigley	Velázquez	Royce	Turner	
Lowenthal	Rangel	Visclosky			
Lowe	Rice (NY)	Walz			
Lujan Grisham	Richmond	Wasserman	DesJarlais	Johnson, Sam	Rush
(NM)	Roybal-Allard	Schultz	Fincher	Meng	Thompson (MS)
Luján, Ben Ray	Ruiz	Waters, Maxine	Hudson	Palazzo	
(NM)	Ruppersberger	Watson Coleman			
Lynch	Ryan (OH)	Welch			
Maloney,	Sánchez, Linda	Wilson (FL)			
Carolyn	T.	Yarmuth			

NOES—250

Abraham	Dold	Joyce
Aderholt	Donovan	Katko
Aguilar	Duckworth	Kelly (MS)
Allen	Duffy	Kelly (PA)
Amash	Duncan (SC)	King (IA)
Amodei	Duncan (TN)	King (NY)
Ashford	Ellmers (NC)	Kinzinger (IL)
Babin	Emmer (MN)	Kline
Barletta	Farenthold	Knight
Barr	Fitzpatrick	Labrador
Barton	Fleischmann	LaHood
Benishek	Fleming	LaMalfa
Bera	Flores	Lamborn
Bilirakis	Forbes	Lance
Bishop (MI)	Fortenberry	Latta
Bishop (UT)	Fox	LoBiondo
Black	Franks (AZ)	Long
Blackburn	Frelinghuysen	Loudermilk
Blum	Garrett	Love
Bost	Gibbs	Lucas
Boustany	Gibson	Luetkemeyer
Brady (TX)	Gohmert	Lummis
Brat	Goodlatte	MacArthur
Bridenstine	Gosar	Maloney, Sean
Brooks (AL)	Gowdy	Marchant
Brooks (IN)	Granger	Marino
Buchanan	Graves (GA)	Massie
Buck	Graves (LA)	McCarthy
Bucshon	Graves (MO)	McCauley
Burgess	Griffith	McClintock
Bustos	Grothman	McHenry
Byrne	Guinta	McKinley
Calvert	Guthrie	McMorris
Carter (GA)	Hanna	Rodgers
Carter (TX)	Hardy	McSally
Chabot	Harper	Meadows
Chaffetz	Harris	Meehan
Clawson (FL)	Hartzler	Messer
Coffman	Heck (NV)	Mica
Cole	Hensarling	Miller (FL)
Collins (GA)	Herrera Beutler	Miller (MI)
Collins (NY)	Hice, Jody B.	Moolenaar
Comstock	Hill	Mooney (WV)
Conaway	Holding	Mullin
Cook	Huelskamp	Mulvaney
Costello (PA)	Huizenga (MI)	Murphy (PA)
Cramer	Hultgren	Neugebauer
Crawford	Hunter	Newhouse
Crenshaw	Hurd (TX)	Noem
Cuellar	Hurt (VA)	Nugent
Culberson	Issa	Nunes
Curbelo (FL)	Jenkins (KS)	Olson
Davidson	Jenkins (WV)	Palmer
Davis, Rodney	Johnson (GA)	Paulsen
Denham	Johnson (OH)	Pearce
Dent	Jolly	Perry
DeSantis	Jones	Peters
Diaz-Balart	Jordan	Pittenger

Russell	Upton
Salmon	Valadao
Sanford	Wagner
Scalise	Walberg
Schweikert	Walden
Scott, Austin	Walker
Sensenbrenner	Walorski
Sessions	Walters, Mimi
Shimkus	Weber (TX)
Shuster	Webster (FL)
Simpson	Wenstrup
Sinema	Westerman
Smith (MO)	Westmoreland
Smith (NE)	Williams
Smith (NJ)	Wilson (SC)
Smith (TX)	Wittman
Stefanik	Womack
Stewart	Woodall
Stivers	Yoder
Stutzman	Yoho
Thompson (PA)	Young (AK)
Thornberry	Young (IA)
Tiberi	Young (IN)
Tipton	Zeldin
Trott	Zinke
Turner	

NOT VOTING—8

DesJarlais	Johnson, Sam	Rush
Fincher	Meng	Thompson (MS)
Hudson	Palazzo	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1727

Mr. GARRETT changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY TAKANO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 7, as follows:

[Roll No. 512]

AYES—184

Adams	Cárdenas	Crowley
Aguilar	Carney	Cummings
Ashford	Carson (IN)	Davis (CA)
Bass	Cartwright	Davis, Danny
Beatty	Castor (FL)	DeFazio
Becerra	Castro (TX)	DeGette
Bera	Chu, Judy	Delaney
Beyer	Cicilline	DeLauro
Bishop (GA)	Clark (MA)	DeBene
Blumenauer	Clarke (NY)	DeSaulnier
Bonamici	Clay	Deutch
Boyle, Brendan	Cleaver	Dingell
F.	Clyburn	Doggett
Brady (PA)	Coffman	Doyle, Michael
Brown (FL)	Cohen	F.
Brownley (CA)	Connolly	Duckworth
Bustos	Conyers	Edwards
Butterfield	Cooper	Ellison
Capps	Costa	Engel
Capuano	Courtney	Eshoo

Esty	Lieu, Ted	Richmond	Miller (FL)	Rogers (AL)	Thornberry	Doyle, Michael F.	Lawrence	Rice (NY)
Farr	Lipinski	Roybal-Allard	Miller (MI)	Rogers (KY)	Tiberi	Lee	Lee	Richmond
Foster	Loeb sack	Ruiz	Moolenaar	Rohrabacher	Tipton	Levin	Levin	Roybal-Allard
Frankel (FL)	Lofgren	Ruppersberger	Mooney (WV)	Rokita	Trott	Lewis	Lewis	Ruiz
Fudge	Lowenthal	Ryan (OH)	Mullin	Rooney (FL)	Turner	Lieu, Ted	Lieu, Ted	Ruppersberger
Gabbard	Lowey	Sánchez, Linda T.	Mulvaney	Ros-Lehtinen	Upton	Lipinski	Lipinski	Ryan (OH)
Gallego	Lujan Grisham (NM)	Sanchez, Loretta	Murphy (PA)	Roskam	Valadao	Loeb sack	Loeb sack	Salmon
Garamendi	Luján, Ben Ray (NM)	Sarbanes	Neugebauer	Ross	Wagner	Lofgren	Lofgren	Sánchez, Linda T.
Graham	Lynch	Schakowsky	Newhouse	Rothfus	Walberg	Lowenthal	Lowenthal	T.
Grayson	Maloney, Carolyn	Schiff	Noem	Rouzer	Walker	Lowey	Lowey	Sanchez, Loretta
Green, Al	Maloney, Sean	Schrader	Nugent	Royce	Walorski	Lujan Grisham (NM)	Lujan Grisham (NM)	Sarbanes
Green, Gene	Matsui	Serrano	Nunes	Russell	Weber (TX)	Gabbard	Gabbard	Schakowsky
Grijalva	McCollum	Scott (VA)	Olson	Salmon	Webster (FL)	Gallego	Gallego	Schiff
Gutiérrez	McDermott	Scott, David	Palmer	Sanford	Wenstrup	Garamendi	Garamendi	Schrader
Hahn	McGovern	Sewell (AL)	Paulsen	Scalise	Westerman	Graham	Graham	Lynch
Hastings	McNerney	Sherman	Pearce	Schweikert	Westmoreland	Grayson	Grayson	Maloney, Carolyn
Heck (WA)	Meeks	Sires	Perry	Scott, Austin	Williams	Green, Al	Green, Al	Maloney, Sean
Higgins	Meng	Slaughter	Pitts	Sensenbrenner	Wilson (SC)	Green, Gene	Green, Gene	Matsui
Himes	Moore	Smith (WA)	Poe (TX)	Sessions	Wittman	Grijalva	Grijalva	McCollum
Hinojosa	Moulton	Speier	Poliquin	Shimkus	Womack	Gutiérrez	Gutiérrez	McDermott
Honda	Swalwell (CA)	Swailwell (CA)	Pompeo	Shuster	Woodall	Hahn	Hahn	McGovern
Hoyer	Takano	Takano	Price, Tom	Simpson	Yoder	Hastings	Hastings	McNerney
Huffman	Murphy (FL)	Thompson (CA)	Ratcliffe	Sinema	Yoho	Heck (WA)	Heck (WA)	Meeks
Israel	Nadler	Thompson (MS)	Reed	Smith (MO)	Young (AK)	Higgins	Higgins	Meng
Jackson Lee	Napolitano	Titus	Reichert	Smith (NE)	Young (IA)	Himes	Himes	Moore
Jeffries	Neal	Tonko	Renacci	Smith (NJ)	Young (IN)	Hinojosa	Hinojosa	Moulton
Johnson (GA)	Nolan	Torres	Ribble	Smith (TX)	Zinke	Honda	Honda	Murphy (FL)
Johnson, E. B.	Norcross	Tsongas	Rice (SC)	Stefanik		Hoyer	Hoyer	Nadler
Kaptur	O'Rourke	Van Hollen	Rigell	Stewart		Huffman	Huffman	Napolitano
Keating	Pallone	Vargas	Roby	Stivers		Israel	Israel	Neal
Kelly (IL)	Pascrell	Veasey	Roe (TN)	Stutzman		Jackson Lee	Jackson Lee	Nolan
Kennedy	Payne	Vela		Thompson (PA)		Jeffries	Jeffries	Norcross
Kildee	Pelosi	Velázquez	DesJarlais			Johnson (GA)	Johnson (GA)	O'Rourke
Kilmer	Perlmutter	Visclosky	Fincher			Johnson, E. B.	Johnson, E. B.	Pallone
Kind	Peters	Walz	Grothman			Kaptur	Kaptur	Pascrell
Kirkpatrick	Peterson	Wasserman				Keating	Keating	Payne
Kuster	Pingree	Schultz				Kelly (IL)	Kelly (IL)	Pelosi
Langevin	Pocan	Waters, Maxine				Kennedy	Kennedy	Perlmutter
Larsen (WA)	Polis	Watson Coleman				Kildee	Kildee	Peters
Larson (CT)	Price (NC)	Welch				Kilmer	Kilmer	Peterson
Lawrence	Quigley	Wilson (FL)				Kind	Kind	Pingree
Lee	Rangel	Yarmuth				Kirkpatrick	Kirkpatrick	Pocan
Levin	Rice (NY)					Kuster	Kuster	Polis
Lewis						Langevin	Langevin	Price (NC)
						Larsen (WA)	Larsen (WA)	Quigley
						Larson (CT)	Larson (CT)	Rangel

NOES—240

Abraham	Denham	Hultgren
Aderholt	Dent	Hunter
Allen	DeSantis	Hurd (TX)
Amash	Diaz-Balart	Hurt (VA)
Amodei	Dold	Issa
Babin	Donovan	Jenkins (KS)
Barletta	Duffy	Jenkins (WV)
Barr	Duncan (SC)	Johnson (OH)
Barton	Duncan (TN)	Jolly
Benishkek	Ellmers (NC)	Jones
Bilirakis	Emmer (MN)	Jordan
Bishop (MI)	Farenthold	Joyce
Bishop (UT)	Fitzpatrick	Katko
Black	Fleischmann	Kelly (MS)
Blackburn	Fleming	Kelly (PA)
Blum	Flores	King (IA)
Bost	Forbes	King (NY)
Boustany	Fortenberry	Kinzing (IL)
Brady (TX)	Fox	Kline
Brat	Franks (AZ)	Knight
Bridenstine	Frelinghuysen	Labrador
Brooks (AL)	Garrett	LaHood
Brooks (IN)	Gibbs	LaMalfa
Buchanan	Gibson	Lamborn
Buck	Gohmert	Lance
Bucshon	Goodlatte	Latta
Burgess	Gosar	LoBiondo
Byrne	Gowdy	Long
Calvert	Granger	Loudermilk
Carter (GA)	Graves (GA)	Love
Carter (TX)	Graves (LA)	Lucas
Chabot	Graves (MO)	Luetkemeyer
Chaffetz	Griffith	Lummis
Clawson (FL)	Guinta	MacArthur
Cole	Guthrie	Marchant
Collins (GA)	Hanna	Marino
Collins (NY)	Hardy	Massie
Comstock	Harper	McCarthy
Conaway	Harris	McCaul
Cook	Hartzler	McClintock
Costello (PA)	Heck (NV)	McHenry
Cramer	Hensarling	McKinley
Crawford	Herrera Beutler	McMorris
Crenshaw	Hice, Jody B.	Rodgers
Cuellar	Hill	McSally
Culberson	Holding	Meadows
Hudson	Huelskamp	Meehan
Davidson	Huizenga (MI)	Messer
Davis, Rodney		Mica

NOT VOTING—7

Johnson, Sam	Rush
Palazzo	
Pittenger	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1730

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. KUSTER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Hampshire (Ms. KUSTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 236, not voting 12, as follows:

[Roll No. 513]

AYES—183

Adams	Butterfield	Connolly
Agullar	Capps	Cooper
Ashford	Capuano	Costa
Bass	Cardenas	Crowley
Beatty	Cuellar	Coffman
Becerra	Carson (IN)	Cummings
Bera	Cartwright	Davis (CA)
Beyer	Castor (FL)	Davis, Danny
Bishop (GA)	Castro (TX)	DeFazio
Blumenauer	Chu, Judy	DeGette
Bonamici	Cicilline	Delaney
Boyle, Brendan F.	Clark (MA)	DeLauro
Brady (PA)	Clarke (NY)	DelBene
Brown (FL)	Clay	DeSaulnier
Brownley (CA)	Cleaver	Deutch
Bustos	Clyburn	Dingell
	Cohen	Doggett

NOES—236

Abraham	Davis, Rodney	Hill
Aderholt	Denham	Holding
Allen	Dent	Huelskamp
Amash	DeSantis	Huizenga (MI)
Amodei	Diaz-Balart	Hultgren
Babin	Dold	Hunter
Barletta	Donovan	Hurd (TX)
Barr	Duffy	Hurt (VA)
Barton	Duncan (SC)	Issa
Benishkek	Duncan (TN)	Jenkins (KS)
Bilirakis	Ellmers (NC)	Jenkins (WV)
Bishop (MI)	Emmer (MN)	Johnson (OH)
Bishop (UT)	Farenthold	Jolly
Black	Fitzpatrick	Jones
Blum	Fleischmann	Jordan
Bost	Fleming	Joyce
Boustany	Flores	Katko
Brady (TX)	Forbes	Kelly (MS)
Brat	Fortenberry	Kelly (PA)
Bridenstine	Fox	King (IA)
Brooks (AL)	Franks (AZ)	King (NY)
Brooks (IN)	Frelinghuysen	Kinzing (IL)
Buchanan	Garrett	Kline
Buck	Gibbs	Knight
Bucshon	Gibson	Labrador
Burgess	Gohmert	LaHood
Byrne	Goodlatte	LaMalfa
Calvert	Gosar	Lamborn
Carter (GA)	Gowdy	Lance
Carter (TX)	Granger	Latta
Chabot	Graves (GA)	LoBiondo
Chaffetz	Graves (LA)	Long
Clawson (FL)	Graves (MO)	Loudermilk
Coffman	Griffith	Love
Cole	Grothman	Lucas
Collins (GA)	Guinta	Luetkemeyer
Collins (NY)	Guthrie	Lummis
Comstock	Hanna	MacArthur
Conaway	Hardy	Marchant
Cook	Harper	Marino
Costello (PA)	Harris	Massie
Cramer	Hartzler	McCarthy
Crawford	Heck (NV)	McCaul
Crenshaw	Hensarling	McClintock
Culberson	Herrera Beutler	McHenry
Curbelo (FL)	Hice, Jody B.	McKinley

McMorris	Reichert	Stivers	Butterfield	Gibson	Love	Rohrabacher	Shuster	Vela
Rodgers	Renacci	Stutzman	Byrne	Gohmert	Lowenthal	Rokita	Simpson	Velázquez
McSally	Ribble	Thompson (PA)	Calvert	Goodlatte	Lowey	Rooney (FL)	Sinema	Visclosky
Meadows	Rice (SC)	Thornberry	Capps	Gosar	Lucas	Ros-Lehtinen	Sires	Wagner
Meehan	Rigell	Tiberi	Capuano	Gowdy	Luetkemeyer	Roskam	Slaughter	Walberg
Messer	Roby	Tipton	Cárdenas	Graham	Lujan Grisham	Ross	Smith (MO)	Walden
Mica	Roe (TN)	Trott	Carney	Granger	(NM)	Rothfus	Smith (NE)	Walker
Miller (FL)	Rogers (AL)	Turner	Carson (IN)	Graves (GA)	Luján, Ben Ray	Rouzer	Smith (NJ)	Walorski
Miller (MI)	Rogers (KY)	Upton	Carter (GA)	Graves (LA)	(NM)	Roybal-Allard	Smith (TX)	Walters, Mimi
Moolenaar	Rokita	Valadao	Carter (TX)	Graves (MO)	Lummis	Royce	Smith (WA)	Walz
Mooney (WV)	Rooney (FL)	Wagner	Cartwright	Grayson	Lynch	Ruiz	Speier	Wasserman
Mullin	Ros-Lehtinen	Walberg	Castor (FL)	Green, Al	MacArthur	Ruppersberger	Stefanik	Schultz
Mulvaney	Roskam	Walden	Castro (TX)	Green, Gene	Maloney,	Russell	Stewart	Waters, Maxine
Murphy (PA)	Ross	Walker	Chabot	Griffith	Carolyn	Ryan (OH)	Stivers	Watson Coleman
Neugebauer	Rothfus	Walorski	Chaffetz	Grijalva	Maloney, Sean	Salmon	Stutzman	Weber (TX)
Newhouse	Rouzer	Walters, Mimi	Chu, Judy	Grothman	Marchant	Sánchez, Linda	Swalwell (CA)	Webster (FL)
Noem	Royce	Weber (TX)	Cicilline	Guinta	Marino	T.	Takano	Welch
Nugent	Russell	Webster (FL)	Clark (MA)	Guthrie	Massie	Sanchez, Loretta	Thompson (CA)	Wenstrup
Nunes	Sanford	Wenstrup	Clarke (NY)	Gutiérrez	Matsui	Sanford	Thompson (MS)	Westerman
Olson	Scalise	Westerman	Clawson (FL)	Hahn	McCarthy	Sarbanes	Thompson (PA)	Westmoreland
Palmer	Schweikert	Westmoreland	Clay	Hanna	McCaul	Scalise	Thornberry	Williams
Paulsen	Scott, Austin	Williams	Cleaver	Hardy	McClintock	Schakowsky	Tiberi	Wilson (FL)
Pearce	Sensenbrenner	Wilson (SC)	Clyburn	Harper	McCollum	Schiff	Tipton	Wilson (SC)
Perry	Sessions	Wittman	Coffman	Harris	McDermott	Schrader	Titus	Wittman
Pittenger	Shinkus	Womack	Cohen	Hartzler	McGovern	Schweikert	Tonko	Womack
Pitts	Shuster	Woodall	Cole	Hastings	McHenry	Scott (VA)	Torres	Woodall
Poe (TX)	Simpson	Yoder	Collins (GA)	Heck (NV)	McKinley	Scott, Austin	Trott	Yarmuth
Poliquin	Sinema	Yoho	Collins (NY)	Heck (WA)	McMorris	Scott, David	Tsongas	Yoder
Pompeo	Smith (MO)	Young (AK)	Comstock	Hensarling	Rodgers	Sensenbrenner	Turner	Yoho
Posey	Smith (NE)	Young (IA)	Conaway	Herrera Beutler	McNerney	Serrano	Upton	Young (AK)
Price, Tom	Smith (TX)	Young (IN)	Connolly	Hice, Jody B.	Meadows	Sessions	Valadao	Young (IA)
Ratcliffe	Stefanik	Zeldin	Conyers	Higgins	Meehan	Sewell (AL)	Van Hollen	Young (IN)
Reed	Stewart	Zinke	Cook	Hill	Meeks	Sherman	Vargas	Zeldin
			Cooper	Himes	Meng	Shinkus	Veasey	Zinke
			Costa	Hinojosa	Messer			
			Holding	Holding	Mica			
			Honda	Honda	Miller (FL)			
			Hoyer	Hoyer	Miller (MI)			
			Hudson	Hudson	Moolenaar			
			Huelskamp	Huelskamp	Mooney (WV)			
			Huffman	Huffman	Moore			
			Huizenga (MI)	Huizenga (MI)	Moulton			
			Hultgren	Hultgren	Mullin			
			Hunter	Hunter	Mulvaney			
			Hurd (TX)	Hurd (TX)	Murphy (FL)			
			Hurt (VA)	Hurt (VA)	Murphy (PA)			
			Israel	Israel	Nadler			
			Issa	Issa	Napolitano			
			Jackson Lee	Jackson Lee	Neal			
			Jeffries	Jeffries	Neugebauer			
			Jenkins (KS)	Jenkins (KS)	Newhouse			
			Jenkins (WV)	Jenkins (WV)	Noem			
			Johnson (GA)	Johnson (GA)	Nolan			
			Johnson (OH)	Johnson (OH)	Norcross			
			Johnson, E. B.	Johnson, E. B.	Nugent			
			Jolly	Jolly	Nunes			
			Jones	Jones	O'Rourke			
			Jordan	Jordan	Olson			
			Joyce	Joyce	Pallone			
			Kaptur	Kaptur	Palmer			
			Katko	Katko	Pascarell			
			Keating	Keating	Paulsen			
			Kelly (IL)	Kelly (IL)	Payne			
			Kelly (MS)	Kelly (MS)	Pearce			
			Kelly (PA)	Kelly (PA)	Pelosi			
			Kennedy	Kennedy	Perlmutter			
			Kildee	Kildee	Perry			
			Kilmer	Kilmer	Peters			
			Kind	Kind	Peterson			
			King (IA)	King (IA)	Pingree			
			King (NY)	King (NY)	Pittenger			
			Kinzie (IL)	Kinzie (IL)	Pitts			
			Kirkpatrick	Kirkpatrick	Pocan			
			Kline	Kline	Poe (TX)			
			Knight	Knight	Poliquin			
			Kuster	Kuster	Polis			
			Labrador	Labrador	Pompeo			
			LaHood	LaHood	Posey			
			LaMalfa	LaMalfa	Price (NC)			
			Lamborn	Lamborn	Price, Tom			
			Lance	Lance	Quigley			
			Langevin	Langevin	Rangel			
			Larsen (WA)	Larsen (WA)	Ratcliffe			
			Larson (CT)	Larson (CT)	Reed			
			Latta	Latta	Reichert			
			Lawrence	Lawrence	Renacci			
			Lee	Lee	Ribble			
			Levin	Levin	Rice (NY)			
			Lewis	Lewis	Rice (SC)			
			Lieu, Ted	Lieu, Ted	Richmond			
			Lipinski	Lipinski	Rigell			
			LoBiondo	LoBiondo	Roby			
			Loebach	Loebach	Roe (TN)			
			Loftgren	Loftgren	Rogers (AL)			
			Long	Long	Rogers (KY)			
			Loudermilk	Loudermilk				

NOT VOTING—12

Blackburn	DesJarlais	Palazzo
Conyers	Fincher	Rohrabacher
Courtney	Hudson	Rush
Davidson	Johnson, Sam	Smith (NJ)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1734

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from California (Mr.
TAKANO) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 426, noes 0,
not voting 5, as follows:

[Roll No. 514]

AYES—426

Abraham	Benishek	Boyle, Brendan
Adams	Bera	F.
Aderholt	Beyer	Brady (PA)
Aguilar	Bilirakis	Brady (TX)
Allen	Bishop (GA)	Brat
Amash	Bishop (MI)	Bridenstine
Amodei	Bishop (UT)	Brooks (AL)
Ashford	Black	Brooks (IN)
Babin	Blackburn	Brown (FL)
Barletta	Blum	Brownley (CA)
Barr	Blumenauer	Buchanan
Barton	Bonamici	Buck
Bass	Bost	Bucshon
Beatty	Boustany	Burgess
Becerra		Bustos

NOT VOTING—5

DesJarlais	Johnson, Sam	Rush
Fincher	Palazzo	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1738

Messrs. WESTMORELAND, ROGERS
of Alabama, EMMER of Minnesota, and
JOHNSON of Ohio changed their vote
from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from California (Mr.
TAKANO) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 421, noes 1,
not voting 9, as follows:

[Roll No. 515]

AYES—421

Abraham	Barton	Black
Adams	Bass	Blackburn
Aderholt	Beatty	Blum
Aguilar	Becerra	Blumenauer
Allen	Benishek	Bonamici
Amash	Bera	Bost
Amodei	Beyer	Boustany
Ashford	Bilirakis	Boyle, Brendan
Babin	Bishop (GA)	F.
Barletta	Bishop (MI)	Brady (PA)
Barr	Bishop (UT)	Brady (TX)

Brat	Frankel (FL)	Lewis	Rice (NY)	Sensenbrenner	Van Hollen	Benishek	Duffy	King (NY)
Bridenstine	Franks (AZ)	Lieu, Ted	Rice (SC)	Serrano	Vargas	Bera	Duncan (SC)	Kinzinger (IL)
Brooks (AL)	Frelinghuysen	Lipinski	Richmond	Sessions	Veasey	Beyer	Duncan (TN)	Kirkpatrick
Brooks (IN)	Fudge	LoBiondo	Rigell	Sewell (AL)	Vela	Bilirakis	Edwards	Kline
Brown (FL)	Gabbard	Loeb sack	Roby	Sherman	Velazquez	Bishop (GA)	Ellison	Knight
Brownley (CA)	Galleo	Lofgren	Roe (TN)	Shimkus	Visclosky	Bishop (MI)	Elmers (NC)	Kuster
Buchanan	Garamendi	Long	Rogers (AL)	Shuster	Wagner	Bishop (UT)	Emmer (MN)	Labrador
Buck	Garrett	Loudermilk	Rogers (KY)	Simpson	Walberg	Black	Engel	LaHood
Bucshon	Gibson	Love	Rohrabacher	Sinema	Walden	Blackburn	Eshoo	LaMalfa
Burgess	Gohmert	Lowenthal	Rokita	Sires	Walker	Blum	Esty	Lamborn
Bustos	Goodlatte	Lowey	Rooney (FL)	Slaughter	Walorski	Blumenauer	Farenthold	Lance
Butterfield	Gosar	Lucas	Ros-Lehtinen	Smith (MO)	Walters, Mimi	Bonamici	Fitzpatrick	Langevin
Byrne	Gowdy	Luetkemeyer	Roskam	Smith (NJ)	Walz	Bost	Fleischmann	Larsen (WA)
Calvert	Graham	Lujan Grisham	Ross	Smith (TX)	Wasserman	Boustany	Fleming	Larson (CT)
Capps	Granger	(NM)	Rothfus	Smith (WA)	Schultz	Boyle, Brendan	Flores	Latta
Capuano	Graves (GA)	Lujan, Ben Ray	Rouzer	Speier	Waters, Maxine	F.	Forbes	Lawrence
Cardenas	Graves (LA)	(NM)	Roybal-Allard	Stefanik	Watson Coleman	Brady (PA)	Fortenberry	Lee
Carney	Graves (MO)	Lummis	Royce	Stewart	Weber (TX)	Brady (TX)	Foster	Levin
Carson (IN)	Grayson	Lynch	Ruiz	Stivers	Webster (FL)	Brat	Fox	Lewis
Carter (GA)	Green, Al	MacArthur	Ruppersberger	Stutzman	Welch	Bridenstine	Frankel (FL)	Lieu, Ted
Carter (TX)	Green, Gene	Maloney,	Russell	Swalwell (CA)	Wenstrup	Brooks (AL)	Franks (AZ)	Lipinski
Cartwright	Griffith	Carolyn	Ryan (OH)	Takano	Westerman	Brooks (IN)	Fudge	LoBiondo
Castor (FL)	Grijalva	Maloney, Sean	Salmon	Thompson (CA)	Westmoreland	Brown (FL)	Gabbard	Loeb sack
Castro (TX)	Grothman	Marchant	Sánchez, Linda	Thompson (MS)	Williams	Brownley (CA)	Galleo	Lofgren
Chabot	Guinta	Marino	T.	Thompson (PA)	Wilson (FL)	Buchanan	Garamendi	Long
Chaffetz	Guthrie	Massie	Sanchez, Loretta	Thornberry	Wilson (SC)	Buck	Garrett	Loudermilk
Chu, Judy	Gutiérrez	Matsui	Sanford	Tiberi	Wittman	Gibbs	Gibbs	Love
Cicilline	Hahn	McCarthy	Sarbanes	Tipton	Womack	Burgess	Gibson	Lowenthal
Clark (MA)	Hanna	McCaul	Scalise	Titus	Woodall	Bustos	Gohmert	Lowey
Clarke (NY)	Hardy	McClintock	Schakowsky	Tonko	Yarmuth	Butterfield	Goodlatte	Lucas
Clawson (FL)	Harper	McCollum	Schiff	Torres	Yoder	Gosar	Luetkemeyer	
Clay	Harris	McDermott	Schrader	Trott	Yoho	Calvert	Gowdy	Lujan Grisham
Cleaver	Hartzler	McGovern	Schweikert	Tsongas	Young (IA)	Capps	Graham	(NM)
Clyburn	Hastings	McHenry	Scott (VA)	Turner	Young (IN)	Capuano	Granger	Lujan, Ben Ray
Coffman	Heck (NV)	McKinley	Scott, Austin	Upton	Zeldin	Cardenas	Graves (GA)	(NM)
Cohen	Heck (WA)	McMorris	Scott, David	Valadao	Zinke	Carney	Graves (MO)	Lummis
Cole	Hensarling	Rodgers				Carson (IN)	Grayson	Lynch
Collins (GA)	Herrera Beutler	McNerney				Carter (GA)	Green, Al	MacArthur
Collins (NY)	Hice, Jody B.	McSally				Carter (TX)	Green, Gene	Maloney,
Comstock	Higgins	Meadows				Cartwright	Griffith	Carolyn
Conaway	Hill	Meehan				Castor (FL)	Grijalva	Maloney, Sean
Connolly	Himes	Meeks	Cooper	Fincher	Palazzo	Castro (TX)	Grothman	Marchant
Conyers	Hinojosa	Meng	DesJarlais	Gibbs	Rush	Chabot	Guinta	Marino
Cook	Holding	Messer	Farr	Johnson, Sam	Smith (NE)	Chaffetz	Guthrie	Massie
Costa	Honda	Mica				Chu, Judy	Gutiérrez	Matsui
Costello (PA)	Hoyer	Miller (FL)				Cicilline	Hahn	McCarthy
Courtney	Hudson	Miller (MI)				Clark (MA)	Hanna	McCaul
Cramer	Huelskamp	Moolenaar				Clarke (NY)	Hardy	McClintock
Crawford	Huffman	Mooney (WV)				Clawson (FL)	Harper	McCollum
Crenshaw	Huizenga (MI)	Moore				Clay	Harris	McDermott
Crowley	Hultgren	Moulton				Cleaver	Hartzler	McGovern
Cuellar	Hunter	Mullin				Clyburn	Hastings	McHenry
Culberson	Hurd (TX)	Mulvaney				Coffman	Heck (NV)	McKinley
Cummings	Hurt (VA)	Murphy (FL)				Cohen	Heck (WA)	McMorris
Curbelo (FL)	Israel	Murphy (PA)				Cole	Hensarling	Rodgers
Davidson	Issa	Nadler				Collins (GA)	Herrera Beutler	McNerney
Davis (CA)	Jackson Lee	Napolitano				Collins (NY)	Hice, Jody B.	McSally
Davis, Danny	Jeffries	Neal				Comstock	Higgins	Meadows
Davis, Rodney	Jenkins (KS)	Neugebauer				Conaway	Hill	Meehan
DeFazio	Jenkins (WV)	Newhouse				Connolly	Himes	Meeks
DeGette	Johnson (GA)	Noem				Conyers	Hinojosa	Meng
Delaney	Johnson (OH)	Nolan				Cook	Holding	Messer
DeLauro	Johnson, E. B.	Norcross				Cooper	Honda	Mica
DelBene	Jolly	Nugent				Costa	Hoyer	Miller (FL)
Denham	Jones	Nunes				Costello (PA)	Hudson	Miller (MI)
Dent	Jordan	O'Rourke				Courtney	Huelskamp	Moolenaar
DeSantis	Joyce	Olson				Cramer	Huffman	Mooney (WV)
DeSaulnier	Kaptur	Pallone				Crawford	Huizenga (MI)	Moore
Deutch	Katko	Palmer				Crenshaw	Hultgren	Moulton
Diaz-Balart	Keating	Pascrell				Crowley	Mullin	Mullin
Dingell	Kelly (IL)	Paulsen				Cuellar	Hurd (TX)	Mulvaney
Doggett	Kelly (MS)	Payne				Culberson	Hurt (VA)	Murphy (FL)
Dold	Kelly (PA)	Pearce				Cummings	Israel	Murphy (PA)
Donovan	Kennedy	Pelosi				Curbelo (FL)	Issa	Nadler
Doyle, Michael	Kildee	Perlmutter				Davidson	Jackson Lee	Napolitano
F.	Kilmer	Perry				Davis (CA)	Jeffries	Neal
Duckworth	Kind	Peters				Davis, Danny	Jenkins (KS)	Neugebauer
Duffy	King (IA)	Peterson				Davis, Rodney	Jenkins (WV)	Newhouse
Duncan (SC)	King (NY)	Pingree				DeFazio	Johnson (GA)	Noem
Duncan (TN)	Kinzinger (IL)	Pittenger				DeGette	Johnson (OH)	Nolan
Edwards	Kirkpatrick	Pitts				Delaney	Johnson, E. B.	Norcross
Ellison	Kline	Pocan				DeLauro	Jolly	Nugent
Elmers (NC)	Knight	Poe (TX)				DelBene	Jones	Nunes
Emmer (MN)	Kuster	Poliquin				Denham	Jordan	O'Rourke
Engel	Labrador	Polis				Dent	Joyce	Olson
Eshoo	LaHood	Pompeo				DeSantis	Kaptur	Pallone
Esty	LaMalfa	Posey				DeSaulnier	Katko	Palmer
Farenthold	Lamborn	Price (NC)				Deutch	Keating	Pascrell
Fitzpatrick	Lance	Price, Tom				Diaz-Balart	Kelly (IL)	Paulsen
Fleischmann	Langevin	Quigley				Dingell	Kelly (MS)	Payne
Fleming	Larsen (WA)	Rangel				Doggett	Kelly (PA)	Pearce
Flores	Larson (CT)	Ratcliffe				Dold	Kennedy	Pelosi
Forbes	Latta	Reed	Abraham	Amash	Barr	Donovan	Kildee	Perlmutter
Fortenberry	Lawrence	Reichert	Adams	Amodei	Barton	Doyle, Michael	Kilmer	Perry
Foster	Lee	Renacci	Aderholt	Ashford	Bass	F.	Kind	Peterson
Fox	Levin	Ribble	Allen	Babin	Beatty	Duckworth	King (IA)	Pingree
				Barletta	Becerra			

NOES—1

Young (AK)

NOT VOTING—9

Cooper

Fincher

Palazzo

DesJarlais

Gibbs

Rush

Farr

Johnson, Sam

Smith (NE)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).

There is 1 minute remaining.

□ 1742

So the amendment was agreed to.

The result of the vote was announced

as above recorded.

Stated for:

Mr. SMITH of Nebraska. Mr. Chair, on roll-

call No. 515, had I been present, I would have

voted “aye.”

AMENDMENT NO. 20 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished

business is the demand for a recorded

vote on the amendment offered by the

gentleman from California (Mr.

TAKANO) on which further proceedings

were postponed and on which the ayes

prevailed by voice vote.

The Clerk will redesignate the

amendment.

The Clerk redesignated the amend-

ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote

has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-

minute vote.

The vote was taken by electronic de-

vice, and there were—ayes 421, noes 0,

not voting 10, as follows:

[Roll No. 515]

AYES—421

Abraham	Amash	Barr
Adams	Amodei	Barton
Aderholt	Ashford	Bass
Aguilar	Babin	Beatty
Allen	Barletta	Becerra

Pittenger	Sanchez, Loretta	Trott	Bilirakis	Edwards	Kinzingler (IL)	Pittenger	Sanchez, Loretta	Torres
Pitts	Sanford	Tsongas	Bishop (GA)	Ellison	Kirkpatrick	Pitts	Sanford	Trott
Pocan	Sarbanes	Turner	Bishop (MI)	Ellmers (NC)	Kline	Pocan	Sarbanes	Tsongas
Poe (TX)	Scalise	Upton	Bishop (UT)	Emmer (MN)	Knight	Poe (TX)	Scalise	Turner
Poliquin	Schakowsky	Valadao	Black	Engel	Kuster	Poliquin	Schakowsky	Upton
Polis	Schiff	Van Hollen	Blackburn	Eshoo	Labrador	Polis	Schiff	Valadao
Pompeo	Schrader	Vargas	Blum	Esty	LaHood	Pompeo	Schrader	Van Hollen
Posey	Schweikert	Veasey	Blumenauer	Farenthold	LaMalfa	Posey	Schweikert	Vargas
Price (NC)	Scott (VA)	Vela	Bonamici	Farr	Lamborn	Price (NC)	Scott (VA)	Vela
Price, Tom	Scott, Austin	Velázquez	Bost	Fitzpatrick	Lance	Price, Tom	Scott, Austin	Velázquez
Quigley	Scott, David	Visclosky	Boustany	Fleischmann	Langevin	Quigley	Scott, David	Visclosky
Rangel	Sensenbrenner	Wagner	Boyle, Brendan	Fleming	Larsen (WA)	Rangel	Sensenbrenner	Wagner
Ratcliffe	Sessions	Walberg	F.	Flores	Larson (CT)	Ratcliffe	Serrano	Walberg
Reed	Sewell (AL)	Walden	Brady (PA)	Forbes	Latta	Reed	Sessions	Walden
Reichert	Sherman	Walker	Brady (TX)	Fortenberry	Lawrence	Reichert	Sewell (AL)	Walker
Renacci	Shimkus	Walorski	Brat	Poster	Lee	Renacci	Sherman	Walorski
Ribble	Shuster	Walters, Mimi	Bridenstine	Fox	Levin	Ribble	Shimkus	Walters, Mimi
Rice (NY)	Simpson	Walz	Brooks (AL)	Frankel (FL)	Lewis	Rice (NY)	Shuster	Walz
Rice (SC)	Sinema	Wasserman	Brooks (IN)	Lieu, Ted	Lieu, Ted	Rice (SC)	Simpson	Wasserman
Richmond	Sires	Schultz	Brown (FL)	Frelinghuysen	Lipinski	Richmond	Sinema	Schultz
Rigell	Slaughter	Waters, Maxine	Brownley (CA)	Fudge	LoBiondo	Rigell	Sires	Waters, Maxine
Roby	Smith (MO)	Watson Coleman	Buchanan	Gabbard	Loeb	Roby	Slaughter	Watson Coleman
Roe (TN)	Smith (NE)	Weber (TX)	Buck	Gallo	Loeb	Roe (TN)	Smith (MO)	Weber (TX)
Rogers (AL)	Smith (NJ)	Webster (FL)	Bucshon	Garamendi	Long	Rogers (AL)	Smith (NE)	Webster (FL)
Rogers (KY)	Smith (TX)	Welch	Burgess	Garrett	Loudermilk	Rogers (KY)	Smith (NJ)	Wenstrup
Rohrabacher	Smith (WA)	Westerman	Bustos	Gibbs	Love	Rohrabacher	Smith (TX)	Westerman
Rokita	Speler	Westerman	Butterfield	Gibson	Lowenthal	Rokita	Smith (WA)	Westerman
Rooney (FL)	Stefanik	Westmoreland	Byrne	Gohmert	Lowey	Rooney (FL)	Speier	Westmoreland
Ros-Lehtinen	Stewart	Williams	Calvert	Goodlatte	Lucas	Ros-Lehtinen	Stefanik	Williams
Roskam	Stivers	Wilson (FL)	Capps	Gosar	Luetkemeyer	Roskam	Stewart	Wilson (FL)
Ross	Stutzman	Wilson (SC)	Capuano	Gowdy	Lujan Grisham	Ross	Stivers	Wilson (SC)
Rothfus	Swalwell (CA)	Wittman	Cárdenas	Graham	(NM)	Rothfus	Stutzman	Wittman
Rouzer	Takano	Womack	Carney	Granger	Luján, Ben Ray	Rouzer	Swalwell (CA)	Womack
Roybal-Allard	Thompson (CA)	Woodall	Carson (IN)	Graves (GA)	(NM)	Roybal-Allard	Takano	Woodall
Royce	Thompson (MS)	Yarmuth	Carter (GA)	Graves (LA)	Lummis	Royce	Thompson (CA)	Yarmuth
Ruiz	Thompson (PA)	Yoder	Carter (TX)	Graves (MO)	Lynch	Ruiz	Thompson (MS)	Yoder
Ruppersberger	Thornberry	Yoho	Cartwright	Grayson	MacArthur	Ruppersberger	Thompson (PA)	Yoho
Russell	Tiberi	Young (AK)	Castor (FL)	Green, Al	Maloney,	Russell	Thornberry	Young (AK)
Ryan (OH)	Tipton	Young (IA)	Castro (TX)	Green, Gene	Carolyn	Ryan (OH)	Tiberi	Young (IA)
Salmon	Titus	Young (IN)	Chabot	Griffith	Maloney, Sean	Salmon	Tipton	Young (IN)
Sanchez, Linda	Tonko	Zeldin	Chaffetz	Grijalva	Marchant	Sanchez, Linda	Titus	Zeldin
T.	Torres	Zinke	Chu, Judy	Grothman	Marino	T.	Tonko	Zinke

NOT VOTING—10

DesJarlais	Graves (LA)	Rush
Farr	Johnson, Sam	Serrano
Fincher	Palazzo	
Frelinghuysen	Peters	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1745

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. DUFFY

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Wisconsin (Mr. DUFFY)
on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 423, noes 1,
not voting 7, as follows:

[Roll No. 517]

AYES—423

Abraham	Amodei	Bass
Adams	Ashford	Beatty
Aderholt	Babin	Becerra
Aguilar	Barletta	Benish
Allen	Barr	Bera
Amash	Barton	Beyer

NOES—1

NOES—1

Harris

NOT VOTING—7

DesJarlais	Palazzo	Welch
Fincher	Rush	
Johnson, Sam	Veasey	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1748

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

The Acting CHAIR. There being no
further amendments, under the rule,
the Committee rises.

Accordingly, the Committee rose;
and the Speaker pro tempore (Ms. ROS-
LEHTINEN) having assumed the chair,
Mr. WESTMORELAND, Acting Chair of
the Committee of the Whole House on
the state of the Union, reported that
that Committee, having had under con-
sideration the bill (H.R. 5620) to amend
title 38, United States Code, to provide
for the removal or demotion of employ-
ees of the Department of Veterans Af-
fairs based on performance or mis-
conduct, and for other purposes, and,
pursuant to House Resolution 859, he
reported the bill back to the House
with sundry amendments adopted in
the Committee of the Whole.

The SPEAKER pro tempore. Under
the rule, the previous question is or-
dered.

Is a separate vote demanded on any
amendment reported from the Com-
mittee of the Whole? If not, the Chair
will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. TITUS. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. TITUS. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Titus moves to recommit the bill H.R. 5620 to the Committee on Veterans' Affairs with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC. 11. DEFINITION OF SPOUSE FOR PURPOSES OF VETERAN BENEFITS TO REFLECT NEW STATE DEFINITIONS OF SPOUSE.

(a) DEFINITIONS.—Section 101 of title 38, United States Code is amended—

(1) in paragraph (3), by striking “of the opposite sex”; and

(2) in paragraph (31), by striking “of the opposite sex who is a wife or husband” and inserting “in a marriage recognized under section 103 of this title”.

(b) DETERMINATION.—Subsection (c) of section 103 of such title is amended to read as follows:

“(c)(1) For the purposes of all laws administered by the Secretary, the Secretary shall recognize a marriage based on the law of the State where the marriage occurred. In the case of a marriage that occurred outside a State, the Secretary shall recognize the marriage if the marriage was lawful in the place where it occurred and could have been entered into under the laws of any State. Except in the case of a purported marriage deemed valid under subsection (a), the Secretary may not recognize more than one marriage for any person at the same time.

“(2) In this subsection, the term ‘State’ has the meaning given that the term in section 101(20) of this title, except that such term also includes the Commonwealth of the Northern Mariana Islands.”.

Mr. MILLER of Florida (during the reading). Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

Ms. TITUS (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

The SPEAKER pro tempore. The gentleman from Nevada is recognized for 5 minutes.

Ms. TITUS. Madam Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

The motion to recommit that I offer today is simple, straightforward, and long overdue. The amendment is a technical correction to update our Nation's laws to reflect the realities of the day by eliminating outdated, discriminatory language that is currently found in the U.S. Code.

Over a year ago, the Supreme Court ruled definitively on the question of equal protection for all citizens under the law. Their decision in Obergefell v. Hodges struck down discriminatory laws that defined marriage and made marriage equality the law of the land.

Following that decision, the Veterans Administration issued guidance to ensure that all legally married veterans and their spouses would have access to the full range of Federal benefits that they earned through their military service. Yet, title 38 of the U.S. Code, which governs the VA, still reflects decades-old language that does not meet the constitutional reality of today. This is why I am offering the motion to remove the sex-specific definition of “spouse” found in the VA Code.

Now, updating the U.S. Code is nothing new to this body. In 1986, Congress updated our Nation's laws to reflect the fact that not all veterans are men and not all veteran spouses are wives. Earlier this year, I would remind the House that we passed, by unanimous vote, a measure offered by my friend and colleague from New York, Congresswoman MENG, to remove discriminatory language on race found in the Code.

By passing this MTR, we can take yet another step to clean up our laws and recognize that all American veterans and their families are equal. Indeed, we owe it to those who have worn the uniform and to their loved ones to respect their service and their sacrifice in both word and in deed. So let's remove this discriminatory language and ensure that all veterans are provided the respect, the benefits, and the equal protection they deserve.

Accordingly, I would urge my colleagues on both sides of the aisle to have just a fraction of the courage that these brave American heroes have and vote for this motion to recommit.

Madam Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. MILLER of Florida. Madam Speaker, I claim the time in opposition to the gentleman's motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Madam Speaker, one thing that can be said about Ms. TITUS is she is consistent and she has tried every way possible in

order to have this piece of legislation pass. Actually, it was debated and defeated in the committee when we had an opportunity to talk about this issue before.

There were 80 amendments that were offered on this particular piece of legislation. Twenty-two amendments were accepted, and as the Members have seen, a vast number of Democratic amendments were accepted and allowed to be debated on the floor.

This bill is about accountability. This bill is trying to give the Secretary the tools that he needs in order to hold people accountable. The problem that exists today at the Department of Veterans Affairs, as the Department Secretary has said and as other high-ranking officials at the Department have said, is it is almost impossible to hold somebody accountable or to fire somebody at the Department of Veterans Affairs.

Imagine this: a VA employee that was drunk went into an operating room, and it took almost a year in order to hold them accountable; a VA employee was a willing participant in an armed robbery in Puerto Rico, and after a lengthy and administrative battle where the employee was supported by the public employee unions, the employee was reinstated in their previous position and got no discipline at all.

The VA has not held anybody accountable for the \$2.5 billion budget shortfall that took place in 2015, and they have held nobody accountable for the \$1 billion cost overrun at the Aurora, Colorado, VA Medical Center.

This is about holding bad bureaucrats accountable. We don't need poison pills in this particular bill. We need to move forward, and I urge my colleagues to oppose the MTR.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Ms. TITUS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 239, not voting 7, as follows:

[Roll No. 518]

AYES—185

Adams
Aguilar
Ashford

Bass
Beatty
Becerra

Bera
Beyer
Bishop (GA)

Blumenauer	Green, Al	Nolan	Huelskamp	Meehan	Sanford	Bishop (MI)	Guinta	Murphy (PA)
Bonamici	Green, Gene	Norcross	Huizenga (MI)	Messer	Scalise	Bishop (UT)	Guthrie	Neal
Boyle, Brendan F.	Grijalva	O'Rourke	Hultgren	Mica	Schweikert	Black	Hahn	Neugebauer
Brady (PA)	Gutiérrez	Pallone	Hunter	Miller (FL)	Scott, Austin	Blackburn	Hanna	Newhouse
Brown (FL)	Hahn	Pascarell	Hurd (TX)	Miller (MI)	Sensenbrenner	Blum	Hardy	Noem
Brownley (CA)	Hastings	Payne	Hurt (VA)	Moolenaar	Sessions	Bost	Harper	Nugent
Bustos	Heck (WA)	Pelosi	Issa	Mooney (WV)	Shimkus	Boustany	Harris	Nunes
Butterfield	Higgins	Perlmutter	Jenkins (KS)	Mullin	Shuster	Boyle, Brendan F.	Hartzler	O'Rourke
Capps	Himes	Peters	Jenkins (WV)	Mulvaney	Simpson	Brady (TX)	Heck (NV)	Olson
Capuano	Hinojosa	Peterson	Johnson (OH)	Murphy (PA)	Smith (MO)	Brat	Heck (WA)	Palmer
Cárdenas	Honda	Pingree	Jolly	Neugebauer	Smith (NE)	Bridenstine	Hensarling	Paulsen
Carney	Hoyer	Pocan	Jones	Newhouse	Smith (NJ)	Brooks (AL)	Herrera Beutler	Pearce
Carson (IN)	Huffman	Polis	Jordan	Noem	Smith (TX)	Brooks (IN)	Hice, Jody B.	Perry
Cartwright	Israel	Price (NC)	Joyce	Nugent	Stefanik	Brownley (CA)	Hill	Peters
Castor (FL)	Jackson Lee	Quigley	Katko	Nunes	Stewart	Buchanan	Himes	Peterson
Castro (TX)	Jeffries	Rangel	Kelly (MS)	Olson	Stivers	Bucshon	Hinojosa	Pittenger
Chu, Judy	Johnson (GA)	Rice (NY)	Kelly (PA)	Palmer	Stutzman	Burgess	Holding	Pitts
Cicilline	Johnson, E. B.	Richmond	King (IA)	Paulsen	Thompson (PA)	Bustos	Hudson	Poe (TX)
Clark (MA)	Kaptur	Royal-Allard	King (NY)	Pearce	Thornberry	Byrne	Huelskamp	Poliquin
Clarke (NY)	Keating	Ruiz	Kinzinger (IL)	Perry	Tiberi	Calvert	Huizenga (MI)	Pompeo
Clay	Kelly (IL)	Ruppersberger	Kline	Pittenger	Tipton	Carney	Hultgren	Posey
Cleaver	Kennedy	Ryan (OH)	Knight	Pitts	Trott	Carter (GA)	Hunter	Price, Tom
Clyburn	Kildee	Sánchez, Linda T.	Labrador	Poe (TX)	Turner	Carter (TX)	Hurd (TX)	Ratcliffe
Cohen	Kilmer	Sanchez, Loretta	LaHood	Poliquin	Upton	Castro (TX)	Hurt (VA)	Reed
Connolly	Kind	Sarbanes	LaMalfa	Pompeo	Valadao	Chabot	Israel	Reichert
Conyers	Kirkpatrick	Schakowsky	Lamborn	Posey	Wagner	Chaffetz	Issa	Renacci
Cooper	Kuster	Schiff	Lance	Price, Tom	Walberg	Ciциlline	Jenkins (KS)	Ribble
Costa	Langevin	Schrader	Latta	Ratcliffe	Walden	Costello (PA)	Jenkins (WV)	Rice (NY)
Courtney	Larsen (WA)	Scott (VA)	LoBiondo	Reed	Walker	Kind	Johnson (OH)	Rice (SC)
Crowley	Larson (CT)	Scott, David	Long	Reichert	Walorski	Cramer	Jolly	Rigell
Cuellar	Lawrence	Serrano	Loudermilk	Renacci	Walters, Mimi	Coffman	Jones	Roby
Cummings	Lee	Sewell (AL)	Love	Ribble	Weber (TX)	Cole	Jordan	Roe (TN)
Davis (CA)	Levin	Sherman	Lucas	Rice (SC)	Webster (FL)	Collins (GA)	Joyce	Rogers (AL)
Davis, Danny	Lewis	Sinema	Luetkemeyer	Rigell	Wenstrup	Collins (NY)	Kaptur	Rogers (KY)
DeFazio	Lieu, Ted	Sires	Lummis	Roe (TN)	Westerman	Comstock	Katko	Rohrabacher
DeGette	Lipinski	Smith (WA)	MacArthur	Rogers (AL)	Westmoreland	Conaway	Keating	Rokita
Delaney	Loebach	Smith (WA)	Marchant	Rogers (KY)	Williams	Cook	Kelly (MS)	Rooney (FL)
DeLauro	Lofgren	Speier	Marino	Rohrabacher	Wilson (SC)	Cooper	Kelly (PA)	Ros-Lehtinen
DeBene	Lowenthal	Swaikwell (CA)	Massie	Rokita	Wittman	Costa	Kennedy	Roskam
DeSaulnier	Lowey	Takano	McCarthy	Rooney (FL)	Womack	Costello (PA)	Kilmer	Ross
Deutch	Lujan Grisham	Thompson (CA)	McCaul	Ros-Lehtinen	Woodall	Courtney	Kind	Rothfus
Dingell	(NM)	Thompson (MS)	McClintock	Roskam	Yoder	Cramer	King (IA)	Rouzer
Doggett	Luján, Ben Ray	Titus	McHenry	Ross	Yoho	Crawford	King (NY)	Royle
Doyle, Michael F.	Maloney, Carolyn	Tonko	McKinley	Rothfus	Young (AK)	Crenshaw	Kinzinger (IL)	Ruiz
Duckworth	Maloney, Sean	Torres	McMorris	Rouzer	Young (IA)	Cuellar	Kirkpatrick	Ruppersberger
Edwards	Maloney, Sean	Tsongas	McMorris	Royce	Young (IN)	Culberson	Kline	Russell
Ellison	Maloney, Sean	Van Hollen	McSally	Russell	Zeldin	Curbelo (FL)	Knight	Ryan (OH)
Engel	Maloney, Sean	Vargas	Meadows	Salmon	Zinke	Davidson	Kuster	Salmon
Eshoo	McCollum	Veasey				Davis (CA)	Labrador	Sanchez, Loretta
Esty	McDermott	Vela				Davis, Rodney	LaHood	Sanford
Farr	McGovern	Velázquez				DeFazio	LaMalfa	Scalise
Foster	McNerney	Visclosky				Delaney	Lamborn	Schrader
Frankel (FL)	Meeks	Walz				DeLauro	Lance	Schweikert
Fudge	Meng	Wasserman				Denham	Long	Scott, Austin
Gabbard	Moore	Schultz				Dent	Larson (CT)	Scott, David
Galleo	Moulton	Waters, Maxine				DeSantis	Latta	Sensenbrenner
Garamendi	Murphy (FL)	Watson Coleman				Diaz-Balart	Lipinski	Sessions
Graham	Nadler	Welch				Doggett	LoBiondo	Shimkus
Grayson	Napolitano	Wilson (FL)				Dold	Loebach	Shuster
	Neal	Yarmuth				Donovan	Long	Simpson
						Duckworth	Loudermilk	Sinema
						Duffy	Love	Smith (MO)
						Duncan (SC)	Lowenthal	Smith (NE)
						Duncan (TN)	Lucas	Smith (NJ)
						Ellmers (NC)	Luetkemeyer	Smith (TX)
						Emmer (MN)	Lujan Grisham	Speier
						Esty	(NM)	Stefanik
						Farenthold	Luján, Ben Ray	Stewart
						Fitzpatrick	(NM)	Stivers
						Fleischmann	Lummis	Stutzman
						Fleming	MacArthur	Thompson (CA)
						Flores	Maloney, Sean	Thompson (PA)
						Forbes	Marchant	Thornberry
						Fortenberry	Marino	Tiberi
						Fox	Massie	Tipton
						Franks (AZ)	McCarthy	Titus
						Frelinghuysen	McCaul	Trott
						Gabbard	McClintock	Tsongas
						Garamendi	McHenry	Turner
						Garrett	McKinley	Upton
						Gibbs	McMorris	Valadao
						Gibson	Rodgers	Veasey
						Gohmert	McNerney	Vela
						Goodlatte	McSally	Wagner
						Gosar	Meadows	Walberg
						Gowdy	Meehan	Walden
						Graham	Messer	Walker
						Granger	Mica	Walorski
						Graves (GA)	Miller (FL)	Walters, Mimi
						Graves (LA)	Miller (MI)	Walz
						Graves (MO)	Moolenaar	Weber (TX)
						Grayson	Mooney (WV)	Webster (FL)
						Green, Al	Moulton	Wenstrup
						Green, Gene	Mullin	Westerman
						Griffith	Mulvaney	Westmoreland
						Grothman	Murphy (FL)	Williams

NOT VOTING—7

□ 1804

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. Madam Speaker, on rollcall No. 518, I was unavoidably detained. Had I been present, I would have voted "nay."

Mrs. ROBY. Madam Speaker, on rollcall No. 518, I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TAKANO. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 310, nays 116, not voting 5, as follows:

[Roll No. 519]

YEAS—310

Abraham	Amodei	Barton
Aderholt	Ashford	Benishek
Aguiar	Babin	Bera
Allen	Barletta	Bilirakis
Amash	Barr	Bishop (GA)

Wilson (SC)
Wittman
Womack
Woodall

Yoder
Yoho
Young (AK)
Young (IA)

Young (IN)
Zeldin
Zinke

NAYS—116

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Crowley
Cummings
Davis, Danny
DeGette
DeBene
DeSaulnier
Deutch
Dingell
Doyle, Michael
F.
Edwards
Ellison
Engel
Eshoo
Farr

Foster
Frankel (FL)
Fudge
Gallego
Grijalva
Gutiérrez
Hastings
Higgins
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kildee
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowey
Lynch
Maloney,
Carolyn
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Moore
Nadler
Napolitano
Nolan
Norcross
Pallone

Pascarell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (MS)
Tonko
Torres
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—5

DesJarlais
Fincher

Johnson, Sam
Palazzo

Rush

□ 1811

So the bill is passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3765

Mr. RANGEL. Madam Speaker, I ask unanimous consent to withdraw my name from H.R. 3765, the ADA Education and Reform Act of 2015.

The SPEAKER pro tempore (Ms. MCSALLY). Is there objection to the request of the gentleman from New York?

There was no objection.

HOOR OF MEETING ON TOMORROW

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

RECOGNIZING CHASE BUSBY

(Mr. CARTER of Georgia asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize the courageous Chase Busby from St. Simons Island, Georgia—a 3-year-old battling leukemia.

After Chase showed symptoms of a fairly common cold for about a month, his parents, Chris and Cassie, took him to the doctor for tests. Unfortunately, those tests showed that he had an acute type of childhood cancer found in bone marrow.

Since that time, Chase has gone through many more tests, medicines, and painful procedures, including chemotherapy. He is set to complete his treatment in 2018.

In true south Georgia fashion, I am proud to say that Chase's local community is rallying behind him. In his honor, on September 23, Redfern Village in St. Simons is hosting a block party called "Redfern Goes Gold," and the proceeds will go to funding childhood cancer research.

With September being National Childhood Cancer Awareness Month, I rise today to wish Chase Busby all the best in fighting this disease. Chase, we are here to support you every step of the way.

□ 1815

CELEBRATING MS. MAE CORA PETERSON'S 100TH BIRTHDAY

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Madam Speaker, I rise today to honor the 100th birthday of Ms. Mae Cora Peterson, a resident of Fort Worth, Texas, in the Stop Six, Carver Heights community.

Ms. Peterson was born on September 13, 1916, in Orangeburg, South Carolina, during the Jim Crow era. Understanding the value of education during the time of racial segregation, she attended and graduated from South Carolina State University. She went on to earn her master's degree from the University of Michigan. After graduation, she volunteered with the YWCA and was offered a full-time job in the city of her choice. She took on the position of executive director at a segregated branch in Fort Worth.

She continued her passion to serve youth and later served as the dean of girls and vice principal at Dunbar High School, where she worked for 27 years. In addition to her civic duties, Ms. Peterson is also the oldest active living member of the Delta Sigma Theta Sorority, Inc.

Madam Speaker, I rise to give tribute to my good friend, Ms. Mae Cora Peterson.

NO LAMEDUCK VOTE ON TPP

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise today to call on Congress to rule out an end-of-the-year lameduck end-run vote on the Trans-Pacific Partnership.

No other time in the Congress is less accountable to the people who entrust us to represent their interests than the period between election and the swearing in of a new Congress in January. That is why it is called lameduck.

Retiring Members or those who lost elections still have a say. And whose interests are they more likely to represent?

Sometimes corporate interests weigh in with tantalizing offers of high-dollar remuneration on their retirement. Or for those fresh off an election, a lameduck can present pressures from donors who funded their campaigns.

In 2000, I watched this scenario play out when the permanent normal trade relations with China, unfortunately, passed. For China's PNTR vote, look at Texas. The President secured at least five Members' votes by promising an environmental cleanup of a military factory, a study on job losses due to imports, and finalized an EPA study for a pipeline.

And what happened to those promises?

Nothing. In fact, the factory closed with the district losing 5,000 jobs.

Madam Speaker, we have been told time and again that free trade deals create jobs, but they outsource our jobs instead. Americans deserve a vote from accountable, elected Representatives. No lameduck TPP vote.

AMERICAN FREEDOMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. GIBSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. GIBSON. Madam Speaker, this evening I will be joined with three other veterans, and among the four of us are three airborne Ranger-qualified veterans and one Navy SEAL. We will be talking about our freedoms and this exceptional way of life.

Madam Speaker, earlier this year, on the Fourth of July, we celebrated 240 years of our independence, celebrating our freedoms.

Earlier this week in a series of somber memorials, I was in some of my towns across the 11 counties of the 19th Congressional District of New York, and we marked the 15th year since the 11th of September of 2001.

Madam Speaker, it has often been the case in the human experience that in adversity, character is revealed. I would submit that the character of the American soul was revealed on that day. Courage in the face of danger.

At the World Trade Center, when so many Americans were working their way down the stairs, our first responders were on their way up to make sure that no one was left behind. Remarkable courage in the face of danger.

And I think about what it must have been like on United Airlines Flight 93 when they had that revelation that the country was under attack and that their plane, which had been hijacked, was destined for some target, likely in the National Capital Region, and how they summoned up the courage to attack. Ordinary Americans doing extraordinary things. Courage in the face of danger. Part of the American soul, part of our character. Also, I would add, unity, unity of our country.

Very often we celebrate the diversity in this country. And, in fact, we are very proud of the fact that we have freedom of thought, freedom of expression, and we celebrate that diversity. But, Madam Speaker, we also at the same time honor our unity, and that was clearly on display on the 11th of September and all the days after.

Then, finally, what I would add is courage in the face of danger, unity, love, and support. I saw that firsthand again this week throughout my district at these memorials. It certainly was the case on the 11th of September.

When you think about what it means to be an American and the freedoms that we hold dear, this is a way of life worth defending, and that is why I am excited to be with my colleagues here this evening to talk about that. Because oftentimes we don't think about this, it is no less true.

What we did in the 18th century was truly radical. We changed the trajectory of history with our Revolution. Think about those summoning words in the Declaration of Independence:

"WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

We have a tendency to look back on that and say, Well, of course. That was utterly radical. The 18th century was the era of the divine right of kings and queens and aristocracies. The heads of state of Europe, they gave us no chance. They never thought this would work. They scoffed at us. They believed that, ultimately, chaos would unfold and that we would beg for the monarchy to come back. And, Madam Speaker, we showed the world a humble nation, mostly farmers at the time; and we showed the world that we could not only survive, that we could thrive and flourish and really go on to be, as many have said, the greatest hope for mankind.

Madam Speaker, that is why we are here tonight. We all believe passionately in this. We took an oath that said we were ready to give our life for that, and we are still fighting for that now, as we serve in the United States Congress.

And when we consider the kind of government that we brought forward, this was a government of the people, by the people, for the people, a self-governing people. Philosophers had written about it. We had some forms of that in republics over the centuries. But really what many had theorized, we were really the first to put in full practice.

And here I am talking explicitly about an independent judiciary. Heretofore, they had been, you know, extensions of the crown, extensions of the executive branch.

James Madison and many of the Founders came forward and they said—and this is what was so revolutionary—we are going to put the individual at the center, the citizen at the center. Before that time, government really was the state, it was the king, it was the queen. And we said we are going to be self-governing.

Madam Speaker, to do that, we brought forward a Constitution. And that was, again, what was really, I think, in the end, pivotal because we had a contemporary.

Less than a decade later, France had a revolution, but, unfortunately, ultimately, they begged for the monarchy to come back. Their revolution did not succeed, but ours did. And it really was the genius design of the Constitution that diffused power, that celebrated liberty, and put the citizen at the center, the separation of powers, the checks and balances, the auxiliary checks that came with it. We are talking about Federalism.

We chose the word "state" on purpose. We could have chose "province." We could have chose any other word. We chose the word "state" because we believed in that cosovereignty. And, of course, undergirding all of that was the idea of an empowered citizen, as I mentioned.

Some historians have said that when you look at all of this, when you look at Federalist Papers, when you look at the Constitution, when you look at the Bill of Rights, it has been argued that these are some of the most summoning words ever penned; and I agree with that. But, Madam Speaker, this was also very real.

What our Founders instantiated in the Bill of Rights, everything they put there, had happened to us. I mean, King George had abused the colonists. He had abused us. And we said, No more. We said that we shall have liberty.

So when you look at the First Amendment, for example, the king had denied us the ability of freedom of

speech. He told us that we could not have freedom of religion. He superimposed his religious views on all of the colonists. He said that we couldn't meet in groups of more than three because he said we would be conspiring against him. It turns out he was actually right about that.

Madam Speaker, he denied us the right to petition our government. We put together petitions. We sent it overseas to the king, anxiously waiting on a response. The king didn't even open them. He wouldn't open these petitions. He said they didn't have the standing, they don't have the right.

Our Founders said that all of our citizens have the right to petition their government; they have the right to assemble; they have the right to freedom of speech, freedom of the press, freedom of religion. We hold these dear, and we are very proud of this.

The Second Amendment. Madam Speaker, we often learn that the Brits marched on our guns; and that, in part, is why the Second Amendment was put there. Well, let's remember this: sure, it was the Brits, but that doesn't even make the point. That was our government. The Brits at the time were essentially our national government, and they marched on our guns. The Founders said, No more. Free citizens who have rights and responsibilities have the right to keep and bear arms.

The Third Amendment. Madam Speaker, the king had quartered troops in our homes. He did that without asking; didn't pay us any money. Our Founders said that is a violation; it is a violation of the citizen; and that the only time that a government can quarter troops in a home is if Congress declares that there is a state of war and if citizens are reimbursed for that.

Madam Speaker, the Fourth Amendment. The king routinely sent his troops into our homes. He didn't need cause. They turned furniture upside down. They could look for anything. Our Founders said that would not happen again. They said that we have the right—as citizens, we have the right to be reasonably secure in ourselves, in our belongings, and that the only way the government could get access to that is if they followed a process, due process where they stood before a judge and they showed probable cause for action. Only then shall warrants be writ, and those warrants shall have specificity in person, place, and thing. Central to liberty.

Madam Speaker, the Fifth through the Eighth Amendments have to do with the rights of the accused. We have the right to hear the charges against us. We have the right to not be locked up, indefinitely detained without charge. We have the right to counsel. We have the right to not be forced to testify against ourselves. We also won't have double jeopardy. If we are facing a capital crime, it shall first go to a

grand jury. We have the right to speedy and public trials by jury, and we have the right to protection from unjust punishment.

□ 1830

Madam Speaker, the Ninth and Tenth Amendments are an affirmation of limited government because the Founders said that anything that wasn't explicitly written in the document would be left for the States or the people.

Madam Speaker, this changed the history of the world. This was an incredible moment when freedom was born. And every generation since, servicemen and -women have had to stand up to protect those freedoms because we believe in the idea of the citizen and we believe in the idea of liberty.

Madam Speaker, I want to be clear. There has been a lot of discussion in this Chamber about the safety and security of our families and our communities. I want to state very clearly that all of us veterans here, we believe deeply in this. We love our families, we love our friends, we love our communities, and we want to assure their safety. That is partly what inspired us to go forward, to deploy, to fight our enemies: to ensure the protection of our loved ones.

We don't believe that by targeting with law law-abiding citizens we are going to be safer. We believe in background checks. Of course, we do. We don't want terrorists to get guns. In fact, we endeavor to kill or capture terrorists.

We believe this. We believe that any public policy that is enacted needs to actually solve the problem while at the same time protecting our liberties, assuring us of the freedoms that we fought for.

As we look across, what is evident is that we have issues right now with gangs and narcotraffickers, and so we support action. In fact, we helped pass, in this Chamber, legislation that addressed that. When we addressed the opioid issue, we addressed education, which is so important to cutting down on opioid abuse. We addressed treatment. We also addressed enforcement.

Federalism has many virtues, but it has some challenges, too. There are seams. There are seams that these narcotraffickers and gangs can exploit, and we helped address that.

Madam Speaker, these are constructive actions that can help make us safer. We fought to defend these freedoms. We are still fighting to defend these freedoms.

Madam Speaker, we are now going to hear from a series of speakers. I want to first bring up my friend from Oklahoma, STEVE RUSSELL. He represents the Fifth District in Oklahoma. He served in the United States Army for 21 years. He commanded a battalion. His battalion was actually the main effort

that captured Saddam Hussein back in December of 2003 in Iraq. This is an incredible person. He is a warrior. He is a scholar. He is a statesman. He was decorated with the Combat Infantryman Badge. His servicemen and -women were awarded the Valorous Unit Award, and he personally was decorated for valor. He is also a small-business owner, rifle manufacturing business. He was a representative in Oklahoma before he came here. I am very honored to serve with him.

I yield to the gentleman from Oklahoma (Mr. RUSSELL).

Mr. RUSSELL. Madam Speaker, I thank my colleague and fellow warrior from New York and my brother warriors who are joining me in this effort today. It is an honor to have a sister warrior who is also sitting in the chair with us here tonight.

The right to keep and bear arms is as fundamental to our freedom as any other inalienable right we enjoy as Americans. This right is God-given—as much as the freedom of religion and to exercise worship, the freedom to assemble and express, the freedom to own property and protect our privacy.

As such, serious-minded individuals must have serious deliberation on any attempt to alter these fundamental rights. In a time where Americans face uncertain threats from terrorists at home and abroad, most Americans clearly understand why we must preserve the right to defend ourselves, our families, and our property.

For those who would refuse their right to defend themselves, they certainly have the freedom to do so. They do not have the freedom to make that decision for others.

In terms of human behavior, our survival instincts are inherent. The Creator of the universe did not make human beings with fangs, claws, quills, odors, or poisons for their self-defense. Instead, he gave them their intelligence and, by extension, their hands to fashion implements to protect their lives.

While the Progressives are certainly welcome to choose not to defend themselves, as is their right, it is not their right to prohibit others from protecting their lives, liberty, and property or the Bill of Rights of the Constitution of the United States.

It was New Year's Eve in Blanchard, Oklahoma. Eighteen-year-old mother Sarah McKinley, who was alone with her 3-month-old son, heard a ruckus at the door. Two men were outside trying to break it down. Grabbing her baby and barricading the door with her sofa, she immediately called 9-1-1.

In the frantic and desperate situation, it became clear that law enforcement would not arrive in time to prevent the assault by armed intruders with designs that can only be imagined. She informed the dispatcher that she had a shotgun and asked if it was

all right to shoot the intruders if they made it inside. Wisely, the dispatcher told Sarah: I can't tell you to do that, but you do what you have to do to protect your baby.

Sarah already knew what she had to do and hoped against hope that law enforcement, while responding quickly, would arrive in time. When the armed intruders broke down the door, 24-year-old Justin Martin climbed over the couch and was greeted with a shotgun blast to the chest. While his accomplice ran for his life, Sarah had saved hers and her son's.

A year ago, 88-year-old Arlene Orms was at home in Miami, Florida, when an intruder kicked in her door. Orms responded by retrieving a small .25-caliber pistol and fired at the home invader, prompting the criminal to flee.

Following the incident, Orms' neighbors expressed support for her actions, with one telling a local media outlet: "You have to do something . . . You have to do something to protect yourself."

Americans all across this land understand inherently you have the right to defend yourself, your property, your loved ones, and your liberty.

Progressives can no more rewrite history than they can rewrite the Constitution. From Madison, Hamilton, Jefferson, and Adams, all the way to the Supreme Court decisions with *Heller* and *McDonald*, this inalienable right has been affirmed in defense of its articulation in the Bill of Rights.

While the President complains of congressional inaction on the right to keep and bear arms, we can no more take action to deny this right that we could deny a free press, free religious expression, or property rights of individuals. Congress cannot become a vehicle to destroy the Bill of Rights.

Madam Speaker, my fellow warriors and I have nearly lost our lives like you defending this Republic in our Nation's Armed Forces doing very hard things. We stand as brothers in arms to declare that we will stand in the way of any Executive who will not uphold the Constitution of the United States, plain and simple.

Still, the administration and progressives press forward with passion and conviction, convincing Americans that the threat is so grievous, the injury so great, that Americans must now act. We are told that mass shootings are on the rise and gun deaths are out of control and the worst possible environment exists among developed nations.

Before America signs up to eliminate one of her inalienable rights, let's deliberate with a sober mind on this issue. The President and his party would report outrage if conservatives suggested that the First Amendment must be scrapped because of outrageous libel, hate speech, religious bigotry, and sit-ins warranted necessary commonsense reforms so that

we could take away the first of our enumerated freedoms embodied in the Bill of Rights. There would be outrage over such a suggestion. Americans recognize that we must face the unpleasantness of its abuse to secure its inviolable status.

Not the same, some may say. We are talking about outrageous loss of life and injury, and it has to stop. Since when did our security become substitute for our liberty? Americans for 240 years have rather sacrificed to secure it.

My brother warriors with me here, Madam Speaker, along with you and your service, we stand in that group of those who have defended and supported the Constitution since we were very young adults.

What about the facts? With more than 33,000 gun homicides last year, the question is asked: Don't you think it is time to do something about gun violence?

Well, here are the facts:

More than 60 percent of these homicides are suicides. While tragic, it is not the same.

Only 8,124 were with firearms of the 11,961 that were murders. That is 8,124, not the 33,000 that you hear.

This is a 9 percent decline in gun murders since 2010. Haven't heard that one, a 20 percent decline in gun murders since 2005. Again, you haven't heard that one. A 50 percent decline in gun murders since 1995.

The laws seem to be working. With shall-issue carry laws and good law-making in States, we have seen a 50 percent diminishment in the problem. That is called success. Why on earth would people want to change that?

Here is another one that we see people asking: People are being slaughtered by these assault weapons. Don't you think it is time we ban them?

Assault weapons are fully automatic and unavailable to the public. Semi-automatic rifles make up the majority of rifles owned in the United States. Here is an interesting fact. Of those 8,124 murders with firearms in 2014, the last full statistical year, only 248 were with rifles of any kind—that would be flintlocks; that would be semiautomatic rifles; that could be anything. 8,124—not the 33,000. Of those, 248 were with rifles. Yet people think that: Oh, my goodness. This is the problem. This is what we have to ban. Statistically, the facts are simply not there.

To put that in perspective, of other murders in different categories, 435 people were murdered in 2014 with clubs and hammers; 660 were murdered in 2014 with hands, fists, and feet.

So let's have the deliberative debate, but let's look at the facts. Don't you think a terrorist, if they can't board a plane, they ought not to be able to buy a firearm. News flash: the terrorist watch list has over 1 million names; 99 percent of them are foreigners. As the

only firearms manufacturer in Congress, I can assure you in the 18 U.S. Code and in the Bureau of Alcohol, Tobacco, Firearms regulations that govern manufacturers and dealers, guess what. They can't purchase a firearm, not as a nonresident alien. Ain't going to happen. If we were to do that, we would be committing a felony.

Of the less than 1 percent that might be eligible, an even smaller fraction of these are on separate no-fly lists. Yet you don't hear these facts. You are hearing them tonight in the people's House.

□ 1845

All Federal prohibitors would trigger an alert to the FBI on any firearms transfer, even if they were eligible.

What about the gun show loophole? Don't you think businesses should be forced to conduct background checks at gun shows? I have a firearms business. If we were to go to a gun show and set up there, and we were to do a firearms transfer under that license without a NICS check and a 4473, we would be committing a felony.

No firearms licensee can transfer a firearm without a background check, period. If so, a felony is committed with stiff penalties. On-site business or off-site transfer, it doesn't matter. It is irrelevant. These are the facts.

What about Internet gun sales, don't you think there should be a background check on those? Why, you can just go on the Internet and they mail you a firearm.

No licensee will transfer a firearm to another location without sending it to another licensee to make the transfer. When people order our products, we send them out to another Federal firearms licensee. They do the background checks. They do the transfer. If that doesn't happen, nothing is transferred. To do so is to commit a felony otherwise.

Further, no firearm can be transferred through the mail or a shipping service unless by a licensee, and unless—the only exception—it is the owner sending it back to the manufacturer to have some repair made or something of that nature.

And so these are the facts that we see and that we deal with. As we go into this debate, we have to go into it with deliberation. We often hear: Why aren't we having these issues? Why aren't we discussing this issue? Let's have the debate. Let's go after the facts.

Serious people decline to trivialize any right expressly addressed in the Bill of Rights. A government that abrogates any of the Bill of Rights, with or without majority approval, forever acts illegitimately and loses the moral right to govern this Republic. This is the uncompromising understanding reflected in the warning that America's gun owners will not go gently into the utopian woods.

While liberals and gun control advocates will take such a statement as evidence of their belief in the back-water, violent, untrustworthy nature of the armed American citizen, as gun owners, veterans, combat veterans, defenders of this Republic, we understand that hope, that liberals hold equally strong conviction with theirs about printing presses, Internet blogs, and television cameras. We get that. It is the same Bill of Rights, inalienable.

The Republic depends on the fervent devotion to all of our rights, not selective rights. This is the oath we take, and no President's tears or progressives' passionate pleas will shake us from the defense of the Constitution of the United States.

Mr. GIBSON. Madam Speaker, I thank the gentleman from Oklahoma. I want to thank him for providing real illumination on important data and also on law. I think too often we can move off quickly without having a firm understanding of what the current law is, and so we really appreciate him bringing clarity to that subject.

And also inherent in the gentleman's talk, this idea, this Bill of Rights, is formed with the basis of a citizen that has rights and responsibilities. We know as citizens that we have a responsibility to follow the law. And if we don't follow the law, we are fully held to account for that. That is another piece I think that is occasionally missing from all this. And certainly what is missing, I believe, is the fact that all of us here tonight and, indeed, Madam Speaker, all of us acknowledge your very distinguished career in the United States military and, in so many ways, how you were a trailblazer and how you really are a role model for everyone. We are so honored to serve with you.

We recognize the fact that for all of us, we believe with every fiber in our body that we are going to stand for these rights, that the policy that we bring forward is going to be based on those rights, and also looking to solve the problem which, as I pointed out, when you actually look at the facts and you listen to the data, you know that where the problems are are these narcotraffickers. You know, we have issues with that, and we need to take action with that. So when we focus our policies in the area that is causing the problem, we will actually begin to see an even more safe and secure environment.

By the way, also the deterrence, along with addressing the issue with narcotraffickers and gangs, is the deterrent value itself of the Second Amendment. So I want to thank Mr. RUSSELL.

At this point, I want to bring up another great American, RYAN ZINKE. He is the at-large representative from Montana. Congressman ZINKE spent 23 years in the United States military. He was a United States Navy SEAL. In

fact, he commanded SEAL Team Six. He was the commander of Joint Special Operations Task Force in the Arabian Peninsula, leading over 3,500 special operators in Iraq. He also established the Navy Special Warfare Advanced Training Command and served as the first dean of the Naval Special Warfare graduate school. He earned two Bronze Stars during his service, and his service continues now. His daughter was a former U.S. Navy diver, and she is married to a Navy SEAL.

Madam Speaker, I yield to the gentleman from Montana (Mr. ZINKE), my good friend.

Mr. ZINKE. Madam Speaker, when I was a Commander at SEAL Team Six, I can tell you I was never the best jumper, diver, explosives expert, but I always knew who was. I was able to surround myself with, I think, the greatest team that this country could muster.

I feel privileged and honored also in Congress to be able to surround myself with what I think are the greatest team of patriots, both men and women who have served our country and have a great love for our Constitution.

Tonight's discussion is about the Constitution. All of us took an oath to defend and support the Constitution against all enemies, foreign and domestic; and this time in our government's history, I don't think there is more of an important message to do that today.

Our Constitution is about individual rights granted to us not by the government but by God, secured by the people. What we find ourselves today is not a Republican or Democrat issue. This is an American issue, and it strikes at the very heart of our country.

Across our great land, there is a sense that America has lost her place. There is a sense that tomorrow is not going to be a better day, that America's greatness has passed. I don't share that thought because I believe in the people of America.

What I think has happened is this: We always thought that our President or elected officials would always have our best interests at heart. And America went busy doing the things that are required every day, moms were dropping the kids off to school, we were working, building small businesses, mom-and-pop stores were out there doing commerce, and we always thought, again, that our officials, our elected officials, would always do what is right.

Well, there is a saying in the SEALs that you have to earn your Trident every day. In America, we have to earn our freedoms every day. And earning our freedoms is participating in our elections, and it is holding our elected officials accountable, making sure that this great democracy, which is the light of the world, maintains its place.

John F. Kennedy, in his inaugural address, said that our great Nation would pay any price and bear any burden in the defense of freedom. That sounding call was a call to all men and women worldwide that the United States would be there in the defense of our freedoms. There was a bond, a democracy, and a government by the people and for the people that provided the most opportunity for all of us. At the heart of it is the defense of our individual freedoms—our freedom of speech, religion, and our freedom to bear arms. They are sacred. They are sacred to Americans and the envy of the world.

So tonight, as we think about what is important in our country, I say this: It is time for America to stand. It is time for us to rally. Our country is worth fighting for. Our values are worth defending. Our Nation requires all of us to act. We all rise and fall on the same tide. We all share the same experience of being American.

With that, I am honored to be with you tonight. Thank you, and God bless.

Mr. GIBSON. I want to thank the gentleman. I want to thank him for really putting in focus the fact that these natural rights—life, liberty, and the pursuit of happiness—these natural rights come from God, and that governments are instituted among men and women to secure those rights, deriving their just powers from the consent of the governed.

As I mentioned earlier, what really made us different from the rest of the world, this exceptional Nation which many people thought would never work out, I want to thank the gentleman for putting that in focus. I thank him for his service to our Nation, thank him for his leadership.

We are now going to hear from one of our newest Members here in the House, WARREN DAVIDSON, who represents the Eighth District in Ohio. He is no stranger to service. He is certainly no stranger to hard work. He graduated from the United States Military Academy in 1995, and he spent 11 years in the United States Army. He served in some of our most elite units. He served in the 75th Ranger Regiment, the 101st Airborne Division, and right here in Washington, D.C. with the Old Guard.

After 11 years having defended these freedoms, he went back home, and he began to work in his family business. Then later, he branched out on his own and started his own small business in manufacturing, something very important to an independent nation. We are very proud of his service. We are glad he is here with us now, and we know we see great things in his future.

Madam Speaker, I yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Madam Speaker, it is an honor to be here with my colleagues. It is a different way to support and defend the Constitution than I ever

expected to have. I began my service here much like, well, everyone else. We all start the same way. We swear an oath to support and defend the Constitution against all enemies, foreign and domestic. And that was the first time that I swore it, or any of us here tonight.

In 1988, at the climax of the cold war, I enlisted in the infantry. I was honored to serve in Germany after Ronald Reagan had uttered the famous words, "Mr. Gorbachev, tear down this wall." I was honored to be there at a time when many people in the world worried that Ronald Reagan, with his intense rhetoric, would somehow cause world war III, that maybe he was pushing too far, too hard, or asking too much.

I was honored to be there when East Germans tore down their own wall. Word had gotten past the Iron Curtain and penetrated the lies they had been told, and they knew what we had here. They tore down their own wall, and, for once, the oppressor did not stop them.

□ 1900

I was honored that Thanksgiving to meet East Berliners who could not believe what they were seeing. They were seeing stores with goods on the shelves, open at night.

They asked: Is it like this everywhere?

I thought they were talking about how big Berlin was, but they were just in shock because they had not experienced what we had.

And what did we have?

We had the birth of plenty. We had the world's best markets—and still do—for goods, for services, for capital, for intellectual property, for innovation. We are the world's land of opportunity, and they were hungry for it.

Ronald Reagan, much earlier in his career, had a famous speech: "A time for choosing." I would encourage everyone one who has not watched it, to watch it, and everyone who has not watched it in a while, to watch it again. Reagan said—back then, famous words—"Freedom is never more than one generation away from extinction."

Sadly, that is more true today than perhaps at any time since he uttered those words then.

No one knows the divide between freedom and oppression better than servicemen and -women. They fight our Nation's wars. They risk their lives to defend our Constitution. Sadly, the threat to our Constitution is not just from foreign enemies. Sometimes, sadly, it is right here in the Halls of Congress.

In my short 3 months here, I have seen attempted infringements on the First, Second, Third, Fourth, Fifth, Sixth, Ninth, and Tenth Amendments. That is hard to believe.

Just this past summer, we had Members of Congress obstructing the people's work here, staging a sit-in on the

House floor to subvert our Second Amendment with a radical gun control agenda. It is an agenda that seeks to deprive us of the very rights our Founding Fathers sought to preserve with the Constitution and the Bill of Rights.

Anyone could do a plain reading of the Constitution and see that the right to bear arms is named right there, to be applied at the individual level. The rest of the Bill of Rights is certainly talking about rights at the individual level, and the Second Amendment is no exception.

Justice Scalia wrote it in the Heller decision, "Nowhere else in the Constitution does a 'right' attributed to the people refer to anything other than an individual right."

"The people" refers to all members of the political community, not an unspecified subset. We start, therefore, with a strong presumption that the Second Amendment right is exercised individually and belongs to all Americans.

You see, for more than 100 years, the 14th Amendment has been used to link the rest of the Bill of Rights to the State. Somehow, the same folks that are onboard with applying the First Amendment to States, whether it is free speech, voting rights, or freedom of religion, in some cases, they are reluctant to let the same be true for the Second Amendment.

When they want a uniform view of things that aren't even addressed in our Constitution, like marriage, they are not willing to apply the same logic to our Constitution with something that is very plainly stated: The right to keep and bear arms shall not be infringed.

I take that right very seriously. Those of us who served in the military know all too well what a society looks like when freedoms are squashed. We have seen these places and met the people who have lived under tyranny.

Our Founding Fathers knew the battle between freedom and tyranny too well, many sacrificing their lives in the struggle to establish this Nation. It is not an accident that they enshrine that right to keep and bear arms squarely right after the right to speech and freedoms of religion. It is so essential to stave off oppressors that we cannot be truly free without it.

After these men sacrificed life and limb, let us not besmirch their legacy by subjecting it to an agenda which would seek to attack away this freedom one firearm or one freedom at a time.

The threats are real. It is hard to imagine. It is not just rhetoric. Those words, "freedom is never more than one generation away from extinction," sound like political rhetoric, but it is just so real and we have to take it very seriously. It is an honor to be here to talk about it.

Mr. GIBSON. Madam Speaker, I want to thank my colleagues, and I really want to express what a privilege it is to serve in this House. I believe in this country and this exceptional way of life. Not that we don't have warts and challenges—we certainly have those—but there is nothing that we can't solve together.

We also need to recognize that what we did in the 18th century that allowed for the most freedom and the opportunity in the history of mankind is not a birth right. It is not a foregone conclusion. Every generation has to defend it. They have to defend it from threats from abroad and also be vigilant for unintentional or perhaps intentional encroachment here at home.

Our colleagues here believe deeply in protecting this exceptional way of life. As I stated earlier, we love our family, we love our friends, we love our communities. We want to ensure that they are safe. We are ready to work with our colleagues on that. As we do, we need to keep forefront this exceptional way of life which the first generation of Americans fought to provide for us and that every successive generation has fought to preserve and that we also take commonsense approaches that are based on data and that are focused on actually solving the problem.

We identified some of those problems tonight and areas where we think we can find some common ground. I mentioned one of them we already have in terms of the law enforcement and cracking down on the narcotraffickers.

Madam Speaker, we are here tonight because we also wanted to make it very clear that—while there are passions and emotions in every direction, we wanted to make it very clear that what we hold so dear, this exceptional way of life, the liberties, the Bill of Rights, the Constitution, this is something we will defend. We have defended it and we continue to defend it. May God bless this country.

Madam Speaker, I yield back the balance of my time.

PROGRESSIVE CAUCUS: TPP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Madam Speaker, I am here on behalf of the Progressive Caucus, which is in charge of this hour. We are here today to talk about the Trans-Pacific Partnership and trade.

The people in the Progressive Caucus have been some of the leaders in the movement to make sure that we have trade deals that protect American jobs and lift our wages here in the United States.

We want to make sure that there are environmental protections across the

globe. We want to make sure our food is safe and our prescription drugs are affordable. We want to make sure there are human rights in countries that do trade with the United States. And we want to make sure we are addressing issues like currency manipulation. All of those issues are important when you want to advance trade.

No one in this room is against trade. We are all for increasing our ability to have more exports and to have imports into this country, but you have to have trade deals that work on behalf of the American worker. And all too often, past trade deals have cost us jobs here in the United States. They have made our wages continue to be depressed.

That is not a good trade deal, in the minds of the members of the Progressive Caucus. That is why we are here at this hour to talk specifically about what is good trade, why we are skeptical of the Trans-Pacific Partnership, and why we especially don't want to see a vote during the lameduck session after the election in November. With people who are no longer going to be serving in Congress, taking that vote at that time would be an especially bad idea.

Today is a national call-in day of action on the Trans-Pacific Partnership. There are over 90 public interest groups that have been calling our offices. I heard my staff picking up the phone over and over again, responding to people who want to make sure that we have trade deals that take care of all those things that we talked about, all the things that members of the Progressive Caucus have been leaders in this Congress and trying to advocate for.

In conjunction with the tens of thousands of people who have called Congress today to urge their Members not only to not support the Trans-Pacific Partnership, because it is really not a trade deal, there are parts about a trade—this is a rewriting of corporate rules that could have huge ramifications.

Forty percent of the world's gross domestic product is involved in this one large deal. We want to make sure we get it right, not just fast. That is why we are joining with these groups today to make sure that people know what is in the Trans-Pacific Partnership and why it is vitally important that we don't take this up during a lameduck session.

As I said, not only do we have Members who will no longer be serving here who might even be looking for jobs with some of the very industries advocating for the Trans-Pacific Partnership because it will benefit their bottom line, but also we have two Presidential candidates in the main two parties who both oppose the Trans-Pacific Partnership.

This should be something that, with as much enormous respect I have for

President Obama, we should allow the next President to be able to address trade, especially when a deal like this has so much controversy and so many questions about it.

So we are here. During the next hour we are going to hear from various members of the Progressive Caucus. It is my honor to yield to one of my colleagues from the great State of California. The 17th District of California is very lucky to have a representative who has been such an outspoken advocate for middle-class families not just in California, but across the country.

Madam Speaker, I yield to the gentleman from California (Mr. HONDA), my colleague from the 17th District of California.

Mr. HONDA. Madam Speaker, I rise today to voice my opposition to TPP, an unfair trade deal that will hurt our Nation's workers, our environment, and give corporations dangerous new rights.

Through an alarming expansion of the Investor-State Dispute Settlement process, the ISDS, TPP will give corporations a legal weapon to enforce their agendas on sovereign nations. Corporations have already used ISDS to bring over 700 lawsuits against more than 100 governments around the world.

When my home State of California banned the use of MTBE as an additive in gasoline because it was polluting the ground water, the Canadian company sued, costing the State and Federal Government millions of dollars to defend the case. TPP would extend these rights to 1,000 additional corporations owning more than 9,200 subsidiaries.

We need to stop foreign corporations from suing the U.S. Government before unaccountable panels of corporate lawyers. And while giving these rights to corporations, TPP will provide little benefit to the American economy.

The widely cited estimate of 0.13 percent growth in U.S. GDP under TPP is over 10 years. It is not an annual gain. A gain that benefits only a few is undone by the negative impact TPP will have on workers at home and abroad.

Under NAFTA, 700,000 American jobs moved to Mexico to take advantage of Mexican workers making 30 percent less than American workers, even after adjusting for differences in living costs.

While TPP requires nations to implement minimum wage laws, nothing in the language of the deal prevents them from setting the wage as low as 5 cents an hour. TPP is a small win for high-income earners at the huge expense of low-income workers.

TPP also lacks strong provisions to deal with countries with repulsive human rights abuses, including human trafficking and intolerance of the LGBTQ communities.

Singapore, Malaysia, and Brunei criminalize consensual same-sex sexual

relations. Rewarding them with a trade agreement is really very unacceptable.

Throughout my tenure in Congress, I have evaluated each trade agreement based on whether it ensures strong, clear, and enforceable labor, environmental, and human rights standards. I do not believe that the proposed Trans-Pacific Partnership agreement that was sent to Congress meets my standards. It does not deserve to be considered during a lameduck session.

As it is currently written, TPP should not be brought to a vote. It should not be brought to a vote, period.

Mr. POCAN. Madam Speaker, I thank the gentleman from the 17th District of California for his words. As he mentioned, there are a number of provisions that you can start to drill down to. In the giant volumes that make up the Trans-Pacific Partnership, there are provisions that I think the American people have no idea about. In fact, I would argue there are some people in Congress who have no idea what is in the Trans-Pacific Partnership.

□ 1915

Just one of those provisions that Representative HONDA mentioned is the investor-State dispute settlement process, the ISDS provisions, where you have a three-person tribunal of unelected, unaccountable people, people who are corporate lawyers one day and then fair arbitrators of the law another day, that set up this separate legal process from the American judicial system that international companies, multinational companies, can access if they want to sue a local government for a law that they have passed that they think affects their future profits.

Think about it. Everyone else in the country has to follow the court system we have in the United States, but if a multinational company, because of the provisions in the Trans-Pacific Partnership, decides that they want to go around that system and go to three corporate lawyers who form a tribunal under this ISDS provision and they want to challenge that law, they can sue for monetary damages. Think about it.

For example, if the State of Wisconsin, where I come from, were to pass a higher minimum wage than the Federal minimum wage and it would be challenged, potentially, by a multinational corporation saying that is going to affect their future profits, they could sue the taxpayers of Wisconsin over that law.

This isn't just something that we are dreaming up. Over and over again, we have seen countries in trade deals be sued by multinational corporations because of environmental law and other laws that they have passed that they have said affect their future profits, and it doesn't happen in the American legal system.

Now, as bad as this sounds, to skirt the American legal system, a special system for multinational corporations, let me tell you what is even worse about that provision. It is only a tribunal for those corporations. But the parts of the trade agreement that affect labor law or environmental law don't have access to the same provisions. They have to go through the normal legal court system.

Recently, there was a labor dispute with the country of Honduras with a company, and it took us 6 years to get that resolved. So for environmental law, for labor law, for things that are going to affect most people, we still have to follow the court system, which is the way it should be. But for multinational corporations, they have a special, streamlined process with, basically, their own arbitrators making the decisions, allowing you to sue taxpayers within a local government or a State government that may pass a law. Clearly, that doesn't make any sense whatsoever. That is just one of those provisions that is a real problem.

Another thing that MIKE HONDA from the great State of California said, he talked about some of the human rights violations. There are explicit human rights violations with some of the countries that don't respect things like single mothers, who don't respect the LGBT community, and those are things that we absolutely can't allow.

Our country has done so much to work with other countries to raise human rights standards, and yet, in this bill, this trade agreement, the Trans-Pacific Partnership, it does not have those things in place to make sure that we have got those protections for so many different people and so many different provisions. So what he mentioned are just a couple of the provisions.

Let me mention something I think that people don't know about. As I mentioned at the very beginning, the Trans-Pacific Partnership is made up of countries that are going to make up for 40 percent of the world's gross domestic product.

Now, it is one thing to have a trade agreement with a country that is very similar, like Canada, or a country like Japan that also has a lot of similar goods that they are producing; but we also have countries in here like Vietnam, where they don't allow trade unions, where people make, on average, 65 cents an hour.

As you can tell, there is going to be a huge difference in a trade agreement that you have with a country like Canada and a country like Vietnam. But in this trade agreement everyone is lumped together, and there is a long lead time that Vietnam would have to try to get their act together, especially just around issues like having a trade union, much less around those wage issues.

But you can just imagine that if you open that door to have trade preferences for a country like Vietnam, at 65 cents an hour, yes, I will contend that we will lift their wages ever so slightly; but I will also tell you, based on evidence we have seen from past trade deals, that you will further depress our wages here. You will keep the wages flat because that is what happens with these trade agreements, and more jobs that are done here in the U.S. will go overseas.

I say this from someone who grew up in a very industrial town. I grew up in Kenosha, Wisconsin. We made autos for the entire time I grew up in that town. When I was growing up, it was American Motors Company. We made Pacers and Gremlins and some cars that people actually bought. But thousands of thousands of people worked at those auto plants and supported their families with good family-supporting, middle class wages. That is the type of jobs that we need here in this country, but those jobs aren't going to happen under these trade agreements.

I have watched in my hometown of Kenosha after American Motors sold to Renault, and then Renault sold to Chrysler. Chrysler made engines for Jeeps. At some point, finally, they went away, and we lost what was over 5,000 jobs at one time in the city of Kenosha, Wisconsin, and the ripple effects of the industries that fed into that company because, all too often, we watched those jobs go to Mexico, to Canada, to other countries because of wages.

Another thing, for almost three decades of my life, I have had a specialty printing business. One of the things that we do is screen print T-shirts. So I have been buying T-shirts and goods like that for nearly 30 years. Over the years, I have watched the U.S. mills go away, and more and more of those jobs have gone to countries, literally, that are paying wages that are subpoverty.

I have gone to El Salvador and met with people who work in the sweatshops where people make \$3 a day; and because that sweatshop area is in a special free trade zone that is not near where people live, they spend a dollar of that to get there. Now, this is, granted, a couple of decades ago, but the wages are still severely depressed.

Those jobs that were in America now are going to countries—in fact, one of the things we are hearing out of this trade agreement is Central American countries are afraid they are now going to lose jobs to places like Vietnam because they can have even lower wages. None of those things are going to help the American worker.

So there is a reason why this fall, when you talk and hear from candidates who are running for office—we have two Presidential candidates in the major parties both opposing the Trans-Pacific Partnership as it is currently written.

We have candidates across the country, for Congress and the Senate, running ads talking about a better vision for what trade should be. With all of that going on, it makes no sense whatsoever that we would take this up after the November elections, between that little period of time between November 8 and the end of the year, when we are going to have a new Congress sworn in in January. To take that up with a Congress of people that may not be serving here and may be looking for jobs from the very companies that advocate for these sweetheart multinational deals is a huge, huge mistake.

So that is why the 90 organizations today are having a day of action; tens of thousands of calls coming into Washington, D.C., to try to make sure that Congress does the right thing around trade. That means making sure that we have trade deals that protect American jobs and, hopefully, grow American jobs; ones that protect our wages and hopefully grow our wages; ones that protect us when it comes to things like food safety; ones that protect us on things like pharmaceutical prices.

We want trade agreements that make sure that you don't have a country—you can have the best language in a trade deal, but if you still allow currency manipulation, you can make that language virtually meaningless. And there is nothing in the Trans-Pacific Partnership Agreement that addresses currency manipulation, which is a huge, huge problem.

So those are some of the things that we are trying to get done, much less international human rights provisions that should be in any meaningful trade agreement. So many of us are going to be talking about this over the next few months.

But tonight I would like to yield to another one of my colleagues who has been one of the leaders in Congress on this issue. He represents New York State's 20th District. Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from Wisconsin for yielding. I thank Representative POCAN for leading us in what I think is a very meaningful discussion this evening in this Special Order.

Mr. Speaker, trade, absolutely critical to our economy, but fair trade, not free trade, a fair trade situation where our manufacturers, our businesses, are operating on a level playing field where they have an equal shot at being able to go forward and be productive and provide for jobs, the dignity of work for Americans from coast to coast.

Recently, I talked to an individual, Representative POCAN, in my district, who had to close his doors. And it was years of assistance that we provided when I was yet in the State assembly, and then after, in the U.S. Congress, to

assist them so that they could be competitive. Their major competitors were in China.

If we try to talk about public-private partnerships as being something that don't exist out there, on this House floor, then we are not getting it. It was the public-private coziness of China that really destroyed the competitive edge of a business in my community, one that had spun fibers for many defense contracts.

They alluded to the fact that, in some cases, the government, China, will own the building. The government, China, will pay the utility bill. They will offer subsidies to the industry, and then, as was just mentioned by my colleague from Wisconsin, they will manipulate the currency.

All four of those items drag down the opportunity for American workers. It dulls the competitive edge that we should be able to enjoy in the marketplace. We build smarter, and it doesn't have to be cheaper. But when these sorts of dynamics are working against us, we are really swimming upstream with very difficult challenges facing us.

Now, this factory owner had told me, if you take away one or two of the items that I just mentioned, we win easily. If you take three of the four away, we are a strong winner, and if you take all four away, winners hands down.

So it is about fairness. It is about having an equal shot at the opportunity to function in the international marketplace and be able to be creative and innovative with all sorts of intellectual capacity that comes, oftentimes, with research that should be another counterpart to this equation. When we do that, we are the strength beyond belief, and so our efforts here in the House, Representative POCAN, Representative SLAUGHTER from upstate New York, Representative DELAURO from Connecticut, a great number of us who have been working together, Representative DOGGETT from Texas, a great number of us working to make certain that our colleagues know about the damage inflicted if we go forward with the current format of the TPP, the Trans-Pacific Partnership.

It is important for us to be pro-worker, pro-business, pro-trade in a free or, rather, a fair capacity, not a free and open-ended concept that has been part and parcel to negotiated deals before this.

Now, what I hear oftentimes is that the biggest problem that had come, when talking to manufacturers in northeast U.S., is that many of the arrangements in these contracts were never implemented. So the contracts might have been a little weak or unfair to begin with, but when you add to that the lack of genuine implementation, then you really have compounded the damage. The pain is real, and it is

the exodus of many, many jobs in upstate New York. That is the territory of the 20th Congressional District.

Now, Mr. POCAN, I have to tell you, I am the host community, my 20th Congressional seat in New York, the eastern end to the Erie Canal corridor. Now, that gave birth to a number of mill towns. They took a little town called New York and said they were going to make it a port, and then, by building the canal, we developed a necklace of communities dubbed mill towns that became epicenters of invention and innovation, and we sparked the westward movement. We inspired an industrial revolution. Because of that, there was a great bit of manufacturing going on.

I know that we need to upgrade and retrofit and continually grow the economy by transforming some of the workforce skill sets. I know that. We invest in that. But to put us at a competitive disadvantage by having these situations where we don't require climate change response in the contract, so we are allowing people to live in fifties and sixties standards with the environment—and we are doing our best to respond to climate change. We see the damage that has been ravaging many of our communities, either through extreme dry situations, drought in the Southwest, or flooding in the Southeast and in the Northeast, these are issues that need to be addressed, and we are doing the right thing. But when the left hand is not responding to what the right hand is doing and we are giving people a different level of standards, workforce conditions, workforce protection, these are things that need to be standard across the board and not sinking down to a lowest common denominator, but rising to the highest level amongst us.

□ 1930

I think of the fact that we could end up with situations, having had favored a labor scale, a payment mechanism, such as 65 cents per hour for Vietnamese workers as being that standard out there across the world. Nothing could be more harmful. That is undignified when it is seen through the lens of the worker.

So there is a lot of work to be done here. There is a lot of improvement that needs to be had.

We have opposed the TPP in its current form. Certainly we are for trade. It is important for us to have that marketplace. We are 4.7 percent of the world's population. Of course we want to advance trade. It needs to be fair trade, and that is what we are asking here. This is the message that we have been resonating so as to make certain that there is progress made here for our communities, our neighborhoods, our workers, and our businesses. We won't stop until we are successful with that. I believe the message is probably

not even dealing with this during a lameduck session of Congress.

So I appreciate the opportunity to share some thoughts and stay with you in this Special Order for a while, Representative POCAN, because this is a very important topic to workers from coast to coast.

Again, it is the fairness that we want to bring not only to the workforce but to the business communities that invest in jobs in our neighborhood.

Mr. POCAN. This is my second term in Congress. You have been here a little longer. One of the questions I have is when I was elected 4 years ago I remember New Year's Eve when you were all voting during a lameduck session on things. Tell me more about this lameduck session portion. I think that is the real question. Some people might be amenable to what is in the TPP which we still have arguments about, but to do that in a lameduck session certainly sets up problems.

Could you explain a little more about why that is a problem? I yield to the gentleman.

Mr. TONKO. I think there needs to be strong dialogue here. With the elections being early in November and probably some time to pass before we really gather again and reconvene as a base, as a body, as a House, and then with holidays consuming some of the time during December, it gives you precious little time to really have that dialogue—that conversation—that is so essential. Great things happen when we communicate, when we talk to each other and suggest these are concerns, and let's raise the given solutions that are, indeed, required to make it acceptable. That takes time.

Quite literally, there has been no work on this. People have been advancing the TPP in its original—in its now-given format, and many people see weaknesses, loopholes, and concern for workers. There are situations where labor is not protected by union forces because the governments run the unions. And if you are a dissident to the cause then there are just extreme outcomes for individuals if you become that whistleblower or that critic, that dissident, you are then maybe finding yourself incarcerated.

So it is important for us to clear up a lot of the issues, to correct them, and fine-tune them, everything from environmental standards, to worker protection, to the cost of pharmaceuticals, which has been raised many times over, and what it might do to the average pricetag out there. So there is not enough time. To rush and get that done, to beat the clock, so to speak, I think is a faulty bit of a scenario. It is not the way to do something as so critically important as this is.

Mr. POCAN. You mentioned there are a lot of areas that we clearly need to make changes on. There are areas of concern around labor rights, environ-

mental rights, consumer protections, the ISDS provisions, and other things. Why not simply amend the trade agreement to fix those things? I yield to the gentleman.

Mr. TONKO. Congress has very little opportunity to adjust. It is basically a thumbs up, thumbs down. We can recommend. It is not like we can make major adjustments.

The administrator overseeing the document will have to take that back and make recommended changes. You have to bring other nations together to get agreement because it is 40 percent of the world's GDP that is the audience for this given negotiated settlement. This TPP covers a huge portion of the world's GDP. So there are a lot of partners that would have a say in the process. We can recommend, and then the changes that we can inspire are quite mild compared to what needs to be done by the framers of the settlement.

Mr. POCAN. Again, I thank you so much for all your work on this.

Mr. TONKO. My pleasure. Back at you because it has taken a lot of time for all of us who have been whipping in the House. I think, to the credit of our group, we have sacrificed a lot of time, but we have been working in a steadfast way that has allowed people to really question how this fits into their given district. When this is done, it has got to be done correctly because it is there. It is a long-term project.

People have seen what faulty agreements can mean in their districts. While we lost many manufacturing jobs, luckily this administration has helped to hold on to several manufacturing jobs and stop the bleeding. But now let's grow this, and let's invest in the intellect for manufacturing. Let's make it smarter, and let's also retrofit our systems so that we do have a heavy hand from a competitive edge. At the same time, let's get the negotiated agreement that is most favorable to a level playing field.

Mr. POCAN. Again, I thank the gentleman so much. I appreciate it.

Mr. TONKO. My pleasure.

Mr. POCAN. I think the point that the gentleman brought up, especially around why we can't amend it, is a real significant one. Congress gave up its ability when it passed trade promotion authority to allow the President to do the final negotiations. We gave up our ability to have any amendments, and we have limited debate. So when there are so many concerns with this trade agreement, unfortunately, there is very little other than an up-or-down vote that we can do. This is exactly why when you have two major party Presidential candidates and scores of candidates for Federal office across the country in both parties opposing this agreement to allow people who could be kicked out of office, essentially by the voters, to make that decision in a lameduck is certainly undemocratic,

with a small D. That is one of the real problems we are facing on this.

The other issue you brought up, gentleman, and I want to talk about too is the accompanying job loss. Other trade agreements we have had in the past, we have seen that we have had a net job loss both, I believe, from the Korea Free Trade Agreement where we were made one promise and a different result happened from NAFTA.

I just last year had a company leave Lafayette County, Wisconsin. Lafayette County is one of the most rural counties in the State of Wisconsin. The largest city is 2,400 people, Darlington. It is one of two counties in the State of Wisconsin that doesn't have a stop-and-go light. This is a rural, rural area.

A company just last year, with about 32 jobs that did auto parts, left to go to Mexico. Now, there is some trade adjustment assistance that can help in the short term to help the workers. But think about it: 32 jobs in a community of 2,400.

I also have Madison, Wisconsin, in my district, with about 240,000 people. That would be like losing 3,000-plus jobs in the city of Madison, Wisconsin. That is the effect that happened to that city, Darlington, because of previous past trade deals. That is why it is so important we get it right and we get it right the first time. In this case, I think there are many people in both parties who don't think we have it quite right, and that is why we need to address it.

Another thing I want to raise that we talked about, and I think it is so important because this is new news from this week, is the provisions around the investor-state dispute settlement, the provisions that allow, essentially, the multinational corporations to sue government if they think something affects their future profits.

Just this week there was a group of academics who have traditionally embraced free trade but are alarmed by the inclusion of the ISDS provisions in the deal who just sent a letter to Congress warning of this system. It is 223-strong, led by Harvard law professor, Laurence Tribe. He warned that the U.S. will be subject to a flurry of suits by profit-seeking actors with no interest in working through a democratic or constitutional process.

Let me read the quote in the letter: "Unfortunately the final TPP text simply replicates nearly word for word many of the problematic provisions from past agreements, and indeed would vastly expand the U.S. government's potential liability under the ISDS system."

This is about our sovereignty.

I yield to the gentleman.

Mr. TONKO. Doesn't this give corporations an opportunity to undo regulations that are established by our country or laws that are established?

Mr. POCAN. The net effect by suing for financial gain will do exactly that

if someone is going to have to pay damages.

There is an ISDS provision that happened in Peru over an environmental law change by a company that had toxic contamination. That company is now, because of that change to environmental law in Peru, demanding \$800 million from the country—\$800 million because they are saying that that is somehow going to affect their future profits and because of a violation of a trade agreement.

These are real. This is just one of many, many examples. Canada and other countries have been sued through these provisions. But now we have the experts in the United States telling us not to do that.

So this is something that clearly is one of the biggest problems that is in there. As we said, you can't amend it out. We are not allowed. As Congress, we gave up our ability to amend that section out.

Mr. Speaker, I yield to the gentleman.

Mr. TONKO. I think what you are pointing to here is a very important component of the agreement. We do lose the control, the direct authority, required of us by the constituency that places its trust in each and every Representative that is elected to come to Congress. They believe rightfully that we are going to have their best interests.

We vote in accordance with what we hear from them about standards that should be maintained, established, and implemented; and to have that passed on to a court of whatever, of a format that is far removed from a given situation and may be looking at just greed as a factor, an unwillingness to pay abundantly well for what our standards should be maintained for just reasons, moves the process away from us with any control that we might have had taken away. I think that anonymity is a dangerous outcome as a result of this sort of agreement.

So I think that, again, there is a lot of fine print in the agreement that has to be really examined and thoroughly reviewed so that we are not putting our situations at risk and our communities at risk.

All in all, it is wanting to maintain standards that will respond to the needs of the environment. We know how critical that is. We know how much improvement is required and that we make great gains. But for those who signed into the process—some were actually directly communicating to the executive branch saying: let's get this fast track going.

Why would you circumvent your role? Why would you, as a Member of the House, want to remove yourself from the process when we should be here reviewing, examining, recommending, and at least having some sort of input that won't pass it over and ab-

solve ourselves of given responsibilities?

So I appreciate, again, your yielding, Representative POCAN.

Mr. POCAN. I thank the gentleman.

As much as this is the Progressive Caucus Special Order hour, and many of us are working against this, I see Republicans in the room. I know Republicans are just as concerned about the sovereignty of this country. When you have the ISDS provisions that you have, you take away that sovereignty. So I don't care if you are a Democrat, a Republican, or an Independent, you want to make sure that if we have a legal system here it is a legal system for everyone and there is not a special system set up for a few multinational corporations that no one else can access with their own players arbitrating these decisions. That is the real problem.

Mr. Speaker, I will close our hour just by repeating a few of the things that I think are really important for our people who are watching to understand. This is a day of action, and 90 organizations have had calls coming into Congress throughout the day. Tens of thousands of calls have come into Washington, D.C., to ask people not to support TPP, but especially not to support a vote on the Trans-Pacific Partnership in a lame-duck Congress.

Don't let people who have just been rejected by the voters make a decision that could impact this country for decades in the future. Don't allow a vote that is going to take away more American jobs and further depress our wages here. That is what people have been calling us all day about.

I think that an important question for anyone who wants to serve in this body is: are we going to give up those sorts of sovereignty issues? Are we going to give up the very concerns we have around things like food safety and prescription drug prices; around labor standards and environmental standards?

□ 1945

Are we going to give all of that up through one giant trade deal that has 40 percent of the world's gross domestic product wrapped into it and think that any agreement we have with Canada and Vietnam are identical?

I don't think anyone really believes that is in the best interest of America. That is why we had this Special Order tonight. That is why so many people called in today. We thank those people for watching, and we hope that they will get active on this issue as well. It is important that we have trade, but we need fair trade, not just free trade.

Mr. Speaker, I yield back the balance of my time.

IMPEACHING JOHN KOSKINEN

The SPEAKER pro tempore (Mr. MACARTHUR). Under the Speaker's announced policy of January 6, 2015, the

Chair recognizes the gentleman from Ohio (Mr. JORDAN) for 30 minutes.

Mr. JORDAN. Mr. Speaker, John Koskinen should no longer hold office. John Koskinen should no longer be the Commissioner of the Internal Revenue Service. Tonight I am joined by some of my colleagues to talk about why that should happen, why he should be removed from office.

If you remember what took place here, the Internal Revenue Service targeted our fellow citizens for their political beliefs. They did it, and they got caught. Maybe most importantly tonight, thinking about the current Commissioner, the targeting continues.

Now, you don't have to take my word for it. You can take what the United States Appellate Court for the District of Columbia stated. This is a decision from August 5, 2016, last month, from the opinion.

The IRS has admitted to the inspector general, to the District Court, and to us—the United States Court of Appeals for the District of Columbia—that applications for exemption by some of the plaintiffs have never to this day been processed. They are still targeting conservative groups.

They say it again right here:

It is absurd to suggest that the effect of the IRS' unlawful conduct, which delayed the processing of plaintiffs' applications, has been eradicated when two of the plaintiffs' applications remain pending.

So here is the takeaway: they are still doing it.

Here is the standard for removing someone from office: gross negligence, breach of public trust, dereliction of duty.

Mr. Koskinen has certainly had those things take place under his tenure at the Internal Revenue Service.

Here are the facts. February 2014, John Koskinen's chief counsel is on notice that there are problems with Lois Lerner's hard drive and missing emails from during the time of the initial targeting. They wait 4 months before they tell Congress and, therefore, the American people.

During that 4 months, they learn in February: Oh, we have got missing emails, problems with Lois Lerner's hard drive, an essential figure in this scandal.

They wait until June before they tell Congress and the American people.

During that 4-month timeframe, 422 backup tapes are destroyed. Most importantly, they are destroyed with three orders to preserve all documents, and two subpoenas to get those documents are in place. Now, think about that. You have got missing emails, the backup tapes that contain those missing emails are destroyed during the 4 months you are trying to figure out and 4 months before you tell Congress, and those 422 backup tapes contain potentially 24,000 emails.

That is why he should no longer hold office. That is why it is important that

we take this vote at some point and remove him from office. So you have got the standard, which he certainly meets based on that fact pattern; and you have got the court, which just told us last month the targeting continues.

The last thing I will say before turning to my colleagues: No private citizen could get away with that same scenario. If any one of us, any one of the three-quarters of a million people we all get to represent, any of those folks back in the Fourth District of Ohio, which I have the privilege of serving, if any one of those folks are audited by the IRS and they discover that they are missing documents that are critical to that audit and critical to what the IRS is looking for and they wait 4 months to tell the IRS that they are missing those documents, and during that time the backup disk or the backup tape that contains those missing documents somehow gets destroyed, what is going to happen to them?

Well, they are definitely getting fined and they are probably going to jail. But somehow when it happens to John Koskinen, the Commissioner of the IRS, it is okay. It is not okay. It is not okay in this country. This is what frosts so many Americans today. There are now two standards in this country. One for we, the people, and a different one for the politically connected. One for us regular folks and a different one if your name is Lerner, Koskinen or Clinton. That is not supposed to be how it works in this country, not in the greatest Nation ever, where we are all supposed to be treated equally under the law.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. FLEMING), my good friend.

Mr. FLEMING. Mr. Speaker, I thank the gentleman for having this Special Order tonight.

My good friend, Congressman JORDAN has laid out the facts of this case. There are many other detailed facts that we don't have time to get into. But just to give you an example of what my constituents are saying to me, they are over-the-top angry at what Congressman JORDAN was talking about, and that is that there seems to be two standards in America. There is one standard for the elite, there is one standard for the high-up officials in Washington, and then there is a standard for everyone else. We see this play out all the time.

But there are some very notable groups and people who support our effort to begin the impeachment of John Koskinen, head of the IRS. I will just give you some examples.

The National Review's editorial board:

A weaponized IRS put to partisan political ends constitutes an unbearable assault on American democracy and undermines the very institutions of government itself.

The Wall Street Journal, their editorial board:

The U.S. attorney has refused to honor Congress' contempt charge against Ms. Lerner for refusing to testify. The Justice Department has closed its investigations into the IRS targeting without prosecutions, and the press corps winks at abuses of power when conservatives are the targets.

That is precisely the point. It appears that the media—the liberal media, which most media is nationally, seems to be agreeing with this. In fact, I have had a number of media outlets out there who ask me: Why would you want to impeach the head of the IRS? What is wrong with him?

Yet, you heard how we learned how Mr. Koskinen deceived Congress, refused to respond to subpoenas, evidence was destroyed in his tenure. So either he did it or someone did it while under his authority, and then again deceived Congress about that as well. So it is very clear there has been wrongdoing.

While Mr. Koskinen has come to the Hill here to talk to Members—but he wants to do it offline and without being sworn in—he has not shown any interest in doing it under oath.

The New York Post editorial board:

If you responded to an IRS audit the way Koskinen's IRS has behaved, you'd be looking at huge penalties and maybe prison time.

George Will, a noted conservative:

Congress should impeach the IRS Commissioner or risk becoming obsolete.

Red State:

Why the impeachment of the IRS Commissioner is a sign that Congress might actually work?

The American people have given up on Congress. Congress is the legislative branch, which is a co-equal branch of government, and it should be a check on the executive branch, and the judicial branch, for that matter. Yet, Congress has shriveled up and atrophied so much. The American people have given up on Congress ever doing anything about corruption at high levels of our government.

And then Americans for Tax Reform:

Why Congress should impeach IRS Commissioner John Koskinen. Since then, Koskinen has failed to reform the IRS with the agency becoming increasingly politicized. Under Koskinen, the agency destroyed several sources of Lois Lerner's emails while he gave numerous false statements to Congress under oath.

So it is very clear that very notable people, patriots, and people of stature, people who are well-respected in America agree with the House Freedom Caucus that we should move forward.

Finally, there has been polling on this matter. Freedom Works, for instance, has commissioned a poll. Very clearly the American people say by as much as a 66 percent net positive over negative that John Koskinen should lose his job. So I think it is very clear.

I would just say that we are not sure what votes that we are going to have

tomorrow on this subject, but any vote short of impeachment of the IRS Commissioner would be a vote against impeachment and would be a vote against showing Mr. Koskinen the door and getting someone who will do right by our leadership in the Internal Revenue Service, a very important agency, and one that has been so much abused—or, actually, victims. Americans have been abused—through its institution.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for his hard work on this issue and for bringing the motion forward to get this issue in front of Congress.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I thank the gentleman from Ohio (Mr. JORDAN).

Under the Obama administration, the IRS has consistently proven that it cannot be trusted to serve the best interests of the American people. Unelected bureaucrats like Lois Lerner and John Koskinen have weaponized the agency and used it as a tool to blatantly target innocent Americans simply for having different political beliefs.

Rather than cleaning house and restoring the trust of the American people, the IRS Commissioner John Koskinen has continued the pattern of criminal behavior and lawlessness within the IRS. On Koskinen's watch, more than 24,000 emails and 420 backup tapes providing critical evidence were completely erased.

Koskinen failed to comply with a congressional subpoena, failed to testify truthfully in front of Congress four different times while under oath, and is now the ringleader for the cover-up of the targeting of innocent Americans by this rogue agency.

Our Founding Fathers specifically empowered the House of Representatives with the authority to hold the executive branch in check when it violates the trust of the American people and, more importantly, when it violates the law.

The only way we can change the climate of corruption in Washington, D.C., is to make an example of bureaucratic lawlessness. And we can start right now by removing John Koskinen from his job.

Just you watch, if the House of Representatives takes action to fire John Koskinen, I guarantee you that the rest of the Obama administration and future administrations to come will get that message.

It is beyond outrageous that not a single IRS employee has been brought to justice for targeting innocent Americans. The House has an obligation to pursue all constitutional options on the table to remove John Koskinen, including impeachment.

Koskinen and accountability are within our reach, and my colleagues and I will not yield in our efforts to

hold this lawless agency accountable until we get it done.

Mr. JORDAN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman.

Mr. Speaker, Commissioner John Koskinen took over the Internal Revenue Service in the wake of the IRS conservative targeting scandal ostensibly to reform the agency internally. Instead, he continued his predecessor's legacy of stonewalling justice.

After Lois Lerner, Director of the IRS' Tax Exempt Organizations Unit, invoked the Fifth Amendment when she appeared before Congress, the Committee on Oversight and Government Reform issued a subpoena for IRS documents, including all of Lois Lerner's emails.

The IRS' Chief Technology Officer also issued a preservation order instructing employees not to destroy any emails, backup tapes, or anything relevant to the investigation. But, Mr. Speaker, despite a congressional subpoena and a do-not-destroy order, the IRS inspector general found that the agency had erased 422 backup tapes containing as many as 24,000 emails. All the while, Commissioner John Koskinen knowingly and deliberately kept Congress in the dark.

□ 2000

Commissioner Koskinen was clearly aware that the emails were lost, but he knowingly and deliberately withheld that information from Congress for 4 months and stonewalled the entire investigation.

Mr. Koskinen testified under oath four times before Congress during that 4-month period, saying he would turn over all of Lerner's emails, making no mention of the fact that the bulk of them had been "lost."

Mr. Koskinen provided false testimony and swore under oath that the information on the bulk of the backup tapes was unrecoverable. The inspector general found that approximately 700 of those emails had not, in fact, been erased and were, in fact, recoverable.

Mr. Speaker, John Koskinen then failed to protect citizens against the same type of future discrimination. A General Accounting Office report found no significant measures had been implemented under Mr. Koskinen's watch to ensure that civil servants at the IRS do not continue in the future to unlawfully target Americans based on their political or religious views.

Mr. Speaker, this entire matter is absolutely counter to everything a Republic like ours was meant to be. In a constitutional Republic like the United States of America, we are fundamentally predicated on the rule of law; and there are very few things that break faith with America and the American

people or that undermine their trust in their government more than witnessing those who are given the sacred responsibility to enforce tax collection equally and according to the law using the Federal Government's power of taxation unlawfully to economically destroy and deliberately oppress American citizens based on their religious or political views.

Such a tyrannical abuse of power and the betrayal of their sworn oath to the United States Constitution by Commissioner John Koskinen and Barack Obama will be writ large in their shameful legacy because it is something that goes to the very heart of the rule of law in this Republic and that so many lying out in Arlington National Cemetery died to preserve.

Mr. Speaker, the United States Congress has a duty to impeach Commissioner John Koskinen. The impeachment power is a political check that, as Alexander Hamilton wrote in *Federalist* 65 of 1788, protects the public against abuse or violation of public trust. And Commissioner John Koskinen, appointed by Barack Obama, has unequivocally violated public trust.

A taxpayer would never get away with treating an IRS audit the way the IRS officials have treated this congressional investigation; and the Congress of the United States owes it to the American people, to future generations, and to our sworn oath to the Constitution to hold the perpetrators of this tyrannical abuse of power accountable and to make sure that this never happens again.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for all his hard work.

I yield to the gentleman from the great State of Kansas (Mr. HUELSKAMP), another hardworking Member.

Mr. HUELSKAMP. Mr. Speaker, it is a pleasure to be here tonight and tomorrow.

This House will have a chance to redeem itself a bit, or at least remain relevant for now. Hopefully, we will be voting on something of great consequence for a change.

Tomorrow we in this body will be asked to vote for or against removing the IRS Commissioner. Make no mistake, however. This is not just a vote to remove one man from office. It is a vote for or against the rule of law itself. It is a vote for or against maintaining our system of internal checks and balances. It will be a vote for or against accountability for public officials and transparency in our government.

For months, myself and other House Freedom Caucus members have been pushing for this accountability. Those who might oppose this measure most likely believe they are doing the right thing by defending the IRS. In fact, they are defending a toxic status quo

in which our Nation's most powerful agency, the IRS, can legitimately be used to thwart one's political enemies. This is a status quo in which one party gains power in one branch of government, then uses the resources of that branch of government to depress the power of all other branches of government. This is something we would expect to see in an emerging democracy, not the greatest Republic in the history of man. Let's take a look back at how this all came about.

During President Obama's reelection campaign, the IRS systemically prolonged consideration of applications for nonprofit status from hundreds of conservative organizations—in some cases, as we heard this evening, indefinitely. Many of those organizations were never able to recover from this denial; others were effectively neutralized for the duration of the 2012 election. This, of course, is a matter of fact and not of opinion. Eventually, the discriminatory practice was exposed, and Mrs. Lerner was removed from her position—although, I might note, she retained her full retirement pension from taxpayers.

John Koskinen was imported as Commissioner to sort the mess out. Then, as the President promised, to restore our faith in the Federal Government, he would act in the best interest of all of us and not abuse his power ever again.

But after Lerner refused to testify before Congress, the IRS casually mentioned that some of her emails had gone missing, despite the subpoenas and orders to preserve them—again, casually mentioned. In fact, we found out later, the IRS had erased 422 backup tapes containing as many as 24,000 emails.

Now, think about that. If every email was one single page and you stack those all up, that would be 8 feet worth of erased emails.

When the Commissioner told Congress under oath that many emails had been accidentally destroyed, he was lying. And when the Commissioner told Congress under oath that his agency would provide investigators with all of Mrs. Lerner's remaining emails, he was lying. And when he told Congress under oath that the IRS would fully comply with any FOIA request and otherwise assist our investigation into the practice of unfairly targeting organizations for their First Amendment beliefs, he was lying. And then when he and his boss, the President of the United States, told the American people, under the sacred trust vested in all public officials, that he would reform the IRS, make it more transparent and less hostile to families, faith organizations, and small businesses, he was not telling the truth.

The Commissioner blatantly lied under oath on multiple occasions because he thought he could get away

with it. Just like so many other administration officials, the Commissioner believed he was above the law and beyond reproach.

Tomorrow we have a chance to resoundingly prove Mr. Koskinen's audacious assumptions wrong. These Articles of Impeachment—four for each lie he told—represent the negative consequences that the average American would face if he lied under oath.

Some have called this effort petty. There are even some who believe there are other officials more deserving of removal. Perhaps they are right. However, in this case, we have someone whose violations of the law and the public trust cannot be disputed. And I would hope, in light of the indisputable evidence, this body could perhaps move beyond the partisan divisions so that justice can be served. I encourage my fellow Members to do the right thing and vote for accountability, vote for the rule of law, and vote for a government that has checks on its own power.

I thank the Congressman from Ohio for his leadership. He is a true friend. This is a very serious issue. This is not a political issue. This is an issue of principle and rule of law for our government.

Mr. JORDAN. I thank the gentleman for his comments, which are right on target.

Mr. Speaker, I yield to gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. I thank the gentleman from Ohio.

Mr. Speaker, I actually wanted to touch on something that is a little bit different.

Look, we have all seen the documents. We have all heard the argument, even this evening, on the bad acts. Now I want to walk you through why we must do this. And I understand for a lot of our brothers and sisters in this body, this is uncomfortable. This is something that hasn't been done in a very long time. So let me walk through sort of a line of logic, because you can't be a Member of Congress and go home and do townhalls and talk to reporters and say, "I am going to defend the Constitution," "I am going to defend our Article I authority," and then not stand up and defend it. So let's actually do sort of a linear line of logic here.

If tomorrow one of you became a CEO, 15 years ago this body passed something called Sarbanes-Oxley, which basically said, if you are in the leadership and someone commits bad acts in your organization, you accept the responsibility because you accepted that position of leadership. These are the things we require from the real world outside this body.

Has anyone here ever been a real estate broker, had a securities license, other types? If bad acts happen underneath your license, what happens? You lose your license. You are removed

from that position. But somehow these rules, this concept of responsibility that this very body has put out on the rest of the country, the rest of the private sector, is not willing—or is uncomfortable—to demand the very same status of responsibility, the very same status of ethics that we require from a real estate broker, from corporate executives. We are not going to require it from the head of one of the most powerful bureaucracies in this Nation?

And this is to all my brothers and sisters in the body. I accept it is uncomfortable doing something you have not done before. That does not mean it isn't the right thing to do.

You have heard the argument made. The facts are crisp and clear. Now it is time to make that decision. Are you willing to defend the Article I position that this body holds in the Constitution? Are you willing to defend the Constitution? Or are you willing to let our representation of the American people continue to be trampled on by this administration?

Mr. JORDAN, thank you for letting me have the mike.

Mr. JORDAN. I thank the gentleman for his good remarks.

I yield to the gentleman from Pennsylvania (Mr. PERRY.)

Mr. PERRY. I thank the gentleman from Ohio for his leadership, bringing this to our attention, and giving us the time to talk about it.

Mr. Speaker, on what we are talking about, we have heard all the facts, so I don't want to belabor them. Numerous protective orders, subpoenas—literally, a preservation order from his own organization, his own agency—the IRS Commissioner just disregarded all that stuff and did exactly what he wanted to do in contravention to what any of us would do.

Two standards of justice is what we are talking about, whether it was for Lois Lerner, whether it was for John Koskinen, or whether it was for Hillary Clinton, two standards of justice: one for them, one for the people who are connected; and one for all the rest of us, one for the people out there in the real world.

I remember in my business, when we got a letter from the IRS, "Oh, provide something from 4 years ago," we would go to our accountant and say, "Well, we already turned this stuff in. We have submitted this stuff."

"Well, you have to save your records for 7 years, and you have got to submit that, or you are going to be in trouble."

I mean, when you see something from the IRS, your heart stops. Do you think Lois Lerner's heart stopped?

Do you think if the police were looking at you or investigating you that you would get to go to the judge without talking to the police and say, "Hey, I will tell you what happened here, but we don't need to involve the

police in that"? That is what happened here, folks. That is what happened, Mr. Speaker.

Two standards of justice: one for all of us working people out there, and one for the connected.

Mr. Speaker, ladies and gentlemen, the facts are very clear. It is our duty, it is our requirement under the Constitution, to provide justice. And Mr. Koskinen will have his day in court, his due process. That is the impeachment process. That is where he can tell his story. He will have his day. But the people who have been aggrieved by the weaponization of this agency also must have their justice, and it has been denied to this point.

Mr. Speaker, I call for the action that we are talking about.

Mr. JORDAN. I thank the gentleman. He is right on target.

Mr. Speaker, I yield to the fine gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. I thank the gentleman for the opportunity to address this body. It is an honor to be here tonight, but it is a sad time to be here talking on this topic.

Mr. Speaker, as the newest guy here, I am still figuring out a lot of things. So maybe for anybody who is thinking about this from home, this IRS scandal has been going on since 2010. The first evidence of targeting was 6 years ago. A lot of people say: Why are you guys still looking into this? Why has it taken so long to get to this? Congress has looked into it since 2013. It has been here for a long time. And what we see here is an act of frustration, of frustration with a system that our own body is having a hard time working. A lot of us would like to see this go through the Judiciary Committee, go through a different standard process, but that process has continued to stall, delay, and not happen.

□ 2015

I think we owe it to the people who sent us here to do what we said we would do, which is to support and defend our Constitution.

If this body can be ignored, if we can have people come and give inaccurate testimony, if we can have subpoenas ignored, if we can have evidence destroyed, then, as George Will wrote, we risk being completely irrelevant.

This is the dilemma: this isn't just the IRS that has done this. This is the email scandal from the State Department. I remember the shock of the CNN anchor saying "the BlackBerrys are destroyed." Fact check that. You just can't believe that these kind of things are going on.

I serve on the Science, Space, and Technology Committee where orders to report data breaches have occurred over and over, and inaccurate testimony is given. Subpoenas are being ignored by Attorneys General for evidence involving cases that are intended to stifle scientific research.

When Congress is acting, the word is on the street: You can ignore these requests. You don't have to respond to subpoenas. You can destroy evidence, and you can always give inaccurate testimony. Nothing is going to happen.

So it is time we do take action. I hope we consider a course that keeps our IRS Commissioner accountable and also sets an example that, when Congress takes action, it should be taken seriously.

Mr. JORDAN. Mr. Speaker, I yield back the balance of my time.

IMPEACHMENT OF IRS COMMISSIONER

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, we are facing an extremely important decision right now to examine and weigh the actions of an individual and determine whether or not we are going to hold that individual accountable.

When John Koskinen entered the public arena, he then became accountable to the public, and that is what we are now facing. Here is an individual, Mr. Speaker, who routinely showed disrespect and contempt for this institution, who lied before our committees, who did not give us the evidence we needed to fulfill the investigations we were to do, and destroyed evidence literally on a massive scale. We must hold him accountable for this.

Here is an institution, the IRS, that has the power to destroy lives and to ruin businesses. We know for a fact that, even just a couple weeks ago, the U.S. Court of Appeals for the D.C. Circuit determined that the IRS has been targeting conservatives and conservative organizations on multiple fronts, and they cannot confirm that that has ceased at all.

So we cannot let him get out of this with just a whimper. It is time for this House to do its job and hold him accountable.

I thank the gentleman from Ohio for holding his Special Order, and I hope my colleagues will join in the impeachment proceedings of John Koskinen.

ADJOURNMENT

Mr. JORDAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 18 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 15, 2016, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6825. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captains Darius Banaji and James E. Pitts, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6826. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — TRICARE; Mental Health and Substance Use Disorder Treatment [DOD-2015-HA-0109] (RIN: 0720-AB65) received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6827. A letter from the Assistant Attorney General, Department of Justice, transmitting a report entitled "Coming Into Focus: The Future of Juvenile Justice Reform, 2014 Annual Report", pursuant to 42 U.S.C. 5617; Public Law 93-415, Sec. 207 (as added by Public Law 100-690, Sec. 7255); (102 Stat. 4437); to the Committee on Education and the Workforce.

6828. A letter from the Deputy Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final priorities — Enhanced Assessment Instruments [CFDA Number: 84.368A.] [Docket ID: ED-2016-OESE-0004] received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6829. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Technical Amendments [Docket No.: FDA-2016-N-0011] received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6830. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs [Docket No.: FDA-2005-N-0464 (formerly Docket No.: 2005N-0403)] (RIN: 0910-AA49) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6831. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Premarket Approval of Pediatric Uses of Devices — Fiscal Year 2014", pursuant to Sec. 515A of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

6832. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's interim final rule — Possession, Use, and Transfer of Select Agents and Toxins — Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins [CDC Docket No.: CDC-2016-0045] (RIN: 0920-AA64) received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6833. A letter from the Deputy Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rates for Interstate Inmate Calling Services [WC Docket No.: 12-375] received September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6834. A letter from the Director, Office of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Final Safety Evaluation on the Topical Report "Materials Reliability Program: Primary Water Stress Corrosion Cracking Mitigation By Surface Stress Improvement (MRP-335 Revision 3)" [TAC No.: MF2429] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6835. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on Employment of U.S. Citizens by Certain International Organizations during 2015, pursuant to 22 U.S.C. 276c-4; Public Law 102-138, Sec. 181; (105 Stat. 682); to the Committee on Foreign Affairs.

6836. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Report to Congress on Global Trade Relating to Iran for 2015, pursuant to Public Law 104-172, as amended by Public Law 111-195, Sec. 102(d); to the Committee on Foreign Affairs.

6837. A letter from the Attorney General, Department of Justice, transmitting a decision on *United States v. Jimenez*, — F. Supp. 3d —, 2016 WL 3556810 (N.D. Cal. June 6, 2016), pursuant to 28 U.S.C. 530D(a); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

6838. A letter from the Assistant Attorney General, Department of Justice, transmitting the semiannual report of the Attorney General concerning enforcement actions for the period July 1, 2015, through December 31, 2015, pursuant to 2 U.S.C. 1605(b)(1) Public Law 104-65, as amended by Public Law 110-81; to the Committee on the Judiciary.

6839. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-5460; Directorate Identifier 2015-NM-188-AD; Amendment 39-18599; AD 2016-16-01] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6840. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-6414; Directorate Identifier 2015-NM-175-AD; Amendment 39-18633; AD 2016-18-03] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6841. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes [Docket No.: FAA-2016-7048; Directorate Identifier 2016-CE-014-AD; Amendment 39-18635; AD 2016-18-05] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6842. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-3702; Directorate Identifier 2015-NM-103-AD; Amendment 39-18634; AD 2016-18-04] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6843. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-3989; Directorate Identifier 2014-NM-220-AD; Amendment 39-18629; AD 2016-17-16] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6844. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2016-5467; Directorate Identifier 2015-NM-186-AD; Amendment 39-18630; AD 2016-17-17] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6845. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-6415; Directorate Identifier 2015-NM-178-AD; Amendment 39-18626; AD 2016-17-13] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6846. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9047; Directorate Identifier 2016-NM-092-AD; Amendment 39-18632; AD 2016-18-02] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6847. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-1075; Directorate Identifier 2012-NM-111-AD; Amendment 39-18628; AD 2016-17-15] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6848. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-8133; Directorate Identifier 2015-NM-101-AD; Amendment 39-18631; AD

2016-18-01] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6849. A letter from the Regulations Liaison, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Expiration Dates for Four Body System Listings [Docket No.: SSA-2016-0023] (RIN: 0960-AI03) received September 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6850. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers [CMS-3178-F] (RIN: 0938-AO91) September 13, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mr. ASHFORD, Mrs. LOVE, Ms. GRAHAM, and Ms. ADAMS):

H.R. 6020. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to direct the Secretary of Agriculture to establish a grant program under which the Secretary will award \$19,000,000 of grant funding to the 19 1890-institutions (\$1,000,000 to each institution), such as Tuskegee University in Alabama, Prairie View A&M University of Texas, Fort Valley State University of Georgia, North Carolina A&T State University, and Florida A&M University, and allocate the \$1,000,000 to each such institution for purposes of awarding scholarships to students attending such institutions, and for other purposes; to the Committee on Agriculture.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. CRAMER, Ms. FUDGE, Mr. ASHFORD, Mrs. LOVE, Ms. GRAHAM, and Ms. ADAMS):

H.R. 6021. A bill to rebuild the Nation's crumbling infrastructure, transportation systems, technology and computer networks, and energy distribution systems, by strongly and urgently requesting the immediate recruitment, employment, and on-the-job "earn as you learn" training of African-American young men ages 18 to 39, who are the hardest hit in terms of unemployment, with an unemployment rate of 41 percent nationally, and in some States and cities, especially inner cities, higher than 50 percent, which is a national crisis; to the Committee on Education and the Workforce.

By Mr. DENHAM:

H.R. 6022. A bill to authorize a pilot project for an innovative water project financing program, and for other purposes; to the Committee on Natural Resources.

By Mr. CURBELO of Florida (for himself and Mr. PIERLUISI):

H.R. 6023. A bill to exempt health insurance of residents of United States territories from the annual fee on health insurance providers; to the Committee on Ways and

Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H.R. 6024. A bill to amend title 18, United States Code, to improve safety and security for service weapons used by Federal law enforcement officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Mr. DOLD, Ms. MOORE, Mr. BUCHANAN, Mr. FOSTER, and Mr. EMMER of Minnesota):

H.R. 6025. A bill to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes; to the Committee on Financial Services.

By Mr. HUFFMAN (for himself, Mr. POLIS, Ms. JACKSON LEE, Mrs. NAPOLITANO, Mr. WALZ, Mr. COURTNEY, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. CUMMINGS, Mr. HECK of Washington, Mr. VARGAS, Ms. ESTY, Mr. GENE GREEN of Texas, Mr. CARTWRIGHT, Mr. PETERSON, Mr. MEEKS, Mr. AGUILAR, Ms. LOFGREN, Mr. PERLMUTTER, Mr. THOMPSON of California, Mr. LEWIS, Ms. CLARK of Massachusetts, Ms. BROWNLEY of California, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Mr. POCAN, Mr. SWALWELL of California, Mr. CLAY, Mr. LOEBACK, Mr. CLEAVER, Mr. DESAULNIER, Mr. ELLISON, Mr. MURPHY of Florida, Mr. RYAN of Ohio, Mr. DEFAZIO, Mr. CAPUANO, Ms. FRANKEL of Florida, Mr. PASCRELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, and Mr. RUZ):

H.R. 6026. A bill to amend the Ethics in Government Act of 1978 to require each candidate for nomination or election to the office of President or Vice President to include in the financial disclosure reports the candidate is required to file under such Act a statement regarding whether or not the Secretary of the Treasury is in the process of auditing any of the candidate's individual Federal income tax returns; to the Committee on Oversight and Government Reform.

By Mr. MURPHY of Florida (for himself and Mr. PIERLUISI):

H.R. 6027. A bill to amend section 9010 of the Patient Protection and Affordable Care Act to provide health insurance fairness for Puerto Rico; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM:

H.R. 6028. A bill to repeal certain obsolete laws relating to Indians; to the Committee on Natural Resources.

By Mrs. NOEM (for herself and Mr. CRAMER):

H.R. 6029. A bill to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. NADLER, Ms. DELAUNO, and Ms. SPEIER):

H.R. 6030. A bill to amend the Fair Labor Standards Act of 1938 to prohibit certain practices by employers relating to restrictions on discussion of employees' and prospective employees' salary and benefit history, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 6031. A bill to amend the Coastal Zone Management Act of 1972 to allow the District of Columbia to receive Federal funding under such Act, and for other purposes; to the Committee on Natural Resources.

By Mr. PERLMUTTER:

H.R. 6032. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for purchase of data breach insurance; to the Committee on Ways and Means.

By Mr. PETERS (for himself, Mr. ROTHFUS, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 6033. A bill to expand the tropical disease product priority review voucher program to encourage treatments for the Middle East respiratory syndrome; to the Committee on Energy and Commerce.

By Mr. RATCLIFFE (for himself, Mr. GOODLATTE, Mr. GOWDY, Mr. CHAFFETZ, Mr. HURD of Texas, and Mr. POE of Texas):

H.R. 6034. A bill to amend title 18, United States Code, to clarify certain required mens rea elements for offenses pertaining to the handling of sensitive information by government officials, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. LANGEVIN, Mr. MCDERMOTT, Mr. FRANKS of Arizona, Mrs. BLACK, and Mr. MARINO):

H. Res. 867. A resolution expressing support for designation of September 2016 as "National Kinship Care Month"; to the Committee on Ways and Means.

By Mr. EMMER of Minnesota (for himself, Mr. ELLISON, Mr. KLINE, Ms. MCCOLLUM, Mr. NOLAN, Mr. PAULSEN, Mr. PETERSON, and Mr. WALZ):

H. Res. 868. A resolution honoring the life of Jacob Wetterling and the efforts of Patty Wetterling and the Wetterling family to find abducted children and support their families; to the Committee on the Judiciary.

By Ms. GABBARD (for herself, Ms. JUDY CHU of California, Mrs. TORRES, Mr. AGUILAR, Ms. HAHN, Ms. ROYBAL-ALLARD, Ms. VELÁZQUEZ, Mr. SCHIFF, Ms. BORDALLO, Ms. DUCKWORTH, Mr. HONDA, Mr. TED LIEU of California, Mr. BEYER, Ms. MENG, Ms. LEE, Mr. CONNOLLY, Mrs. RADEWAGEN, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. PELOSI, Ms. MATSUI, Mr. AL GREEN of Texas, Mrs. NAPOLITANO, Mr. NADLER, Ms. FUDGE, Mrs. WATSON COLEMAN, Mr. LOWENTHAL, Ms. ESHOO, Mr. DELANEY, Ms. LINDA T. SANCHEZ of California, Mr. ASHFORD, Mr. TAKANO, Mr. BECERRA, Mr. SWALWELL of California, Mr. SABLON, Mr. BERA, and Mr. SCOTT of Virginia):

H. Res. 869. A resolution relating to the death of the Honorable Mark Takai, a Rep-

resentative from the State of Hawaii; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCCARTHY:

H.R. 6007.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress Shall have power to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

By Mr. DAVID SCOTT of Georgia:

H.R. 6020.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DAVID SCOTT of Georgia:

H.R. 6021.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. DENHAM:

H.R. 6022.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States), Clause 3 (relating to regulating commerce with foreign nations, and among the several states, and with the Indian tribes) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. CURBELO of Florida:

H.R. 6023.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3 of the United States Constitution

By Mr. DESAULNIER:

H.R. 6024.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. HIMES:

H.R. 6025.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. "The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mr. HUFFMAN:

H.R. 6026.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. MURPHY of Florida:

H.R. 6027.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 8 of the Constitution of the United States.

By Mrs. NOEM:

H.R. 6028.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. NOEM:

H.R. 6029.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution.

By Ms. NORTON:

H.R. 6030.

Congress has the power to enact this legislation pursuant to the following:

clauses 3 and 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 6031.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. PERLMUTTER:

H.R. 6032.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. PETERS:

H.R. 6033.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RATCLIFFE:

H.R. 6034.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Mrs. HARTZLER.
 H.R. 244: Mr. JODY B. HICE of Georgia.
 H.R. 333: Mr. RUIZ and Ms. STEFANIK.
 H.R. 546: Mr. JOHNSON of Ohio.
 H.R. 612: Mr. ROE of Tennessee.
 H.R. 613: Ms. MATSUI.
 H.R. 835: Mr. RUSH.
 H.R. 845: Ms. KUSTER and Mr. PAYNE.
 H.R. 885: Mr. PERLMUTTER.
 H.R. 1061: Mr. LARSEN of Washington.
 H.R. 1151: Mr. MCKINLEY.
 H.R. 1209: Mr. YOUNG of Iowa and Mr. GRIF-FITH.
 H.R. 1220: Mr. SIMPSON, Mr. YARMUTH, Mr. THOMPSON of Pennsylvania, Mr. MARINO, and Ms. HAHN.
 H.R. 1275: Mr. CARTWRIGHT.
 H.R. 1312: Mr. DUNCAN of South Carolina.
 H.R. 1422: Mr. LYNCH.
 H.R. 1453: Mr. DUNCAN of Tennessee and Mr. GRAVES of Missouri.
 H.R. 1714: Mr. GOHMERT.
 H.R. 1848: Mr. ELLISON.
 H.R. 2016: Ms. BROWNLEY of California.
 H.R. 2142: Ms. MATSUI.
 H.R. 2228: Mr. HIGGINS.

H.R. 2280: Mr. ELLISON.
 H.R. 2315: Mr. DESANTIS.
 H.R. 2342: Mr. STIVERS.
 H.R. 2368: Mr. SARBANES.
 H.R. 2628: Mr. SHERMAN.
 H.R. 2713: Mr. MCKINLEY.
 H.R. 2737: Mr. MACARTHUR, Ms. FRANKEL of Florida, Mr. LYNCH, Mr. BLUM, Ms. LINDA T. SANCHEZ of California, and Mr. BYRNE.
 H.R. 2980: Mr. HECK of Nevada.
 H.R. 3066: Mr. SCALISE.
 H.R. 3137: Mr. KIND.
 H.R. 3238: Mr. ELLISON.
 H.R. 3381: Mr. LAHOOD, Mr. QUIGLEY, and Mr. HILL.
 H.R. 3660: Mr. WITTMAN.
 H.R. 3666: Mr. GENE GREEN of Texas.
 H.R. 3687: Ms. KUSTER, Mr. ASHFORD, Mr. ELLISON, and Mr. THOMPSON of Mississippi.
 H.R. 3804: Mr. MCCLINTOCK.
 H.R. 3991: Ms. BROWNLEY of California, Mr. PETERS, Mr. CARSON of Indiana, and Ms. DUCKWORTH.
 H.R. 4006: Mr. MULVANEY and Ms. STEFANIK.
 H.R. 4016: Mr. EMMER of Minnesota.
 H.R. 4088: Mr. BEYER.
 H.R. 4283: Ms. LEE.
 H.R. 4298: Mr. STEWART, Mr. COFFMAN, Mr. RENACCI, Mr. VALADAO, Mr. WEBSTER of Florida, Mr. BUCSHON, Mr. ZINKE, Mr. MURPHY of Pennsylvania, Mr. LUCAS, and Mr. BARLETTA.
 H.R. 4456: Mr. RYAN of Ohio and Mr. GIBBS.
 H.R. 4480: Mr. ELLISON.
 H.R. 4514: Mr. LANGEVIN.
 H.R. 4575: Mr. ZINKE.
 H.R. 4595: Ms. DUCKWORTH.
 H.R. 4602: Mr. COHEN.
 H.R. 4621: Ms. MATSUI.
 H.R. 4626: Mr. PRICE of North Carolina.
 H.R. 4662: Mr. MCKINLEY.
 H.R. 4683: Mr. HIGGINS.
 H.R. 4773: Mr. MCKINLEY.
 H.R. 4813: Mr. ZINKE.
 H.R. 4818: Mr. RODNEY DAVIS of Illinois and Mr. ROSS.
 H.R. 4919: Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Mrs. NAPOLITANO, Mr. SENSENBRENNER, and Mr. HECK of Nevada.
 H.R. 4980: Mr. NEWHOUSE and Mr. WEST-MORELAND.
 H.R. 5015: Ms. STEFANIK.
 H.R. 5082: Mr. ROUZER.
 H.R. 5083: Ms. BROWNLEY of California, Ms. KUSTER, and Mr. PETERSON.
 H.R. 5177: Mr. HARRIS and Mr. HONDA.
 H.R. 5208: Mr. WEBER of Texas and Mr. COOK.
 H.R. 5254: Mr. JOLLY and Mr. KING of New York.
 H.R. 5351: Mr. GROTHMAN.
 H.R. 5386: Mr. YARMUTH.
 H.R. 5418: Mr. WESTERMAN.
 H.R. 5476: Mr. HECK of Nevada.
 H.R. 5493: Mr. MULVANEY.
 H.R. 5624: Mr. POE of Texas.
 H.R. 5650: Mr. LOWENTHAL.
 H.R. 5679: Mr. MCKINLEY and Mr. WITTMAN.
 H.R. 5683: Mr. RUPPERSBERGER.
 H.R. 5708: Mr. POE of Texas.
 H.R. 5785: Mr. POLIQUIN.
 H.R. 5810: Mrs. LAWRENCE.
 H.R. 5813: Mr. MILLER of Florida.
 H.R. 5823: Mr. GOHMERT.
 H.R. 5824: Mr. GOHMERT.
 H.R. 5825: Mr. GOHMERT.

H.R. 5826: Mr. GOHMERT.
 H.R. 5883: Mr. COSTA and Mr. YOUNG of Iowa.
 H.R. 5904: Mr. JONES and Mr. DESANTIS.
 H.R. 5911: Mr. BOUSTANY.
 H.R. 5931: Mr. SMITH of New Jersey, Mr. WILSON of South Carolina, Mr. RATCLIFFE, Mr. MARCHANT, and Mr. ROE of Tennessee.
 H.R. 5946: Ms. LINDA T. SANCHEZ of California, Mrs. COMSTOCK, Ms. STEFANIK, Mr. HECK of Nevada, and Mr. COSTELLO of Pennsylvania.
 H.R. 5948: Mrs. CAPPS and Mr. MCCLINTOCK.
 H.R. 5953: Mr. GARAMENDI and Ms. VELÁZQUEZ.
 H.R. 5977: Mr. GRAVES of Missouri and Ms. NORTON.
 H.R. 5980: Mr. COFFMAN, Mr. PETERS, Mr. YOUNG of Alaska, Mr. AGUILAR, Mr. NOLAN, Mr. CÁRDENAS, Ms. HAHN, Ms. MCCOLLUM, Mr. MEEKS, Mr. MOULTON, and Ms. BROWNLEY of California.
 H.R. 5986: Mr. DIAZ-BALART.
 H.R. 5999: Mr. KNIGHT.
 H.R. 6003: Mr. RODNEY DAVIS of Illinois.
 H.R. 6004: Mr. MCCARTHY and Mr. HOYER.
 H.R. 6007: Mr. BRIDENSTINE.
 H.R. 6008: Ms. NORTON.
 H.R. 6017: Ms. KELLY of Illinois.
 H.J. Res. 95: Mr. HUDSON.
 H. Con. Res. 140: Mr. WOMACK, Mr. DAVIDSON, Mr. HECK of Nevada, Mr. CUELLAR, Mr. LAHOOD, and Mr. MARCHANT.
 H. Con. Res. 149: Mr. MOONEY of West Virginia.
 H. Res. 586: Ms. BROWNLEY of California.
 H. Res. 590: Mr. KIND.
 H. Res. 655: Mr. COURTNEY.
 H. Res. 836: Mr. BUCSHON.
 H. Res. 848: Ms. DUCKWORTH, Ms. KELLY of Illinois, and Mr. FORTENBERRY.
 H. Res. 851: Mr. POE of Texas, Mr. SALMON, and Mr. DONOVAN.
 H. Res. 852: Mr. LAHOOD.
 H. Res. 853: Mr. RIGELL, Mr. FRANKS of Arizona, Mr. ZINKE, Mr. WEBER of Texas, Mr. BABIN, Mr. CHABOT, Mr. JODY B. HICE of Georgia, Mr. KING of Iowa, Mr. LAMALFA, Mr. ROUZER, Mr. LAMBORN, and Mr. FLORES.
 H. Res. 855: Mrs. RADEWAGEN.
 H. Res. 857: Mrs. KIRKPATRICK and Ms. TITUS.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3765: Mr. RANGEL.

PETITIONS, ETC.

Under clause 3 of rule XII,

87. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to urging Congress to enact legislation that would prescribe restrictions on the actions and conduct of Delegates attending a Convention, called by Congress pursuant to Article V of the U.S. Constitution; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

RECOGNITION OF THE SAC-
RAMENTO STAND DOWN
ASSOCIATION

HON. AMI BERA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. BERA. Mr. Speaker, I rise today to congratulate the Sacramento chapter of Stand Down on celebrating their 25th anniversary. This organization and its volunteers have served the veterans of the Sacramento region selflessly for many years and it is my pleasure to recognize them today.

In military history, a "stand down" was a refuge for soldiers fighting on the front lines. It was a place for them to rest, recover, and receive medical care. These times gave the exhausted troops safe space to recuperate. Today, the Stand Down programs do the same for our homeless veterans.

The Sacramento chapter of Stand Down has hosted a gathering for many years. There, homeless veterans can receive medical and dental care, showers, haircuts, and a hot meal. Several federal agencies, like the Social Security Administration and the Veterans Administration, are onsite to provide critical services. Veterans can renew their identification and adjudicate minor legal disputes through an onsite court.

The Stand Down program has proven to be incredibly effective, with many veterans who have gone through the program returning as volunteers. These volunteers know what it's like to be a homeless veteran, and are happy to help their fellow veterans get the leg up they need.

The Sacramento Stand Down Association has, over the past twenty-five years, spent countless hours providing meals, services, and a safe place for the homeless veterans of our region. As a doctor who has helped care for veterans, I've witnessed how much these men and women have sacrificed. I am proud to recognize the service of the Sacramento Stand Down Association, and wish them many more years of continued success.

IN HONOR OF JYM GANAHL

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. TIBERI. Mr. Speaker, I rise today to recognize the storied meteorological career of Jym Ganahl. For five decades, Jym has served his friends and neighbors as their meteorologist. His accurate and educational forecasts helped to warn us of impending inclement weather as well as plan our day's activities.

Beginning his career in 1966 with KWWL-TV in Waterloo, Iowa, Jym quickly became a valuable asset in the news room. In 1978, Jym joined WCMH-TV in Columbus, Ohio, and has since become a staple in our community. For nearly four decades we have tuned in to hear Jym's report, and generations have grown up hoping Jym would give them the good news that a snow storm was imminent and school would be canceled.

In addition to his talent as a meteorologist, Jym is also a valuable mentor to aspiring young men and women. His guidance and tutelage helped many achieve their goals. Unfortunately, the hands of time do not stop and central Ohio witnessed Jym's last forecast on September 4, 2016. Although we will still be seeing him on television during his WCMH tailgate-party broadcasts during football season, the weather forecast will not be the same without his humor and knowledge. I have enjoyed working with Jym Ganahl over the years and I congratulate him on his 50-year career as meteorologist. I wish him the best of luck in his future endeavors.

RECOGNIZING MILLER COUNTY,
MISSOURI UPON ITS DESIGNA-
TION AS A PURPLE HEART
COUNTY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize the designation of Miller County, Missouri as a Purple Heart County and its inclusion as a part of the Purple Heart Trail.

The Purple Heart Trail is a system of roads and monuments throughout the United States that pay tribute to veterans that have been awarded the Purple Heart. The system was established in 1992 by the Military Order of the Purple Heart. As a Purple Heart County, signs along Miller County roadways will now provide a visual reminder of those who have paid the price for others to live and travel freely throughout our country.

The Purple Heart was established by George Washington to honor members of the military that have been wounded or killed in service to their country. As a lifelong resident of Miller County, I am proud to live in a place that prioritizes honoring those who have paid the price to secure our liberty. Our nation owes so much to the brave men and women that have placed their lives on the line for our nation's future. The Purple Heart Trail is an important reminder of that debt of gratitude shared by all Americans.

I ask you to join me in recognizing Miller County on this important designation, and in thanking all Purple Heart recipients and veterans for their service to our country.

IN MEMORY OF RAY THORN

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. LOWENTHAL. Mr. Speaker, Ray Karl Thorn was born March 20, 1946 and passed away August 27, 2016. A loving husband, father, and grandfather, he was a ray of sunshine to all who knew him.

As a community leader, Ray was one of the founding members of the Friends of Colorado Lagoon (FOCL). He was instrumental in the successful litigation that saved the lagoon from a flawed storm drain project, which would have precluded any restoration.

He then led the group's pivot towards collaboration and relationship building, creating the strong partnerships that FOCL still enjoys with the city, port, and regional groups. He was FOCL president for five critical years during the time when the group was fighting to convince the city and regional leaders that restoring the lagoon's historic open waterway was essential to the community and environment.

His relationships with the City of Long Beach Parks, Recreation, and Marine directors gave FOCL credibility and helped the group move forward when there were many projects competing for funding. In later years Ray continued to serve as a board member and leader for FOCL as the group successfully restored vital wetland habitat, helped transform the lagoon from having the worst water quality in Long Beach to the best, and educated the public about the importance of wetlands. The final vision of the lagoon as a clean jewel of Long Beach would not have been possible without Ray's efforts.

Born in Tooele, Utah to Roe and Lydia Thorn, he was the fourth of five children. Ray grew up in Springville, Utah and graduated from Springville High School. He received his Bachelor's Degree from Brigham Young University (BYU) in Sociology and a Master's Degree from BYU in Organizational Behavior.

It was also at BYU that Ray met his future wife Becky Asher. Their marriage of 44 years was a positive example for many that knew them because of their devotion to each other and their commitment to creating and maintaining a strong marriage. Their only daughter, Nicole Thorn, was born in 1979 and their grandson, Leif, was born to Nicole Thorn and Steve Stern in 2010. Ray spent much of his time with them, for they were a source of joy in his life.

Ray loved the outdoors and was a beautiful downhill and avid cross country skier. He loved spending time in the mountains, on the beaches, hiking, bike riding, and rollerblading. Ray loved animals and enjoyed evenings throwing the Frisbee or ball for his dogs and teaching them new tricks. He was devoted to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

his wife and family and cherished the vacations, road trips, and camping trips they took together. He loved adventures: walking on thin ice to see under-ice whirlpools, rafting in a lake during a lightning storm, driving through rivers, sneaking into places to find the best sledding hill, and off-roading for the fun of it.

He was an excellent communicator both in his work and personal life, bringing people together and making them feel valued and understood. As an Organizational Behavior Consultant, Ray worked for over 40 years with business, governmental, and educational institutions. He assisted leaders, teams, and organizations to improve their culture, norms, and working relationships.

Ray had a gift for helping people communicate. He coached them to better understand each other, to enhance their levels of trust and openness, and to engage in productive problem solving. As a coach, trainer, and team builder, he assisted thousands of leaders from multiple organizations across the country and abroad. He led them to respect and utilize their differences in order to compliment rather than compete with one another, freeing them to create and maintain supportive teamwork.

Ray is survived by his wife Becky Thorn, his daughter Nicole Thorn, his grandson Leif Thorn-Stern, his son-in-law Steve Stern, and his sister Maris Grotgut.

He will be dearly missed by all who knew him.

HONORING THE LIFE OF SARAH E. D'ERRICO

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Sarah E. D'Errico, 42, who passed away on July 6, 2016. Sarah was born on February 25, 1974 in Columbus, Ohio, the daughter of Walter and Karen Lee Kingry Matheny.

Sarah graduated from Westland High School in 1992 and went on to attend The Ohio State University, then eventually graduate Summa Cum Laude from Youngstown State University with a Bachelor's Degree in Secondary Education. She went on to work for Delphi Packard Electric, and then for the Trumbull County Educational Service Center, where she taught for their Trumbull Virtual Learning Academy.

Sarah enjoyed being involved with the community and contributed her time in many ways. She belonged to Our Lady of Mount Carmel Parish in Niles, and was a parish school instructor and festival volunteer, and a Girl Scout Troop Leader. She also loved to fish, scuba dive, kayak, go on family vacations, entertain, and craft. Above all else, she loved spending time with her husband and children.

Sarah will be deeply missed by her family. She leaves behind her parents, her husband James D'Errico, whom she married June 25, 2004, her daughter Alysse Marie D'Errico, her son Gavin Joseph D'Errico, her two brothers Andrew Matheny and Adam Matheny, her maternal grandmother Evelyn Kingry and her fa-

ther-in-law and mother-in-law, Sam and Joyce D'Errico.

IN HONOR OF VINZ KOLLER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. FARR. Mr. Speaker, I rise today to recognize the remarkable public service of Vinz Koller, who has worked tirelessly to strengthen and improve the American democratic process, both nationally and in Monterey County, California. As an immigrant who chose to be an American, Vinz embodies the core civic values of our nation's citizenship. Those of us who have had the great good fortune to have known Vinz over the years have all been touched by his tremendous integrity and boundless determination. So it is my pleasure to join with my Monterey County Democratic Party friends in recognizing Vinz for his invaluable support for strengthening democracy.

Vinz came to Monterey County to study at the Monterey Institute of International Studies after earning a BA in political science and English from the University of Zurich in Switzerland. Professionally, he is Director of Training and Technical Assistance at Social Policy Research Associates and is in frequent demand as trainer and facilitator on a wide range of workforce development related topics for the U.S. Department of Labor and state and local agencies. Vinz likes to hike the Big Sur coastline, paddle on the bay in his kayak, climb Sierra peaks on skis or ride the bike trails at the former Fort Ord. He is a passionate bread baker and for ten seasons has been singing in the Carmel Bach Festival chorus.

Vinz played an active role in the 2004 presidential campaign at the Democratic National Committee in Washington, DC, as well as Arizona and Oregon. This experience energized Vinz to improve the community level Democratic Party infrastructure in his home community. In 2004 and 2005, he was a vital member of the "Boots Camp" team that designed an ambitious new strategy that would establish the Monterey County Democrats as one of most effective central committees in California.

Later, Vinz set up a countywide precinct program for the Monterey County Democrats, managed the 2008 presidential and 2012 special election campaigns, and is currently working the 2016 campaign. Vinz chaired the Monterey County Democratic Central Committee from 2006 to 2016. In that capacity he led the way in executing and refining strategy as the local Democratic party helped elect a list of great Democratic candidates, train hundreds of volunteers, and establish a culture of excellence and integrity, which in turn has been instrumental in attracting many new members. He is currently the Campaign Coordinator for the Monterey County Democrats and Chair of the Democratic 27th Assembly District Committee and is on the Executive Board of the California Democratic Party.

Mr. Speaker, I know I speak for the whole House in thanking Vinz for his dedicated civic involvement. The strength of our Republic de-

pends on the tireless efforts of the women and men like Vinz who make our democracy vibrant and representative.

RECOGNIZING DEB NEYMAN FOR RECEIVING A PERSONAL ACHIEVEMENT AWARD FROM THE HEALTHSOUTH REHABILITATION HOSPITAL OF ALTOONA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Deb Neyman, one of the winners of the 23rd annual Personal Achievement Award from the HealthSouth Rehabilitation Hospital of Altoona. This award is given to encourage and recognize those who have made an outstanding effort to deal with or overcome a disability. This year, Deb has earned that distinction.

Deb suffered a stroke in June of 2015 that affected her speech and body. It wasn't long after, in July of 2015, that she then suffered a second stroke. In August of 2015 she was diagnosed with ovarian cancer, and underwent surgery for a Hysterectomy in September of the same year. At only 47-years-old and working as an educator, with two school-age children living at home, Deb faced a tragic sequence of events that would have stunned even the bravest among us. Yet, through all of these troubles, Deb, with the boundless support of her husband, has approached her situation with a positive and cheerful attitude.

Today, she has made an amazing recovery with the strong support of her friends and family, and has regained much of her previous routine, even managing to return to educating for the Glendale School District.

I am humbled to recognize the truly impressive recovery Deb has made. Her strength and positivity in the face of such adversity is remarkable. As such, it is my pleasure to wish Deb the best as she continues to reclaim her health and life.

CONGRATULATING BOB MARIANO ON RETIREMENT

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. ROSKAM. Mr. Speaker, today I wish to honor an innovator, entrepreneur, and business leader from the 6th District of Illinois. Bob Mariano has dedicated the last 49 years of his life to the grocery industry and on September 1st, he retired. After an iconic run as a leader in grocery retailing in Chicagoland, Bob has earned his rest and relaxation.

Bob started his career in the grocery industry in 1967. At the ripe age of 17, he worked as a part-time deli clerk at Dominick's Finer Foods. He rose through the ranks, holding various roles including Senior Vice President, before being named President and CEO of Dominick's in 1995. Bob led Dominick's

through an initial public offering in 1996 and its eventual sale in 1998.

In 2010, equipped with years of expertise, Bob started a new venture—he opened his own grocery store. The first Mariano's opened in 2010 in Arlington Heights, bringing a new model of affordable, upscale groceries with a focus on in-store restaurants, sushi offerings, and other freshly prepared amenities. Since then Mariano's has had a mercurial rise, adding another 36 stores in just six short years. None of that would have been possible without Bob's expertise and vision. It is no surprise that other leaders in the grocery field praise his work. Chairman and CEO of the Kroger Co., Rodney McMullen, which recently bought Mariano's, stated, "Bob is an innovator and his legacy in the grocery industry will be celebrated for many years to come. More importantly, Bob is a great friend to all of us here".

Mr. Speaker and Distinguished Colleagues please join me in congratulating Bob Mariano on an accomplished career and wish him all the best in his future endeavors.

CALEB JAMES KOKER REMARKS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge Sergeant Caleb James Koker for his many accomplishments in his service to the U.S. Army National Guard in Marion, IL. Caleb is a Fairfield, IL native who attends Southern Illinois University Carbondale.

Caleb has a remarkable service record. He finished at the top of his class in all of his military training, and he also proved to be a proficient marksman by passing his M4 rifle training with a perfect score of 40/40. Caleb then joined Unit HHC2-130 INF of the U.S. Army National Guard in Marion, where he was promoted to the rank of Sergeant at only 20 years old. That made Caleb the youngest soldier to be promoted to the rank of Sergeant in the history of his unit. Since then, Caleb has gone on to earn three Army Achievement Medals while serving in his unit.

The fact that Caleb has balanced a distinguished service career with a stellar academic career makes his accomplishments even more impressive. He has maintained a 4.0 GPA throughout his undergraduate education at SIUC, and he will travel to Pennsylvania to train as a Multitrans System Operator in the next few weeks. Caleb will earn a degree in Criminal Justice when he graduates from SIUC this December, and he will enlist as an active duty member of the U.S. Army upon graduation. After that, Caleb plans to continue to serve our country by pursuing a career in Federal Law Enforcement.

I offer my congratulations to Sergeant Caleb Koker for his accomplishments while serving in the U.S. Army National Guard and while pursuing his college degree, and I wish him the best of luck as he continues to serve our country with pride.

PERSONAL EXPLANATION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. GUINTA. Mr. Speaker, on Roll Call Vote Number 492 through 504, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call Number 492 had I been present, I would have voted NO.

On Roll Call Number 493 had I been present, I would have voted YES.

On Roll Call Number 494 had I been present, I would have voted NO.

On Roll Call Number 495 had I been present, I would have voted YES.

On Roll Call Number 496 had I been present, I would have voted YES.

On Roll Call Number 497 had I been present, I would have voted YES.

On Roll Call Number 498 had I been present, I would have voted YES.

On Roll Call Number 499 had I been present, I would have voted YES.

On Roll Call Number 500 had I been present, I would have voted YES.

On Roll Call Number 501 had I been present, I would have voted YES.

On Roll Call Number 502 had I been present, I would have voted YES.

On Roll Call Number 503 had I been present, I would have voted YES.

On Roll Call Number 504 had I been present, I would have voted YES.

IN HONOR OF THE RETIREMENT OF SMITHS STATION MAYOR LAFAYE DELLINGER

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Mayor LaFaye Dellinger, who is retiring as Smiths Station Mayor after 15 years of service.

LaFaye Dellinger graduated from Smiths Station High School and has proudly served as the first mayor of Smiths Station for the past 15 years.

During her tenure, she established strong relationships with the surrounding municipalities including Fort Henning, Georgia and pioneered the partnership between the City of Smiths Station and Lee County to make the Smiths Station Sports Complex a reality.

She was instrumental in obtaining the current City Hall and is past President of the Ruritan Community Club. Mrs. Dellinger is a loving wife and mother.

Mr. Speaker, please join me in recognizing my friend Mayor Dellinger and wishing her well in her retirement.

TRIBUTE TO CHELSEY JEAN HOOD RUSSELL

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. COFFMAN. Mr. Speaker, I rise today to memorialize the tragic passing of Chelsey Jean Hood Russell from Denver, Colorado. I've been fortunate to know Chelsey and her family for many years, and had a close relationship with her late father Don Hood, a Vietnam War hero who passed away in 2012. Chelsey Jean Hood Russell, 35, passed away on August 23, 2016, on Lake Powell in Utah. She was born on February 24, 1981, in Denver, Colorado to Trisha and Donald Hood. She was soon joined by her younger brother, Cayman, who was her best friend and confidant for life. Chelsey earned both her B.S.B.A. and her law degree from the University of Denver.

Chelsey was an associate attorney at the law firm Welborn Sullivan Meck & Tooley, specializing in mineral title examination and oil and gas regulatory matters. Chelsey was an outstanding legal talent gifted with a creative mind, was instrumental in building the firm's highly successful oil and gas regulatory practice, and possessed an exceptional ability to make her clients feel respected and appreciated. She was recently elected Secretary of the Colorado Bar Association's Natural Resources and Energy Law Executive Council and spoke regularly on oil and gas regulatory matters.

Those who knew her best characterized Chelsey by her extraordinary strength of both willpower and athleticism. She gave birth to her daughter just three days before taking—and aching—the Colorado bar exam. Her lifelong goal was to run a marathon in every state, and she recently achieved her personal record in the Revel Run marathon in Morrison, Colorado. Last summer, she ran both the Leadville 50 and the Leadville 100, running 50 and then 100 miles (for good measure) from elevations of 9,200 to 12,600 feet. In addition to a lifelong love of running, Chelsey passionately pursued climbing, cycling, and swimming, and was an avid backpacker and camper.

Even more notable than Chelsey's athletic achievements was her compassionate heart. Chelsey was dedicated to her many friendships and always thought of others before herself. She gave back through numerous charitable causes, and in particular supported the Leukemia and Lymphoma Society. Chelsey attended Mile Hi Church and had a deep and abiding spiritual practice that carried her through many difficult times.

In spite of her countless achievements and staggering moral strength, Chelsey was truly defined by a singular role: she was the most loving mother in the world to her two children, Hayden Elaine, 5, and Harvey Donald, 2. Leading by example, she instilled in her children a love for outdoor adventures; a commitment to hard work; the importance of family and friendship above all else; and a strong sense of passion, fearlessness, and love of life. Chelsey's life was cut tragically short

when she displayed the ultimate act of motherly love: at the end of a wonderful family vacation on Lake Powell she suffered an acute cardiac event while helping her young son, who had fallen in the water. She will always be remembered as a true hero.

Chelsey is survived by her mother, Trisha; her brother, Cayman; her children, Hayden and Harvey; her niece, Zoi; and countless friends who loved her dearly.

It is a true honor to have the opportunity to memorialize Chelsey Jean Hood Russell on the floor of the U.S. House of Representatives today. She lived fully and died courageously, and it is my hope that we can all learn from the beautiful example she set in her 35 years of life.

HONORING THE LIFE OF STERLING MCPHERSON

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Sterling McPherson who passed away on Sunday, September 4, 2016 at the age of 82. Sterling was born on January 24, 1934 in Cairo, Illinois, the son of John and Rose Courtney McPherson.

While living in Cairo, Sterling played baseball in the Negro leagues. After moving to Warren, Ohio Sterling managed Danny's Bar, Delmar Lounge, and Mac's A.C. Club baseball teams, as well as the Escapades baseball team. He worked as a foreman for Albee Homes for 20 years and the City of Niles Water Department for 20 years. I was lucky to have Sterling as a member of my Congressional staff for 10 years where he proved to be a dedicated public servant.

Sterling will be deeply missed by his family. He leaves behind his loving wife of nearly 59 years, Reaby Bowling. They raised several children together including their daughters Roslyn (William) Williams of Warren, Darlene McPherson of Warren, Charlene (Eddie) Roberson of Warren; his sons, Sterling (Tracy) McPherson of Las Vegas, Londell McPherson of Las Vegas, Robert McPherson of Warren; and his stepson, Fred (Michelle) Bowling of Harrisburg, Pa.; and a host of grandchildren, great-grandchildren, and nieces and nephews.

Sterling was preceded in death by his parents, his son Richard, his stepson James, his brothers Robert and John and his sister, Ella.

Losses like these are never easy, but we can all take solace in the fact that Sterling touched the hearts of many whether it was through baseball or public service. I miss him and I know that his memory will live on through all of us that knew him.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted:

Roll Call Number 501 NAY
Roll Call Number 502 NAY
Roll Call Number 503 YEA
Roll Call Number 504 YEA

TRIBUTE TO MIKE BROWN

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. DUNCAN of Tennessee. Mr. Speaker, a long-time friend of mine and my family, County Commissioner Mike Brown, has recently left office after two-terms on the Knox County Commission.

Not only did Commissioner Brown serve with great honor and distinction on the County Commission, he has served the community in many other ways throughout his life.

I am sure that he will continue to help many people in retirement, because Mike Brown has always had a heart for service. But I can assure everyone that our Nation would be much stronger if we had more citizens like Mike Brown.

I would like to call to the attention of my Colleagues the South Knox Shopper News which ran as a part of the Knoxville News Sentinel.

SOUTH KNOX SHOPPER NEWS

"BROWN CALLS RETIREMENT 'BITTERSWEET'"

(By Betsy Pickle)

County Commissioner Mike Brown has a lot of years invested in Knox County—about 227 of them.

Brown is a member of one of the First Families of Tennessee. His Virginia-born Brown ancestors received a land grant of about 600 acres in the Stock Creek area around 1789—well before John Sevier became a neighbor. At the time, the land wasn't even in Knox County; it was part of Hawkins County.

So retiring after two terms on the commission has been "bittersweet" for the former insurance agent. Last Wednesday, on the day his service officially ended, Brown said he'd already done some county business in the morning, and he wasn't going to call it quits until 5 p.m. rolled around.

Brown himself grew up on Stock Creek Road with his younger sister, Pat, and brother, Tom, both now deceased. He went to Bonny Kate School when it was "four classrooms, a lunchroom and two paths down the hill to the little brown buildings."

He remembers spending time at his grandparents' place, where he now lives with wife Jan. About 42 acres of the original property remains in the family's possession.

Taking care of the land is a passion of Brown, who's out tending to his Muscatine vines when a Shopper reporter arrives. He drives his Kubota four-wheeler out to his barn for a photo session. It's his "favorite toy."

"I got it five years ago," the 76-year-old says "I wish I'd had it 10 years before that; my back and body would be in better shape."

Tooling—pun intended—around his "Country Cadillac" is his "golf."

"This is my relaxation. I throw my tools in the back and I go around, and there's always something to do. I'll just piddle all day long, and I'm in seventh heaven."

He loves fixing things—and plowing rows through his blackberry field. But he's not a farmer—or gardener.

"I don't have a green thumb. My grandma did; my sister did. Jan does. She's pretty good."

Aside from 11 years working in furniture sales in the Midwest, Brown has always lived close to home. He loves the land, and he loves its history. That's what drew him to help start what's now called the South-Doyle Neighborhood Association in 1973. He and D.J. Krahwinkel are the only two left from the original group.

"It kind of died out for a while," he says. "Any time a situation came up, I was the only one for years and years that went down to the County Commission or MPC to fight for the community."

A little over 20 years ago, some neighbors started talking about reforming the group, and Brown was ready for them. It was then that he met Carson Dailey, his successor as Ninth District commissioner.

"Being on the commission has been kind of a continuance of this community work because now you're not only working for you district, but you're working for the entire county with legislative decisions," he says. "I have learned a lot about how government works, why it works that way."

"I've met some wonderful people. We have a great bunch of leaders in the Knox County government from mayor on down."

Brown says there's been an entirely new attitude on the commission since the infamous Black Wednesday, when the (then) 19 commissioners met to appoint the replacement officeholders and slipped term-limited politicians back into jobs. Commissioners now zealously adhere to Sunshine laws and avoid any appearance of violating them.

During the private and public service, he's proudest of having gotten a scenic highway designation for Gov. John Sevier Highway, keeping the road as uncluttered as possible; helping to organize Knox County's 225th anniversary celebration; and working to get the Safety Center established.

"I'd hoped we would have been able to get something inked before I went out of the office, but it's close."

Even though he's off duty officially, Brown doesn't expect to end his service to the community.

"I enjoy helping people."

RECOGNIZING CHRISTOPHER NEYMAN FOR RECEIVING A PATIENT ADVOCATE AWARD FROM THE HEALTHSOUTH REHABILITATION HOSPITAL OF ALTOONA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Christopher Neyman, a winner of the Patient Advocate Award from the HealthSouth Rehabilitation Hospital of Altoona.

Chris's wife, Deb, suffered a catastrophic sequence of events in 2015, when she had two strokes and was diagnosed with ovarian cancer. Throughout this immensely challenging time, Chris managed to care for his wife's every need while also caring for their two children, Tommy and Martha Jean.

With Chris's unrelenting support, Deb has made a miraculous recovery, and has even returned to many of her previous activities, such as teaching at the Glendale Area School District. According to many of those involved in

Deb's treatment and care, Chris was an endless supply of support and motivation throughout Deb's recovery.

While his wife's positivity and impressive efforts to recover are worth celebrating in their own right, there can be no doubt that Chris has provided exemplary care. Given his admirable actions in support of his wife and family through a time of tremendous hardship, Chris is unquestionably deserving of this recognition. As such, it is my honor to help celebrate his having received this award.

HONORING THOSE WHO HAVE BEEN TOUCHED BY CANCER

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. PAYNE. Mr. Speaker, I rise today to honor those who have been touched by cancer and those lost to the disease.

Almost every family in America has been impacted by cancer, one of the great public health challenges of our time.

I am glad to honor my late mother, Hazel Payne, who lost her battle to brain cancer when I was four years old. And my late father, Congressman Donald Payne, Sr., who lost his battle to colorectal cancer four and a half years ago.

The best way we can honor those touched by cancer is to make the disease a national priority.

Today, we have a real opportunity to accelerate advances in cancer prevention, detection, and treatment, and to decrease the number of people suffering from this disease.

Congress should increase funding to the National Institutes of Health and National Cancer Institute for life-saving research and advancement.

If we're going to win the fight against cancer, we need to provide the resources necessary to develop new treatments, and we need to accelerate research that is under way.

Organizations like the American Cancer Society Cancer Action Network, which held its annual Lights of Hope ceremony in Washington, D.C. last night, deserve our gratitude for their tireless efforts against cancer.

Only by coming together in this fight will we find a cure.

INTRODUCTION OF THE PAY EQUITY FOR ALL ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. NORTON. Mr. Speaker, I rise to introduce the Pay Equity for All Act of 2016, a bill that will help eliminate the gender and racial pay gap by prohibiting employers from asking job applicants for their salary history before making a job or salary offer. Representatives ROSA DELAUNO, JERROLD NADLER, and JACKIE SPEIER are original cosponsors of the bill. Even though many employers may not inten-

tionally discriminate against applicants or employees based on gender, race or ethnicity, setting wages based on salary history can reinforce the wage gap. Members of historically disadvantaged groups often start out their careers with unfair and artificially low wages compared to their white male counterparts, and the disparities are compounded from job to job throughout their careers.

Our bill will ensure that applicants' salaries are based on their skills and merit, not on a potentially problematic salary history, by assessing penalties against employers who ask applicants for their salary history during the interview process or as a condition of employment. It would also provide job applicants and employees with a private right of action against employers who violate these provisions.

Although the wage gap has decreased for some women, it still persists for women and men of color with similar skill sets. There is much work to be done to address the wage gap for everyone, and our bill is just one step toward that goal.

I urge my colleagues to support this bill.

RECOGNIZING THE 40TH ANNIVERSARY OF THE BAY AREA HOUSTON ECONOMIC PARTNERSHIP

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. BABIN. Mr. Speaker, I rise today to recognize and celebrate the 40th anniversary of the Bay Area Houston Economic Partnership (BAHEP).

For these past 40 years, BAHEP has been an indispensable ally in building economic prosperity in Houston and across southeast Texas. What began as a special project of the Clear Lake Chamber of Commerce in 1976, to promote business opportunities in greater Houston, has become a champion for economic development across southeast Texas. The passion and business acumen of BAHEP's member community these past 40 years will continue to fuel BAHEP's success for the next 40 years and beyond.

BAHEP has played an indispensable role in attracting and mobilizing the businesses and industries of southeast Texas. From their 2002 role in defining Johnson Space Center (JSC) as the home of manned spaceflight, to their assistance with the recovery after Hurricane Ike in 2008, BAHEP has both shaped and reshaped southeast Texas.

Under Bob Mitchell's leadership, BAHEP has launched new initiatives and expanded their advocacy on behalf of Houston's chemical, shipping, medical, aerospace and space industries, and the workforce on which those industries rely. Most recently, in 2015, BAHEP worked with the Houston Airport System to successfully petition the Federal Aviation Administration (FAA) to designate Ellington Airport as Texas' second spaceport.

It is my distinct honor to recognize and celebrate the 40th anniversary of the Bay Area Houston Economic Partnership. I look forward to seeing what heights of technological

progress and economic prosperity this incredible coalition of job creators will foster in the next 40 years and beyond.

HONORING THE LIFE OF SUMMIT COUNTY EXECUTIVE RUSSELL M. PRY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Summit County Executive Russell "Russ" M. Pry, who passed away on July 31, 2016 following a courageous battle with cancer.

Russ was born on May 30, 1958 to Helen Lucille (Morris) and Donald Pry and grew up in Mogadore, Ohio. His maternal grandmother, Elsie Morris, played a major role in his upbringing and her strong union and Democratic influence molded his values and lifelong desire to help people.

Russ was a successful attorney, two-time Mogadore Village Councilmember, Chair of the Summit County Democratic Party, member of the Summit County Board of Elections and for the last nine years of his life, the Summit County Executive. More importantly, Russ was a leader, an advocate, a conciliator, and a friend. Russ gave willingly to many people throughout his life and worked in each position during his career to make people's lives richer and our community a better place. He was loyal, faithful and devoted to his friends and always was available with solid advice, a gentle word and a sympathetic ear.

As the Summit County Executive, Russ will be remembered by his many achievements, which include assisting and honoring the men and women of the military, creating and keeping jobs in Summit County, successfully guiding the County through difficult economic times, making Summit County government more efficient and effective and for beginning new programs aimed to help those in the community of greatest need.

Russ was a history buff, an avid reader, crossword puzzle ace and a Jeopardy whiz. He knew everything about our U.S. presidents and often grilled his friends and staff on American History trivia. Russ also enjoyed winding down his day with a cocktail at Rockne's, which he affectionately called his "West Office."

We have lost a brother, a great friend, a loyal Democrat, an incredibly smart man and genuine good guy who worked hard to make his community a better place. Rest in peace, Russ.

RECOGNIZING NEW LENOX'S PROUD AMERICAN DAYS MILI- TARY TRIBUTE

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. FOSTER. Mr. Speaker, I rise today to highlight New Lenox's Park District's Proud

American Days Military Tribute. Since 1984, the New Lenox Community Park District has been steadfastly dedicated to the commitments and sacrifices of our nation's service members. What started out as a small gathering is now one of the largest programs attended in the area.

New Lenox's motto reads, "The Home of Proud Americans" and they certainly live up to that slogan. On Sunday, July 31, 2016, more than two hundred people, including veterans, paid homage to those who have sacrificed so much to protect our great nation. These brave Americans endured so much so that we can enjoy the freedoms we have today and for that, we owe them our eternal gratitude.

During the tribute this year, the following veterans were recognized:

Machinist's Mate Second Class Robert Beazley, United States Navy

Master Sergeant Edward Dima, United States Air Force

Gunner's Mate Third Class Leonard Kapocius, United States Navy.

Mr. Speaker, I am proud to submit these names for all to see, and I ask my colleagues to join me in honoring all of our nation's veterans.

HONORING CONGRESSMAN MARK TAKAI

HON. RAUL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of Congressman Mark Takai, a friend and colleague who was taken from this institution far too early. Mark worked until his last days to represent the constituents of Hawaii's First Congressional District. Congress and the American people will dearly miss his relentlessness to better his state and country.

As a dedicated member of the Congressional Progressive Caucus, and from his seats on the House Armed Services and Small Business Committees, Mark saw it as a personal duty to speak up for those who had no voice. Mark was instrumental in efforts to award a Congressional Gold Medal to the Foot Soldiers who participated in the Selma to Montgomery Voting Rights March of 1965 and Purple Hearts to Filipino veterans of World War II. He also gathered over one hundred Members of Congress from both sides of the aisle to support a measure to provide benefits to veterans exposed to radioactive fallout while serving in the Marshall Islands during the late 1970s. Even though the distance was great between Capitol Hill and Honolulu, Mark was determined to use any opportunity he could, including a short weekend between first and last votes in Washington, to spend time with his family and serve his constituents.

The House Democratic Caucus has lost an incredible champion and friend in Mark Takai, and we are deeply saddened by a sudden end to a young life cut short. May Mark's lovely wife, Sami, his two beautiful children, Matthew and Kaila, and the incredible people of the State of Hawaii find peace and comfort in the days ahead.

RECOVERY MONTH

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, every year people all over the country acknowledge National Recovery Month. National Recovery Month recognizes the many thousands of individuals who have successfully recovered from substance use and abuse.

There are millions of people at 12 step classes, Alcoholics Anonymous, and other recovery programs meeting every hour of the day and every day of the week.

It reminds me of what Henry David Thoreau said, "I know of no more encouraging fact than the unquestionable ability of man [person] to elevate his life by a conscious endeavor".

National Recovery Month helps to bring awareness and substantial change in our nation and in our communities.

While we are thankful for the success, we must do more. The statistics are stunning.

Prince's death from an opiate overdose in April 2016 made national headlines. His death is one of many thousands that died from overdose of prescribed drugs and illegal substances like heroin.

The Center for Disease Control reported that from 2001 to 2014, there was a,

6-fold increase in the total number of heroin deaths.

3.4-fold increase in the total number of cocaine deaths.

42 percent increase in the total number of pain relievers deaths.

2.8-fold increase in the total number of opioid deaths.

In 2014, experts said that an astounding 900,000 adults and adolescents ages 12 and older used heroin.

It is evident . . . Heroin kills. Cocaine kills. Over the counter opiates and prescribed medications can kill.

We have the support to do something about it.

A Pew Research Center national survey found that 67 percent of Americans support providing treatment for those who use illegal drugs such as heroin and cocaine.

Public opinion in local communities shifted to the extent that voters will support using taxpayer dollars for drug treatment. In Cook County, Illinois, 76 percent of the electorate overwhelmingly supported a substance use treatment referendum. Voters support Treatment on Demand.

While National Recovery Month means something different for the researcher, for the policy maker, community groups and for people in the neighborhoods.

For the individuals in recovery, National Recovery Month is very personal.

More than a decade ago, we kicked-off the first recovery walk in Cook County. We joined with communities, government, faith-based groups, providers and especially people in recovery. The 13th Annual Recovery Walk will kick-off on September 24, in Union Park.

I urge my colleagues and people all over America to join me in applauding people in re-

covery for your conscious efforts to remain sober and for being an inspiration for others who sincerely desire to follow in your footsteps.

I urge my colleagues to support legislation which will transform the lives of individuals from addicts to contributing people in recovery.

RECOGNIZING MS. LEETTA C. BEATTY FOR RECEIVING A PERSONAL ACHIEVEMENT AWARD FROM THE HEALTHSOUTH REHABILITATION HOSPITAL OF ALTOONA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Ms. Leetta C. Beatty, one of the winners of the 23rd annual Personal Achievement Award from the HealthSouth Rehabilitation Hospital of Altoona. This award is given to encourage and recognize those who have made an outstanding effort to deal with or overcome a disability. This year, Ms. Beatty has earned that distinction.

Ms. Beatty suffered a stroke-like incident in April 2016. Since the fateful day of her injury, Leetta has made great gains in her recovery. According to those involved in her rehabilitation efforts, Leetta is known for maintaining her sense of humor throughout the recovery process. She has also been described as hard-working and very cooperative with her healthcare providers and caregivers. Furthermore, she has continued to approach her rehabilitation with high motivation, exemplifying the power of a positive mindset.

I am honored to help celebrate Leetta's impressive efforts and promising recovery, as I believe that her dedicated and positive attitude is something many of us can learn from as we attempt to overcome the hardships in our lives. Furthermore, I am happy to recognize Leetta for her perseverance, and I wish her the best as she continues on the road to full recovery.

BURMA NEEDS CHANGE FOR SANCTIONS RELIEF

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. PITTS. Mr. Speaker, the situation in Burma is still terrible for many of the people there, particularly the ethnic minorities. While the Administration is moving quickly to remove sanctions, our government should slow down and assess what real, sustainable change has actually occurred—many of the same people who were part of the dictatorship are still in power. While there have been some positive changes, ethnic minorities are still being brutally attacked by the Burma Army. Any assessment of Burma's steps toward democracy and human rights climate must take this into account.

I encourage my colleagues to read the message from Kristine Gould and Larry Dohrs of U.S. Campaign for Burma.

U.S. SHOULD MANDATE CHANGE IN EXCHANGE FOR SANCTIONS RELIEF

It is time for the United States to stop agonizing about economic sanctions against Burma. However, the answer is not simply to remove all sanctions, but to keep targeted sanctions in place while providing a constructive pathway forward to later eliminate those remaining as Burma continues its process of democratic reform.

While there has been significant progress toward such reform—particularly since the November 2015 elections that brought the National League for Democracy into power—it is not complete, and significant challenges must be overcome before a genuine, federal, democratic Union—as well as true peace—can be established.

The Obama administration started to restructure sanctions against Burma in May 2012, when it relaxed a prohibition on new investment, relieved stringent visa bans and allowed exportation of most financial services. In general, three classes of sanctions remain:

1. Export of financial services and provision of security services to individuals and organizations related to the Ministry of Defense, state and non-state armed groups, and businesses that are more than 50 percent owned by military organizations.

2. Import of jadeite and rubies or their finished products.

Investment and business dealings with individuals and organizations identified as Specially Designated Nationals and Blocked Persons, commonly referred to as the SDN list.

Armed conflict between Burma's defense services and the country's ethnic armed organizations continues. Even during the recently convened 21st Century Panglong Conference, the government and the Burma Army refused to issue a temporary ceasefire, and battles raged on in Kachin and northern Shan states while stakeholders discussed peace in Naypyidaw.

Exploitation of natural resources continues, with both private individuals and elements of the armed forces profiting significantly from the unrestricted exportation of jade and other natural resources. The military-drafted 2008 Constitution gives the Burma Army significant political power, regardless of the 2015 election results and its clear message from voters that the armed forces should step aside from politics.

Perhaps most significantly, human rights violations by the armed forces and security services organizations continue unabated. Until these issues and challenges are resolved, the United States should keep targeted sanctions in place, as most recently reaffirmed by the U.S. Congress in May 2016.

Just last month, a Union Solidarity and Development Party (USDP) parliamentarian proposed that Burma's government should attempt to pressure the United States to lift sanctions. The USDP was formed in 2010 by elements of the former military junta, and it ruled the country under former President U Thein Sein from March 2011 to March 2016.

While the proposal was defeated by a vote of 219 to 151, its discussion by lawmakers indicates the importance and value of lifting sanctions. The key here is not to offer blanket relief but to establish a clear pathway forward to eliminate sanctions tied to reform objectives:

1. As long as the Burma Army continues its attacks on ethnic armies and human

rights violations, the United States should continue restricting export of defense services, including sales of defense articles and military-to-military assistance.

The armed forces receive more than 20 percent of the country's annual budget, and control two enormous business conglomerates (the Myanmar Economic Corporation and the Union of Myanmar Economic Holdings), which are not accountable to the government. While these assets continue to support attacks against the people and perpetuate gross human rights abuses, the United States should not provide military equipment.

The United States has already initiated limited high-level military-to-military contacts focusing on the role of the nation's military forces under a democratic government, the terms of the Geneva Convention and the military's role in protecting its citizens.

This should continue, and the United States should relax funding restrictions that interfere with scheduling and executing these events. However, participation in International Military Education and Training, Joint Chiefs of Staff exercise programs, and other developmental programs must hinge on ending the country's armed conflict and developing a military force that is accountable to an elected civilian government.

2. The Tom Lantos Block Burma JADE Act of 2008 must stay in place until the government cleans up its jadeite and ruby mining practices. An October 2015 report by the London-based NGO Global Witness titled "Jade: Myanmar's Big State Secret" described a US\$31 billion jade industry controlled by a network of military elites, drug lords and cronies companies.

Entire mountains in Kachin State housing some of the world's largest jade deposits have disappeared, with only minimal tax revenue and profits reaching Burma's citizens. Only after the government reforms this massive theft of natural resources should the United States consider the rescission of the JADE Act.

3. The United States should review and update the SDN list, as there are individuals and organizations on this list that have demonstrated that they are committed to the reform process. This may prove challenging to the Office of Foreign Assets Control, as there is no definitive and prescriptive legal guidance for removing individuals and organizations from the SDN list.

However, there are individuals and organizations that continue to profit from their past relationships with the military junta, access to confiscated property, the questionable "ownership" of natural resources, or the narcotics trade, which significantly hampers economic reform and equitable distribution of profits from the country's natural resources. It is up to the United States to clean up its own administrative system and determine who needs to remain on the SDN list.

Advanced reporting on State Counselor Daw Aung San Suu Kyi's visit to the United States later this month already indicates that the United States is considering further easing or lifting of sanctions. Above all, the United States should ensure that it protects all of Burma's citizens in the ongoing reform process by mandating change in exchange for sanctions relief. The United States should avoid a mere emotional gain associated with rewarding Daw Aung San Suu Kyi for incomplete reform.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted:

Roll Call Number 496: Yea.

Roll Call Number 497: Yea.

Roll Call Number 498: Nay.

Roll Call Number 499: Nay.

Roll Call Number 500: Nay.

HONORING TAMIKA CATCHINGS FOR HER ILLUSTRIOUS CAREER WITH THE INDIANA FEVER

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Tamika Catchings, an Indiana Basketball Hall of Famer and four-time Olympic gold medalist. Catchings is a 15-year veteran of WNBA's Indiana Fever, an inspirational leader in our Hoosier community, and a strong advocate for kids everywhere to achieve their dreams.

Tamika's athletic prowess debuted early, while in high school she completed the first ever quintuple-double which is 25 points, 18 rebounds, 11 assists, 10 steals, and 10 blocks in one game. This feat has only ever been performed twice. In college, Tamika played under the legendary Pat Summitt for the University of Tennessee Lady Vols. During her time with the Lady Vols Tamika was named a College National Champion and a four-time All American. Following college, she entered the WNBA draft where the Indiana Fever drafted her as their first-round pick.

It has been a pleasure to watch the WNBA's Indiana Fever grow from a fledgling team during my time on the Fever's Advisory Board to the flourishing program it is today. Tamika has spent her entire career with the Fever and she has certainly been a key driver of growth and success for the team. She led them to their first WNBA Championship in 2012, where she was named MVP. Tamika was the 2002 season's rookie of the year. She's a 10-time WNBA All-Star, a five-time WNBA Defensive Player of the Year, and a 2011 league MVP. WNBA fans placed her in the Top 15 WNBA players in history while her fellow players echoed these sentiments and elected her to serve as President of the WNBA Player Association for the 2012 season. As well as playing for Indiana's Fever, this summer Tamika competed in the 2016 Olympics and as a member of Team USA, earned her fourth Olympic gold medal. She truly is one of the greatest female basketball players of all time.

Tamika has been recognized not only as an exemplary player for the Fever, but as an invaluable contributor to women's basketball overall. She was recently selected to be the first woman to receive the National Civil Rights Museum Sports Legacy Award. The Women's

Blue Chip Basketball League at their 10th Year Anniversary in 2015 awarded Tamika as a Trailblazer; she was one of ten female basketball icons to receive this award. And she is a two-time Kim Perrot Sportsmanship Award winner.

Off the court, Tamika is passionate about helping others, especially young people. In her recently released autobiography, *Catch a Star: Shining Through Adversity to Become a Champion*, Tamika discusses her childhood struggles with bullying as well as her profound hearing loss. Through her determination to overcome these challenges, Tamika succeeded to change the course of her destiny through hard work and her love of basketball. *Catch a Star* is her story of triumph, and through her own journey Tamika recognized that she could make a difference in the lives of others. Twelve years ago, she founded the Catch the Stars Foundation, which aims to empower youth to achieve their dreams by promoting literacy, fitness, and mentoring. Catch the Stars Foundation works with youth throughout Indianapolis, specifically supporting and assisting under-served and low to moderate income communities throughout our city.

On behalf of all Hoosiers, I'd like to congratulate Tamika on her success on and off the court, and wish her and her new husband, Parnell, the best as she begins the next incredible chapter of her life.

HONORING THE LIFE OF WILLIAM "BILL" JOHN LYDEN

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of William "Bill" John Lyden, 86, who passed away on Wednesday, Aug. 17, 2016, at the Salem Regional Medical Center.

Bill was born on Oct. 16, 1929, in Youngstown, Ohio. The son of the late William E. and Margaret Kane Lyden, Bill was a member of St. Jude Catholic Church in Columbiana and was a veteran of the U.S. Army, having served during the Korean War. He was a member of the Benjamin Firestone Post No. 290, American Legion and the Salem Elks No. 305. He began his career as a journeyman electrician LU 64 IBEW in 1954, and worked his way up to business manager by 1967. During this time, Bill also served as president of the Western Reserve Building Council from 1972 until his retirement in 1992. While working, he served his community by holding a position as trustee from 1975 to 1989 with Youngstown State University. He was an avid YSU fan and was proud to have served as chairman of the board from 1977 to 1978.

Bill enjoyed golfing and wintering in Florida. Mostly, he just enjoyed life. He is survived by his wife, Mary Ann Howells Lyden, whom he married on April 5, 1986; two daughters, Deborah Caracozza of Struthers and Kathleen Lyden of Sarasota, Fla.; a son, Terrence (Tina) Lyden of Dublin, Ohio; a stepdaughter, Jennifer (Robert) Turner of Milford; a stepson, Robert (Patience) Gow of Frisco, Texas; and

three brothers, John (Margaret) Lyden of Poland, Dennis (Norma) Lyden of Boardman, and Edward (Joyce Ramsey) Lyden of Boardman. Also surviving is Bill's former wife, Virginia Milisky Lyden of Poland; five grandchildren; two great-grandchildren; and six stepgrandchildren. He was preceded in death by a brother, Timothy Lyden in 1990.

Losses like these are never easy, but we can all take solace in the fact that Pat led a long and fulfilling life. He will live on in the memory of his beautiful family.

IN RECOGNITION OF CONSTITUTION DAY

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. COFFMAN. Mr. Speaker, I rise today in recognition of Constitution Day. Each year, we celebrate Constitution Day on September 17th, in honor of the signing of the document over two centuries ago on September 17, 1787. This holiday provides our nation with the opportunity to discuss, critically examine, and celebrate one of the most important documents in American history.

The strength of America lies in its people and the establishment of laws by their fellow citizens. The United States Constitution serves as the foundation of our government and provides our people with the rule of law over tyranny and lawlessness. It is an inspiration that the founders of our great country were able to prescribe for our fledgling nation the principles and rules that continue to guide us and to be a beacon of democracy and freedom worldwide.

Honoring and celebrating this great document provides us with the opportunity to reflect and study an important piece of American history. Congress first established Constitution and Citizenship Day in 1952, and in 2007 the act was expanded to prescribe educational programs and lessons to all institutions which receive funding from the Department of Education.

Therefore, I encourage all Americans, especially those who are educators of our young, to set aside some classroom time this month to examine the Constitution in both celebration, and in review, as well as to promote a greater understanding of how the Constitution has contributed to making our country the great nation it is today.

INTRODUCTION OF THE FLOOD PREVENTION ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. NORTON. Mr. Speaker, I rise to introduce the Flood Prevention Act of 2016. The bill would amend the Coastal Zone Management Act of 1972 (CZMA) to include the District of Columbia in the definition of "coastal state." Our bill would correct what appears to

be an oversight, in the omission of the District of Columbia, making the District eligible to receive federal funding and giving the District oversight for federally issued permits/facilities/and actions that affect the coastal waters of the District.

In an effort to reduce coastal flood risk, Congress has authorized a number of programs to help states and territories respond to floods and mitigate risk through resiliency projects. Among these programs, the CZMA provides planning and technical services to assist states in protecting, restoring, and developing coastal communities and resources. Once the federal government approves a state's coastal management plan, the state becomes eligible for grants. Federal actions must be consistent with the state plans.

Even though the District of Columbia has substantial coastal flood risks, D.C. is omitted from the list of eligible states and territories in the CZMA. The CZMA was passed in 1972—before the District achieved home rule. Under Section 304 of the CZMA, "coastal state[s]" include the states and the U.S. territories (Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the Trust Territories of the Pacific Islands, and American Samoa). Absent from this definition is the District of Columbia, even though the District of Columbia is under threat from rising sea levels. Because the territories are included in the definition of "coastal states," it appears that D.C.'s omission is a mistake that only Congress can correct.

Scientists have predicted that the tides on the Atlantic Coast could rise two to four feet by the year 2100, causing as much as \$7 billion worth of property in the District to be routinely under threat by floodwaters. This damage not only includes private homes and businesses, but the National Mall, federal buildings, and three military bases located in the District. The Anacostia and Potomac rivers are both tidally influenced, showing tangible salt water effects (and fish) and are part of an "intertidal-zone" existing between high and low maritime tides. In addition, the Maryland and Virginia coastal zones each include the tidal Potomac River, with Maryland's zone ending at the District line. Because of these factors, the District of Columbia should be eligible for CZMA grants just like the states and territories.

I urge support for this bill.

RECOGNIZING MR. RON OLSZEWSKI FOR RECEIVING A PERSONAL ACHIEVEMENT AWARD FROM THE HEALTH- SOUTH REHABILITATION HOS- PITAL OF ALTOONA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Mr. Ron Olszewski, one of the winners of the 23rd annual Personal Achievement Award from the HealthSouth Rehabilitation Hospital of Altoona. This award is given to encourage and recognize those who have made

an outstanding effort to deal with or overcome a disability. This year, Mr. Olszewski has earned that distinction.

Mr. Olszewski suffered a stroke in May of 2016. Fortunately, his wife, Rose, was able to recognize Ron's symptoms and ensured his delivery to the hospital. From there, Ron bravely underwent multiple tests and procedures, and treatment. Following his transfer to the HealthSouth Rehabilitation Hospital of Altoona, Ron continued to face adversity with a surprisingly calm demeanor. Thanks to his network of support and positive attitude, Ron has made impressive progress in his rehabilitation, and in so doing has inspired all those around him.

It is my honor to congratulate Ron on his remarkable efforts and promising improvements, as I believe that it is through role models like him that we learn that we can overcome our hardships. Furthermore, I am happy to recognize him for his perseverance, and I wish him the best as he continues to overcome this adversity.

IN CELEBRATION OF THE NATIONAL TECHNICAL ASSOCIATION 90TH ANNIVERSARY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on November 12, 1925, nine African American engineers, scientists, and architects met at the Wabash YMCA in Chicago and began plans to form the first national minority multidisciplinary technical organization. They founded the National Technical Association (NTA) to serve the minority community and this nation through technical leadership, technical innovation and research, and science education.

The following year, on August 26, 1926, NTA was incorporated in the state of Illinois. It was the only formally organized minority technical voice from 1926 until the early 1970s. NTA worked alongside other African American community organizations such as the NAACP, the Urban League, and the National Association of Black Professional Women to provide the technical perspective on issues facing minority communities.

NTA members have served as advisors to U.S. Presidents on technical matters starting with President Herbert Hoover, whose presidential term coincided with that of the first NTA President, Charles S. Duke, 1929 through 1934. Duke met with Hoover in 1931 at a time when the President refused to meet with all other Black leaders. Under the leadership of Duke, NTA members advocated for years and helped to win support for better housing and housing assistance at the local and federal levels for minorities who were living in run-down, over-crowded tenements. Many of the NTA architects and engineers designed and built the resulting housing developments.

NTA members were among the first African Americans to obtain advanced degrees in science and engineering and many helped to

develop science and engineering curricula and degree programs at Historically Black Colleges and Universities. Many NTA Members were scientists and engineers on the Manhattan Project, the nation's first big science project.

NTA members have pioneered scientific research breakthroughs and created technical innovations that have improved the quality of life of all Americans. This elite group includes entrepreneurs, top government administrators, corporate leaders, and exceptional senior scientists and engineers working in outer space exploration, energy research and development, environmental protection, climate change, computer science, and cybersecurity.

NTA members have been elected to the National Academy of Sciences and the National Academy of Engineering; selected as fellows of major technical societies across all fields of science and engineering, and been honored with the nation's highest technical awards, including as inductees in the National Inventors Hall of Fame.

NTA serves as a beacon of light and hope to minority youth and encourages them to follow their dreams and pursue technical studies and careers. It guides students to seek technical excellence and become technical innovators who will help secure the American economic future.

NTA is playing a pivotal role in uniting the collective voices of a multi-cultural coalition of minority technical organizations to promote the diversification of the technical workforce.

Mr. Speaker, I congratulate the National Technical Association for 90 years of vision and technical leadership provided to our nation. I am excited to join in the celebrations and encourage our nation to pay tribute to NTA and its membership on this historic occasion. Because of NTA, our nation is stronger technically, and the future of minority participation in science, technology, engineering and mathematics is forever brighter.

MRS. RITA KAY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to Mrs. Rita Kay, who recently turned 100 years old on September 4, 2016.

Rita was born in Manhattan on September 4, 1916 to her parents Anna Squazzo Mullen and John Mullen. At 18 years old, Rita and her soon-to-be husband, John James Kay, won the first Harvest Moon Ball dance contest for the Lindy Hop in Madison Square Garden. Four years later, in 1939, they would go on to become husband and wife. Shortly after getting married, they moved to Queens, NY and became the parents of two children: Patricia Ann Kay and John Andrew Kay.

In 1982, Rita moved to Huntington, NY after living in Paumanack Village in Greenlawn, NY for 30 years. While at Paumanack Village, Rita taught line dancing from 1986, at the age of 70, until 2010, at the age of 94. Rita's classes drew many village and non-village residents alike who faithfully attended her Tuesday

afternoon line dancing classes for over 20 years. Only a person with Rita's charisma and passion for life could manage to keep up this type of schedule and activity at such an advanced age.

Rita, along with her family, which includes her five grandchildren and seven great-grandchildren, recently celebrated her 100th birthday. I would like to thank Rita for her years of dedication and service to her family and community. What she has managed to accomplish during her lifetime cannot be summarized in a few words; however it is important we honor these types of individuals as best we can. People like Rita are a rare breed and they help make not only our country, but our world a better place.

RECOGNIZING THE ACHIEVEMENT OF EDDIE DEBARTOLO JR.

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor Eddie DeBartolo Jr., who was inducted into the Pro Football Hall of Fame on September 6, 2016. DeBartolo was known for building a winning organization with the 49ers and was credited by Hall of Fame quarterback Steve Young for working to create the strongest relationships between players and owners throughout the NFL. In addition to his teams averaging 13 wins from 1981 through 98 his teams would win 13 division championships, five Lombardi Trophies, and win league championships in the 1981, '84, '88, '89, and '94 seasons.

Eddie is not only known for building great football programs, but he is also known for his love and compassion for players, family, and his community. When his moment came to speak during his induction ceremony DeBartolo had no intentions to bask in the accomplishments that granted him access into the hall of fame, but instead he spent 27 minutes focusing on the players, staff, family, friends, and others who gave him the strength and courage to reach the pinnacle of the pro football world. He understood that success was not only just on the owners and players, but everyone on the staff from the equipment managers and groundskeepers who worked hard every day all the way to the owner's box.

Eddie is a man who sees deeper than the game of football itself, saying "We weren't just a family on Sundays, we were a family every single day." So again, I would like to congratulate Eddie on this well-deserved recognition. He makes Ohio proud.

TRIBUTE TO ARNIE F. BRYANT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I wish to pay tribute to Arnie F. Bryant—a loving family man and community leader

whom I and others called friend. This year marks the eighth anniversary of Arnie's homegoing on April 8, 2008. His family will honor him this month with a trip to Washington, DC. Arnie was a fierce supporter of President Barack Obama and encouraged political discussions via his radio program, View Points from the Other Side. Unfortunately, Arnie was called home before he could witness the historic election and inauguration of our 44th President. Today, I join with his family to celebrate Arnie and the tremendous contributions he made to his communities in his short 49 years of life.

Arnie was one of the most dedicated, committed, and caring individuals that I have ever known. Arnie was a respected leader who worked tirelessly to make society a better place. After attending Farragut and Proviso East high schools, Arnie served his country by joining the Army. Arnie remained active for 20 years.

Arnie's tribute by the Proviso Insider referenced him as "Proviso Township's most popular social and political activist." From a young age, Arnie engaged in community affairs, working to strengthen his community through his compassion, intelligence, commitment, and kindness. He served as the President of the Proviso National Association for the Advancement of Colored People for many years. His passion for learning evidenced itself in his role as President of the Bellwood Library Board. His position as a Proviso Township Trustee reflected his willingness to do the hard work of governing, just another example of his willingness to invest his time to help others.

Those who knew Arnie can testify to his absolute and profound commitment to his family. His love for his wife, Gladis, and his children, Brittany and Frank, buoyed him and those around him. Arnie was a spiritual man. He accepted Christ as a member of the Proviso Missionary Baptist Church. As an adult, he was an active member of New Horizon Missionary Baptist Church.

Arnie Bryant was a great individual who deserves our commemoration, respect and gratitude. I join with the community in expressing our sadness for his loss and celebrating his life and legacy.

FIRST UNITED METHODIST
CHURCH CAÑON CITY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. LAMBORN. Mr. Speaker, I rise today to honor the First United Methodist Church in Cañon City. This week Cañon City will celebrate the 150th anniversary of the First United Methodist Church, an anchor to the Cañon City community since its founding in 1866.

First United Methodist was the first church dedicated south of Denver in Colorado. The church's mission throughout its history has been "to be a reflection of the Lord Jesus Christ through prayer, praise, and the proclamation of God's Word."

This intergenerational church has for 150 years endeavored to meet "the needs of every

man, woman, and child, so they are free to experience the life-changing reality of Jesus Christ with no strings attached."

The beautiful church building stands today at the corner of 8th and Main Streets with 37 stained glass windows honoring leaders and former pastors who have served the community of Cañon City. First United Methodist has also served as a gathering place for countless activities—including a special presentation by Hellen Keller in 1914. I admire the church's commitment to mission work both locally, nationally, and worldwide since their founding. They offered food and clothing to settlers in Cañon City, spearheaded the Crusade for Christ initiative following World War II—ministering and providing assistance to war torn countries, and to this day they continue to serve by offering a free community meal on the third Saturday of each month with fellowship in Christ's name.

While many things have changed in the last century and a half, the First United Methodist Church has remained faithful to its calling to serve God and the citizens of Cañon City.

It is my great pleasure to recognize the First United Methodist Church in Cañon City on their sesquicentennial celebration today before the United States House of Representatives.

TYSON-MAY FAMILY REUNION/
PITT COUNTY, NC

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. JONES. Mr. Speaker, growing up in Farmville, North Carolina, I learned as a young person of the Tyson-May family and its history. The family has met annually since its formation on November 25, 1932 and has maintained its unity through the many years. I have often and proudly been a guest at their reunions.

The many contributions made by the two families to our country is immeasurable. Members have done much for our state and nation by providing dedicated leaders in every profession. Members have always been known for their integrity and high standards of conduct.

Mr. Speaker, I would like to submit a letter from a Tyson-May family member, John B. Lewis, Jr., who is a former North Carolina Court of Appeals judge. He is inviting the United Kingdom's Prime Minister Theresa May and Mr. Philip May to become honorary members of his family. There is much excitement in the family that, by marriage, the new Prime Minister of the United Kingdom is named May.

SEPTEMBER 15, 2016.

Hon. THERESA B. MAY and Mr. PHILIP MAY, London, England.

MY DEAR PRIME MINISTER AND MR. MAY: As a member of the Tyson-May Families Reunion of Pitt County, North Carolina, I will, with your permission, move that you become Honorary Members of our family. The family is composed of the descendants of the children of Benjamin May and Mary Tyson who wed in 1750.

Many of our members have achieved and maintained high and enviable standards of

conduct and we believe you qualify with the best.

We gather annually since November 25, 1932 to celebrate God's blessing of family harmony and unity. There are no dues and we are not autograph collectors . . . we are simply proud of our family and wish to include you in this honorary capacity.

Sincerely,

JOHN B. LEWIS Jr., Esquire

RECOGNIZING DR. MARIO POON
FOR RECEIVING A PERSONAL
ACHIEVEMENT AWARD FROM
THE HEALTHSOUTH REHABILITA-
TION HOSPITAL OF ALTOONA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Dr. Mario Poon, one of the winners of the 23rd annual Personal Achievement Award from the HealthSouth Rehabilitation Hospital of Altoona. This award is given to encourage and recognize those who have made an outstanding effort to deal with or overcome a disability. This year, Dr. Poon has earned that distinction.

Dr. Poon has been serving the community as a Cardiologist for the past 23 years. In this capacity, Dr. Poon is known for his tireless efforts to care for his patients. However, an unfortunate stroke landed him at the HealthSouth Rehab Hospital in July 2015. Dr. Poon began his rehabilitation requiring extensive assistance with activities like speaking and standing. But with hard work, he earned the freedom to return home.

Once transitioning to outpatient status, Dr. Poon maintained a great attitude and work ethic, as he focused on recovery. Along with his tenacious efforts, Dr. Poon has had the support and care of his wife, Amy, family, and friends. These factors have enabled him to regain his ability to walk without any devices. As such, he is back to traveling with his wife while still maintaining a commitment to his wellness program.

It is my pleasure to congratulate Dr. Poon on his successful progress. His accomplishments are a testament to us all that with hard work and persistence, we can overcome any hardship. I honor him for his perseverance, and I wish him the best as he continues to overcome this setback.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. LARSON of Connecticut. Mr. Speaker, on September 12, 2016, I was not present for roll call vote 496. If I had been present for this vote, I would have voted: Aye on roll call vote 496.

PERSONAL EXPLANATION

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. GUTHRIE. Mr. Speaker, I was absent from votes in the House September 12 through 13, 2016, due to prior family commitments. Had I been present, I would have voted: Roll Call Number 496: Yea; Roll Call Number 497: Yea; Roll Call Number 498: Yea; Roll Call Number 499: Yea; Roll Call Number 500: Yea; Roll Call Number 501: Aye; Roll Call Number 502: Yea; Roll Call Number 503: Yea; Roll Call Number 504: Yea.

TRUCKERS AGAINST TRAFFICKING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. POE of Texas. Mr. Speaker, modern day slavery is happening all around us, and it occurs in the form of human trafficking. Victims are sold into sex slavery, drugged, beaten, threatened and forced to engage in horrifying acts at the demand of their captors. While many Americans are aware that human trafficking occurs, most think it exists primarily in faraway countries. This assumption however, is wildly mistaken. Many of us do not realize that in this nation, and in our very own backyards, individuals are held against their will, their bodies sold repeatedly day in and day out. In every state, city and suburb traffickers prey upon the most vulnerable and chain them to a life of unimaginable misery. As Americans, we cannot turn a blind eye to this fact any more.

Human trafficking victims are constantly moved around by their traffickers, whether that's across our borders or around the country. This movement helps them evade law enforcement and increase profits by shuffling victims from buyer to buyer. With traffickers constantly on the road, who could possibly find and rescue these victims? Kylla Lanier asked herself that exact question several years ago when she set out to battle the scourge of human trafficking. It seemed insurmountable. Trafficking was everywhere, but then again she thought, so were truckers.

Kylla, her mother and three sisters went on to pioneer the anti-trafficking group, Truckers Against Trafficking (TAT). At 3.5 million strong, American truckers are an ideal ally in the war against trafficking. They have eyes and ears everywhere, from 12-lane freeways to dark back alleyways. The idea is simple. TAT trains truckers to spot potential trafficking operations or victims and report to a 24-hour hotline. These tips have already freed hundreds of trafficking victims, and as TAT continues to educate more truckers, we expect that number to rise. Due to the simplicity and success of this strategy, many trucking schools now teach trafficking prevention as part of their core curriculum.

I wholeheartedly applaud the efforts of Kylla and her family, as well as those of all the

truckers who have joined this fight against trafficking. We should all learn from this success story, but truckers cannot do this alone. We have a long road ahead of us in order to eradicate our country of modern day slavery. We must continue to raise awareness across all fields and in all parts of our society. The only way to defeat the evil of human trafficking is by banding together and working as one.

And that's just the way it is.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. SCHAKOWSKY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted: Roll Call Number 496, "yea."

CELEBRATING THE BIRTHDAY OF JOSEPHINE COVELLI

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. RYAN of Ohio. Mr. Speaker, I rise today to recognize an extraordinary woman. Josephine Covelli will celebrate a 90th birthday on September 30th, 2016. Josephine, or "Jo" as she is known to her family and friends, has been a fixture in her community for many years. Her passionate service has extended to the Trumbull Mobile Meals program, children's rehabilitation in Warren, Ohio as well as the Hibiscus House in Stuart. Beyond that Josephine has been heavily involved with her time, as well as through generous financial contributions in all children's services at Blessed Sacrament and JFK.

Along with service to her community, Jo knows how to relax. She has won more awards than anyone else in the history of the Trumbull County Country Club and has been highlighted in the papers for winning more tournaments than anyone else in the Valley—including two wins in the Amateur Ladies Professional Golf Association (LGPA).

Josephine is loved by her family and all those who are lucky enough to know her. In addition to thanking her for her service to our community, I would like to wish her the most wonderful 90th birthday surrounded by family and friends. We are a better community because of the great work of Josephine Covelli.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,484,660,626,765.52. We've added \$8,857,783,577,852.44 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 13, 2016, on Roll Call Number 498 on ordering the previous question on H. Res. 859, Providing for consideration of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, I am not recorded. Had I been present, I would have voted NO on ordering the previous question on H. Res. 859.

On September 13, 2016, on Roll Call Number 499 on agreeing to the resolution, H. Res. 859, Providing for consideration of H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, I am not recorded. Had I been present, I would have voted NO on agreeing to the resolution, H. Res. 859.

On September 13, 2016, on Roll Call Number 500 on ordering the previous question on H. Res. 858, providing for consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, I am not recorded. Had I been present, I would have voted NO on agreeing to the resolution, H. Res. 858.

On September 13, 2016 on Roll Call Number 501 on agreeing to the resolution, H. Res. 858, providing for consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, I am not recorded. Had I been present, I would have voted NO on agreeing to the resolution, H. Res. 858.

On September 13, 2016 on Roll Call Number 502 on passage of H.R. 3590, to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, I am not recorded. Had I been present, I would have voted YES on agreeing to H.R. 3590.

On September 13, 2016 on Roll Call Number 503 on the motion to suspend the rules and pass, as amended, H.R. 5587, Strengthening Career and Technical Education for the 21st Century Act, I am not recorded. Had I been present, I would have voted YES on the motion to suspend the rules and pass, as amended, H.R. 5587.

On September 13, 2016 on Roll Call Number 504 on the motion to suspend the rules and agree to H. Res. 729, Expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel, I am not recorded. Had I been present, as a cosponsor of H. Res. 729, I would have voted YES on the motion to suspend the rules and agree to H. Res. 729.

WELCOME CHARLES JOSEPH DELL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate my former Chief of Staff Eric Dell and his wife, Torry, on the birth of their son. Charles Joseph Dell was born at 10:21 a.m. on Wednesday, August 17, 2016, at Inova Fairfax Hospital in Falls Church, Virginia. Charles weighed six pounds and eight ounces and measured 19 and 1/4 inches long. He is the second child for the happy couple and the younger brother of Noah Isaac Dell and I look forward to watching him grow as he is raised by talented parents who will be dedicated to his well-being and bright future.

I would also like to congratulate Charles's grandparents, Ouida Dell of Ridgeland, South Carolina, and Joseph and Mary Lyons of Aiken, South Carolina. Congratulations to the entire Dell and Lyons families as they welcome their newest addition of pure pride and joy.

TRIBUTE TO GENE FREESE
HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gene Freese of Atlantic, Iowa for his 50 years of dedicated service to the Atlantic Fire Department. Atlantic Fire Chief Mark McNeese noted that Gene is a very active member of the department, going to trainings, responding to the required percentage of fire calls, and keeping current his Emergency Medical Technician (EMT) certification.

Gene Freese joined the Atlantic Fire Department because he "likes being a part of things, being active, and doing things for the community." He has been instrumental in conducting fire prevention programs for school students, educating countless youth and simultaneously helping educate his fellow firefighters. Gene said he appreciates all of the recognition, but acknowledges "it takes more than one person." He explained that firefighters do not seek out recognition for what they are, but instead, "they're just doing their job."

Mr. Speaker, Gene Freese has made a difference by helping and serving others. It is with great honor that I recognize him today. I know that my colleagues in the U.S. House of Representatives join me in honoring his accomplishments. I thank him for his service to the Atlantic Fire Department and the City of Atlantic, Iowa and wish him continued success in the future.

FLORIDA CITY GOVERNMENT
WEEK**HON. GWEN GRAHAM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Ms. GRAHAM. Mr. Speaker, I submit the following:

Whereas, city government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

Whereas, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

Whereas, city government officials and employees share the responsibility to pass along their understanding of this level of government and the importance of volunteerism; and

Whereas, Florida City Government Week is a very important time to recognize the important role played by city government in our lives; and

Whereas, this week offers an important opportunity to spread the word to all the citizens of Florida that they can shape and influence this branch of government and also shape their communities through volunteer efforts; and

Whereas, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects, volunteer opportunities and information; and

Whereas, Florida City Government Week offers an important opportunity to convey to all the citizens of Florida that they can shape and influence government through their civic involvement and positively impact lives by volunteering.

Now, therefore, I, Congresswoman GWEN GRAHAM, do hereby extend greetings and best wishes to all observing October 16–22, 2016 as City Government Week in Florida and I encourage our citizens to help celebrate this week by learning more about city government, and all levels of government, and by volunteering in their respective communities.

TRIBUTE TO MCINTYRE REAL ESTATE AND AUCTION
HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate McIntyre Real Estate and Auction of Shenandoah, Iowa, which is celebrating 70 years in business. McIntyre Real Estate and Auction was started in 1946 by Jesse McIntyre when he returned home from World War II.

Jessie McIntyre's daughter, Janell, is the current owner of the business. She joined the business in 1985 and purchased the business in 2000. Janell McIntyre and her staff continue to provide dedicated and professional real estate services throughout SW Iowa. That strong

family tradition began with Jesse McIntyre and his lifelong commitment to his community. Although Jesse passed away in 2012, his successful business continues today.

Mr. Speaker, I commend and congratulate Janell McIntyre and the staff at McIntyre Real Estate for their many years of dedicated and devoted service to Shenandoah, Iowa and the surrounding areas Janell and her staff make a difference by helping and serving others. It is with great honor that I recognize them today. I know that my colleagues in the House join me in honoring their accomplishments and wish them and their family and staff continued success in the future.

TRIBUTE TO JON PARSONS
HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jon Parsons of Atlantic, Iowa, on his recent retirement as a Lieutenant with the Atlantic Police Department after 30 years of service. Jon began his career with the Oskaloosa, Iowa Police Department and moved to Atlantic in 1987.

Jon is originally from Audubon, Iowa and knew while attending high school he wanted to be in law enforcement. After high school, Jon Parsons enlisted in the U.S. Army and joined the military police. He served in the U.S. Army and U.S. Army Reserves from 1980 to 1999, serving valiantly with the troops of the Desert Storm operation. Jon's military experience helped him plan his future in civilian law enforcement. His favorite part of law enforcement is "to serve and to protect." Jon said he will definitely miss the people he has worked with, but he is looking forward to a new career.

Mr. Speaker, Jon Parsons made a difference by helping and serving others. It is with great honor that I recognize him today. I know that my colleagues in the U.S. House of Representatives join me in honoring his accomplishments. I thank him for his service to the City of Atlantic, Iowa, and to our nation. We gratefully wish him all the best in the future.

TRIBUTE TO JUANITA AND WENDELL ACHENBAUGH
HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Juanita and Wendell Achenbaugh of Henderson, Iowa, on the very special occasion of their 65th wedding anniversary. They celebrated their anniversary on June 20, 2016.

Juanita and Wendell's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 65th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 65th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO VERA AND
BOB ALLEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Vera and Bob Allen of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on June 18, 2016 at East Side Christian Church in Council Bluffs.

Vera and Bob's lifelong commitment to each other and their children, Tami and Randy, six grandchildren and six great grandchildren, truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO DONNA AND
WES DOUGHMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Donna and Wes Doughman of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on June 24, 2016.

Donna and Wes' lifelong commitment to each other, and to their children, Michelle, Wes, and Kim, and their eleven grandchildren, truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO VIVIAN GOLLY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Vivian Golly on the occasion of her 100th birthday on June 28, 2016.

Vivian was born in Zeoring, Iowa and graduated from Zeoring High School in 1933. She married Ernest Golly in 1935 and they had three children, Jo, Louis and Robert. Ernest and Vivian settled in Corning, Iowa. Vivian worked for 15 years as a house mother for deaf children and learned sign language. She attributes hard work and healthy habits for her longevity.

Mr. Speaker, it is an honor to represent Vivian Golly in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House of Representatives to join me in congratulating Vivian on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

TRIBUTE TO MARIE POOL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Marie Pool on the occasion of her 101st birthday on March 15, 2016.

Marie was born on a farm near Williamson, Iowa and spent her youth helping on the farm and milking cows. She attended country school and Bridgewater High School. She married Virgil Pool in 1933 and they had three children, Donnie, Betty and Peggy. Marie quilted and loved to dance. Now, she lives at Greenfield Rehabilitation and Health Care Center in Greenfield, Iowa and enjoys bingo and ice cream socials. She attributes clean living and hard work to her longevity.

Mr. Speaker, it is an honor to represent Marie Pool in the United States Congress and it is my pleasure to wish her a very happy 101st birthday. I invite my colleagues in the House of Representatives to join me in congratulating Marie on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

TRIBUTE TO FRIEDA PORTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Frieda Porter on the occasion of her 100th birthday on March 23, 2016.

Frieda Porter was born near Fontanelle, Iowa and attended Fontanelle schools. She

married Max Porter in 1938 and they had three children, Becky, Randy and Pat. Frieda was active in the community and was an Avon representative for many years. She also taught Sunday school at the Greenfield Lutheran Church over the years. She loved to travel many places with family members throughout the years. Frieda attributes a healthy life, attendance at church and her belief in God to her long and happy life.

Mr. Speaker, it is an honor to represent Frieda Porter in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House of Representatives to join me in congratulating Frieda on reaching this incredible milestone and wishing her even more health and happiness in the years to come.

TRIBUTE TO MALISSA BAUER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 14, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor Malissa (Missy) Bauer, from Madison County Health Care System in Winterset, Iowa. Ms. Bauer was awarded the 2016 DAISY Award.

The award is given to a nurse from each of their network's facilities and congratulates their excellent work. She was nominated by fellow staff members and patient families. DAISY Foundation awards are given in memory of J. Patrick Barnes. He was given loving and skilled care by the nurses who cared for him before he died, and the primary mission of the foundation is now to recognize good nurses throughout the country.

Mr. Speaker, I applaud and congratulate Missy for her award and for providing excellent patient care in Iowa's 3rd district. I am proud to represent her and all the members of the Madison County Health Care System in the United States Congress. I know that my colleagues join me in congratulating Missy Bauer and wishing her well and continued success in the future.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 15, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED SEPTEMBER 19

5 p.m.

Committee on Foreign Relations
To receive a closed briefing on assessing the recent North Korea nuclear event, missile tests, and regional dynamics.
SVC-217

SEPTEMBER 20

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the nomination of General John E. Hyten, USAF, for reappointment to the grade of general and to be Commander, United States Strategic Command, Department of Defense.
SH-216

10 a.m.

Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine Wells Fargo's unauthorized accounts and the regulatory response.
SD-538

Committee on Foreign Relations

To hold hearings to examine the nominations of W. Stuart Symington, of Missouri, to be Ambassador to the Federal Republic of Nigeria, Andrew Robert Young, of California, to be Ambassador to Burkina Faso, and Joseph R. Donovan Jr., of Virginia, to be Ambassador to the Republic of Indonesia, all of the Department of State.
SD-419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine laboratory testing in the era of precision medicine.
SD-430

Committee on the Judiciary

To hold hearings to examine consolidation and competition in the United States seed and agrochemical industry.
SD-226

2:30 p.m.

Committee on Foreign Relations

Business meeting to consider the nominations of Christopher Coons, of Delaware, and Ronald H. Johnson, of Wisconsin, both to be a Representative of the United States of America to the Seventy-first Session of the General Assembly of the United Nations, and Sung Y. Kim, of California, to be Ambassador to the Republic of the Philippines, Rena Bitter, of Texas, to be Ambassador to the Lao People's Democratic Republic, and Kamala Shirin Lakhdhir, of Connecticut, to be Ambassador to Malaysia, all of the Department of State.
SD-419

SEPTEMBER 21

9:30 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 2873, to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, S. 2932, to amend the Controlled Substances Act with respect to the provision of emergency medical services, an original bill entitled, "Career and Technical Education Act of 2016", and the nominations of Thomas G. Kotarac, of Illinois, to be a Member of the Railroad Retirement Board, and Constance Smith Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission.
SD-430

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine the Department of Agriculture and the current state of the farm economy.
SR-328A

Committee on Commerce, Science, and Transportation

Business meeting to consider pending calendar business.
SR-253

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine combatting the opioid epidemic, focusing on a review of anti-abuse efforts by Federal authorities and private insurers.
SD-342

10:30 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine terror financing risks of America's \$1.7 billion cash payments to Iran.
SD-538

2:30 p.m.

Committee on Appropriations

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

To hold hearings to examine prioritizing public health, focusing on the Food and Drug Administration's role in the generic drug marketplace.
SD-192

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold an oversight hearing to examine the proposed revisions to the Fish and Wildlife Service mitigation policy.
SD-406

SEPTEMBER 22

3 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine agency regulatory guidance.
SD-342

HOUSE OF REPRESENTATIVES—Thursday, September 15, 2016

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Dr. Ted Traylor, Olive Baptist Church, Pensacola, Florida, offered the following prayer:

Lord, God, the great I am, we confess and acknowledge today that it all comes from You. You have made us and not we ourselves. Our very breath is from You, and our sustenance, happiness, and existence as a nation. Unto You we give thanks, Almighty God.

Thank You for this wonderful land called the United States of America. Thank You for our liberty and all who defend it. Thank You for our rule of law and all who keep it, and we pray Your safety on those that enforce it this day.

Lord, forgive us and deliver us from any sort of reliance on ourselves. Forgive us when we become proud and self-righteous with hearts as hard as stone. Thank You for Your forgiveness when we call upon Your name.

Lord, I would beg You today that You would send spiritual awakening in our Nation. I pray, God, that You would bless America and that America would, indeed, bless You.

And now, God of all wisdom, I bring our Representatives before You. Refresh each of them with Your mercy for the day ahead. Cause truth and justice to triumph over personal preference, and direct every decision of this body. I am keenly aware that they also have individual needs, and we pray that by Your favor, You will help them as they carry their personal burdens as well as the burden of a nation.

I ask all of this through the merits of Jesus Christ, Your son and our Savior. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. LOWENTHAL) come forward and lead the House in the Pledge of Allegiance.

Mr. LOWENTHAL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING DR. TED TRAYLOR

The SPEAKER. Without objection, the gentleman from Florida (Mr. MILLER) is recognized for 1 minute.

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, it is my honor to welcome to the House today Dr. Ted Traylor, who has been the pastor at Olive Baptist Church since 1990. His weekly radio and television ministry, "At the Heart of Things," reaches thousands of homes along the Gulf Coast and through weekly podcasts and streaming. Dr. Traylor's bold and practical preaching brings people to a fresh understanding of God's Word and challenges them to become bondservants for Christ.

He is known for his uncompromising stand on Biblical issues and strong defense of the Christian faith. He has preached extensively throughout the United States in conferences and revivals. Emanuel University in Oradea, Romania, has honored him by placing his name on the chair of Pastoral Leadership.

Dr. Traylor's family is his proudest accomplishment. He has been married to his beautiful wife, Liz, for 38 years. They have two children, Rachel and Bennett. Rachel is married to Brad Hinote, and they have two daughters, Kathryn and Elizabeth.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DONOVAN). The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

THE NUMBERS

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, I have tried, through words, to demonstrate the severity of our country's mental health crisis. Today I will try it again with numbers:

67,130, the number of Americans who have died from mental health issues since we passed the Helping Families in Mental Health Crisis Act;

0.006 percent, the percentage of Americans who will suffer from addiction and are able to get help. That is six out of every 1,000;

1,625, the number of Americans who have died by suicide since September 1, the first day of Suicide Prevention Month.

A final question as we close the week. If the Senate adjourns without passing H.R. 2646 to be signed into law, what clumsy, beltway babble will be used to comfort the thousands of families who will be told, "We just didn't have time"? No words, no excuses work to bring someone back from the dead. Where there is no help, there is no hope.

TRANSPARENCY AROUND ENERGY PRODUCTION

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, almost a quarter of the United States' energy-related greenhouse gas emissions are from fossil fuels that are produced from our Federal lands and waters. However, recent Government Accountability Office reports show that we don't have very good data on much of these emissions, including the methane gas that is released that is leaked, vented, and flared.

The first step on the path to reducing carbon pollution is simply to know what we are dealing with: What are the greenhouse gas emissions, and where are they coming from? That is why I am pleased to introduce a common-sense, bipartisan bill with my friends in the Climate Solutions Caucus and the congressional Safe Climate Caucus, which would simply require the Department of the Interior to calculate and publish, online, the amount of climate-damaging greenhouse gas pollution from oil, gas, and coal extracted from our Federal lands and waters.

I urge the chairman of the Committee on Natural Resources to move swiftly to hold a hearing on this bipartisan bill and provide the American people with the transparency around energy production that they deserve.

PHYSICIAN SHORTAGES

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Mr. Speaker, a recent study in the American Medical Association found that, in the next 10 years, we could be facing a shortage of over 100,000 physicians. To help combat this

extreme doctor shortage, I have introduced the GO MED Act.

My bill would implement a program to reallocate unused medical residency slots paid for by Medicare on a rolling basis to States feeling the worst effects of the physician shortage. It is widely accepted that where medical residents learn, they stay and practice.

But in 2014, Medicare only paid for 137 residency slots in my State; whereas, the top 25 States average over 3,000 positions. That is because of an outdated system. We don't have opportunities for students to stay in Nevada.

Nevada isn't the only State getting shortchanged. The top five States receiving funds through this program account for nearly half of what is spent annually.

If we are serious about addressing access to care, my bill is a step in the right direction.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Moultrie, Georgia, May 15, 2016:

Jordan Croft, 22 years old;

Reid Williams, 21;

Jones Pidcock, 21;

Jonathan Edwards, 21;

Alicia Norman, 20.

Vallejo, California, February 11, 2013:

Oscar Garcia, 22 years old.

Jackson, Mississippi, March 7, 2013:

Ronald Williams, 33 years old;

Kendra Hill, 28.

New Port Richey, Florida, February 9, 2015:

Louis Wayne Lunceford, 44 years old;

Shane Newland, 42;

Justin Huckleby, 25.

Fremont, Ohio, March 9, 2014:

Ramiro Sanchez, 28 years old;

Police Officer Jose Andy Chavez, 26;

Daniel Ramirez, 25.

Douglasville, Georgia, February 7, 2015:

Latoya Andrews, 33 years old;

Joseph Terry Brown, 33;

Jeremiah Andrews, 9;

London Andrews, 7.

CONGRATULATIONS TO HOWARD AREA LIONS CLUB

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the Howard Area Lions Club located in Pennsylvania's Fifth Congressional District.

The Howard Area Lions Club recently celebrated their 40th anniversary. The club has consistently earned the recognition as the largest Lions Club in Pennsylvania. There are probably many factors that have led them to this title, but none more significant

than their commitment to the Lions Club motto, "We serve."

The members of this club have served as the chartering organization for Howard Scout Troop 353. I have been honored to serve as a Scoutmaster of their troop since they first assumed this responsibility.

The Howard Area Lions operates a food bank that provides access to food for those struggling to make ends meet, including driving food to those individuals that have limited transportation. Very few community needs are addressed in the local community where the Lions are not a part of the solution.

Mr. Speaker, as a fellow Lion, I am honored to offer my congratulations to the members of the Howard Area Lions Club. I am confident they will continue to serve the needs of their neighbors and communities.

WE ARE UNWAVERING IN SUPPORT OF ISRAEL

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I stand in support of the bilateral military aid package agreed upon by our Nation and the State of Israel this week.

Israel, our greatest ally in the Middle East, faces threats from all sides: shells from Syria are landing in the Golan Heights; Hamas terrorists are stockpiling weapons in Gaza; Hezbollah fighters are gathering in Lebanon; and ISIL is fighting for control of the Sinai.

Yet, surrounded by this chaos and terror, Israel is still dedicated to democracy, liberty, and justice—the same ideals we live by as Americans. This is why our relationship is so strong and why we must continue to support Israel's right to exist as a Jewish state.

This aid agreement makes it crystal clear to our enemies and allies that we are unwavering in our support for Israel and will help defend them against all who threaten their sovereignty.

ZIKA REGISTRY PROGRAM FOR WOMEN AND INFANTS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, yesterday I introduced the pregnancy and infant Zika registry. This bill will establish a CDC registry program for pregnant women and will track infants up to the age of 5 so that researchers can get a better understanding of the Zika impact.

This registry will collect information on pregnancy and infant outcomes fol-

lowing laboratory evidence of Zika virus infection during pregnancy. The data collected will be used to update recommendations for clinical care, to plan for services for pregnant women and families affected by the Zika virus, and to improve prevention of Zika virus infection during pregnancy.

I invite all my Floridian colleagues and fellow Members to cosponsor this bill. It is a responsible tool to increase our knowledge of Zika and help increase the quality and standard of care for patients.

END HUNGER NOW

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, as we recognize September as Hunger Action Month, I rise to draw attention to the widespread problem of hunger among teenagers.

While our Nation's recovery is progressing, 7 million teens remain food insecure, and we know they often face additional hardships. Today the Urban Institute is briefing Members of Congress and their staff on two new reports that highlight these circumstances and explore how teens cope with hunger.

Among a number of troubling conclusions, the report finds that teens fear the stigma of being hungry and often refuse to accept food or assistance. They skip meals and sometimes turn to dangerous behaviors just so their parents or siblings can eat. They often feel the need to bear the responsibility for feeding their families.

Teenagers deserve a normal childhood. They should be focused on school and developing their passions, not worrying about where their next meal is coming from. I encourage all of my colleagues to read these reports and join me in working to end hunger now.

□ 0915

PROHIBITING THE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Mr. FORBES. Mr. Speaker, pursuant to House Resolution 863, I call up the bill (H.R. 5351) to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 863, the amendment printed in part A of House Report 114-744 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON ANY TRANSFER OF ANY INDIVIDUAL DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **PROHIBITION.**—No amounts authorized to be appropriated or otherwise available for any department or agency of the United States Government may be used during the period specified in subsection (b) to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions, or to any foreign country or entity, of any individual detained at Guantanamo.

(b) **SPECIFIED PERIOD.**—The period specified in this subsection is the period that—

(1) begins on the date of the enactment of this Act; and

(2) ends on the earlier of—

(A) the date of the enactment of an Act authorizing appropriations for military activities of the Department of Defense for fiscal year 2017; or

(B) January 21, 2017.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services.

The gentleman from Virginia (Mr. FORBES) and the gentleman from Washington (Mr. SMITH) will each control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. FORBES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5351.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FORBES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, I rise in support of H.R. 5351 offered by Mrs. WALORSKI of Indiana.

H.R. 5351 would temporarily suspend the transfer of detainees held at the detention facility at Naval Station Guantanamo Bay. Under this bill, the suspension would last until either the National Defense Authorization Act for the next fiscal year becomes law or until the new President takes office on January 21, 2017.

Mr. Speaker, the circumstances of the last several months have brought the need for such legislation to light.

In 2009, a special panel convened by the Obama administration evaluated every detainee then at GTMO. The Obama administration made it clear at the time that it was lawful for some detainees to be held, without charges, pursuant to the laws of war. Such detainees, the Obama administration believed, included those who had a “significant organizational role with al Qaeda, the Taliban, or associated forces.” Other detainees, the Obama administration believed, should continue to be lawfully held in 2009 included those who had “advanced training or experience,” a “history of associations with extremist activity,” or had “expressed recidivist intent.”

In other cases, the Obama administration has recommended that certain detainees be prosecuted and some sent to other countries. But even for those GTMO detainees to be sent elsewhere, the Obama administration noted that the United States had the legal authority to hold these detainees, and the detainees could still be threatening.

The Obama administration argued then and since that a few selected detainees could be transferred to other countries from GTMO only if “feasible” and “appropriate” security measures could be instituted to mitigate the dangers posed by these very threatening individuals.

Mr. Speaker, this is precisely why this legislation is needed.

Since January, the Obama administration has sent 46 detainees from GTMO to other countries. In August alone, 15 detainees were transferred. I worry that whatever arrangements might exist in the receiving countries will be woefully insufficient to keep the danger at bay. I am concerned that these detainees will again threaten the United States or our partners, just as other detainees have done. I fear detainees are being hurriedly moved from GTMO in order to fulfill an 8-year-old campaign promise to close GTMO.

Mr. Speaker, this bill is a sensible and sound response.

Today, there are 61 detainees in GTMO. The Obama administration has made it clear that at least 20 of these detainees should be sent elsewhere.

H.R. 5351 prevents any GTMO detainee transfers for the next several months. The bill prohibits GTMO transfers to the United States or to other countries until the National Defense Authorization Act for this fiscal year takes effect or until the new administration assumes office, whichever happens first. This means the new President will be able to consider anew the grave risks which GTMO transfers pose. It will also mean that the new administration will know how the provisions of a bipartisan National Defense Authorization Act will govern its actions.

The United States military notes that it is “committed to ensuring de-

tainees are kept in a safe, secure, humane environment” at GTMO. It also reports that “intelligence gained at GTMO has prevented terrorist attacks and saved lives.” A pause in GTMO transfers prevents rash and sudden actions to empty GTMO on an arbitrary and self-imposed deadline.

Mr. Speaker, that is why I strongly support H.R. 5351, and I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 5 minutes.

The gentleman from Virginia described very well the process that the Obama administration put in place in 2009. It was a significant improvement.

The real problem that we had with Guantanamo was, when it was originally conceived as a place to hold detainees under the law of war, there were, at one point, nearly 800 detainees there.

A lot of them were brought there without much in the way of vetting or assurances that they were, in fact, threats. In fact, under the Bush administration, well over 500 of those detainees were released, and there really wasn't much of a process. Somewhere in the neighborhood of over 20 percent of those detainees did return to the battlefield and did present a threat to the country. There simply wasn't a process.

So, as Mr. FORBES described quite well, in 2009, the Obama administration put in place a process. At the time, there were 242 detainees remaining in Guantanamo Bay. The process they put in place was to go through every single one of them and say: Who are these people? What is their threat level? They evaluated all of them and put them into different categories. They determined that some were not a threat and could be released.

Regrettably, something we don't like to talk about, as I sort of alluded to earlier, is that a number of these people were picked up erroneously, either with the wrong name or the wrong information, and we really didn't have any evidence on them, or the evidence we thought we had turned out to be wrong. A fair number of these detainees were being held really for no good reason, so they tried to determine who those were.

Now, there are also some very, very bad people at Guantanamo Bay. As Mr. FORBES also indicated, the President reaffirmed our right under the law of war to hold those people, and I support that very strongly. But what the Obama administration has done to get that number down to 61 is they have transferred the ones that a board of defense, intelligence, security, and Justice Department experts had determined were not a threat to the United States and were transferable. The problem that came up was: Transferable,

but to where? Who would take these people?

Then, there was the last provision that Mr. FORBES also mentioned. Wherever they were transferred to, the Obama administration wanted to make sure that there were some assurances from those countries that they would look after those folks, hold them securely, and make sure that they were not a threat.

So that is what has got us down to the 61 number is the release of detainees that this board, again, of defense, intelligence, Justice Department, and security experts determined were not a threat to the United States and were transferable.

Now, of that number, since 2009, that returned—at this point, I think just this morning, two more detainees were determined to have returned to the battlefield; for the most part, this is return to fighting with the Taliban in Afghanistan—is still a number around 6 percent of all folks that have been released from Guantanamo Bay, under the Obama administration, that have been deemed to have returned to the battlefield. The previous group, under the Bush administration, was somewhere between 20 and 30 percent, depending on how it was calculated. So, they have done a very careful job of who should be vetted and where they should be transferred to.

Of the 61 that are left, there are 20 that are currently eligible for transfer. There are 10 in the military commission system and 31 others that are reserved for continued law of war detention.

The Obama administration is of the opinion that there are only 20 of the remaining 61 that are potentially transferable. They have been vetted through this very lengthy process that I have described that has been successful to the point that, again, only 6 percent have been deemed to have returned to the battlefield.

What this bill would do is stop this President, frankly, from being President on this issue for the last however many months there are left in his administration. If, in fact, we can find secure places to transfer these 20, then it is the right thing to do, and the President ought to be allowed to do it. There is no reason to stop him from doing it.

Now, the argument that you will hear repeatedly from the other side is: we can't take the chance. Yes, they have been vetted; yes, the percentage is low; but this person might do something bad if we release them.

I would suggest that that turns the American justice system on its head. There are a whole lot of people walking the streets in this country who might do something bad. You do all kinds of analyses to determine that they might. Maybe we should lock them up, no trial, no process, no nothing, and say:

look, better safe than sorry. But that is not the way we do things.

Now, we do have a process here. And there are some that, under the law of war, are determined to be dangerous.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 1 minute.

Once we have determined that they are not a threat, under our opinion, and are transferable, to say, look, sorry, we are just going to hold you because we want to, is really a violation of the U.S. Constitution and due process of law.

To hold this process up even for a few months is not necessary. As I said, we are talking about 20 people that the Obama administration is trying to determine if they can find a safe place to send them.

This is not about closing Guantanamo. I strongly support closing Guantanamo. I will skip that argument for the purpose of this debate. That is not going to happen. We have had votes on the House floor. There is not support in Congress for it. There is a prohibition in law that continues to be in law on transferring any of those detainees to the United States or spending any money to detain them in the United States. So it is not going to happen.

The question really is about the 20 people who have been deemed not to be security threats to the U.S., who have been deemed to be transferable, and whether or not we can transfer them. This bill would say “no” and would hold those 20 people for the next 5 or 6 months, regardless of the evidence and regardless of the vetting process.

Now, it is possible these 20 people won't be transferred, that we won't find a country for them, but there is no reason to strip the President of his lawful authority to do that.

Again, I want to emphasize that the Obama administration has gone through a careful vetting process, unlike the Bush administration, so I don't think we should interfere with that vetting process.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I yield 5 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my friend and colleague who has done such a great job in working this piece of legislation.

Mrs. WALORSKI. Mr. Speaker, I rise today to express strong support for my bill, H.R. 5351, which would prohibit the transfer of any individual detained at Guantanamo Bay.

Mr. Speaker, last night, the news broke that two more former GTMO detainees have rejoined militant groups. This is just the latest case of GTMO detainees being released, only to return to the fight. In fact, the President's own Director of National Intelligence reports 30 percent of former detainees are known or suspected to have re-

engaged in terrorist activities. Yet, the President continues to release more and more detainees.

When President Obama came to office, there were 240 detainees at GTMO. The number is now down to 61, after the most recent and largest ever transfer last month. Another 20 have been cleared for transfer.

When Hoosiers in my district hear these numbers, they worry that these transfers are leaving our Nation open to new vulnerabilities and will make Americans less safe. I could not agree more.

While I wish we didn't have to stand here debating this bill, it is an unfortunate reality that our President remains willing to continue putting a misguided campaign promise ahead of the national security.

Why else would detainees, who were once deemed too dangerous to transfer by President Obama's own GTMO task force, have been released to begin with?

That is what happened with 8 of the detainees who were part of the largest-ever transfer of GTMO detainees last month. The task force's recommendation was reversed. These dangerous detainees were redesignated as safe for transfer, and they were sent to the United Arab Emirates.

With all this in mind, it was, sadly, no surprise when, in March of this year, Mr. Paul Lewis, the President's Special Envoy for Guantanamo Closure, testified in front of the House Foreign Affairs Committee that “Americans have died because of GTMO detainees.”

What else will it take for the President to change course on this flawed campaign promise?

As a recently released, unclassified report on Guantanamo detainees highlighted, the individuals remaining at GTMO today represent truly the worst of the worst of the post-9/11 era. These are hardened terrorists. These are al Qaeda bomb makers, bodyguards, plotters, and recruiters. Among them is Khalid Sheikh Mohammed, the mastermind of the September 11 attacks. Americans are safer with these dangerous detainees securely locked up.

□ 0930

I have been to GTMO. I have seen our military, the greatest fighting force the world has ever seen, standing guard to protect the American people from those who would do us harm. I know the GTMO facility is the safest, most secure place for these detainees.

But this isn't just about the terrorists themselves. There are also significant concerns about the capacity and the capabilities of the countries receiving these transfers and the adequacy and transparency of the agreements being made by their governments.

Take, for example, the recent case of a former detainee who was released to Uruguay, but sparked an international

manhunt after he disappeared shortly before the Rio Summer Olympics; or the former detainee who was transferred to Sudan, a state sponsor of terrorism, and reappeared in Yemen as a leader of the al Qaeda affiliate there.

It is clear these individuals desire to return to the battlefield, and that the countries receiving them may not have adequate resources to effectively track and monitor their whereabouts and activities.

Unfortunately, despite repeated inquiries of the administration, we, as Members of Congress, still don't know much about the commitments our government has or gets from these countries. We don't know what, if any, penalties have been levied against countries that lose track of our former detainees.

Transparency is long overdue. That is why I authored this language in this year's National Defense Authorization budget that would require complete written agreements for any transfers between countries to be shared with the appropriate congressional oversight committees.

To those who may have concerns about my bill, I want to be clear what this legislation does and does not do. First and foremost, this legislation would not enact a permanent, lasting ban. What it does do is halt transfers until either this year's NDAA is signed into law or until President Obama leaves office on January 20, 2017.

Mr. Speaker, as recently as last week, we heard the President say that he was "not ready to concede" that he cannot close GTMO before leaving office. The week before, we heard a similar message from Vice President BIDEN.

With President Obama's time in office winding down, accelerating transfers to achieve a campaign promise puts Americans at risk.

I am grateful to stand here with the national security leaders in this House on this bill, and to remind the American people that our first priority is the safety and security of our fellow Americans.

I urge my colleagues to vote "yes" on this important legislation.

Mr. SMITH of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this bill that would block all transfers out of Guantanamo for the remainder of the year or until the end of the President's current term.

This bill would, for the first time ever, impose a complete ban on all transfers out of Guantanamo. Not only would the bill block all transfers of Guantanamo detainees to the United States, even for purposes of prosecution in Federal court, but it would also ban the resettlement or repatriation of detainees cleared by the United States for transfer to foreign countries.

The bill would be effective until the earlier of January 21, 2017, or the effective date of the next National Defense Authorization Act.

To quote the ACLU: "This bill violates the bedrock constitutional prohibition on Congress passing any legislation that violates the Constitution's Bill of Attainder Clause."

In effect, it finds all the inmates at Guantanamo guilty of something unspecified, without trial, and sentences them to life without parole. That is what this bill does, along with the other series of bills. But by saying you can't transfer anybody anywhere, you are saying they must remain there indefinitely whether they have been tried or not, whether they have been found guilty or not, whether our own experts think they are a threat to the United States or not. Even if we find that someone is factually not guilty of any act of terrorism or anything else and we have no right to hold them, we still cannot release them.

By what right do we claim such a power? Since when is it okay for Members of Congress to put people in jail and keep them there who are not guilty of anything?

How can an American legislative body pass a provision that says we will hold someone in jail forever not only without trial, but even if we have determined that he is innocent of everything?

That is the basic argument here. This bill, the idea that we will keep people in jail forever without their having been found guilty of anything, without their having been tried, it makes a mockery of the American Constitution. It makes a mockery of all our pretenses to stand for liberty.

It makes a mockery of habeas corpus. This would even say that if someone were granted a writ of habeas corpus, he could not be released even if a Court granted him a writ of habeas corpus. Plainly unconstitutional, not to mention immoral.

I will say one other thing on a completely different level. This expires either when we pass the next NDAA or when the next President takes office. It says, in effect, this President is not really our President, for all practical purposes, for every practical purpose. He was elected by the American people 4 years ago, but we don't like him, so we are going to say he can't do certain things that his successor can do. We are going to put something in writing only for this President.

Now, if this said this expires when the next NDAA is passed or it expires a year from now or whenever, that would be one thing. But this says the NDAA or when the next President takes office. In other words, very much like the Senate is doing with Judge Garland. We don't trust the President. Maybe we don't. That is a political decision, but it is not a right decision.

We don't trust the President to act as President. We repudiate the judgment the American people made in the last election. We say that, for certain purposes, his term has expired and we will wait for the next President.

That also is pernicious and against our constitutional values. On every level, this bill is probably unconstitutional and certainly immoral, and I oppose it.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. WILSON), my friend and colleague.

Mr. WILSON of South Carolina. I thank Chairman RANDY FORBES.

Mr. Speaker, when I was first elected, one of the first persons to greet me was my classmate of 2001, Chairman RANDY FORBES. From the beginning, I saw what a gentleman he was, what a dedicated Member of Congress he has been. I so appreciate his leadership on behalf of national defense, promoting peace through strength.

Additionally, he and his wife, Shirley, are stalwart Christians, promoting religious freedom successfully around the world, making a difference.

I am grateful to be an original cosponsor of H.R. 5351, prohibiting the transfer of Guantanamo detainees. Introduced by Congresswoman JACKIE WALORSKI, this further protects American families by halting the transfer of any detainee to any location.

During the August recess, sadly, the administration released 15 more dangerous detainees from Guantanamo Bay. The prisoners that are being held there—and I have been to Guantanamo Bay twice, I know the professionalism of the American military—these are the co-conspirators of Osama Bin Laden, trained mass murderers. By holding them there, we show our resolve and that we have not forgotten the mass murderous attacks of September 11.

The President's reckless release of detainees puts American servicemembers and families at risk. The deterrence of incarceration has never been more important.

We, today, have a greater spread of terrorist safe havens than in the history of the world. From Algeria in North Africa, through the Middle East, through South Asia, all the way to Indonesia and the Philippines, these safe havens of Islamic terrorists are going to receive persons to come and be reinforcements.

In March, the Director of National Intelligence reported that at least 116 detainees, nearly a third, released from Guantanamo have returned to the battlefield. What we have further is Reuters reports that more have returned to the battlefield to threaten and kill American families.

I appreciate the leadership of Congresswoman WALORSKI of Indiana, and I urge my colleagues to vote in support.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

In the prime sponsor of this bill's remarks, there are a whole lot of sort of half-truths and assumptions that got jammed together that don't actually make sense and are not actually the facts that are before us to paint a very dark picture that isn't what we are dealing with. Let me just run through those.

We heard that 30 percent of the people have returned to the battlefield or are suspected to have returned to the battlefield. That 30 percent figure relies, again, on the folks that were released before the Obama administration when, again, quite frankly, people were picked up in a very haphazard manner and released in a very haphazard manner.

Since 2009, since the Obama administration did the vetting process of all of these people, the actual rate of people who have been deemed to have returned to the battlefield, even with the two that were counted this morning, is 5.6 percent. So when you hear 30 percent—oh my gosh, 30 percent of these people are returning to the battlefield; how can we release them—that is not the number. Okay?

Now, you can argue about the 5.6 if you want, but let's at least get the number right. Since the Obama administration did the proper vetting process, the number is 5.6 percent to have been confirmed to have returned to the battlefield, including the two that were added this morning.

It is also worth noting that when we say the ones that are left are the worst of the worst, there is truth in that. Obviously, Khalid Sheikh Mohammed would fall right up at the top of that; and 41 of the folks who are there do fall into that category of the worst of the worst. None of those 41 have been cleared for transfer.

What we are talking about is the 20 who have been cleared for transfer, and the President—those are the people that President Obama has released and repatriated to other countries over the course of the last 7 years, are people who have been cleared for transfer; with one exception, which I am sure will come up at some point, and that was in the prisoner swap for Bowe Bergdahl. And we can relitigate that argument as well, but that has really got nothing to do with what is going on here.

There, the President made a decision to transfer five people that had not been cleared for transfer in exchange for our captured member of the military. So except for that situation, all of these people who have been released have been vetted and cleared.

Lastly, I just want to—well, not lastly, actually two more things. The most disturbing thing that was said was that these people who have been released

are people who, at one time, were suspected of being dangerous, and that is true. They wouldn't have been there if they weren't suspected of being dangerous. But it turns out in these cases we were wrong. And you can go back through the history of post-9/11, you can find a number of instances when we were wrong.

I remember right after 9/11 there was a doctor in San Antonio who had done a whole bunch of suspicious things, and everybody was absolutely convinced that this guy was tied in with al Qaeda. He was held for an extended period of time, and then people looked into it and they said: Oops, sorry, we got the wrong guy. We are going to let you go.

That happens, and I don't blame law enforcement in the least bit for that. It is a difficult job.

In this case, when you are talking about terrorists, you should err on the side of caution. If you have probable cause, you should pick somebody up and you should be sure.

But now what this side is saying, once you have been suspected, even if it turns out that you were completely wrong in that suspicion: Sorry, we are just going to lock you up for the rest of your life without due process or a possibility of trial.

That is unbelievably unconstitutional and just flat wrong.

Yes, these people were suspected. They wouldn't be in Guantanamo if they weren't. But what was determined was that, of those people who were suspected, a number of them turned out we were wrong. And of the ones that are left, there are 20 out of the 61 that are eligible for transfer.

Now, again, finding the right country to send them to, it might not happen. All right. So no one is talking about releasing the worst of the worst. The President has made it clear those 41 are not transferable.

We are talking about the 20 that have been deemed to be transferable. Just because you were suspected at one point, I would hate to think that we would have a country that says: If you are suspected of a crime, sorry, we are going to lock you up and that is it, even if evidence later shows that we were wrong.

That is not the way we should do things in law enforcement.

Lastly, we have heard that this is all about a campaign promise to close Guantanamo. Again, this has nothing to do with closing Guantanamo.

Now, the President and the Vice President are reluctant to give up on what they think is the right policy, closing Guantanamo Bay. So until they leave office, they are not just going to say: We are not going to do it.

They think it is important. Again, I won't relitigate that argument, but there are people who feel passionately that it is the right thing to do. But that is not what we are talking about doing here.

We are talking about 20 people who have been deemed not to be a threat to the United States that we are, nonetheless, incarcerating, and the President is talking about transferring them.

We are not talking about transferring the 41, not talking about closing Guantanamo. It is still in law that we can't close Guantanamo. So it is not about a campaign promise. It is about upholding the values in the Constitution of the United States of America that says that if we have you incarcerated and it turns out that our evidence was wrong and you are not guilty of what we thought you were guilty of or, in this case, not a threat to us in the way that we thought you were, then we should release you, not hold you.

We are not a dictatorship. We are not a country like Saddam Hussein used to run, where he just locked people up because he wanted to. That is not who we should be.

This bill takes away the ability of this President to transfer those 20 people who have been clearly deemed transferable by the Defense Department, the Justice Department, Homeland Security Department, Intelligence Community experts.

They want to stop, as Mr. NADLER said, this President from being President. Now, they never wanted him to be President in the first place, and it is incredibly inconvenient that he got elected twice, from their perspective. But he is the President and he should have the authority to exercise the Office of the Presidency until January 20 of next year, when he is done.

□ 0945

This bill unfairly strips him of that right. Again, we are talking about 20 people who have been deemed to be transferable. So let's get the facts straight and then argue based on those facts. It is not 30 percent; it is 5.6. We are not talking about releasing the worst of the worst. We are not talking about closing Guantanamo Bay.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Missouri (Mrs. HARTZLER), my friend and colleague.

Mrs. HARTZLER. Mr. Speaker, I thank so much, first, my colleague JACKIE WALORSKI for introducing this very important piece of legislation that I am proud to cosponsor, and secondly, Chairman FORBES. I thank the gentleman for his leadership on national defense, on faith, and so many other issues important to our country.

This bill is crucial. It prevents the Obama administration from transferring any remaining detainees from the Guantanamo Bay detention facility in the last months of his Presidency. Now, this is important because the administration seems determined to clear

the facility. In 2016, 46 detainees have been transferred. Last month alone, 15 terrorists were released. More are expected as Vice President BIDEN has stated that it is the President's intention to empty GTMO by the time he leaves office.

This rush to close Guantanamo is dangerous, reckless, and shortsighted. Already we have learned that 30 percent of those who have been released have returned to the battlefield. American soldiers who fought so hard to take the enemy off the battlefield now have to face them again.

But this release is beyond dangerous; it is an injustice. Let me share an example.

In 2011, shortly after taking office, I received the gut-wrenching news that a young soldier from my district had lost his life in the war on terror in Afghanistan. Christopher Stark was a combat engineer serving one of the most dangerous missions of the war: clearing roads of IEDs so his unit could pass by safely. Day after day he saved others, but, ultimately, he wasn't able to save himself when an IED exploded.

Christopher gave his life to save others. His country gained a hero; his mother lost a son. She has become my friend and is a hero in her own right as she bravely comes to terms with his sacrifice—relying on her faith to give her daily strength while accepting the burden and hallowed position of being a Gold Star mom.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. FORBES. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Mrs. HARTZLER. So you can imagine my dismay and consternation when I learned that, in his rush to fulfill campaign promises to close GTMO, the administration released a terrorist by the name of Obaidullah in the last round of detainee transfers. Who was he? He was part of an al Qaeda-associated improvised explosive device cell that targeted coalition forces in Afghanistan. He was captured by U.S. security forces during a raid in his compound, where they found 23 landmines as well as a notebook containing electronic and detonator schematics involving explosives and mines similar to the one that killed Christopher.

Releasing Obaidullah was wrong. He was targeted for prosecution and his status was changed. American soldiers like Christopher Stark lost their lives due to his activities. We need to ensure our American soldiers stay safe and also that justice is served.

Mr. Speaker, I urge my colleagues to pass this important piece of legislation.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds to make two quick points.

The Obama administration is not determined to clear the facility before

they leave office. They want to close the facility. But, again, those 41 that have been deemed dangerous, it is the Obama administration's position that they shouldn't be held in Guantanamo Bay, that they should be held in secure prisons in the United States, not to let them go.

I think that is one of the most misleading things about this argument that is being made by the other side repeatedly that they simply want to let them all go. It is not their goal to empty GTMO before January 20. It is their goal to still try to close the prison so that they can be held here in the U.S.

Again, that is a separate argument, but I just want to make sure that it is clear it is not the goal of the administration to simply empty out the prison and send all 61 wherever. We are talking about 20 that have been deemed eligible for transfer.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Ms. STEFANIK), my friend and colleague.

Ms. STEFANIK. Mr. Speaker, first, I want to thank my HASC colleague and friend, JACKIE WALORSKI, for all of her efforts to prevent the transfer of terrorists from Guantanamo Bay, Cuba, and introducing H.R. 5351, of which I am a proud cosponsor.

I stand here today as the Representative of the Army's 10th Mountain Division, resilient warriors who have been an integral force in the war on terror in Afghanistan and Iraq since 9/11.

As we all know, GTMO is comprised of some of the world's most heinous terrorists, and we have lost many servicemembers' lives in their pursuit. As the 10th Mountain Division and others continue to serve in harm's way, it is our duty to provide oversight and ensure the administration is held accountable before any American dies at the hands of a released detainee.

Releasing these terrorists and closing GTMO is a true national security concern at home; therefore, I urge my colleagues to stand with our brave men and women in uniform and show them that their sacrifices have not gone to waste and vote today in support of H.R. 5351.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds before yielding to Mr. NADLER.

I want to make clear; I represented Joint Base Lewis-McChord for 16 years, until 2012, and wrote hundreds of sympathy cards to family members who lost loved ones from that base in Afghanistan and Iraq, and I will take the backseat to no one in terms of respecting what they did, how they fought, and what they sacrificed, making sure that we do everything we can to protect them and give them the tools they need to protect our country and protect themselves. I thank the Republicans for working in a bipartisan manner on that issue.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, we keep hearing that the people of Guantanamo are the worst of the worst, that they are very dangerous, and that their release would pose a threat to the United States. Some are, it is true. Some are probably the worst of the worst, but some aren't. Some are people who were picked up by mistake. Some are people who were sold for a bounty.

If you go into a wild place like Afghanistan and you let the word out that we will pay \$5,000 for a terrorist and the McCoy's are fighting the Hatfields, the McCoy's will turn in a Hatfield and say that he is a terrorist. Some of that happened.

It is our job not to keep everybody in jail for life but to figure out who is who: who is the worst of the worst; who is innocent; who is there because of a mistake.

Release those who are innocent; release those who do not pose a threat; and release those who didn't do anything. Simply getting up and repeating time after time on this floor that the people there are the worst of the worst doesn't make it true.

What kind of a system of justice or anything else is it where you say: We are going to hold forever, with no trial, people who we have already determined to pose no threat to the United States, who we have already determined have done nothing wrong, but we are going to hold them in jail forever because some of them are bad people—no trial, no proceeding, hold them in jail forever?

By what right would we do that? How do we appear to all the countries and to all the people that we are trying to appeal to, saying our way is the rule of law, go with our way, don't go with the Taliban, we are fair to people, they are not, and then we have people in jail forever with no hope of release, with no trial, no proceeding, nothing? That is what this bill is.

This bill is un-American in the extreme. It is counterproductive because it gives the Taliban and everybody else the propaganda against us that we are a bunch of hypocrites, which we are if we pass bills like this, and we shouldn't pass it.

Mr. FORBES. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. MESSER), my friend and colleague.

Mr. MESSER. Mr. Speaker, first, I want to thank Chairman FORBES for his leadership on this issue and for his distinguished career here in Congress. The gentleman certainly will be missed.

Mr. Speaker, some issues just boil down to common sense. Despite the rhetoric of my colleagues on the other side of the aisle, there is no evidence of Good Samaritan sweet peas being kept at Guantanamo Bay.

Common sense would tell you that it is a very bad idea to bring the world's worst criminals to America's shore. It is an equally bad idea to release them. That is why I rise today in support of H.R. 5351, a bill that would stop the transfer of individuals detained at the United States Naval Station at Guantanamo Bay, Cuba.

Last Sunday, our Nation recognized the 15th anniversary of the worst attack on U.S. soil, an attack where we lost nearly 3,000 American lives. That tragic event marked the beginning of a war against terrorists who espouse radical Islam. Since then, Guantanamo Bay has been instrumental in detaining enemy combatants engaged in that war.

Today, there are 61 suspected terrorists remaining at GTMO. They are largely regarded as the worst of the worst. They are the folks that no other country would take—too dangerous to transfer, the most dangerous criminals in the world. But the President wants to release these terrorists or, worse yet, bring them to American soil, putting Americans at risk. That is a really bad idea, and we can't, in good conscience, let that happen. That is why we have had bipartisan support for keeping GTMO open in the past. There are simply not enough standards in place to make these transfers without endangering American lives.

I am proud of the leadership of my colleague, JACKIE WALORSKI, on this important issue, and I urge my colleagues to stop any reckless transfers of terrorists to American soil. Not one American life is worth the risk.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds to say, regrettably, the previous gentleman is simply wrong. He said that America would not arrest a terrorist someone who turned out not to be a terrorist. The facts are simply clear that that is just not the case. It is not that we are doing anything malicious. It is a complicated and difficult job. As Mr. NADLER pointed out, there is a lot to sort out.

It is not even in dispute that we have arrested and incarcerated people because we thought they were terrorists and found out that we were wrong. That is not debated. A number of them have been released.

So to say that, well, if we arrested them and put them in there, they must be bad and they can't be sent out is precisely what is wrong with the thinking behind this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FORBES. Mr. Speaker, I have no further requests for time. I am prepared to close, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I have no further speakers, and I yield myself the balance of my time.

Mr. Speaker, the most interesting thing about this debate is that, as we have moved on from speaker to speaker, the proponents of this legislation keep saying the same things over and over again that simply are not true. Again, I just want to close by saying I wish we could debate this on the actual facts, on what is in front of us.

There certainly is an argument to be made that we should err on the side of just locking them up no matter what. I think that is the wrong argument. I think Mr. NADLER has very clearly articulated why, as a country, we shouldn't do that, we shouldn't pick people up and say, if there is any possibility we might be wrong, we are just going to take away your freedom and lock you up without due process. It is a violation of the fundamental principles of our country. We could at least have that debate.

But we keep hearing a number of things that simply are not correct. Number one, this is just the President trying to fulfill a campaign promise to close down Guantanamo Bay and get everybody out of there before he leaves office. That is completely wrong. There are 41 people at Guantanamo Bay who this administration has said under no circumstances are they transferable. Those are the worst of the worst, and they are not talking about transferring them. What we are talking about are the 20 people who have been deemed transferable.

Then we have the argument, well, gosh, they wouldn't be in there if they hadn't done something wrong. As we all know, law enforcement occasionally makes mistakes. So that is not correct either. These 20 people have been examined and deemed to be transferable, and we should not hold them because the 41 other people who happen to be there are really bad people. That is not, again, according to the way that we should do justice in our country.

So this is not about closing Guantanamo. We have had that debate numerous times, and I have lost that debate on the House floor. I understand that. This is about the Obama administration doing what the Bush administration should have done in the first place, which was to be a lot more careful about whom you put in there; and then once they are in there, examine it, make sure you actually have sufficient evidence and these are people you need to hold.

That is what the Obama administration did in 2009 with the 242 inmates who were being detained at Guantanamo. They determined that some of them were there incorrectly and were transferable. That is what we are talking about.

□ 1000

This bill would stop that. This bill would say basically that President Obama is not actually President in this

area for the rest of his term. That is wrong. He got elected and he ought to be able to make those decisions.

I will also say in this area, he has proven to be vastly more careful than his predecessor. Again, the recidivism rate of those released in 2009 is 5.6 percent. Prior to that, that number was closer to 30. So a process was put in place that actually did work, and we ought to respect that process and not restrict the President's ability to basically do justice.

Finally, I just want to say, as has been noted a couple of times, Mr. FORBES will be leaving our committee. I have enjoyed serving with him during my time. He is—as Stephen Colbert would say—a worthy opponent, and I enjoy that. We have had a lot of great debates on the committee. I am very, very sorry to see him go. I thank him also for his service. We have worked in a very bipartisan fashion on a number of issues and upheld, I think very, very well, the bipartisan tradition of the House Armed Services Committee. So I have enjoyed serving with him. I appreciate that service. I wish him the best of luck in the future.

I yield back the balance of my time.

Mr. FORBES. Mr. Speaker, could I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 14 minutes remaining.

Mr. FORBES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me, first of all, say I have enormous respect for the ranking member, and he has done an admirable job today, as he always does, of defending the President and the President's actions in Guantanamo Bay.

Unfortunately, the President's actions in Guantanamo Bay have not been quite as admirable. We have heard throughout the discussion today several catchphrases. We have heard that we wanted to discuss what was actually true. We wanted to discuss what the facts actually were. We talked about this incredible vetting process this administration had. We talked about the need to have a process and to have that process work before they took action. We have heard the phrase, We don't want to turn the American justice system on its ears. And we have also heard that, We don't want to hold up the process for a few months because that could be problematic.

Mr. Speaker, let me try to take us back a little bit and put some facts around this whole debate as to why we got here in the first place. The reality of this situation is that this administration, before they ever took office, before the President ever raised his hand and took the oath, before any cabinet members were appointed, or before anybody had been placed in his administration, this President and this Vice President made a commitment to

close Guantanamo Bay before they ever went down there and actually investigated and looked at what was there.

The other situation is that when they made that promise, they had made no vetting process. They had no process in place.

The other fact, Mr. Speaker, is that when this President raised that hand and took that oath, the former administration that my good friend, the ranking member, has talked about how terrible they were, they had a prosecutor and a team of prosecutors who were prosecuting some of the worst terrorists this country had ever seen. Most Americans don't know the names of the people in Guantanamo Bay, but they know we had co-conspirators in 9/11 who were sitting down there, and that former administration had a prosecutorial team who had gone through months after months after months with a stack of motions this high, and that prosecutor said to anyone who would go down there, including me and the former chairman of the committee, Ike Skelton, that he would have had guilty verdicts or guilty pleas by those co-conspirators within 6 months.

When this administration came in with their great vetting and their great process without talking to that prosecutor, without looking at that at all, he disbanded that entire prosecution, terminated that prosecutor, terminated that entire team. And, to this day, no one on that side of the aisle can even tell us when they are going to have convictions on those conspirators of the worst terrorists this country has ever seen.

When I hear the President and the Vice President stand up and say, We haven't given up on the promise to close Guantanamo Bay, I listen and I listen and I listen to deafness for the President or the Vice President to say, We haven't given up on getting convictions of the worst terrorists in the United States.

So when I look at Guantanamo Bay and I hear, We are not really going to close it, forget what the President is saying, forget what the Vice President is saying, they don't really mean they want to close Guantanamo Bay. All they want to do is bring those terrorists to the United States.

We have stood on this floor and fought that for 8 years, and here is the reason. Because let me ask which of you want those terrorists brought to your community with every single act of terrorism we are seeing now and the repercussions of that? Because the moment you put them in your community in any jail or any prison, it is not a matter of whether we can hold them there, but you have just put a target on every school, every business, every mall in that community. When you talk about justice and you talk about fairness, we just believe that is wrong.

So when you talk about just giving a little more time to the President for a few months, doesn't it make a little bit of sense that if this administration was given the time to come in and stop the prosecution of the worst terrorists the United States has ever seen, that maybe, just maybe we ought to have a temporary hold and let the next President, whoever that President might be, have a few months to determine before we release these terrorists whether or not they want to prosecute them and they really want to bring them to a conviction instead of just talking about it for 8 years?

Let me close, Mr. Speaker, with this. Years ago, when I stood on this floor on one of the first motions we had, it was a motion to recommit for the defense authorization bill to stop this administration from bringing these detainees to the United States. My friend and chairman on the other side of the aisle, Ike Skelton, stood on the floor right where my good friend, Mr. SMITH, is sitting today, and Mr. Skelton said this: When it comes to terrorism, there shouldn't be any light between the Republicans and the Democrats. And he supported that motion not to bring those terrorists to the United States.

So, Mr. Speaker, today, after all of the rhetoric, it is a pretty simple deal, prosecute them if you want to prosecute them, but don't fulfill some campaign promise of shutting down Guantanamo Bay and the impact that could have on these terrorists.

And I would say, as my good friend, Ike Skelton, said today, there shouldn't be any light between Republicans and Democrats when it comes to terrorists, but there certainly shouldn't be any light in with any Member of this Congress when it comes to defending and protecting the United States from these terrorists who have one goal in mind, and that is to kill Americans.

Mr. Speaker, I urge all Members to support this bill.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 863, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FORBES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 244, nays 174, not voting 13, as follows:

YEAS—244		
Abraham	Graves (MO)	Pearce
Aderholt	Griffith	Perry
Aguilar	Grothman	Pittenger
Allen	Guinta	Poe (TX)
Amodel	Guthrie	Poliquin
Ashford	Hanna	Pompeo
Babin	Harper	Posey
Barletta	Harris	Price, Tom
Barr	Hartzler	Ratcliffe
Barton	Heck (NV)	Reed
Benishek	Hensarling	Reichert
Bera	Herrera Beutler	Renacci
Bilirakis	Hice, Jody B.	Ribble
Bishop (MI)	Hill	Rice (SC)
Bishop (UT)	Holding	Rigell
Black	Hudson	Roby
Blackburn	Huelskamp	Roe (TN)
Blum	Huizenga (MI)	Rogers (AL)
Bost	Hultgren	Rogers (KY)
Boustany	Hunter	Rohrabacher
Brady (TX)	Hurd (TX)	Rokita
Brat	Hurt (VA)	Rooney (FL)
Bridenstine	Issa	Ros-Lehtinen
Brooks (AL)	Jenkins (KS)	Roskam
Brooks (IN)	Jenkins (WV)	Ross
Buchanan	Johnson (OH)	Rothfus
Buck	Jolly	Rouzer
Bucshon	Jordan	Royce
Burgess	Joyce	Ruppersberger
Byrne	Katko	Russell
Calvert	Kelly (MS)	Salmon
Carter (GA)	Kelly (PA)	Sanford
Carter (TX)	King (IA)	Scalise
Chabot	King (NY)	Schweikert
Chaffetz	Kinzing (IL)	Scott, Austin
Clawson (FL)	Kirkpatrick	Scott, David
Coffman	Kline	Sensenbrenner
Cole	Knight	Sessions
Collins (GA)	LaHood	Shimkus
Collins (NY)	LaMalfa	Shuster
Comstock	Lamborn	Simpson
Conaway	Lance	Sinema
Cook	Latta	Smith (MO)
Costello (PA)	Lipinski	Smith (NE)
Cramer	LoBiondo	Smith (NJ)
Crawford	Long	Smith (TX)
Crenshaw	Loudermilk	Stefanik
Cuellar	Love	Stewart
Culberson	Lucas	Stivers
Curbelo (FL)	Luetkemeyer	Stutzman
Davidson	Lummis	Thompson (PA)
Davis, Rodney	MacArthur	Thornberry
Denham	Maloney, Sean	Tiberi
Dent	Marchant	Tipton
DeSantis	Marino	Trott
Diaz-Balart	McCarthy	Turner
Dold	McCaul	Upton
Donovan	McClintock	Valadao
Duffy	McHenry	Vela
Duncan (SC)	McKinley	Wagner
Emmer (MN)	McMorris	Walberg
Farenthold	Rodgers	Walden
Fitzpatrick	McSally	Walker
Fleischmann	Meadows	Walorski
Fleming	Meehan	Walters, Mimi
Flores	Messer	Weber (TX)
Forbes	Mica	Webster (FL)
Fortenberry	Miller (FL)	Wenstrup
Fox	Miller (MI)	Westerman
Franks (AZ)	Moolenaar	Westmoreland
Frelinghuysen	Mooney (WV)	Williams
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gibson	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	Yoder
Gosar	Noem	Yoho
Gowdy	Nugent	Young (IA)
Graham	Nunes	Young (IN)
Granger	Olson	Zeldin
Graves (GA)	Palmer	Zinke
Graves (LA)	Paulsen	

NAYS—174

Adams	Bonamici	Capuano
Amash	Boyle, Brendan	Cárdenas
Bass	F.	Carney
Beatty	Brady (PA)	Carson (IN)
Becerra	Brownley (CA)	Cartwright
Beyer	Bustos	Castor (FL)
Bishop (GA)	Butterfield	Castro (TX)
Blumenauer	Capps	Chu, Judy

[Roll No. 520]

Ciilline	Huffman	Payne
Clark (MA)	Israel	Perlosi
Clarke (NY)	Jackson Lee	Perlmutter
Clay	Jeffries	Peters
Cleaver	Johnson (GA)	Peterson
Clyburn	Johnson, E. B.	Pingree
Cohen	Jones	Pocan
Connolly	Kaptur	Polis
Conyers	Keating	Price (NC)
Cooper	Kelly (IL)	Quigley
Courtney	Kennedy	Rangel
Crowley	Kildee	Rice (NY)
Cummings	Kilmer	Richmond
Davis (CA)	Kind	Roybal-Allard
Davis, Danny	Kuster	Ruiz
DeFazio	Langevin	Rush
DeGette	Larsen (WA)	Ryan (OH)
Delaney	Larson (CT)	Sánchez, Linda
DeLauro	Lawrence	T.
DeBene	Lee	Sarbanes
DeSaulnier	Levin	Schakowsky
Deutch	Lewis	Schiff
Dingell	Lieu, Ted	Schrader
Doggett	Loebsock	Serrano
Doyle, Michael	Lofgren	Sewell (AL)
F.	Lowenthal	Sherman
Duckworth	Lowey	Sires
Duncan (TN)	Lujan Grisham	Slaughter
Edwards	(NM)	Smith (WA)
Ellison	Lujan, Ben Ray	Speier
Engel	(NM)	Swailwell (CA)
Eshoo	Lynch	Takano
Esty	Maloney,	Thompson (CA)
Farr	Carolyn	Thompson (MS)
Foster	Massie	Titus
Frankel (FL)	Matsui	Tonko
Fudge	McCollum	Torres
Gabbard	McDermott	Tsongas
Galleo	McGovern	Van Hollen
Garamendi	McNerney	Vargas
Grayson	Meeke	Veasey
Green, Al	Meng	Velázquez
Green, Gene	Moore	Visclosky
Grijalva	Moulton	Walz
Gutiérrez	Murphy (FL)	Wasserman
Hahn	Nadler	Schultz
Hastings	Napolitano	Waters, Maxine
Heck (WA)	Neal	Watson Coleman
Higgins	Nolan	Welch
Himes	Norcross	Wilson (FL)
Hinojosa	O'Rourke	Yarmuth
Honda	Pallone	
Hoyer	Pascrell	

NOT VOTING—13

Brown (FL)	Hardy	Sanchez, Loretta
Costa	Johnson, Sam	Scott (VA)
DesJarlais	Labrador	Young (AK)
Ellmers (NC)	Palazzo	
Fincher	Pitts	

□ 1035

Mrs. DINGELL, Mr. BISHOP of Georgia, and Mr. AL GREEN of Texas changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HARDY. Mr. Speaker, on rollcall No. 520 I was present on the House Floor and used my voting card to register a "yes" vote on H.R. 5351, To prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba. Due to a malfunction in the voting device, my "yes" vote was not recorded. Had I been present, I would have voted "yes."

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr.

MCCARTHY), the majority leader, for giving us the schedule.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House.

On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

The House will also consider H.R. 3438, the REVIEW Act, sponsored by Representative TOM MARINO, which ensures that new agency rules that place \$1 billion or more in costs on the economy will not take effect until after any litigation over the rule is resolved.

Additionally, the House will consider H.R. 5719, the Empowering Employees through Stock Ownership Act, sponsored by Representative ERIK PAULSEN. This critical bill, which is part of the Innovation Initiative, gives startups the opportunity to attract the talent necessary to advance innovation and grow the economy.

The House will also consider two important bills related to Iran. The first is H.R. 5461, the Iranian Leadership Asset Transparency Act, sponsored by Representative BRUCE POLIQUIN. It requires the Treasury Department to report on the total assets of senior Iranian and political and military leaders and make that information public on their Web site.

The second, H.R. 5931, the Prohibiting Future Ransom Payments to Iran Act, sponsored by Representative ED ROYCE, will prohibit all cash payments, including dead-of-night ransom payments, and ensure transparency in congressional review of any future settlements with Iran.

Now, finally, Mr. Speaker, as we approach the end of September, Members are advised that additional items are possible, including legislation to fund the government.

Mr. HOYER. I thank the gentleman for his comments.

Mr. Speaker, the legislation we will be considering next week, I am sure, has support in a number of quarters. The majority leader mentioned, in the last line, that we will be considering efforts to fund the government, the so-called continuing resolution.

Mr. Speaker, as the Speaker knows and the House knows, we have not passed any appropriation bills through the Congress and sent them to the President, nor have we adopted a budget. In the absence of both of those, certainly in the former, we need to have a funding of government passed by September 30th.

I ask the majority leader, therefore, Mr. Speaker, if the majority leader has any knowledge of the status of the CR, either in this House moving forward or in the other body.

I yield to the gentleman from California.

Mr. MCCARTHY. I thank the gentleman for yielding.

Yes, we are continuing discussions on the appropriation process and how to ensure the government is funded after September 30th. As soon as it is finished, Members will be advised when floor action is scheduled.

Mr. HOYER. Mr. Speaker, I thank the majority leader for that.

Let me say that I would hope, given the fact that we have a maximum of eight or nine legislative days left before the end of the fiscal year, end of the September 30 fiscal year, that the CR hopefully will be a document on which we have consensus on all its parts.

The majority leader, I am sure, Mr. Speaker, has heard the same kinds of rumors I have heard, which is not unusual, that the Senate may pass a CR and then decide their work, at least prior to the election, is done.

If that is the case, or, in any event, whether it is the case or not, and we initiate a bill, it will be critically important that that bill be a bill that can be supported by both sides.

So I look forward to working with the majority leader to ensure that when a CR is brought to the floor, either a Senate bill—which will be a House bill amended by the Senate, I presume—or a House bill, that we have agreement, Mr. Majority Leader, on the component parts of that continuing resolution so we do not put at risk the shutting down of the government of the United States. I don't know whether the gentleman wants to respond at all.

I yield to the gentleman from California.

□ 1045

Mr. MCCARTHY. I look forward to working with the gentleman.

Mr. HOYER. I thank the gentleman.

In addition to the CR, which is necessary to fund government, we have a crisis in America, a health crisis. We spent a lot of time talking about it last time. We won't spend a long time, but Zika continues to be a real challenge. We have continuing incidents. The moral and fiscal costs of not addressing this issue are of great magnitude, great seriousness.

Can the gentleman tell me whether he believes that sufficient resources to respond to the Zika crisis will be included in the CR or whether it may be a freestanding bill that we could reach consensus on and send to the President?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

The gentleman is correct that this is a crisis before us. The gentleman and I have worked on this issue when it first arose, putting individuals into committee and looking at what we needed to accomplish. This House actually acted and acted early.

Your question is: Would it be combined with the continuing resolution? I believe that is what we would see, along with the continuing resolution to solve this challenge with Zika. Unfortunately, it has been stuck in the Senate. In the conversations I have been having with the other house, I am very hopeful that that will get done.

Mr. HOYER. I thank the majority leader, Mr. Speaker.

I would reiterate, Mr. Speaker, the observation that I made last week, that the Senate has, in fact, passed a Zika response with 68 votes. And if the Senate fails to move legislation, the majority leader—and I share his view—hopes it will be included in a continuing resolution. In the event that does not occur, I would urge the majority leader, Mr. Speaker, to consider putting a House bill in which reflects the Senate compromise supported by more than two-thirds of the Senate and a bill which I represented to the majority leader last week—but I want to represent again—I can't say unanimously but overwhelmingly, with well over 180 votes, in my view, we would support.

I give that information, Mr. Speaker, to the majority leader so that he will know that in the event we have not responded in the CR that I believe the Senate-passed legislation incorporated into a House bill and brought to the floor can pass on suspension and may well even be able to pass on unanimous consent. I don't know that that is the case, but it certainly could pass on suspension. I would urge him to consider that as an alternative available to us to respond so that we do not have the situation which we had in July of leaving town for 7 weeks without having addressed this crisis that confronts the health of our people.

Mr. Speaker, let me indicate that we have a number of other pieces of legislation that I would last like to ask the majority leader about. There are rumors that our schedule is going to be over in the next few weeks. I don't know. The Senate was planning on going presumably to the first week of October. I don't know that they are going to do that. We are planning to go to the end of September.

There are a number of other pieces of legislation which I think need to be addressed. We continue to be very concerned about our failure to respond to the Flint crisis. The mayor of Flint was in my office yesterday. They are still drinking bottled water because the water in their pipes that is being delivered to their homes is still unfit for human consumption unless a filter is in place and unless that filter is

working efficiently and effectively. We really need to, I think, help on that.

With respect to opioids, we passed a piece of legislation that was, Mr. Speaker, a bipartisan piece of legislation. We continue to believe, however, the resources to carry out the policies included in the authorizing bill need to be addressed.

Lastly, Mr. Speaker—I mentioned this before—we continue to urge that in light of the scourge of gun violence in America that we take up two bills sponsored by the former chairman, Republican chairman of the Committee on Homeland Security. They are not Democratic bills, although Democrats support the bills and are cosponsors of the bill, but they are PETER KING's bills to provide greater safety.

First of all, Mr. Speaker, we have adopted the premise that background checks are a good thing. We require background checks. The problem is, we don't require background checks in every instance of a transfer of a weapon from seller to buyer. The problem with that, of course, is if you want to buy a gun for a nefarious purpose, one would assume you are not going to go and have your background checked. You will find some other way to purchase that gun. We would hope that bill would be brought to the floor.

The second bill that Mr. KING has, of course, seems to us to be a very reasonable piece of legislation, which simply says, if you are judged too dangerous to fly on our airplanes, you ought to be too dangerous as well to buy weapons to injure people in our country; we think you are too dangerous to go on an airplane and that you might injure people in that fashion.

I would urge, Mr. Majority Leader, Mr. Speaker, before we leave before the election, two things, that we bring those to the floor and we carry out—and I want to repeat again because I think it is important. Speaker PAUL RYAN said on October 29, 2015, just a year ago: "We will not duck the tough issues; we will take them head on . . . we should not hide our disagreements. We should embrace them. We have nothing to fear from honest disagreements honestly stated."

Mr. Speaker, I share that view. I think the bills that I have mentioned—Flint, opioids, gun violence, and certainly Zika, and, yes, there are others—ought to be brought to this floor, and the House ought to work its will. I would hope that in the next few days that are available to us that the majority leader, Mr. Speaker, gives careful consideration to bringing those pieces of legislation to the floor.

In the gun violence case, the polls reflect that over 85 percent—and in one case over 90 percent—of Americans support those pieces of legislation. They would pass, Mr. Speaker, overwhelmingly. The only reason they haven't passed—the only reason they haven't

passed—contrary to the statement that we will not duck the tough issues, said by Speaker RYAN just about a year ago, the only reason they haven't passed is because they have not been brought to the floor. I would urge, Mr. Speaker, the majority leader consider that.

Mr. MCCARTHY. I thank the gentleman for his advice.

Mr. HOYER. Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, SEPTEMBER 15, 2016, TO MONDAY, SEPTEMBER 19, 2016

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, September 19, 2016, and that the order of the House of January 5, 2016, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. MOONEY of West Virginia). Is there objection to the request of the gentleman from California?

There was no objection.

REMEMBERING THE LATE HONORABLE MARK TAKAI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Hawaii (Ms. GABBARD) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. GABBARD. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Ms. GABBARD. Mr. Speaker, we are holding this Special Order today to honor our colleague and friend, Mark Takai. Many of our colleagues are here to share their own memories and remembrances of our friend.

In Hawaii, the word "aloha" holds a very special place in our hearts. It is a word that we use every day to say hello and good-bye, but, in saying that word, we are actually conveying a much deeper meaning. In the deepest and truest sense of the word, aloha means I come to you with an open heart and offer you my deepest respect, love, and care. It is a word that describes a way of life. Living aloha brings people together regardless of their unique backgrounds or things like age, race, religion, or social class.

This open heart, this spirit of aloha, is what I think of when I think of my colleague, my fellow soldier, and my friend, Mark Takai, because he carried this aloha spirit with him wherever he

went. He shared it with everyone that he came into contact with.

During a celebration of Mark's life held in his hometown of Pearl City on Oahu just a few weeks ago—this is the community that he served for over 20 years as a State legislator—I heard from one of Mark's high school teachers named Mike, who shared her amazement that not only was Mark a great student, not only was he an all-American swimmer, but he would spend his free time doing things like organizing voter registration drives and get-out-the-vote parades in his neighborhood, encouraging his community to make sure that their voice was heard.

As a student at the University of Hawaii at Manoa, Mark was a leader among his peers, one of whom is here today, our colleague, Congresswoman TAMMY DUCKWORTH. He served as president of the Associated Students of the University of Hawaii at Manoa, was a champion on the varsity team for 4 years, and was editor in chief of the campus newspaper, *Ka Leo O Hawaii*.

I recently had an intern in my district office who is a part of ASUH, and he told me about how the University of Hawaii student government members today tell stories of the legends of Mark Takai's courage and leadership as student president, taking on difficult issues like sexual harassment and assault, resulting in his being sued by the University of Hawaii professors union. But no matter the challenge, the difficulty, or the obstacle, the legends are true; Mark Takai never backed down.

At age 27, he was elected to the Hawaii State House of Representatives, representing his hometown of Pearl City and neighboring Aiea from 1994 to 2014. In 2002, I was elected to the State House where I first got to know him, learning of his commitment and passion for the University of Hawaii, and his and Sami's love for all things Disney, showing me the memorabilia they brought home from the Disney parks they visited around the world, and sharing copies of the cookbook he distributed throughout his Pearl City district, always making time, always ready with a helpful tip and a helping hand.

In 2014, after a hard-fought campaign, Mark came here and joined us in Congress, representing the First Congressional District of Hawaii. While here, he served on the Committee on Armed Services, as well as the Committee on Small Business, working hard always, putting first and foremost his constituents. Even after he was diagnosed and going through treatment, he was always there attending his committee hearings, doing things that no one really expected he would do.

I was amazed, during our annual NDAA marathon markup session that often lasts over 16 straight hours, Mark

was there in the wee hours of the morning passing out the Hawaii-made chocolate macadamia nuts to our colleagues.

For 17 years, while simultaneously fulfilling his responsibilities as an elected official, Mark also served as a citizen soldier in the Hawaii Army National Guard, where he earned the rank of lieutenant colonel, deployed to Kuwait in support of Operation Iraqi Freedom, and served as president of the Hawaii Army National Guard Association. Because Mark had a master's degree in public health, he came into the National Guard as a direct commissioned officer. What this meant in practical terms was he didn't have to go through basic combat training or OCS.

□ 1100

When I came back to Hawaii from my basic training in South Carolina, I was assigned to our medical command, the same unit as Mark. He was a first lieutenant. I was a private first class. As I was rendering him a salute, he would joke around, asking me to teach him how to render a proper salute and how to march in a formation because he never got to learn those through basic training.

Mark was incredibly proud to wear the uniform. He was deeply committed to the National Guard, extremely active with the National Guard Association both in Hawaii and here in Washington, always looking to find ways to support the institution and its service to our soldiers and airmen in Hawaii and across the country.

I have heard from so many of Mark's soldiers and peers in the Hawaii Guard who express disbelief that he is actually gone and how much they truly valued the time they spent with him and served with him.

Mark's service to Hawaii and our Nation spans nearly a quarter century. His legacy of aloha and his commitment to service touched the lives of so many people along the way.

All of the stories and remembrances we will hear today I think capture the essence of Mark, his heart for service, his spirit of aloha, his love for God, his love for his family, and caring and sharing aloha with everyone.

To our colleagues here today to share their memories of Mark, thank you for opening your hearts as we honor and remember and say aloha to our dear friend.

To Mark's staff, thank you for being strong, for serving Mark and our State of Hawaii, and continuing to serve the people of Hawaii through this difficult time.

Finally, I would like to recognize Mark's family, who have just arrived here in the gallery. I would like to recognize Mark's wife, Sami; his children, Matthew and Kaila; his parents, Erik and Naomi; and his siblings, Nadine,

Nikki, and Ross, all of whom have been incredibly generous in sharing their time and opening their family to all of us, to people across the State of Hawaii, and yesterday during the beautiful and historic service that was held in Mark's honor.

I want you to know that you were always with him wherever he went. He was always speaking about you proudly. You were the light of his life.

Mahalo, Mark, for the lasting impact that you had on all of us, for sharing your aloha with us, and for dedicating your life to the service of others.

I yield to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Speaker, I thank the gentlewoman for loaning me her lei and hosting this Special Order in honor of our colleague and friend, the late Congressman Mark Takai of Hawaii.

I was fortunate to develop a very close friendship with Mark, as we were part of the same freshman class elected in 2014, and sat next to each other on the House Armed Services Committee.

In the panhandle of Florida, the area I represent, we have an attitude toward life we call "The North Florida Way." It means we care about public service, we take care of our neighbors, and we do what is right. And even though the panhandle is about 5,000 miles from Hawaii, The North Florida Way is a lot like the aloha spirit.

As we have learned here today, Congressman Takai embodies the aloha spirit. As a public servant, he stands as a role model for all of us. He first ran for public office at 27 years old, and served 10 years in the Hawaii House of Representatives before coming to Congress. At the same time, he was also serving in the Hawaii National Guard, where, over 17 years, he earned the rank of lieutenant colonel and served in Operation Iraqi Freedom.

Mark cared about his neighbors, representing the people of his State with distinction, and always cared about those around him, as a father, a husband, a friend, and a colleague. Sitting next to him in committee, he would always greet me with a smile and a warm aloha. He cared about doing what was right, especially for his fellow servicemembers in the military.

As we remember Congressman Takai today, I hope we all continue to honor his memory and aloha spirit throughout the end of our own service. Let's all honor him by practicing a little more of the aloha spirit every day.

Let's remember to represent our constituents, to care about each other, and to do what is right. That is what Mark always did, and that is what he would want us to do.

Mark was a role model for us all, in and out of Congress. Our thoughts, prayers, and love are with his family.

Ms. GABBARD. I yield to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I rise to honor and celebrate the life of my

good friend, Congressman Mark Takai of Hawaii.

Mark was a fierce advocate for the people of Hawaii and was a champion of issues important to the AAPI community. Prior to his two decades as a representative in the Hawaii State House, Mark briefly lived in Guam, my home, and attended school there, which helped to inform his perspectives on the unique challenges affecting the territories.

Here in Congress, Mark was an embodiment of the aloha spirit. I worked with him on a number of issues impacting Guam, Hawaii, and the Pacific region. As a member of the House Armed Services Committee, I truly appreciated his insights and views, especially his experiences as lieutenant colonel in the Hawaii Army National Guard.

Mark's passing creates a void in Congress that cannot be replaced, but his life and his legacy will forever live on in all of us who knew him and in the many public policies that he helped to enact to make life for all Americans better.

On behalf of the people of Guam, I extend my condolences to his wife, Sami; his children, Matthew and Kaila; and the entire Takai family.

Mark, you will be deeply missed. As we say in Guam: Un Dangkulo na Si Yu'os Ma'ase, Mark.

Ms. GABBARD. I yield to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I rise to speak about my friend, Mark Takai.

We came in last year in the freshman class together. Through various orientation events, my wife, Betty, and our children had the honor of getting to know Mark's family, Sami, Matthew, and Kaila. Having gone to his beautiful memorial ceremonies in Hawaii and here, we had the honor of meeting Mark's extended family. The grace and dignity with which they have handled this has been tremendous.

I want to talk a little bit about Mark. He was a joy to be around. He was warm, he was happy, he was energetic, and he exemplifies the best of America. Having served in our Armed Forces, serving the State legislature and here in Congress, he always tried his best to represent Americans and do what he thought was best.

I know we all dearly miss Mark. I know that when he said he is going to be fine and is going to be in heaven, a smile comes to my face when I think about Mark looking down at all of us and how happy he would be to see us here today. We all miss him dearly.

Ms. GABBARD. I yield to the gentleman from Maryland (Mr. HOYER), our esteemed minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for taking this Special Order hour.

We are all sad and lament the fact that an extraordinary human being

was taken from us far too early. I tell my colleagues, this picture says it all: that wonderful, warm, accepting, engaging aloha smile that is represented in this picture of our colleague, Mark Takai.

I join my colleagues in celebrating and remembering a life well lived. Though he only served alongside us in this House for a short time, he made a big impact on us all with his kindness, his sincerity, and his intellect. All of us admired the steadfastness with which he fought for his constituents and the courage with which he fought his illness. All of us saw Mark on this floor, determined to serve his constituents for as long as his health allowed him to do so.

As was said yesterday, Mark did not greet us with any self-pity or any wringing of hands, but with a positive attitude to the end. I wasn't with him at the very end, but my, how we were blessed to be with him for the short time that we had him. What an example he set for all of us to overcome adversity and welcome opportunities rather than focusing on that which he could not do.

Not only was Mark an outstanding Member of Congress, he was, as has been said by his fellow officer, a warrior willing to serve, to risk, and to save this great country, its democracy, and its people.

As a lieutenant colonel in the Hawaii Army National Guard, he deployed on Active Duty to Kuwait in support of Operation Iraqi Freedom. He earned the Army's Meritorious Service Medal for his achievements there.

We all are standing here to speak of the meritorious service he gave right here. Yes, on the battlefield; yes, at the point of the spear; but right here as well. He drew on his experience in the Army as a veteran when he served as chairman of the House Committee on Veterans, Military, and International Affairs in the Hawaii legislature, and later as a member of the House Committee on Armed Services here in Congress.

A proud native of Hawaii, Mark dedicated his life and career to the people of his beloved State. He was elected to the Hawaii House of Representatives at the age of 27. I can empathize with that because I was elected to the Maryland State Senate at the age of 27. We talked about that. Some have entered earlier, but that was pretty early. It gave us a great opportunity to serve.

Mark believed strongly that every child deserves a chance to learn in a safe and nurturing environment. In my own State, there are 52 Judy Centers named after my late wife, who died almost 20 years ago, that serve 3- and 4-year-old children.

Mark had that same kind of compassion and concern and focus on making sure that young people received all that we could give them early in life so

that they could succeed later in life, as Mark Takai did so extraordinarily.

I have other words that I will submit for the RECORD because there are so many of my colleagues who want to speak about Mark and their relationship to him, their respect for him, their love for him, and his love for us.

I thank Congresswoman GABBARD for taking this hour, and I thank her for being such an example. Both of you define aloha.

God bless.

Mr. Speaker, I join my colleagues today in remembering the life of our friend, Representative Mark Takai, who lost his battle against cancer in July.

Though he only served alongside us in this House for a short time, he made a big impact on us all with his kindness, his sincerity, and his intellect.

All of us admired the steadfastness with which he fought for his constituents and the courage with which he fought his illness.

Not only was Mark an outstanding member of Congress, he also served our nation in uniform.

As a lieutenant colonel in the Hawaii Army National Guard, he deployed on active duty to Kuwait in support of operation Iraqi Freedom, and he earned the Army's Meritorious Service Medal for his achievements there.

He drew on his experiences in the Army and as a veteran when he served as chairman of the House Committee on Veterans, Military, and International Affairs in the Hawaii Legislature and later as a member of the House Committee on Armed Services here in Congress.

A proud native of Hawaii, Mark dedicated his life and career to the people of his beloved state.

Elected to the Hawaii House of Representatives at the age of twenty-seven, he spent two decades working hard to improve lives, strengthen communities, and bring jobs and opportunity to Hawaii. He championed education and fought for better schools.

Mark believed strongly that every child deserves a chance to learn in a safe and nurturing environment.

He stood up for Hawaii's veterans and worked to combat homelessness among those who were coming home from war.

Concerned about the dangers of climate change and rising sea levels, Mark did more than just support green energy through tax credits; he outfitted his own house with solar panels and drove an electric vehicle to show others how easy it is to live sustainably.

When Mark ran for Congress in 2014 and won, all of us believed he would be making a difference here in Washington for many, many years ahead.

He was one of those who loved being a legislator, who had the experience and talent to get things done in Congress.

All of us are deeply saddened that our country lost Mark at such a young age, with surely many great achievements ahead.

Losing a colleague is always difficult, but with Mark Takai it was more than that—we lost someone who had quickly become our friend, someone as warm as he was dependable, as jovial as he was wise.

My thoughts continue to be with Mark's wife Sami and their two children, Matthew and Kaila.

My heart goes out to them and to the people of Hawaii's first District he served so ably.

I also offer my condolences again to Senators SCHATZ and HIRONO and Representative TULSI GABBARD, Mark's colleagues in the Hawaii Congressional delegation, who worked closely with him every day.

We will miss him dearly in the halls of Congress, and I thank Representative GABBARD for leading the effort to pay tribute to him in the United States House of Representatives today.

□ 1115

Ms. GABBARD. Mr. Speaker, I yield to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mahalo to my colleague from Hawaii, Congresswoman GABBARD, for the time.

Mr. Speaker, on July 20, the world lost a kind man, this Congress lost a great leader, and many of us here lost a very dear friend.

I didn't expect to have this welling of emotion.

Mark Takai represented everything America wants in a public servant. He was selfless, he was humble, and he was passionate about strengthening his community and protecting his country.

He served 17 years in the Hawaii National Guard, including a deployment to Kuwait in support of Operation Iraqi Freedom. When he came home, he fought for the middle class and for the people of Hawaii.

He will be remembered by me and many of us here for his incredible spirit, which he bravely maintained through his illness. He will be remembered for his easy laugh, which brought joy to all those who knew him. And he spent a lifetime working to give a voice to those who struggled to be heard.

If I may depart from my prepared remarks for a moment, I remember going to Hawaii for his unofficial swearing-in in Honolulu with Leader PELOSI, and just seeing the outpouring of support from the people who elected him and the great hope in such a new young leader from the State of Hawaii, which has been going through great changes.

Getting to know him here and watching him, the losses that I feel are just that he was so full of potential. He loved Congress. He loved serving. He loved the potential to change this institution into a better place. He reached out to Republicans, not a mean bone in his body.

I hesitate to say this last part because I can't say the name of the restaurant that we both went to in Southeast, in that part of town, but it serves double-fried Korean chicken wings, and he thanked me very much that we could share it. He loved food.

I feel very lucky to have called him a friend. I will miss him very much.

Thank you. Mahalo to you, Mark Takai, for having been my friend.

Ms. GABBARD. Mr. Speaker, I yield to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Mahalo, Ms. GABBARD. I appreciate the gentlewoman from Hawaii yielding to me to talk about my colleague and my friend Mark Takai.

As I stand here in aloha attire, I am sure my colleague would admire my dress, yet shake his head at my tie. We do love our rules here in Congress, but even the Speaker acknowledged yesterday that Mark continually talked with him about the need to embrace the aloha spirit and to maybe, just maybe, relax our rules occasionally.

Like many in our class, I met Mark during freshman orientation in December of 2014, when we were both elected. Instantly, all of us gravitated to him. He was easy to love.

As I reflect on the impact that he had on me, I am struck by four key things that you will continue to hear my colleagues share in their stories.

First was his pleasant attitude, demeanor, smile, and his full-hearted laugh. He had a deep concern for his colleagues, even as he battled his illness. I can't tell you the number of times he would sit right up here and we would talk about the bills and the issues of the day, and I would try to say something to make him laugh, and he would give that big smile and that full-throated laugh. He took a lot of pride in that. I am not sure there is anyone in this Chamber who didn't enjoy spending time with Mark. He was just that special.

Second was his pride in Hawaii and of his service in the military. Mark's eyes never got bigger than when I told him that my wife, Alisha, and I were going to attend the 70th anniversary ceremony in Hawaii aboard the USS *Missouri*, with a bipartisan delegation led by Mr. FORBES. He was so happy that I would get an opportunity to meet Admiral Harris, but also to see Oahu and to enjoy its beauty.

He was the best mayor Oahu never had is the reality of the situation. Whether it was restaurants, beaches, hiking trails, military installations, he always had a suggestion of something you should see and do.

We have to go—again, we can't say the restaurant names. You have to go to "blank," and he would tell you the restaurant's name that started with a Z and he said was the President's favorite. And that turned into: Let's go there right now. And so Sami and Alisha and I, we went to this restaurant that is unique to Hawaii that Mark said was the President's favorite. When you walked in with Mark, you were bound to be recognized because he knew everybody; and you were going to eat whatever he said, as well.

Third was how driven and competitive he was. Don't take that smile and

that laugh to mean that he was a pushover. He was absolutely driven to represent his region and to do his job effectively. He would quiz me on the politics of my district, asking me questions about my race and giving me advice. He would talk about his own race and races in the past, and it was clear that he wasn't a pushover when it came to politics and fighting for his communities.

But he always had a plan, and that wasn't ever more evident than when he stayed on the floor just about the entire day, State of the Union Day 2015, to get a prime seat for the State of the Union. I still have the photo—I looked at it last night—of him directly behind Leader PELOSI. She was next to Whip HOYER, and he is beside JOHN LEWIS. Mark was a freshman, sitting right there within camera-shot, wearing his lei, and he wanted everyone back home to know he had arrived. It was brilliant.

The last point was about his family. He truly loved his family and his faith. As fathers spending a significant amount of time away from our two kids, we talked about them often, how proud we were of them, how much we missed them, and how we used technology to try to fill the void in communication. Attending weekend sporting events for swimming and soccer for Matthew and Kaila, even if it meant traveling and being home for only 30 hours, he wanted to do it. He wanted to be there. He wanted to be present.

Your dad loved you so, so much, and he talked about you so, so often.

Sami, I don't know how you do it. But he would comment on that. He would look at me, and we would be huddled in the back back there, and he would say: We wouldn't be able to do anything without our wives. And I said: Yeah, of course. We know that. He says: No, no, no. I mean you should know that. You should send a text message or something to Alisha right now.

We spent a relatively short amount of time with him here in Washington, D.C., but he touched our lives and was a source of strength and humor. I will always remember his spirit, his faith, and his commitment to his community.

Aloha, friend.

Ms. GABBARD. Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI), our leader.

Ms. PELOSI. What a beautiful picture of Mark.

Mr. Speaker, I thank Congresswoman GABBARD for bringing us together in this Special Order to salute a very special person, our colleague, Mark Takai.

It is a solemn privilege for all of us today to give voice to the sorrow of the U.S. Congress at the passing of our colleague and dear friend. We have lost someone truly special, a person who held the respect and friendship of colleagues on both sides of the aisle, on

both sides of the Capitol, up and down Pennsylvania Avenue.

In fact, the President himself paid tribute to Mark when he died. He said: "Michelle and I were saddened to learn of the passing of Representative Mark Takai.

"Mark was always a fighter," the President said. "It's the spirit he brought to more than two decades of public service on behalf of the people of Hawaii.

"He stood up for America's most vulnerable. He championed our troops and veterans, and proudly wore our Nation's uniform. And his relentless push for cancer research inspired countless Americans fighting the same battle as him.

"Simply put, our country is better off," the President said, "our country is better off because of Mark's contributions. He leaves a legacy of courage, of service, and of hope."

Michelle and he said: "Our thoughts and prayers are with Mark's wife, Sami, their two children, and many friends and family."

Many of the friends and family are here today: Sami, of course; Matthew and Kaila; his parents, Mark's parents, Erik and Naomi; his sister, Nadine; her husband, Ronnie, and daughter Nelani; his sister, Nikki; his brother, Ross; his father-in-law, Gary Kai; and all of the people of Hawaii who may be watching this, certainly all of our colleagues.

He was effective from the start, I think, because he was such an experienced legislator, 20 years in the Hawaii Legislature, and that made him, with his energy and as our colleague, Mr. AGUILAR said, his competitiveness.

Who but a competitive soul, and an imaginative one, would be bringing leis—I guess it is lei, singular is plural—to Selma to match what happened in the sixties, when Martin Luther King and our colleague JOHN LEWIS wore leis in the march. And who but he would, only a few weeks in Congress, decide that all these hundreds of lei would be sent from Hawaii for people to wear on the 50th anniversary of Selma.

As I said yesterday in Statuary Hall, many of the Members were thinking, "Why didn't I think of that?" but that is how Mark was. I don't want to say competitive, but nonetheless.

As far as his seating here, Mr. AGUILAR, I was privileged to appoint him as a part of the escort committee. Because of the President's origins in Hawaii, I wanted Hawaii to be represented on the escort committee; but as you said, he exploited the opportunity, and we were glad that he did.

I really wish that he were here, but I wish that everyone could have seen him on our codel to Asia. Congresswoman MATSUI did, and others. We were in Burma, Cambodia, Korea, Japan, Vietnam. We began in California, came to Hawaii to be briefed at

the Pacific Command, to go on to Asia and then come back through Alaska.

Now, here he was, a relatively new Member of Congress. This was like April of last year. He was in Congress maybe 3, 4 months, but he was on the Armed Services Committee, so he spoke with great authority because this was a security trip as well as a values, human rights trip and our economic interests trip.

So I said to him—getting back to Mr. AGUILAR—I said to him: We are going to begin in California with some briefings, and then we will go to Hawaii, and then you will preside as we meet with the Pacific Command. So would you like to join us in California?

He said: Would I like to join you in California? I could be home with Sami. I could have a night with Sami or I could be with all of you in California. I will meet you in Hawaii.

It was very clear that any chance he got he wanted to be with his family.

Certainly he, again, was part of the delegation. Only a few months in Congress, with such dignity, we forgot that he was a new Member of Congress. With great knowledge of our national security, with great diplomacy in how he conveyed his thoughts, and every place he went, he was beautifully received. I wish all of you could have seen how, especially in Japan, where they took special interest to embrace him as a Japanese American Member of Congress.

□ 1130

Everything he did, he did with excellence. He died as he had lived: loved and surrounded by family and friends, with great dignity and great courage. He used his time well—used his time well—and, again, understood what the opportunity of serving in Congress was, and he made an honorable contribution. His service here brought luster to the Congress.

It is a privilege to call him colleague for all of us, and an even bigger privilege to call him friend. In the Hawaiian way of family, he has bound us together. We are all family. I hope that the Takai family knows that they have family always in the Congress of the United States.

Ms. GABBARD. Mr. Speaker, I yield to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. Mr. Speaker, I rise today to celebrate the life of a truly good and humble man.

In the time I had the pleasure of knowing Mark, I was able to call him not only a colleague, but also, proudly, a friend.

Mark and I came to Congress in the same class almost 2 short years ago. Upon meeting Mark, I instantly knew that I had a new colleague that I could talk openly to, and I knew that he would always listen with an open mind. We also shared a mutual love and de-

sire to serve our constituents who also have so much in common, including a shared heritage.

Mark's heart was that of a public servant. Always willing to do whatever it took to best serve the people of Hawaii, Mark set an example for us all on how to put our communities above ourselves and serve for the betterment of everyone. This includes his service in the United States Army National Guard, during which time he served as a medical officer in Operation Iraqi Freedom.

I want to express my deepest condolences to Mark's wife, Sami, his two children, Matthew and Kaila, and wish for them comfort during this difficult time. I know that they can take solace in the fact that Mark was a great man who will always be respected and revered not for what he did for himself, but what he did for others.

I am grateful for the opportunity to talk about my friend, Mark. He will be dearly missed.

I thank Representative GABBARD. God bless Mark, his family, and the United States.

Ms. GABBARD. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I thank my colleague, Ms. GABBARD, for her very eloquent words yesterday. All the speakers did a remarkable job in a ceremony that was sad and poignant that really captured the spirit of who Mark was.

In the Hawaiian Islands, there is a word for family. Forgive my pronunciation—being from Pennsylvania—if I botch this, but I believe it is pronounced ohana. Ask anyone who lived or grew up there and they will tell you it is more than a word. It refers to not only your immediate family, but to extended family and beyond, even to strangers that you may not know. It is a very unique and strong bond amongst the Hawaiian people who live there.

I experienced that ohana firsthand when I met Mark and his family during our congressional orientation. Sami and my wife, Jenny, immediately bonded, as did Mark and I, and the way Matthew and Kaila played with our daughter, Abby.

I have many memories of that orientation and I actually was looking at a number of the pictures last night reflecting on Mark, reflecting on the ceremony yesterday, and preparing for today.

As Leader PELOSI pointed out, this picture of Mark really captures his warmth, his spirit, and the way he approached life. It inspires me, and I think all of us, to approach each and every day with a smile on our face no matter the difficulties of the moment or the seeming difficulties that in the larger scheme of things might not quite be as difficult or as important as we take them to be.

In this political crucible that we call Congress, Mark brought his personal sense of *ohana* to our body politic: his sense of understanding and willingness to find compromise where there often seemed to be none, his sense of seeing you as a friend with differences to work out and not as an adversary or an enemy, and his commitment to making sure we all found the common ground that so often eludes us.

He was here a brief period of time, but he left his mark. Any of us may serve 2 years or 20 years or beyond. I don't think each of us, though, will be able to say that we have actually left our mark. I hope we will be able to. It can be said about Mark Takai in his short period here that he touched every single person who knew him.

I love you, Mark, and I miss you. I love his beautiful family.

Ms. GABBARD. Mr. Speaker, I yield to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Speaker, I thank Congresswoman GABBARD for giving us this opportunity to say a few words about somebody whom we cared about and respected so much and who brought so much joy and positivity to this Congress.

To his family—to Sami, to Matthew, and to Kaila, thank you for sharing him with us. It meant a lot to us.

The Hawaiian word “*pono*” means righteousness. It is the idea that moral character leads to happiness. It means doing what is morally right and selfless. It is the word that so captures my feelings about Mark Takai, and that is what we see here in this picture.

Too often our society takes the notion of public service for granted. Mark was the embodiment of the idea of public service, an idea that he was so proud to take part in—first, in the military and, at the same time, also continuing on in government.

As I mentioned before in this House, Mark was a force of positivity. He was a leader who did not lead by force of will, but he led by being humble. He listened, he was effective at what he did, and he always brought us great warmth.

He was the embodiment of bravery first in his service to his Nation—our Nation—and then in his battle against cancer. His passing is a great loss to his family, to Hawaii, for this Chamber, and our Nation.

Mr. Speaker, we have truly lost one of the good guys.

Ms. GABBARD. Mr. Speaker, I yield to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Speaker, I thank Congresswoman GABBARD for scheduling this Special Order.

Mr. Speaker, Mark was a special presence in the freshman class of the 114th Congress. He brought his Hawaiian cheer to every room he entered, and I got to enjoy this perhaps more

than most because he was my fourth-floor Cannon hallmate.

Early on, Mark decided that as hallmates, our staffs should get together and break bread. A Hawaiian pizza party was born, and Mark burst in with a hearty aloha and bearing gifts of chocolate-covered Macadamia nuts and Hawaiian coffee. He regaled the staff with a few good stories, and it always seems that he led with his island shirt, a lei, and an enormous smile wherever he went.

Our hearts are with Sami and the children. Mark will be sorely missed.

After Mark was diagnosed with pancreatic cancer, he was resolute, brave, and determined to do all possible to battle a very difficult disease. But months later, when it was clear that Mark was dying, he seemed different to me. He grieved for his children, for Sami, for his myriad friends, and perhaps especially for all that he wanted to accomplish here in the people's House.

We never know when our time will come, and Mark's life and death teaches us that we must make the most of each and every day. Mark Takai was a superlative role model and a beloved friend.

God bless you, Mark, and all your generations to come.

Ms. GABBARD. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. DUCKWORTH).

Ms. DUCKWORTH. Mr. Speaker, I thank the gentlewoman.

Twenty-eight years—1988—that is how long I have known Mark. As long as I have known him, he always was the champion for the most vulnerable. We met at the University of Hawaii. He was the serious one—if you can imagine that—and focused.

At the Ka Leo O Hawaii student newspaper where he was editor, he investigated sexual harassment at a time when victims were routinely blamed and disbelieved. Perhaps that is not too hard to believe because even today that is happening, but almost 30 years ago, he stood up for the victims.

We were there watching him as he stood up and was sued by the very same union that later on became some of his biggest supporters for his stance on education. In fact, he brought millions back to Hawaii for education—work that took not months or years, but sometimes a decade of steady work.

He was worried about the education of our military children who must follow their servicemember parents from base to base. He wanted to make sure that they got good, continuous education and did not lose out because their parents were serving our Nation.

Mark had so many aspects to him. Some of it was funny, some of it was annoying, and some of it was so unique to him. But it was all part of what a great person—a great human being—he was.

I remember the months of emails and conversations we would have long distance—I was in Illinois and he was in Hawaii—when he was about to get his first Nissan LEAF. He was so proud he would get the very first one on the islands, and then his annoyance when the commanding general of the Hawaii National Guard got the first one and he got the second. I told him he was being ridiculous, that it didn't matter, and that what he was doing was going to be good for the environment and the world regardless. I had no idea that I was opening the door for years and years of conversations with Mark where he would detail exactly how much wattage he had sold back to Hawaii Electric from the solar panels on his roof or how long he had been able to go without having to recharge his electric vehicle.

He was there when my husband convinced me that we should ourselves buy an electric vehicle and the conversations the two of them would have about how important it was. It tried even this progressive Democrat's patience.

But he was always also there for others. I think one of the greatest skills that Mark had was to get others to join him in his cause, whatever that was; to get others to come and help share the load, whatever the load needed to be. Every time I went to Hawaii, whether it was on a family vacation or just to visit my mom who, by the way, lived in Pearl City, his Hawaii district, he would say: “Tammy, I need you to do this. I need you to go to this middle school and talk to these kids. Tammy, I need you to come do this. I need you to go to the University of Hawaii. I want you to go to the memorial. We need to talk and be there for the family of this fallen servicemember. Do you remember your friend from the Hawaii Guard?” It was always: “Tammy, we have got something to do.”

□ 1145

And do you know what? He made it so much fun that you always did anyway. You went, and you were better for it, Hawaii was better for it, and the constituency got the service of a man who was never, ever on vacation, who never stopped.

One of the things that I think you have heard from other folks here was just the pure joy of living that Mark had—all the meals that we would eat. He would show up, and you might just want to go get a sandwich someplace, but you were always off for an adventure for a new restaurant or a better place to eat.

It was actually at one of those unforgettable meals when he mentioned to me that he was interested in running for Congress. The minute he said it, I knew that I was on board because he was perfect for this House. He was perfect to be here to work on behalf of not

just the people of Hawaii but for the people of the United States. He was audacious but gentle. He was crusading and firm. I couldn't think of anyone who belonged here more. He had planned to serve for years, decades, gaining seniority to serve Hawaii.

I miss him every day. He would sit in that seat over there next to me in my wheelchair. I don't sit there now. I stopped when he could no longer be here. It was too much to try to sit next to the empty seat where Mark would sit. I would only go back when he was back here to vote.

Before his illness, we had planned to reserve adjacent military morale welfare recreation cabins at Barking Sands missile range for a joint family vacation. As he took a turn for the worse, he actually came up to me on this floor and said he was sorry, he was sorry that he couldn't keep our date with our families. The man was dying, and he was apologizing to me. That was Mark.

Even as he was fighting for his life, as he was working to secure the future for his two beloved children and the love of his life, he was concerned for others. He sat through the entire NDAA until 3:00 in the morning. When we were exhausted and tired and didn't think we could make it, there was Mark, fighting cancer, a big smile on his face, flashing a shaka to everyone.

I will treasure always one of our final trips together to Israel where we visited an Iron Dome battery together. Even as he was fighting for his life, he was concerned and working to ensure that the security of our Nation and our ally Israel was secure.

I am so glad he made it here and that he served. I am so glad that he made such a big difference in so many lives here. But that was Mark. From the time he was a young man to the day that he left us, he was about service to others. Thank you very much—mahalo nui loa—Mark, for being my friend, for showing me how to be a better person, and for showing me a better way to serve. I miss you. I will never forget you. Until we meet again—a hui kaua.

Ms. GABBARD. Mr. Speaker, I yield to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, I thank Congresswoman GABBARD.

Mr. Speaker, I rise today to honor the life and the legacy of my colleague, Mark Takai. I first met Mark when we were elected together. We were freshmen, and we were going through orientation. All of us were competing for staff office space and competing on who could get to class the quickest and who could find their way from point A to point B the quickest. We had a lot of fun together, and we got to know each other through those brief few days.

After we returned to Washington, we were sworn in as Members of Congress. I have a clear memory of how deeply

Mark cared about his home State and his family. Congress is a tough place, and Mark was even tougher. Mark and I were competing for a subcommittee assignment on the Natural Resources Committee. He and I both wanted to serve on the Natural Resources Committee Subcommittee on Indian, Insular and Alaska Native Affairs that oversaw the territories' natural resources of Hawaii and Alaska native affairs. I got the spot, and Mark came marching into my office with chocolate in his hand. He didn't make an appointment, by the way, and he had no staff with him. We were going to have a conversation, more of a spar over this committee assignment. And over chocolate, Mark made me promise that his beautiful home State of Hawaii would always be my priority, and I did.

Mark created so many opportunities for us to visit and get to know his home State, the beauty that it offers with its natural resources. He actually created a long list of people that I should meet in order to fully understand the needs of the island. I am sorry, Mark, that I didn't get to join you in Hawaii, but thank you for the opportunity to know you.

Sami, thank you for sharing such a wonderful man with not only the freshmen class, but with the entire membership of Congress and the Senate. We love Mark, we love you, and your family, and we are here for you.

Ms. GABBARD. Mr. Speaker, I yield back the balance of my time.

Ms. MENG. Mr. Speaker, I rise today with great sadness to honor a colleague and a friend, Congressman Mark Takai.

Even though I only had two short years to work with Mark, that's all I needed to gain a sense of his overwhelming passion for public service. He served Hawaii as a state representative for 20 years, and defended our freedoms as a Lieutenant Colonel in the Hawaii Army National Guard. Mark honorably represented his constituents in the House of Representatives, and was a model to those who put service to others before themselves.

He always talked about his wife Sami, and kids, Matthew and Kaila. He beamed with excitement when they were coming to visit or when he was going back home.

Mark was very humble—when he was curious about something he didn't hesitate to ask questions. He was a fierce advocate for Hawaii, small businesses, and veterans, and was always thinking of ways to help. We are all better for having known him, and he will be missed.

Mrs. DINGELL. Mr. Speaker, I rise today to honor and remember a friend and dear colleague who was taken from us far too soon.

Congressman Mark Takai was a true statesman, public servant and an inspiration to each and every person who had the honor of knowing him. All of us in this Chamber are heartbroken by this loss.

Throughout his life—as a National Guardsman, a leader in the Hawaii state legislature, and as a Member of Congress, Mark epitomized what it means to serve.

He fought tenaciously to better the lives of his constituents, and showed courage and strength in the face of adversity.

Mark loved his family—his wife Sami and his children Matthew and Kaila. He wanted to make this country better for them and for everyone who calls it home.

Mark was an example of what Congress should be, and his legacy will live on through his vision and unyielding commitment to bettering the lives of others.

My sincerest thoughts and prayers continue to be with Mark's family. I can only imagine the sense of loss they feel, because I lost a friend and there is a hole in my heart.

We thank them for sharing Mark with us. May they find comfort in knowing that his impact on the American people and the people of Hawaii is indelible and will not be forgotten.

REMEMBERING THE LATE HONORABLE MARK TAKAI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. HONDA) for 30 minutes.

Mr. HONDA. Mr. Speaker, I yield to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank Ms. GABBARD for bringing us together here this afternoon.

I have to say that this is a special time here for all of us. I was sitting here listening to all of the wonderful memories of Mark. We are so privileged to have known Mark.

May I just say this: I have been in and around Congress a long time, and this is so highly unusual for an individual, any individual, who has been here to have this kind of response. Mark was special. Amongst our sadness that we feel here, we can't help but smile when we think about him. That is what he did for us all the time.

I didn't know Mark very long at all, but I feel like I have known Mark forever. He has been a joy to all of us. He is somebody that has come into our lives and grabbed our hearts in such a meaningful way. And he came to Congress with a purpose. He said: Oh, he is merely a freshman. Mark Takai was never merely a freshman. He came with his commitment and his duty and his love of country wanting to do the best thing.

His impact was immediate. He had already been in the legislature and served in the Army National Guard. He had experience. He understood what it meant to be American and to do the right thing. He also understood what it meant to be a loving father, a husband, a son, and a wonderful sibling. He was the complete person. We don't meet many of those people in our lives. And when we do, we remember, we will always remember.

He demonstrated a selfless dedication to public service, to all of us, from a young age, by being a State representative for two decades, and through his

service to our country in the Army National Guard and in Congress for such a short time.

My memories of him are just so joyful because I watched his commitment. I went on that trip with Leader PELOSI last April, and he was so privileged to be a part of that group. As the Leader said, we started out in San Francisco and then we went to Hawaii. We met many service people, and we were meeting the military with security aspects in mind.

Leader PELOSI said to Mark: Mark, you are our expert here, you have served, and you understand.

And Mark said: Oh, yes, ma'am.

Then he turned to me after a while and said: DORIS, I am just a freshman.

I said: You are not a freshman; you know what is going on; and you can stand up to the generals and everyone else because you understand.

And do you know what? He was our expert, and we were so proud of him throughout that whole trip.

That is what I remember so much about him. He took responsibility, but he also understood the human side. Because on that trip, as we went through our official duties, there would be Mark always with a smile and a laugh and always trying to find a better place to eat, a place he had heard about from someone he met on the street, some person who said: You have got to try this little restaurant.

So sometimes after our official dinners, he would say: Do you want to go to this little restaurant that I just found?

We would say: No, we don't want to do that.

But do you know what? He was a Pied Piper. He was a Pied Piper, and we wanted to be with him.

We are going to miss him so much. He was a complete person. We love him. We are going to miss him.

Let me just say this: Sami, Matthew, Kaila, the family, we will never forget him. He touched us in a way that few people have. We love him, and we will miss him. We love you, and we will always remember him.

□ 1200

Mr. HONDA. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, so much has been said about Mark today, I can't repeat it all. But as I have been looking at this picture, I just find it hard to accept that he is gone.

You know, we meet each other here in the House. There are 435 people. We don't know each person who is here. We tend to meet each other best when we serve on committees. I actually first met Mark on the airplane, of course, because each Member of the California delegation flies home to California every week. It is to be forgiven if Members from Hawaii or Samoa don't go

every week because, by the time you get there, it is time to come back to Washington, but Mark went home every week. And I would get on that plane, and there he would be, because he was so devoted not only to his constituents, but to his wife and to his children. He needed to be with them every week.

Much has been said about this trip to Asia. I was on that trip. And on these congressional delegations, spouses are invited to come to keep company with the Members. My husband was not able to come, and Mark's wife was not able to come either, so we sat next to each other for that entire trip. I heard all about his wonderful wife and his wonderful children throughout that trip in Asia.

I have such precise memories of Mark, as DORIS MATSUI has said. He was a freshman Member but someone who was on the Armed Services Committee, who had served in Iraq, who was Active Duty Hawaii National Guard, and who spoke with such clarity and poise not only with our American military, but, as we met with foreign leaders, was able to hold his own.

I have vivid memories of us meeting with the communists in Vietnam and facing off with those communist leaders to advocate for human rights. Mark did that for freedom. He believed in freedom. He believed in this country. He loved his family. He loved this institution.

We will miss him greatly. But I actually think, in a way that is very profound, his short time here has changed this institution for the better. We thank Mark for that, and we thank his family for letting him serve here with us.

Mr. HONDA. Mr. Speaker, I yield to the gentleman from the Northern Mariana Islands (Mr. SABLÁN).

Mr. SABLÁN. Mr. Speaker, I thank Congressman HONDA for yielding.

It is a great sadness to lose a neighbor, and Mark Takai was my neighbor. He was a man of the Pacific, an islander. And though our islands are thousands of miles apart, for the people of the Pacific, distance does not separate. Distance and the knowledge that we have the stamina, the ability to read sea and sky and the courage to trust in our own capacity—distance connects us. Distance makes us neighbors. Mark Takai was my neighbor. As islanders, our foothold is trimmed by the vast sea, but our vision sweeps beyond the horizon.

Look at the legislation Mark Takai brought out in his brief time here. We can see the islander's breadth of vision reflected in his concerns: veterans, students, small-business people, homeowners. Mark Takai took them all to heart, wanted to help them all.

As an islander, he cared too. He cared a lot about the natural environment. We who have so little land cherish it

all the more. We take seriously our responsibility to steward the land, to pass it on to the next generation whole and thriving. We honor the deep wisdom that the land is inseparable; my land and yours are one.

We know the union of neighbors. Mark Takai was my neighbor. Here in Congress as well, Mark's office stands across the hall from mine in Cannon. We could have opened both our doors and, seated at our desks, seen each other at work. We would pass in the hall, share a word, feel the connection of our shared experience. We both traveled a very long way from very different cultures to be here. In that, we were neighbors. Now his door is closed. Now his lights are dimmed.

Farewell, Mark. Farewell, neighbor.

Our Lord decides our time—I Saina Man Des Popone.

Mr. HONDA. Mr. Speaker, I was going to start out by saying that I rise today in mourning, but I don't think it is about mourning. It is about celebrating Mark's life.

We have heard all about Mark's character, his person, his presence in this Hall; and I think it is important for not only the family to hear this, but for Matthew and Kaila to hear it, too.

For their short lives, they must have shared their dad intermittently. And while he was here, I used to ask him: Did you call home? Did you call your kids? Well, he always said yes, so I stopped asking him because I knew that that was part of the way he lived his life here.

It is fitting that we talk about Mark here in the dome, the Capitol, because I think there are three places that Mark did his work. He did his work in church, under this dome, and his home, and he did it well. He did it according to, I think, the way his parents had raised him, both Erik and Naomi. I could tell because, when he used my car, he returned it better than I gave it to him: clean and with the tank full.

I didn't know he was so much into sustainable energy, so I hope it didn't offend him if he drove the hybrid. But I certainly feel good every time I sit in the car right now, because I know he was there with Sami, his family, whenever he went to church or took the drive to Baltimore for treatment.

I always told him that my prayers are with him because I believe in the power of prayer. But I suppose that there is a greater power, and that is the will of his Savior. I think he is with him right now.

I tried to think of a way to describe Mark here in front of his family and his two youngsters, but I guess because church is such an important aspect of his life—I know that because he and Sami would go to church a lot, consistently, faithfully, to the First Presbyterian Church of Honolulu at Ko'olau and here in Virginia. So that told me that, between his upbringing

and his faith, that everything that people talk about was a pure reflection of his upbringing and the kind of person he was.

To Naomi and Erik, you have done good, and I know that he had followed your teachings, because when you were staying over, you left behind a lot of kakimochi, Hawaiian coffee. And I have to tell you, for the record, I never shared it because it was so meaningful and delightful to have eaten that stuff by myself, but I also know that that is part of aloha, that is part of being ohana.

So those things I have learned from Mark. I am older than he is, but I still learned that, as a son, as a husband, as a father, as a brother, as an uncle, that how we live is the demonstration of a person's life.

I think that someone said earlier: What would Mark do? What would Mark say? I suspect that Mark, when he would wonder what he had to do, he would probably say: What would Jesus do? And I think that that would be probably an accurate statement.

Mark lived his life well, and he lived his life in such a way that it is something that I wanted to be able to copy, because I always look for something that makes me a better person. He was gentle, Christlike, thoughtful, kashikoi, and at peace with himself. And I think that sense of peace is the strength that we saw every day here. The day that he came back from the hospital, he was here on the floor, and the first thing he said to me, as he said to TAMMY: How are you? He asked me how I was. He demonstrated to me that the way you are, the way you speak, the way you behave is another way of ministering to others of who you are and what you believe in.

When he came down here with his friend Scott Nishimoto, they did borrow my car to visit another friend who was recuperating at the hospital from her battle wounds, TAMMY DUCKWORTH.

So even though it was a short time that I had been able to know Mark, your dad, he was a wonderful example of someone that I would hope and imagine that you would be able to keep in mind and try to emulate also. There is nothing greater than children who would want to be like their parents, and I think that this is something that you might want to consider.

Every day when I was a kid, my dad used to say: When you leave this house, be a mirror. I said: Be a mirror? He said: Yes, be a good reflection of who you are and where you come from so that you will always bring pride to our family.

So, Matthew, Kaila, you shared your dad with us, and I hope that you get the sense that the idea of immortality is what my dad used to say: Immortality is sharing a bit of yourself with somebody else. They take that which was shared and pass it on to others, and that is an earthly immortality.

But right now, he is with his own Savior, and he is waiting. And I think that our faith will sustain us and give us strength to move on and live life as he has taught us and has taught you.

To the family, thank you for allowing me to be briefly part of your ohana and your friend.

I will sign off from this floor to both you, Matthew and Kaila, as Uncle Mike.

Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER).

□ 1215

Ms. SPEIER. Mr. Speaker, I thank my colleague from our beautiful State of Hawaii (Ms. GABBARD) for giving us the opportunity to reflect on an extraordinary man.

To the family, let me say, as I was sitting here and contemplating the pain and anguish and loss that you feel, I also was reflecting on the fact that many people leave this Chamber after they have served their time. They may be remembered by a moment of silence, maybe not.

As painful as it is to have lost Mark and in the way that you have lost him, I hope there is some solace, some balm that will soothe you in knowing how extraordinary it is to have a person like Mark, who has served in this House, be so loved to the point that we would have a special ceremony in Statuary Hall and we would spend an hour reflecting on his life.

It is a great reflection on his family. It is a great reflection on our country that we have so recognized such an outstanding leader.

When I think of Mark, I think of a number of words to describe him. I think of grace. I think of stoic courage. I think of integrity. Now, many people have spoken about the grace with which he handled this horrific disease and the stoic courage he showed.

I am going to spend a few minutes just talking about integrity. I have been working on an issue for some time here in Congress on the incidence of military sexual trauma and the fact that there is so much of it that goes on that goes unaddressed. Each year, I have brought an amendment to the National Defense Authorization Act to try and take these cases out of the chain of command. I have not succeeded.

I took it up last March and was certainly counting the votes, but I wasn't counting Mark as one of those votes because my experience had been that those who have served in leadership in the military would side with the military and not be willing to take these cases out of the chain of command.

You can imagine how shocked and in awe I was of him when not only did he vote for the amendment—which was a huge message to the entire membership of the committee that someone actively in the military would recognize

the importance of this reform—he spoke up in favor of it. That is a man of extraordinary integrity. I will forever be grateful to him for cracking open the myth that members of the military don't recognize the importance of dealing with that issue.

Mark Takai, you live on for all of us. You are a great example for all of us as to how to lead as a Member of Congress with great dignity, with great integrity, and with great grace.

Mr. HONDA. I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the Members that clause 7 of rule XVII does not permit references to occupants of the gallery.

ADJOURNMENT

Ms. GABBARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until Monday, September 19, 2016, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6851. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department of Defense Chemical Demilitarization Program Semi-Annual Report to Congress for September 2016, pursuant to 50 U.S.C. 1521(j); Public Law 99-145, Sec. 1412 (as amended by Public Law 112-239, Sec. 1421(a)); (126 Stat. 204); to the Committee on Armed Services.

6852. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Designated Country-Moldova (DFARS Case 2016-D028) [Docket: DARS-2016-0032] (RIN: 0750-AJ07) received September 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6853. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's interim final rule — Department of Energy Property Management Regulations (RIN: 1991-AB73) received September 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6854. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6855. A letter from the Secretary, Department of the Treasury, transmitting a six-

month periodic report on the national emergency with respect to Venezuela that was declared in Executive Order 13692 of March 8, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6856. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Ukraine that was declared in Executive Order 13660 of March 6, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6857. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Entity List [160609506-6506-01] (RIN: 0694-AH00) received September 14, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6858. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End-User Authorization in the People's Republic of China: Boeing Tianjin Composites Co. Ltd. [Docket No.: 160810722-6722-01] (RIN: 0694-AH05) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6859. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2015 Plenary Agreements Implementation, Removal of Foreign National Review Requirements, and Information Security Updates [160217120-6120-01] (RIN: 0694-AG85) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6860. A letter from the Assistant Attorney General, Legislative Affairs, Department of Justice, transmitting the Second Quarter report of Settlements Against the United States Exceeding \$2 Million and Settlements by the United States with Nonmonetary Relief Exceeding Three Years, pursuant to 28 U.S.C. 530D(a)(1); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

6861. A letter from the Chair, Committee on Rules of Practice and Procedure, Judicial Conference of the United States, transmitting a letter regarding the pending amendment to Federal Rule of Civil Procedure 4(m); to the Committee on the Judiciary.

6862. A letter from the Deputy General Counsel, Office of General Counsel, Small Business Administration, transmitting the Administration's interim final rule — Civil Penalties Inflation Adjustments (RIN: 3245-AG80) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6863. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-3696; Directorate Identifier 2015-NM-113-AD; Amendment 39-18625; AD 2016-17-12] (RIN: 2120-AA64) received September 12, 2016, pur-

suant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6864. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS Aircraft Ltd. Airplanes [Docket No.: FAA-2016-7026; Directorate Identifier 2016-CE-016-AD; Amendment 39-18620; AD 2016-17-07] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6865. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-3990; Directorate Identifier 2015-NM-153-AD; Amendment 39-18622; AD 2016-17-09] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6866. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; RUAG Aerospace Services GmbH Airplanes [Docket No.: FAA-2016-6983; Directorate Identifier 2016-CE-012-AD; Amendment 39-18618; AD 2016-17-05] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6867. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-0463; Directorate Identifier 2015-NM-155-AD; Amendment 39-18623; AD 2016-17-10] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6868. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Textron Aviation, Inc. Airplanes [Docket No.: FAA-2016-8992; Directorate Identifier 2016-CE-021-AD; Amendment 39-18621; AD 2016-17-08] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6869. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8846; Directorate Identifier 2016-NM-046-AD; Amendment 39-18624; AD 2016-17-11] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6870. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-4221; Directorate Identifier 2015-NM-167-AD; Amendment 39-18619; AD 2016-17-06] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6871. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31093; Amdt. No.: 528] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6872. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG Turbofan Engines [Docket No.: FAA-2016-4123; Directorate Identifier 2016-NE-06-AD; Amendment 39-18640; AD 2016-18-10] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6873. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2015-3986; Directorate Identifier 2015-NM-057-AD; Amendment 39-18613; AD 2016-16-15] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6874. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-4226; Directorate Identifier 2015-NM-095-AD; Amendment 39-18616; AD 2016-17-03] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6875. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-8463; Directorate Identifier 2014-NM-226-AD; Amendment 39-18612; AD 2016-16-14] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6876. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; All Hot Air Balloons [Docket No.: FAA-2016-8989; Directorate Identifier 2016-CE-025-AD; Amendment 39-18617; AD 2016-17-04] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6877. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Dupree, SD [Docket No.: FAA-2015-3599; Airspace Docket No.: 15-AGL-14] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6878. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E

Airspace; Slaton, TX [Docket No.: FAA-2016-3785; Airspace Docket No.: 16-ASW-9] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6879. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31089; Amdt. No.: 3707] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6880. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's Major final rule — System Safety Program [Docket No.: FRA-2011-0060; Notice No.: 3] (RIN: 2130-AC31) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1296. A bill to amend the San Luis Rey Indian Water Rights Settlement Act to clarify certain settlement terms, and for other purposes (Rept. 114-747). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARTWRIGHT (for himself and Ms. NORTON):

H.R. 6035. A bill to ensure that Medicaid beneficiaries have the opportunity to receive care in a home and community-based setting; to the Committee on Energy and Commerce.

By Mr. POE of Texas (for himself and Mr. COHEN):

H.R. 6036. A bill to extend the civil statute of limitations for victims of Federal sex offenses; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. FARR):

H.R. 6037. A bill to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, Mr. CHABOT, Mr. GIBBS, Mr. RYAN of Ohio, Mr. RENACCI, Ms. KAPTUR, Mr. LATTI, Mr. TURNER, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. WENSTRUP, Mr. SESSIONS, and Mr. FINCHER):

H.R. 6038. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as

the National Veterans Memorial and Museum, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDY:

H.R. 6039. A bill to amend title XVIII of the Social Security Act to redistribute unused residency positions to hospitals in States with shortages of residents and health professionals, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA:

H.R. 6040. A bill to provide supplemental appropriations to respond to the Zika virus, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mr. KING of New York, and Ms. SCHAKOWSKY):

H.R. 6041. A bill to require the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H.R. 6042. A bill to nullify certain proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. DELAURO, Mr. McDERMOTT, Mr. CUMMINGS, Mrs. KIRKPATRICK, Mr. DOGGETT, and Mr. WELCH):

H.R. 6043. A bill to require reporting regarding certain drug price increases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri:

H.R. 6044. A bill to limit the amount authorized to be appropriated to carry out chapter 2 of title IV of the Immigration and Nationality Act, relating to refugee resettlement; to the Committee on the Judiciary.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. BOUSTANY, Mr. LARSON of Connecticut, Mr. CHABOT, Mr. McCAUL, Mr. MARCHANT, and Mr. ROTHFUS):

H.R. 6045. A bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BEATTY (for herself, Mr. STIVERS, and Mr. TIBERI):

H.R. 6046. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into partnerships with public and private entities to provide legal services to homeless veterans and vet-

erans at risk of homelessness; to the Committee on Veterans' Affairs.

By Mr. CHABOT (for himself, Mr. SHERMAN, and Mr. POE of Texas):

H.R. 6047. A bill to encourage visits between the United States and Taiwan at all levels, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ELLISON (for himself, Mr. SCOTT of Virginia, Ms. MAXINE WATERS of California, Ms. LEE, and Ms. ADAMS):

H.R. 6048. A bill to amend the Securities Act of 1933 and the Internal Revenue Code of 1986 to provide an exemption and payments from taxation for 501(c)(3) bonds issued on behalf of a historically Black college or university; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Nevada (for himself, Mr. AMODEI, Mr. HARDY, Mr. PITTINGER, Mr. COLE, Mr. FRANKS of Arizona, Mrs. LUMMIS, Mr. GOSAR, Ms. MCSALLY, and Mr. SALMON):

H.R. 6049. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 6050. A bill to provide debt and tax transparency to taxpayers; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 6051. A bill to establish a grant program to provide States with funds to detect fraud, waste, and abuse in the State Medicaid programs under title XIX of the Social Security Act and to recover improper payments resulting from such fraud, waste, and abuse; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 6052. A bill to amend chapter 44 of title 18, United States Code, to prohibit the possession of a firearm by a person who is adjudicated to have committed a violent juvenile act; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 6053. A bill to amend the Small Business Act to establish a loan program to assist and provide incentives for manufacturers to reinvest in making products in the United States, and for other purposes; to the Committee on Small Business.

By Mr. ISRAEL:

H.R. 6054. A bill to help ensure that all items offered for sale in any gift shop of the National Park Service or of the National Archives and Records Administration are produced in the United States, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR:

H.R. 6055. A bill to amend the Communications Act of 1934 to require radio and television broadcasters to provide free broadcasting time for political advertising, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H.R. 6056. A bill to assess the impact of the North American Free Trade Agreement

(NAFTA), to require further negotiation of certain provisions of NAFTA, and to provide for the withdrawal from NAFTA unless certain conditions are met; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 6057. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and expenditures by multicandidate political committees controlled by foreign-owned corporations, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. TONKO, Mr. GRIJALVA, Mr. POCAN, Mr. KEATING, Mr. BEYER, Mr. CICILLINE, Ms. KUSTER, Mr. CARTWRIGHT, Mr. KENNEDY, Mr. TED LIEU of California, Mr. HUFFMAN, Ms. NORTON, Ms. MATSUI, and Ms. KAPTUR):

H.R. 6058. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. LOWENTHAL (for himself, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. CURBELO of Florida, Ms. TSONGAS, and Mr. GIBSON):

H.R. 6059. A bill to provide for the accurate reporting of fossil fuel production and emissions from public lands, and for other purposes; to the Committee on Natural Resources.

By Mr. MULLIN (for himself, Mr. YOUNG of Alaska, and Mr. COLE):

H.R. 6060. A bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes; to the Committee on Natural Resources.

By Ms. SPEIER (for herself, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. DESAULNIER, Ms. EDWARDS, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HIGGINS, Mr. HONDA, Ms. JACKSON LEE, Mr. KIND, Ms. LEE, Mr. MCGOVERN, Ms. NORTON, Mr. PERLMUTTER, Mr. POCAN, Mr. QUIGLEY, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. THOMPSON of California, Mr. TONKO, and Ms. VELÁZQUEZ):

H.R. 6061. A bill to amend the Safe Drinking Water Act to make grants to States that establish and carry out programs to assist local educational agencies in testing for, and remedying, lead contamination in drinking water from any source of lead contamination at schools under the jurisdiction of such agencies; to the Committee on Energy and Commerce.

By Mr. TAKANO:

H.R. 6062. A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, Energy and Commerce, Ways and Means, Education and the Workforce, Financial Services, Small Business, the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TORRES:

H.R. 6063. A bill to amend the Investment Advisers Act of 1940 to require investment advisers who advise a private fund that owns an emergency services company to disclose to the Securities and Exchange Commission the average response times of emergency vehicles deployed by such company in response to 9-1-1 calls, and for other purposes; to the Committee on Financial Services.

By Mr. VEASEY:

H.R. 6064. A bill to direct the Secretary of Labor to establish a competitive pilot program for STEM education or career training programs; to the Committee on Education and the Workforce.

By Ms. VELÁZQUEZ (for herself, Mr. SERRANO, Ms. CLARKE of New York, Mr. JEFFRIES, and Mr. ENGEL):

H.R. 6065. A bill to amend the Public Health Service Act with respect to the prevention and treatment of the use of synthetic recreational drugs, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FUDGE (for herself, Ms. ADAMS, Mrs. BEATTY, Mr. BLUMENAUER, Mr. BUTTERFIELD, Ms. JUDY CHU of California, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HASTINGS, Mr. HINOJOSA, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Ms. PINGREE, Mr. RANGEL, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, and Mrs. WATSON COLEMAN):

H. Con. Res. 153. Concurrent resolution expressing the sense of Congress that a day should be designated as "National Voting Rights Act Mobilization Day"; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR:

H. Con. Res. 154. Concurrent resolution expressing the sense of Congress that the Supreme Court misinterpreted the First Amendment to the Constitution in the case of *Buckley v. Valeo*; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. HANNA, Ms. BONAMICI, Mr. JENKINS of West Virginia, Mr. ADERHOLT, Mr. MULVANEY, Mrs. BLACKBURN, Mr. ROONEY of Florida, Mr. AMODEI, Mr. CURBELO of Florida, Mr. KATKO, Mr. KELLY of Mississippi, Mrs. DINGELL, Mr. GUINTA, Mr. JOYCE, Mrs. WATSON COLEMAN, Mrs. WALORSKI, Mr. BUCSHON, Mr. THOMPSON of Pennsylvania, Mr. BOST, Mr. TIPTON, Mr. CÁRDENAS, Mr. MESSER, Mr. POCAN, Mrs. BLACK, Mr. COSTA, Mrs. LOWEY, Mr. FITZPATRICK, Mr. HONDA, Mr. KILMER, Mr. WEBSTER of Florida, Mrs. TORRES, Mr. KING of New York, Mr. SESSIONS, Mr. RENACCI, Mr. JOLLY, Mr. COURTNEY, Ms. ADAMS, Mr. GIBSON, Mr. HARDY, Mr. RYAN of Ohio, Mr. MEEHAN, Mr. HIGGINS, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. LARSON of Connecticut, Mr. COLLINS of New York, Mr. DENT, Mr. LOBIONDO, Mr. GROTHMAN, Ms. KAPTUR, Mr. BLUM, Mr. EMMER of Minnesota, Mr. GRAVES of Missouri, Mr. KILDEE, Mr. MURPHY of Pennsylvania, Mr. MOULTON, Mr. HULTGREN, Mrs. BUSTOS, Mr. CONYERS, Ms. SLAUGH-

TER, Mr. BARR, Mr. LANGEVIN, Mr. TED LIEU of California, Ms. SINEMA, Mr. BYRNE, Mr. DESJARLAIS, Mr. COSTELLO of Pennsylvania, Mr. CARNEY, Ms. DELBENE, Mr. SWALWELL of California, Mr. PETERSON, Mr. KENNEDY, Mr. WALKER, Mr. BISHOP of Michigan, Mr. GENE GREEN of Texas, Ms. BROWNLEY of California, Mr. LUCAS, Mr. DENHAM, Mr. BRIDENSTINE, Mr. DEFAZIO, Mr. ZELDIN, Mr. LAHOOD, Mr. DANNY K. DAVIS of Illinois, Mrs. WAGNER, Mr. LOEBSACK, Ms. NORTON, Ms. DUCKWORTH, Mr. BRAT, Mr. FOSTER, Ms. MCCOLLUM, Mr. BARLETTA, Mr. ROTHFUS, Mr. KELLY of Pennsylvania, Mrs. BROOKS of Indiana, and Mr. POLIQUIN):

H. Con. Res. 155. Concurrent resolution expressing support for designation of the first Friday of October as "Manufacturing Day"; to the Committee on Oversight and Government Reform.

By Mr. ROSS (for himself, Mr. HARRIS, and Mr. RUSSELL):

H. Con. Res. 156. Concurrent resolution directing the Joint Committee on the Library to accept a statue commemorating the Hungarian Revolution of 1956 for placement in the United States Capitol, authorizing the use of the rotunda of the Capitol for a ceremony for the presentation of the statue, and directing the Architect of the Capitol to place the statue in a suitable permanent location in the Capitol; to the Committee on House Administration.

By Mr. HANNA:

H. Res. 870. A resolution recognizing the 200th anniversary of the Remington Arms Company; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas:

H. Res. 871. A resolution calling on the Department of Defense, other elements of the Federal Government, and foreign countries to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself and Ms. MATSUI):

H. Res. 872. A resolution supporting the goals and ideals of National Community Gardening Awareness Week; to the Committee on Oversight and Government Reform.

By Mr. ISRAEL:

H. Res. 873. A resolution urging that the policy of the United States should be that Government institutions use security measures known as cryptographic splitting, the strongest available form of data centric security, to secure sensitive and personal information for data at rest and data in motion; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CARTWRIGHT:

H.R. 6035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. POE of Texas:

H.R. 6036.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution which states that Congress has the power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. POE of Texas:

H.R. 6037.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8.

By Mr. STIVERS:

H.R. 6038.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HARDY:

H.R. 6039.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution

By Mr. ROKITA:

H.R. 6040.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IX

"No money shall be drawn from the Treasury, but in consequence of Appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

By Mr. RYAN of Ohio:

H.R. 6041.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 6042.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. SCHAKOWSKY:

H.R. 6043.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GRAVES of Missouri:

H.R. 6044.

Congress has the power to enact this legislation pursuant to the following:

Clause 4, Article 1, Section 8 of the Constitution Gives Congress the authority to establish a uniform Rule of Naturalization

By Mr. TIBERI:

H.R. 6045.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the U.S. Constitution.

By Mrs. BEATTY:

H.R. 6046.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CHABOT:

H.R. 6047.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. ELLISON:

H.R. 6048.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 which states: Congress has the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. HECK of Nevada:

H.R. 6049.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. HUIZENGA of Michigan:

H.R. 6050.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 of the United States Constitution

By Mr. ISRAEL:

H.R. 6051.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. ISRAEL:

H.R. 6052.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ISRAEL:

H.R. 6053.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clauses 3 and 8 of the United States Constitution.

By Mr. ISRAEL:

H.R. 6054.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article 1, Sec. 8, Clause 3 of the United States Constitution

By Ms. KAPTUR:

H.R. 6055.

Congress has the power to enact this legislation pursuant to the following:

Article 1.

Section 4. Clause 1, The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

By Ms. KAPTUR:

H.R. 6056.

Congress has the power to enact this legislation pursuant to the following:

Article 1.

Section 8. Clause 3, To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Ms. KAPTUR:

H.R. 6057.

Congress has the power to enact this legislation pursuant to the following:

Article 1.

Section 4. Clause 1, The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Section 8. Clause 3, To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. LANGEVIN:

H.R. 6058.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. LOWENTHAL:

H.R. 6059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3.

By Mr. MULLIN:

H.R. 6060.

Congress has the power to enact this legislation pursuant to the following:

Section 1 of Article III of the Constitution

By Ms. SPEIER:

H.R. 6061.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. TAKANO:

H.R. 6062.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Paragraph 18.

By Mrs. TORRES:

H.R. 6063.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. VEASEY:

H.R. 6064.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

By Ms. VELÁZQUEZ:

H.R. 6065.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 531: Ms. MATSUI.

H.R. 846: Mr. SIREs.

H.R. 1095: Mr. TAKANO and Ms. BROWNLEY of California.
 H.R. 1217: Mr. JOLLY.
 H.R. 1530: Mr. PAULSEN.
 H.R. 2016: Mr. CROWLEY.
 H.R. 2493: Mr. RYAN of Ohio.
 H.R. 2656: Mr. GROTHMAN.
 H.R. 2903: Mr. FORBES.
 H.R. 2991: Ms. KELLY of Illinois.
 H.R. 3084: Mr. BEYER, Mr. COHEN, Mr. WITTMAN, and Mr. BILIRAKIS.
 H.R. 3099: Mr. MCGOVERN and Mr. JONES.
 H.R. 3316: Mr. SMITH of Washington.
 H.R. 3381: Mr. BUCSHON, Mr. GRAVES of Missouri, and Ms. SINEMA.
 H.R. 3397: Mr. MCCAUL.
 H.R. 3537: Ms. VELÁZQUEZ.
 H.R. 3779: Mrs. LAWRENCE.
 H.R. 3799: Mr. DESANTIS.
 H.R. 3886: Mr. SMITH of Washington.
 H.R. 4225: Mr. JOLLY.
 H.R. 4277: Mr. HUFFMAN.
 H.R. 4298: Mr. WOMACK, Mr. LOBIONDO, Mr. WILSON of South Carolina, Mr. FORBES, Mr. REED, and Mr. HUNTER.
 H.R. 4365: Mr. COURTNEY and Mr. LIPINSKI.
 H.R. 4442: Mr. WITTMAN.
 H.R. 4500: Mr. ABRAHAM and Mr. LAHOOD.
 H.R. 4592: Mr. ROGERS of Kentucky, Mr. CRAWFORD, Mr. LUETKEMEYER, and Mr. RICE of South Carolina.
 H.R. 4616: Mr. YODER and Mr. FITZPATRICK.
 H.R. 4632: Ms. MCCOLLUM.
 H.R. 4715: Ms. SINEMA.
 H.R. 4907: Mr. CICILLINE.
 H.R. 4989: Ms. MCCOLLUM.
 H.R. 5083: Mr. MURPHY of Florida, Mrs. LOWEY, Ms. WASSERMAN SCHULTZ, and Ms. PINGREE.
 H.R. 5167: Mr. CÁRDENAS.
 H.R. 5258: Mr. DEFazio.
 H.R. 5271: Mr. ZINKE.

H.R. 5374: Mr. SMITH of Missouri and Mr. COFFMAN.
 H.R. 5405: Mr. ROYCE, Mr. COSTA, Ms. BROWNLEY of California, and Mr. BLUMENAUER.
 H.R. 5410: Mr. OLSON.
 H.R. 5412: Mr. YOUNG of Alaska.
 H.R. 5418: Mr. POE of Texas and Mr. GOSAR.
 H.R. 5474: Ms. MOORE and Mr. YARMUTH.
 H.R. 5493: Mr. BRAT.
 H.R. 5499: Mr. FORBES, Mr. DAVIDSON, Mr. RUSSELL, Mr. ABRAHAM, and Mr. CULBERSON.
 H.R. 5506: Mr. RUIZ, Mr. PERLMUTTER, and Mr. COURTNEY.
 H.R. 5628: Mr. PALAZZO.
 H.R. 5682: Mr. MCNERNEY.
 H.R. 5689: Ms. SCHAKOWSKY.
 H.R. 5732: Mrs. BROOKS of Indiana, Mr. SIREN, Mr. VARGAS, Mr. CONNOLLY, Ms. MENG, and Mr. CÁRDENAS.
 H.R. 5734: Mr. THOMPSON of Pennsylvania.
 H.R. 5813: Mr. JOLLY.
 H.R. 5838: Mr. PEARCE.
 H.R. 5904: Mr. PITTENGER.
 H.R. 5908: Mr. COLLINS of Georgia.
 H.R. 5931: Mr. CALVERT and Mr. SHIMKUS.
 H.R. 5932: Mrs. LAWRENCE and Mr. GARAMENDI.
 H.R. 5942: Ms. DEGETTE, Ms. SINEMA, Mr. RUIZ, Mr. CARTWRIGHT, Mrs. COMSTOCK, Mr. CLAY, Mr. KELLY of Pennsylvania, Mr. YOUNG of Iowa, Mr. PERLMUTTER, and Mr. VEASEY.
 H.R. 5946: Mr. THOMPSON of California.
 H.R. 5948: Mr. VALADAO, Mr. NUNES, Mr. BECERRA, Mr. KNIGHT, Ms. LEE, Mr. ROYCE, Ms. SPEIER, Mr. CALVERT, Mr. RUIZ, and Mr. AGUILAR.
 H.R. 5961: Mr. GOWDY and Mr. HONDA.
 H.R. 5962: Mr. SWALWELL of California and Mr. HANNA.
 H.R. 5980: Mr. CARNEY, Ms. VELÁZQUEZ, and Mr. WELCH.

H.R. 5989: Mr. VALADAO, Mr. CARNEY, Mr. LAMBORN, Mr. JOYCE, Mr. DEUTCH, Mr. ISRAEL, Ms. MENG, Mr. AMODEI, Miss RICE of New York, Mr. PERLMUTTER, Mr. WEBER of Texas, Mr. BARR, Ms. SCHAKOWSKY, Mrs. WALORSKI, Mr. DELANEY, and Mr. BARLETTA.
 H.R. 5996: Ms. LEE, Mr. FORTENBERRY, Mr. MCGOVERN, and Mr. HOYER.
 H.R. 6003: Mr. BARLETTA.
 H.R. 6008: Mr. SCHWEIKERT.
 H.R. 6023: Ms. BORDALLO and Mr. DIAZ-BALART.
 H. Con. Res. 40: Mr. BLUMENAUER.
 H. Con. Res. 114: Mr. MCCAUL and Mrs. LUMMIS.
 H. Con. Res. 143: Mr. ELLISON.
 H. Res. 28: Mr. SCHRADER.
 H. Res. 591: Mr. JONES and Mr. LAHOOD.
 H. Res. 817: Mr. ISSA.
 H. Res. 845: Ms. LOFGREN, Mr. KILMER, and Mr. THOMPSON of California.
 H. Res. 853: Mr. BRAT and Mr. GOSAR.
 H. Res. 857: Mr. SERRANO.

PETITIONS, ETC.

Under clause 3 of rule XII,

88. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to urging the Congress to enact legislation that would prohibit the Department of the Treasury, on its own initiative, and would likewise prohibit the President from issuing an Executive Order that would result in the United States discontinuing its own monetary currency and shifting instead to participation in an international currency; which was referred to the Committee on Financial Services.

SENATE—Thursday, September 15, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, refuge of all who flee to You, send Your power among us, bringing comfort and direction for our lives. Be with our lawmakers. If their eyes have been closed to Your graces, open them. Make them so aware of Your providential movements in their lives that in the quietness of this moment of prayer, they will feel true gratitude. Lord, strengthen them to do Your will on Earth, causing justice to roll down like waters and righteousness like a mighty stream. May they measure their attitudes and responses by the standard of Divine love.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 3326

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3326) to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

WELCOMING THE BURMESE STATE COUNSELLOR

Mr. McCONNELL. Mr. President, today I have the distinct honor of wel-

coming my dear friend, Burmese State Counsellor Daw Aung San Suu Kyi, as she visits the Capitol.

Daw Suu is an incredible woman with an incredible life story. She has endured much since prodemocracy protests first swept her country many years ago. What followed was a story made for Hollywood. In fact, it is a story that Hollywood has made. The story of Aung San Suu Kyi—of the longtime political prisoner who had become the voice of her people, then de facto leader of her country—is about more than “The Lady” herself; it is about the journey of a country and a people.

I first learned of that journey decades ago as I read of Daw Suu’s heroic support for democratic reform, peaceful reconciliation, and human rights in her country. It may not have been the most popular political call back then, but it was important. I decided then to make this cause my own whenever possible. Over the years, that has meant sponsoring needed sanctions on the previous Burmese regime, it has meant promoting political and constitutional reforms and meeting with Burmese leaders, and it has meant keeping in close contact with Daw Suu. Whatever the task, it has been an honor to do my own small part to advocate for change in Burma and support my friend.

It has been truly remarkable to see the changes that have taken hold in Burma in recent years—changes that once seemed literally unattainable. Last year the world looked on as Daw Suu led her National League for Democracy to victory in Burma’s general election. For those keeping score, this was actually the second time she had done this, but, unlike the election in 1990, these results were actually accepted by the regime. It was a moment many of us had eagerly awaited for decades, and in many ways it reaffirmed the purpose behind Daw Suu’s life’s work, her great sacrifice, and her indestructible resolve. It was also a reminder of the many challenges that still face the Burmese people, such as addressing much needed constitutional reform and the military’s disproportionate power in Parliament, ending decades-long conflicts and promoting peaceful reconciliation among ethnic groups, and encouraging economic development.

As Daw Suu knows best of all, Burma is still a country with many challenges to hurdle as it strives to achieve a more representational government. The Burmese people are not alone. They, and she, have many friends here in Washington as they work toward reform and reconciliation.

It has been 4 years since Daw Suu last visited us. It was a privilege then to help bestow her with the Congressional Gold Medal she had earned many years before. It is a privilege to welcome her back now in this new capacity. I look forward to meeting with her later today and again wishing her all the best and reaffirming my own commitment to support her and her country on their path ahead.

WRDA

Mr. McCONNELL. Mr. President, on another important matter, from the Gulf of Mexico and the Chesapeake Bay to the inland waterways that are so important to Kentucky’s maritime jobs, America’s waterways play a crucial role in supporting the economy, transporting goods and people from point A to point B, and supplying communities with drinking water.

As the chairman of the Environment and Public Works Committee, Senator INHOFE understands just how critical our waterways are and the importance of maintaining them. That is why he has been working with Ranking Member BARBARA BOXER to craft the bipartisan 2016 Water Resources Development Act, or WRDA.

This responsible water resources bill authorizes more than two dozen Army Corps projects from the east coast to the west, and it is expected to save taxpayers \$6 million over the next decade. It is also completely paid for. The projects authorized in this bill range from strengthening our waterways’ infrastructure to helping support safe and reliable drinking water sources. They also invest in priorities each of us cares about, such as improving public health and safety, enhancing commerce, and supporting America’s ecosystems. Here is what I mean: By investing in flood control projects, dam maintenance, and drinking water infrastructure, this bill will enhance public health and safety. By investing in ports, harbors, locks, and dams, it will strengthen commerce. By investing in restoration and revitalization projects, from the Florida Everglades to the Los Angeles River, it will support America’s natural ecosystems.

I am also pleased the bill supports several projects in Kentucky that are important to me, to my constituents, and to the U.S. Army Corps of Engineers. One will transfer aging infrastructure along the Green and Barren Rivers in Kentucky over to State and local entities so they can determine the best use of this infrastructure. Another will help my constituents in Paducah better protect themselves from

flooding from the Ohio River by helping complete repairs to the city's flood protection infrastructure.

The bill also includes an important coal ash provision that will give States the authority to create their own coal ash permitting requirements and systems to ensure that coal ash is recycled and reused in a safe and effective way in accordance with current EPA guidelines.

To quote Senator INHOFE, the top Republican on the committee, this bill will "support our communities and expand our economy."

To quote Senator BOXER, the top Democrat on the committee, it will provide "a perfect vehicle to upgrade our water infrastructure."

I appreciate their work across the aisle to move this important water resources bill forward. Its passage will represent another bipartisan win for American transportation infrastructure. It is another example of what has been possible with a Senate that is back to work for the American people. I look forward to its passage later today, and I would encourage our House colleagues to take action soon so we can send the bill to the President.

TRIBUTE TO TIM MITCHELL

Mr. McCONNELL. Mr. President, one final matter. I would like to say a few words about Tim Mitchell, who has hit a significant milestone in his Senate career this week: 25 years of service.

As the Democratic leader has noted on several occasions, Tim's love for baseball—and the Red Sox in particular—is hard to miss. How big a fan is Tim? Well, a few years back when the Sox won the World Series, the Democratic leader gave a shout-out to Tim when he offered the resolution honoring the team. "[I]f it were in order," he said then—which it wasn't, as Tim would be quick to note—"I would ask that . . . this resolution be passed with the name of 'Tim Mitchell' on it. . . . I consider myself a fan of baseball," the Democratic leader continued, "but I have never known a more rabid fan of a baseball team than Tim Mitchell, whom we depend on so very, very much to help us work through all we do in the Senate."

I have to say that this is an area where the Democratic leader and I absolutely agree. Tim has been a staple around here for a quarter of a century, working his way through some of the most difficult jobs in the Senate as part of the floor staff. To paraphrase Laura Dove, the Secretary for the majority, the work of Tim and his floor staff colleagues could be compared to that of a duck gliding through a pond. Above water, the duck appears to be moving through the pond effortlessly, but if you take a look below the surface, you will see its feet working—put-

ting in difficult and often unrecognized efforts—to keep it afloat.

Tim certainly does so to keep this place afloat—coordinating with his majority counterpart Robert Duncan, sifting through heaps of paperwork, and putting in long hours that turn into late nights. Even on those late nights, Tim makes it a priority to not only make it home for family dinner but to prepare it too.

Tim, from what I hear, it is takeout night at your house. I would imagine tonight's dinner will be a little more special than usual, and I know your wife Alicia and your son Ben couldn't be prouder. Your Senate family is proud of you, too, and we thank you for these 25 years of dedication and service.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRIBUTE TO TIM MITCHELL

Mr. REID. Mr. President, I appreciate those remarks of the Republican leader regarding Tim.

People have heard me talk about baseball and how I fell in love with baseball as a little boy, listening on the radio and the game of the day. I so wanted to be a baseball player. As time went on, as a young man in college, I realized I wasn't big enough, fast enough, or good enough to be the baseball player of my dreams, but that didn't take away my love for baseball.

Living in Southern Nevada, Las Vegas, we had a team, the Dodgers. We listened to the games and watched the games. In the Reno area, Northern Nevada, the team was the Giants. We in Southern Nevada didn't like the Giants. The days of Sandy Koufax, Don Drysdale, Claude Osteen—those were the days of real baseball. Games were 2 to 1, 3 to 0, not these slugfests. We didn't have those then.

In coming back to Washington, in the many years I have been here, we had the Baltimore Orioles. I love their owner—a wonderful man—Peter Angelos. I have been disappointed that they haven't done better, but they are doing pretty well this year. I have followed them very closely. Of course, when the Nationals team came here, our attention was focused not entirely on Baltimore—because it was the only team around here—but also on the Nationals, and we divided our attention. Of course, I have been to the Nationals games, and it has been great. As the Republican leader and I have said many times, we bicker and fight on some things but never on baseball. We both watch the Nationals and follow what they do.

As everyone knows, Greg Maddux from Las Vegas is the best athlete ever

to come out of Nevada. We have had some in Northern Nevada, and I recognized them also. Some of them played professional football. No one was as good as Greg Maddux, winning more than 350 games, which is unheard of today, a man of, as he would admit, average talent—average talent but a mind and such dedication and such composure and such confidence that he became one of the best of all time.

Tim and I have talked about all these things I have talked about regarding baseball. We have talked about Bryce Harper. We recognize he is not having a great year this year. They are afraid of him still. He has walked 104 times, which is unheard of in baseball, but his batting average is not as good as it was. But he was still the Most Valuable Player in baseball at age 22. He has been on the all-star team four or five times already in his young career.

Tim and I have talked about all of this, and as he knows, I like the Boston Red Sox, but I am not in the same league as Tim Mitchell. Tim is the Assistant Secretary for the minority and was for the majority, of course, during my many years as the Democratic leader. We have such a nice relationship. We can do our business when we need to, and we do that a lot, but we have a good time talking about family and baseball.

I don't know if anybody saw his tie. He has over 100 ties that have a baseball theme on them. He has on one of those ties today. It is a little hard to see. It is one of those John Kerry ties. I think it is one of those Vineyard Vine ties from Massachusetts, but it is a beautiful tie. It is typical for Tim to wear a baseball tie. He wears one of them to work every day. I wouldn't say some of them are ugly, but some catch your attention.

He watches the Red Sox whenever he can. He goes to games, takes his dad to the games, and takes his son when he can. He watches games here and watches them in Baltimore as often as he can with his son. I wouldn't put it in a class of weird, but it is close. In his basement, he has two seats from Fenway Park. They were worn out there, but he bought them anyway, and now he watches the games in his basement on Fenway Park seats. You can't make up stuff like this.

Tim is dedicated to baseball and we recognize that and I admire him for that.

Tim, I think you and I are going through the same withdrawals in a few weeks because baseball season is ending, and for me baseball season is a tremendous respite from what we do here. Frankly, I am not much of a football fan anymore. I have become kind of addicted to soccer after baseball, but during baseball season, I can go home and watch a few innings, and it is a complete deliverance from what goes on here. It is really very nice for me.

When I go home to Nevada, wow, is it pleasant because, again, I can watch a 7 p.m. game at 4 p.m. in the afternoon.

Pretty good, huh, Tim?

Anyway, we will have a little bit of depression here in a few weeks, but his team is doing well. The Nationals are doing well, and Baltimore is doing quite well so we are going to be fine.

As dedicated as he is to baseball, he is also dedicated to this institution. He has spent one-quarter of a century here. As the Republican leader mentioned, this is his 25th anniversary of working in the Senate. He started as an intern with someone I served with in the Senate, Don Riegle from Michigan. He started working for him during his junior year in college. After graduation, Tim moved to Washington, DC, and became a full-time employee of Senator Riegle. He started out as a lot of us do, answering phones, but he moved on, of course, because of his personality and talent.

Following his time on the Banking Committee, which Riegle chaired, he worked on the Whitewater Committee. We all remember that, and there are still parts of that dribbling on in this Presidential election. At that time, he worked for Senator Tom Daschle, who was one of my predecessors, as a research assistant, and later on the Democratic policy committee, which I led during part of my tenure in the Senate.

In 2001, Tim made a move that would forever change the Senate for the better. He joined our floor staff. That was a long time ago, but he has been working diligently here ever since. He is armed with an incredible work ethic and a very keen intellect. He has worked his way up on the floor team and has become an expert on Senate rules and procedure.

Tim is a lawyer. He went to law school at night and worked here as long as he could. He missed a few classes because of working late here. During his time as a member of the Democratic floor staff, he has become someone whom the Republicans appreciate and go to for help just as the Democrats do.

In 2008, the Senate adopted a resolution making Tim Mitchell the Assistant Secretary for the majority. When the Republicans took control of the Senate, he assumed his current position.

Think about all of the important legislation Tim has helped us with—and I mean helped us with. There are a number of Senators on the floor this morning. I see Senator BOXER and Senator DURBIN.

Mrs. BOXER. Senator MURRAY and Senator SCHUMER.

Mr. REID. They are on the same side as my bad eye, folks. We are all pretty good at what we do, but we would be lost without the Tim Mitchells and Gary Myricks of the world. We would

be stumbling around here. We depend on them so very much. Tim has helped us. He has helped us on so many different things. He has helped us through the Affordable Care Act, the automobile bailout, and the stimulus. I could go on and on with all we have done, and he has been here helping us.

He has accomplished so very much, but I know—and he doesn't have to give me a long dissertation on this—his role in life is to be a good father to his 10-year-old son Ben and of course a good husband to his wife Alicia. I am sure he accomplishes that very well. Ben is a budding skier—and to no one's surprise—a baseball player. He speaks, as we all do about our athletes, about how good they are, and in our eyes, they are the best.

Alicia and Ben are here with us today. Thank you for sharing Tim with us all of these years.

I join the entire U.S. Senate, Democrats and Republicans, in thanking Tim Mitchell for his exceptional work for 25 years.

Mrs. BOXER. Mr. President, I ask through the Chair if the Senator will yield for 5 minutes, please.

Mr. REID. Yes.

Mrs. BOXER. Mr. President, I say through the chair, I see the leadership team is here. I will represent the rank and file, to tell you what Tim means to us. There is a lot of stress around here, not that I have ever experienced nor have I been worried, nervous, or annoying to people, but through it all, Tim is with the team—and they know who they are—giving us advice, protecting us, telling us what are our rights, what we can do and what we can't do. People outside the Chamber don't understand what it means to have people like Tim.

Tim loves baseball. I grew up six blocks from Ebbets Field and saw the civil rights movement unfold with Jackie Robinson on the bases so we have something in common. If we were voting today, Tim Mitchell would be the most valuable player.

We do love you, Tim. Congratulations, and we look forward to working with you for a long time.

I yield the floor.

Mr. DURBIN. Mr. President, I ask through the Chair if the Senator from Nevada will yield for a question.

Mr. REID. Mr. President, I am happy to yield.

Mr. DURBIN. Mr. President, I say through the Chair that I wish to join in. I started my career as a staffer and then as a Parliamentarian so I know what happens behind the scenes is sometimes even more important than what you see on the floor of the Senate.

For 25 years, Tim Mitchell has been behind the scenes and at the heart of the activity in the U.S. Senate. I have been here for 20 years and have relied on Tim and our great staff team that has really stepped up time and time again.

Like most people, it took just a minute or two in the Senate cloakroom to realize that Tim Mitchell is the biggest baseball fan I have ever run into. I didn't know he had 100 baseball neckties, but he does, and as Senator REID said, some are very challenging from a style viewpoint, but he is loyal to his sport and particularly to his team, the Boston Red Sox.

I watched him as he came into his glory moment when the Boston Red Sox won the World Series after a long wait. I know he is now looking for the Boston Red Sox to return to the World Series, and I have a pairing in my mind that would be perfect. It involves a former Red Sox President who came over to help the Chicago Cubs. His name is Theo Epstein, and he made history in Boston by taking the Red Sox to the World Series. We think he is going to make history in Chicago. This would be the perfect World Series for Tim, me, and for baseball.

Let me close by saying that would be a perfect World Series, you have been a perfect addition to the Senate for 25 years, and we look forward to a lot more ahead.

Thanks, Tim.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Washington.

Mrs. MURRAY. Mr. President, if the minority leader will yield for a moment.

Mr. REID. I am happy to yield.

Mrs. MURRAY. Mr. President, I just want to add my congratulations to Tim for his tremendous work here. I have been here for 24 years, and every year I have been here, he has been a critical part of the work we do. Thank you, Tim, for the numerous issues you have helped us work our way through.

For me, when I was chairing the Budget Committee, which we all know is a very chaotic, long, and tedious process, Tim was there to make sure we did it right, that we were in order, and that things moved smoothly.

Tim, we could not have done it without you. Thank you for your 25 years of service and thank you to your family for allowing you to be here with us for 25 years of service, and I thank you for all you will continue to do in the future.

Thank you.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, will the Democratic leader yield?

Mr. REID. I am happy to yield.

Mr. SCHUMER. Mr. President, every organization has what they call unsung heroes. On the battlefield, they are the soldiers, in the automobile plant, they are the assembly line workers, and in the hospital they may be the nurses. Those organizations can't go on without these people. They are the heart and soul of these organizations, and they do their work quietly but proudly.

If you had to pick someone who personifies the unsung hero of this body, it would be Tim. He does his job every day. When you talk to him, you can see the pride and the knowledge he has in doing his job and doing it well.

BARBARA BOXER mentioned there are a lot of moments when everybody is in a stir but never Tim. He calmly and directly gives you the right advice. He is a hero—a hero not only to those of us who are here but to every Member of the Senate.

Tim, we love you. God bless.

TRIBUTE TO KRYSTA JURIS

Mr. REID. Mr. President, I want to switch from my friend Tim Mitchell to another friend I have. Ten years ago, I was in search of a scheduler. I needed someone to help with my scheduling and work here in my Capitol office. The office is just a few feet from here and it is extremely busy. We have people coming and going all day long, including the end of the night, and so I knew I needed someone who was good and would get better. Little did I realize that the woman I would hire didn't just get better, she has been the best. Her name is Krysta Juris.

I have a few months to go as a Member of Congress. I have been here 34 years, and I have had some remarkable employees. I have had such loyal staff with me now who have stayed until the bitter end, but it is hard to find a description for someone who is as capable, as nice, as competent, and as smart as Krysta Juris.

David McCallum, who helps me line up staff, told me he had a candidate and thought she was really good. He gave me her background and told me she had worked in Senator Clinton's office and on her Presidential campaign. He told me—I guess this was the clincher—she was a collegiate lacrosse player. Lacrosse is a game I have gotten to know quite well because I have grandsons who play that sport. It is a really difficult, hard game. A college lacrosse player? I understand the difference between a high school lacrosse player and a college lacrosse player. Without knowing a lot more, I said she would be perfect. If she played lacrosse, she would know how to head a front of- fice.

As I have indicated, serving as a scheduler for my office is not easy. She, as I indicated, was a college player. She played for the University of Maryland. They have excellent athletics there, generally.

She has had a demanding schedule for at least 10 years. She incurs long, long hours. Of course, it goes without saying that quickly she became the scheduler—not the assistant, not the deputy. To put it simply, to do this job you have to be really tough and fair. My colleagues who come to that office regularly—DURBIN, SCHUMER, MURRAY,

and others—know Krysta. They always know that when they call Krysta, she tells them the truth: He is here; he is not here; he can see you; he can't see you. She is tough. She is strong and unafraid. She is not intimidated by some big-shot Senators. She handles them just fine.

She has been my gatekeeper and my loyal adviser, and she has performed phenomenally. She is the best at her job that I have ever seen in my many, many years of public service and as an attorney prior to my public service. For everything I have done, as far as setting the schedule, there is no one who is a close second.

She has been in the thick of things. She has been through my ups and my downs. She has been by my side. There are many, many examples. Some of us will never forget the snowstorm of 2009. It became so tense here that one of my Republican colleagues said that he hoped Senator Byrd would die during the night so we wouldn't have 60 Senators. With his being ill and having trouble navigating on his legs and living in Virginia and coming through the blizzard, we were worried. But he showed up. I told Krysta: Try to do all you can from home, because of this Snowmageddon, as we called it. We were in session. We had to finish the health care bill, and every day meant so very, very much. No, she did not stay home. She trudged through blocks and blocks of snow and snowdrifts to be here. She never missed a day. She spent many, many long, long nights in my office. I said: We will get someone to drive you or walk with you. She said: No, I am OK. I will be fine.

During the fiscal crisis of 2012, we were in session on New Year's Eve. She was at her desk working while the rest of the world rang in the new year. Frankly, she was probably glad she was here. She has a little dog and those firecrackers and all that noise drives her little dog crazy. So she could be away from the firecrackers and keep her dog safe. She had reasons for being here during that period of time.

When the Republicans shut down the government for 17 days in 2013, she was here every day overseeing my schedule, making things run smoothly, even though no Senate employee was guaranteed that they would be paid for the work they were doing. As my colleagues will recall, many Senate employees didn't come to work.

On a more personal note, as happens in everyone's life, there are times of difficulty. The Reid family has had a few problems. As some will remember, I was engaged in my office trying to work out a deal with health care—the Affordable Care Act—and in walked Janice and Krysta and said there was a call: Your wife has been in an accident. It was very bad. It broke her neck in two places and her back, and her face was messed up. That was a hard time

for us. Krysta was there. She was there. She helped with the scheduling. We got over that. Then Landra got an extremely aggressive form of breast cancer that went on for months. Krysta balanced my schedule here with my schedule with Landra. She made sure I had time with Landra to help. I will always remember her. I didn't have to ask her to do it; she did it.

When I had my unfortunate accident, Krysta knew how I had been hurt, and I did the best I could covering how I had been hurt. My three leaders—DURBIN, SCHUMER, AND MURRAY —helped me cover my disability for a while. She took care of things. My scheduling was done. I missed very, very few things because of her.

My children know her. My grandchildren know her. It is no surprise then to say that Krysta is and always will be part of my family.

Krysta's time is ending this week. It is kind of like my service here in the Senate. I wish it would never end. I wish Krysta could be with me always. But things change and things happen. But really with Krysta it is not time for distress or sadness; it is time for happiness because I have nothing but fond memories of this very beautiful woman—beautiful on the outside and on the inside. Why is it time for celebration? Because Krysta, at the ripe old age of 32, is having her first baby. She is so excited. I remember with all her babies, Landra wore the smocks that were kind of the style at that time. We don't do that anymore, and that is terrific. She is so pretty with her pregnancy, as she is without her pregnancy. She has never missed work because of her pregnancy. She has never complained about morning sickness or afternoon sickness or asked to go home early—never. So I am happy for her. I am happy for Trevor, her good husband.

Senator DURBIN has helped me on a number of occasions with things that he could help with regarding Krysta. He has been so thoughtful about making things work out.

So I am happy for Krysta. I am happy for Trevor. She is going to have a little girl. My hope is that that little girl will turn out to be just like her mom—a person everybody loves, a person who is dependable and trustworthy, and a person whose friendship is so important to those she knows.

My friendship with Krysta is not going to end when I leave the Senate. It is forever.

So thank you, Krysta, for a job well done. I wish you and your family the best that life has to offer.

Now back to some other things. I am sorry to have taken so long, but that is sometimes the way things are.

DONALD TRUMP

Mr. REID. Mr. President, I am very concerned about the integrity and the security of our democracy in America.

The United States is a nation that has always been and must always be governed by its people.

Later on today, I am going to see Ambassador Baucus. He is someone who has always talked about how we have to make sure the people determine what we do. America must never be subject to undue influence from foreign powers. Potential conflicts of interest involving our Nation's elected officials deserve our highest scrutiny. That is why I found yesterday's article by Kurt Eichenwald in *Newsweek* really frightening. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From *Newsweek*, Sept. 14, 2016]

HOW THE TRUMP ORGANIZATION'S FOREIGN BUSINESS TIES COULD UPEND U.S. NATIONAL SECURITY

(By Kurt Eichenwald)

If Donald Trump is elected president, will he and his family permanently sever all connections to the Trump Organization, a sprawling business empire that has spread a secretive financial web across the world? Or will Trump instead choose to be the most conflicted president in American history, one whose business interests will constantly jeopardize the security of the United States?

Throughout this campaign, the Trump Organization, which pumps potentially hundreds of millions of dollars into the Trump family's bank accounts each year, has been largely ignored. As a private enterprise, its businesses, partners and investors are hidden from public view, even though they are the very people who could be enriched by—or will further enrich—Trump and his family if he wins the presidency.

A close examination by *Newsweek* of the Trump Organization, including confidential interviews with business executives and some of its international partners, reveals an enterprise with deep ties to global financiers, foreign politicians and even criminals, although there is no evidence the Trump Organization has engaged in any illegal activities. It also reveals a web of contractual entanglements that could not be just canceled. If Trump moves into the White House and his family continues to receive any benefit from the company, during or even after his presidency, almost every foreign policy decision he makes will raise serious conflicts of interest and ethical quagmires.

THE MUMBAI SHUFFLE

The Trump Organization is not like the Bill, Hillary & Chelsea Clinton Foundation, the charitable enterprise that has been the subject of intense scrutiny about possible conflicts for the Democratic presidential nominee. There are allegations that Hillary Clinton bestowed benefits on contributors to the foundation in some sort of "pay to play" scandal when she was secretary of state, but that makes no sense because there was no "pay." Money contributed to the foundation was publicly disclosed and went to charitable efforts, such as fighting neglected tropical diseases that infect as many as a billion people. The financials audited by PricewaterhouseCoopers, the global independent accounting company, and the foundation's tax filings show that about 90 per-

cent of the money it raised went to its charitable programs. (Trump surrogates have falsely claimed that it was only 10 percent and that the rest was used as a Clinton "slush fund.") No member of the Clinton family received any cash from the foundation, nor did it finance any political campaigns. In fact, like the Clintons, almost the entire board of directors works for free.

On the other hand, the Trump family rakes in untold millions of dollars from the Trump Organization every year. Much of that comes from deals with international financiers and developers, many of whom have been tied to controversial and even illegal activities. None of Trump's overseas contractual business relationships examined by *Newsweek* were revealed in his campaign's financial filings with the Federal Election Commission, nor was the amount paid to him by his foreign partners. (The Trump campaign did not respond to a request for the names of all foreign entities in partnership or contractually tied to the Trump Organization.) Trump's financial filings also indicate he is a shareholder or beneficiary of several overseas entities, including Excel Venture LLC in the French West Indies and Caribusiness Investments SRL, based in the Dominican Republic, one of the world's tax havens.

Trump's business conflicts with America's national security interests cannot be resolved so long as he or any member of his family maintains a financial interest in the Trump Organization during a Trump administration, or even if they leave open the possibility of returning to the company later. The Trump Organization cannot be placed into a blind trust, an arrangement used by many politicians to prevent them from knowing their financial interests; the Trump family is already aware of who their overseas partners are and could easily learn about any new ones.

Many foreign governments retain close ties to and even control of companies in their country, including several that already are partnered with the Trump Organization. Any government wanting to seek future influence with President Trump could do so by arranging for a partnership with the Trump Organization, feeding money directly to the family or simply stashing it away inside the company for their use once Trump is out of the White House. This is why, without a permanent departure of the entire Trump family from their company, the prospect of legal bribery by overseas powers seeking to influence American foreign policy, either through existing or future partnerships, will remain a reality throughout a Trump presidency.

Moreover, the identity of every partner cannot be discovered if Trump reverses course and decided to release his taxes. The partnerships are struck with some of the more than 500 entities disclosed in Trump's financial disclosure forms; each of those entities has its own records that would have to be revealed for a full accounting of all of Trump's foreign entanglements to be made public.

The problem of overseas conflicts emerges from the nature of Trump's business in recent years. Much of the public believes Trump is a hugely successful developer, a television personality and a failed casino operator. But his primary business deals for almost a decade have been a quite different endeavor. The GOP nominee is essentially a licensor who leverages his celebrity into streams of cash from partners from all over the world. The business model for Trump's company started to change around 2007, after he became the star of NBC's *The Apprentice*,

which boosted his national and international fame. Rather than constructing Trump's own hotels, office towers and other buildings, much of his business involved striking deals with overseas developers who pay his company for the right to slap his name on their buildings. (The last building constructed by Trump with his name on it is the Trump-SoHo hotel and condominium project, completed in 2007.) In public statements, Trump and his son Donald Trump Jr. have celebrated their company's international branding business and announced their intentions to expand it. "The opportunities for growth are endless, and I look forward to building upon the tremendous success we have enjoyed," Donald Trump Jr. said in 2013. Trump Jr. has cited prospects in Russia, Ukraine, Vietnam, Thailand, Argentina and other countries.

The idea of selling the Trump brand name to overseas developers emerged as a small piece of the company's business in the late 1990s. At that time, two executives from Daewoo Engineering and Construction met with Trump at his Manhattan offices to propose paying him for the right to use his name on a new complex under development, according to former executives from the South Korean company. Daewoo had already worked with the Trump Organization to build the Trump World Tower, which is close to the Manhattan headquarters of the United Nations. The former Daewoo executives said Trump was at first skeptical, but in 1999 construction began on the South Korean version of Trump World, six condominium properties in Seoul and two neighboring cities. According to the two former executives, the Trump Organization received an annual fee of approximately \$8 million a year.

Shortly after the deal was signed, the parent company of Daewoo Engineering and Construction, the Daewoo Group, collapsed into bankruptcy amid allegations of what proved to be a \$43 billion accounting fraud. The chairman of the Daewoo Group, Kim Woo Choong, fled to North Korea; he returned in 2005, was arrested and convicted of embezzlement and sentenced to 10 years in prison. According to the two former Daewoo executives, a reorganization of Daewoo after its bankruptcy required revisions in the Trump contract, but the Trump Organization still remains allied with Daewoo Engineering and Construction.

This relationship puts Trump's foreign policies in conflict with his financial interests. Earlier this year, he said South Korea should plan to shoulder its own military defense rather than relying on the United States, including the development of nuclear weapons. (He later denied making that statement, which was video-recorded.) One of the primary South Korean companies involved in nuclear energy, a key component in weapons development, is Trump's partner—Daewoo Engineering and Construction. It would potentially get an economic windfall if the United States adopted policies advocated by Trump.

In India, the conflicts between the interests of the Trump Organization and American foreign policy are starker. Trump signed an agreement in 2011 with an Indian property developer called Rohan Lifescapes that wanted to construct a 65-story building with his name on it. Leading the talks for Rohan was Kalpesh Mehta, a director of the company who would later become the exclusive representative of Trump's businesses in India. However, government regulatory hurdles soon impeded the project. According to a former Trump official who spoke on condition of anonymity, Donald Trump Jr. flew to

India to plead with Prithviraj Chavan, chief minister of Maharashtra, a state in Western India, asking that he remove the hurdles, but the powerful politician refused to make an exception for the Trump Organization. It would be extremely difficult for a foreign politician to make that call if he were speaking to the son of the president of the United States.

The Mumbai deal with Rohan fell apart in 2013, but a new branding deal (Trump Tower Mumbai) was struck with the Lodha Group, a major Indian developer. By that time, Trump had an Indian project underway in the city of Pune with a large developer called Panchshil Realty that agreed to pay millions for use of the Trump brand on two 22-floor towers. His new partner, Atul Chordia of Panchshil, appeared awed in public statements about his association with the famous Trump name and feted Trump with a special dinner attended by actors, industrialists, socialites and even a former Miss Universe.

Last month, scandal erupted over the development, called Trump Towers Pune, after the state government and local police started looking into discrepancies in the land records suggesting that the land on which the building was constructed may not have been legally obtained by Panchshil. The Indian company says no rules or laws were broken, but if government officials conclude otherwise, the project's future will be in jeopardy—and create a problem that Indian politicians eager to please an American president might have to resolve.

Through the Pune deal, the Trump Organization has developed close ties to India's Nationalist Congress Party—a centrist political organization that stands for democratic secularism and is led by Sharad Pawar, an ally of the Chordia family that owns Panchshil—but that would be of little help in this investigation. Political power in India rests largely with the Indian National Congress, a nationalist party that has controlled the central government for almost 50 years. (However, Trump is very popular with the Hindu Sena, a far-right radical nationalist group that sees his anti-Muslim stance as a sign he would take an aggressive stand against Pakistan. When Trump turned 70 in June, members of that organization threw a birthday party for the man they called “the savior of humanity.”)

Even as Trump was on the campaign trail, the Trump Organization struck another deal in India that drew the Republican nominee closer to another political group there. In April, the company inked an agreement with Ireo, a private real estate equity business based in the Indian city of Gurgaon. The company, which has more than 500 investors in the fund that will be paying the Trump Organization, is headed by Madhukar Tulsi, a prominent real estate executive in India. In 2010, Tulsi's home and the offices of Ireo were raided as part of a sweeping corruption inquiry related to the 2010 Commonwealth Games held in New Delhi. According to one Indian business executive, government investigators believed that Ireo had close ties with a prominent Indian politician—Sudhanashu Mittal, then the leader of the Bharatiya Janata Party, India's second largest political party—who was suspected in playing a role in rerouting money earned from Commonwealth Games contracts through tax havens into Ireo's real estate projects. A senior official with Ireo, Tulsi is a relative of Mittal's. No charges were ever brought in the case, but the investigation did reveal the close political ties between a

prominent Indian political party and a company that is now a Trump partner.

No doubt, few Indian political groups hoping to establish close ties to a possible future American president could have missed the recent statements from the Trump family that its company wanted to do more deals in their country. As the Republican National Convention was about to get underway in July, the Trump Organization declared it was planning a massive expansion in the South Asian country. “We are very bullish on India and plan to build a pan-India development footprint for Trump-branded residential and office projects,” Donald Trump Jr. told the *Hindustan Times*. “We have a very aggressive pipeline in the north and east, and look forward to the announcement of several exciting new projects in the months ahead.”

That is a chilling example of the many looming conflicts of interest in a Trump presidency. If he plays tough with India, will the government assume it has to clear the way for projects in that “aggressive pipeline” and kill the investigations involving Trump's Pune partners? And if Trump takes a hard line with Pakistan, will it be for America's strategic interests or to appease Indian government officials who might jeopardize his profits from Trump Towers Pune? Branding Wars in the Middle East Trump already has financial conflicts in much of the Islamic world, a problem made worse by his anti-Muslim rhetoric and his impulsive decisions during this campaign. One of his most troubling entanglements is in Turkey. In 2008, the Trump Organization struck a branding deal with the Dogan Group, named for its owners, one of the most politically influential families in Turkey. Trump and Dogan first agreed that the Turkish company would pay a fee to put the Trump name on two towers in Istanbul.

When the complex opened in 2012, Trump attended the ribbon-cutting and declared his interest in more collaborations with Turkish businesses and in making significant investments there. In a sign of the political clout of the Dogan family, Turkish President Recep Tayyip Erdogan met with Trump and even presided over the opening ceremonies for the Trump-branded property.

However, the Dogans have fallen out of favor, and once again, a Trump partner is caught up in allegations of criminal and unethical activity. In March, an Istanbul court indicted Aydin Dogan, owner and head of the Dogan Group, on charges he engaged in a fuel-smuggling scheme. Dogan has proclaimed his innocence; prosecutors are seeking a prison sentence of more than 24 years. According to an Arab financier with strong ties to Turkish political leaders, government connections with the Dogan family grew even more strained in May, when a consortium of news reporters released what are known as the Panama Papers, which exposed corporations, politicians and other individuals worldwide who evaded taxes through offshore accounts. One of the names revealed was that of Vuslat Dogan Sabanci, a member of Dogan Holding's board.

With the Dogans now politically radioactive, Erdogan struck at the family's business partner, Trump, for his anti-Muslim rhetoric. In June, Erdogan called for the Trump name to be removed from the complex in Istanbul and said presiding over its dedication had been a mistake.

This is no minor skirmish: American-Turkish relations are one of the most important national security issues for the United States. Turkey is among the few Muslim

countries allied with America in the fight against the Islamic State militant group; it carries even greater importance because it is a Sunni-majority nation aiding the U.S. military against the Sunni extremists. Turkey has allowed the U.S. Air Force to use a base as a major staging area for bombing and surveillance missions against ISIS. A Trump presidency, according to the Arab financier in direct contact with senior Turkish officials, would place that cooperation at risk, particularly since Erdogan, who is said to despise Trump, has grasped more power following a thwarted coup d'état in July.

In other words, Trump would be in direct financial and political conflict with Turkey from the moment he was sworn into office. Once again, all his dealings with Turkey would be suspect: Would Trump act in the interests of the United States or his wallet? When faced with the prospect of losing the millions of dollars that flow into the Trump Organization each year from that Istanbul property, what position would President Trump take on the important issues involving Turkish-American relations, including that country's role in the fight against ISIS?

Another conundrum: Turkey is at war with the Kurds, America's allies in the fight against ISIS in Syria. Kurdish insurgent groups are in armed conflict with Turkey, demanding an independent Kurdistan. If Turkey cuts off the Trump Organization's cash flow from Istanbul, will Trump, who has shown many times how petty and impulsive he can be, allow that to influence how the U.S. juggles the interests of these two critical allies?

Similar disturbing problems exist with the United Arab Emirates (UAE), another Muslim nation that is an important American ally. Trump has pursued business opportunities in the oil-rich nation for years, with mixed success. His first venture was in 2005, when the Trump Organization struck a branding deal with a top Emirates developer called Nakheel LLC, backed by Dubai's royal family, that planned to build a tulip-shaped hotel on a man-made island designed to look like a palm tree. In 2008, a bribery and corruption probe was launched involving the company's multibillion-dollar Dubai Waterfront project. Two Nakheel executives were charged with fraud and cleared, but Nakheel's financial condition deteriorated amid a collapse in real estate prices; the Trump project was delayed and then canceled. So, in 2013, the Trump Organization struck another branding deal, this time with Nakheel's archrival, Damac Properties, a division of the Damac Group, that wanted the Trump name on a planned 18-hole PGA Championship golf course. The deal was negotiated by Hussain Ali Sajwani, chairman of Damac, who had engaged in controversial land deals with senior government officials in the UAE. He met personally with Trump about the project, and their relationship grew, ultimately leading to Damac working with the Trump Organization on two branded golf courses and a collection of villas in Dubai. According to the former executive with the Trump Organization, Trump has said he personally invested in some of the Dubai projects.

In this case, even the possibility of a Trump presidency has created chaos for the Trump Organization. On December 7, when Trump called for a “total and complete shutdown” of Muslims being allowed into the United States, the reaction in the UAE was instantaneous: There were calls to boycott the Damac-Trump properties. Damac put out a statement essentially saying its deal with

the Trump Organization had nothing to do with Donald Trump personally, a claim that fooled no one. On December 10, Damac removed Trump's image and name from its properties. Two days later, the name went back up, setting off an even louder outcry. Damac's share price dropped 15 percent amid the controversy, and it was forced to guarantee rental returns for some of its luxury properties bearing the Trump name.

Other UAE businesses with connections to Trump are also shunning the brand. The Dubai-based Landmark Group, one of the Middle East's largest retail companies, said it was pulling products with Trump's name off of its shelves.

With Middle Eastern business partners and American allies turning on him, Trump lashed out. Prince Alwaleed bin Talal—the billionaire who aided Trump during his corporate bankruptcies in the 1990s by purchasing his yacht, which provided him with desperately needed cash—sent out a tweet amid the outcry in Dubai, calling the Republican candidate a “disgrace.” (Alwaleed is a prodigious tweeter and Twitter's second largest shareholder.) Trump responded with an attack on the prince—a member of the ruling Saudi royal family—with a childish tweet, saying, “Dopey Prince @Alwaleed—Talal wants to control our U.S. politicians with daddy's money. Can't do it when I get elected. #Trump2016.” Once again, Trump's personal and financial interests are in conflict with critical national security issues for the United States. During the Bush administration, Abu Dhabi, the UAE's capital, and Washington reached a bilateral agreement to improve international standards for nuclear nonproliferation. Cooperation is particularly important for the United States because Iran—whose potential development of nuclear weapons has been a significant security issue, leading to an international agreement designed to place controls on its nuclear energy efforts—is one of the UAE's largest trading partners, and Dubai has been a transit point for sensitive technology bound for Iran.

Given Trump's name-calling when faced with a critical tweet from a member of the royal family in Saudi Arabia, an important ally, how would he react as president if his company's business in the UAE collapsed? Would his decisions in the White House be based on what is best for America or on what would keep the cash from Dubai flowing to him and his family?

A STRONGMAN'S BEST FRIEND

Some of the most disturbing international dealings by the Trump Organization involved Trump's attempts to woo Libyan dictator Muammar el-Qaddafi. The United States had labeled Qaddafi as a sponsor of terrorism for decades; President Ronald Reagan even launched a military attack on him in 1986 after the National Security Agency intercepted a communications that showed Qaddafi was behind the bombing of a German discotheque that killed two Americans. He was also linked to the bombing of Pan Am Flight 103, which exploded over Lockerbie, Scotland, killing 259 people, in 1988. But for the Trump Organization, Qaddafi was not a murdering terrorist; he was a prospect who might bring the company financing and the opportunity to build a resort on the Mediterranean coast of Libya. According to an Arab financier and a former businessman from the North African country, Trump made entreaties to Qaddafi and other members of his government, beginning in 2008, in which he sought deals that would bring cash to the Trump Organization from a sovereign

wealth fund called the Libyan Investment Authority. The following year, Trump offered to lease his estate in Westchester County, New York, to Qaddafi; he took Qaddafi's money but, after local protests, forbade him from staying at his property. (Trump kept the cash.) “I made a lot of money with Qaddafi,” Trump said recently about the Westchester escapade. “He paid me a fortune.”

Another business relationship that could raise concerns about conflicts involves Azerbaijan, a country the State Department said in an official report was infused with “corruption and predatory behavior by politically connected elites.” According to Trump's financial filings, the Republican nominee is the president of two entities called OT Marks Baku LLC and DT Marks Baku Manaaina Member Corp. Those were established as part of deals the Trump Organization made last year for a real estate project in the country's capital. The partner in the deal is Garant Holding, which is controlled by Anar Mammadov, the son of the country's transportation minister, Ziya Mammadov. According to American diplomatic cables made public in 2010, the United States possessed information that led diplomats to believe Ziya Mammadov laundered money for the Iranian military. No formal charges have been brought against either Mammadov.

Once again, however, this exposes potential conflicts between Trump's business connections and national security. While the development is currently on hold, it has not been canceled, meaning that Anar Mammadov could soon be paying millions of dollars to Trump. If American intelligence concludes, or has already concluded, that his business partner's father has been aiding Iran by laundering money for the military, will Trump's foreign policy decisions on Iran and Azerbaijan be based on the national security of the United States or the financial security of Donald Trump?

AN OLIGARCH IN D.C.

The Trump Organization also has dealings in Russia and Ukraine, and officials with the company have repeatedly stated they want to develop projects there. The company is connected to a controversial Russian figure, Vladimir Potanin, a billionaire with interests in mining, metals, banking and real estate. He was a host of the Russian version of *The Apprentice* (called *Candidate*), and Trump, through the Trump Organization, served as the show's executive producer. Potanin is deeply tied to the Russian government and obtained much of his wealth in the 1990s through what was called the loans-for-shares program, part of an effort by Moscow to privatize state properties through auction. Those sales were rigged: Insiders with political connections were the biggest beneficiaries.

Hoping to start its branding business in Russia, the Trump Organization registered the Trump name in 2008 as a trademark for projects in Moscow, St. Petersburg and Sochi. It also launched negotiations with a development company called the Mos City Group, but no deal was reached. The former Trump executive said that talks fell apart over the fees the Trump Organization wanted to charge: 25 percent of the planned project's cost. However, the executive said, the Trump Organization has maintained close relations with Pavel Fuks, head of the Mos City Group. Fuks is one of the most politically prominent oligarchs in Russia, with significant interests in real estate and the country's financial industry, including the Pushkin bank and Sovcombank.

The Trump Organization has also shown interest in Ukraine. In 2006, Donald Trump Jr. and Ivanka Trump met with Viktor Tkachuk, an adviser to the Ukrainian president, and Andriy Zaika, head of the Ukrainian Construction Consortium. The potential financial conflicts here for a President Trump are enormous. Moreover, Trump's primary partner for his lucrative business in Canada, a well-respected Russo-Canadian billionaire named Alex Shnaider, is also a major investor in Russia and Ukraine, meaning American policies benefiting those countries could enrich an important business connection for the Trump Organization.

Meanwhile, Trump has raised concerns in the United States among national security experts for his consistent and effusive praise for Vladimir Putin, the Russian ruler who also now controls much of Ukraine. With its founder in the White House, the Trump Organization would have an extraordinary entrée into those countries. If the company sold its brand in Russia while Trump was in the White House, the world could be faced with the astonishing site of hotels and office complexes going up in downtown Moscow with the name of the American president emblazoned in gold atop the buildings.

The dealings of the Trump Organization reach into so many countries that it is impossible to detail all the conflicts they present in a single issue of this magazine, but a *Newsweek* examination of the company has also found deep connections in China, Brazil, Bulgaria, Argentina, Canada, France, Germany and other countries.

Never before has an American candidate for president had so many financial ties with American allies and enemies, and never before has a business posed such a threat to the United States. If Donald Trump wins this election and his company is not immediately shut down or forever severed from the Trump family, the foreign policy of the United States of America could well be for sale.

Mr. REID. Mr. President, the piece is very, very thorough. So I am only going to quote a few things because of the time of the Senate. No. 1, the article says that, if elected, Donald Trump would be “the most conflicted president in American history,” and “almost every foreign policy decision he makes will raise serious conflicts of interest and ethical quagmires.”

The article details how Donald Trump, his family, and his businesses have multiple questionable partnerships with foreign governments, political parties, and even criminals.

The *Newsweek* article ends with this sound declaration: “Never before has an American candidate for president had so many financial ties with American allies and enemies, and never before has a business posed such a threat to the United States.”

We face this from Donald Trump, a candidate and a notorious con artist. Donald Trump is only trying to help one person—Donald Trump. I don't care if he wants to be President or city commissioner. Donald Trump is in it to benefit Donald Trump.

If given the opportunity, Donald Trump will turn America into a big scam, just like Trump University. I can't make up this stuff. Here is what one of its managers said at Trump University—head of sales: “a fraudulent

scheme and that it preyed upon the elderly and uneducated to separate them from their money.”

That is one of the managers of Trump University. That is a direct quote.

But Trump University is only one example. Trump has been ripping off people for a long, long time—long before Trump University.

The list of people cheated by Donald Trump is a mile long, at least. A glass company in New Jersey, a children's singing group, real estate brokers, plumbers, painters, dishwashers, and many, many more all got fleeced by this so-called billionaire—Trump. When Trump gets sued for not paying, here is what he does: He hires lawyers—lots of lawyers, most of the time—to defend him for having cheated lots of people. Then, guess what. Many times he doesn't bother paying those lawyers so they have to sue him.

He rips off people only to reap profit for himself.

A lot of his business I don't understand very well, but I understand Atlantic City. I was chairman of the Nevada Gaming Commission for 4 very tumultuous years. I was there when we allowed Nevada operations to go to Atlantic City. So I understand what took place in Atlantic City. He will do anything to make a buck for himself. He applied for a license a number of years ago in Nevada. He got one. It was just perfunctory. If he applied for a license today after what he did in Atlantic City and what he has done since, he couldn't get a gaming license in Nevada.

Let's be clear about Donald Trump. He is a spoiled brat raised in plenty, who inherited a fortune, and used his money to make more money, and he did a lot of it by swindling working men and women.

Why would he change as President? The answer is simple. Trump won't change. He is asking us to let him get rich scamming America.

I know these are harsh words, but look at this man. He goes to Flint, MI, where people are desperate for help—desperate for help. He goes to an African-American church. What does he do? He just starts ranting about how horrible Hillary Clinton is. It was so bad that the woman who runs the church had to come up and say: Stop; you are not here to do this. And he stopped. This morning he said that, obviously, there was something wrong with her mentally.

Trump is a human leech who will bleed the country and sit in his golf resort, laughing at the money he has made, even though working people, many of them, will be hurt. Trump doesn't understand the middle class. How could he? How could he understand working people?

This report from Newsweek proves Trump's plan to take his rigged game

straight to the White House. The integrity and security of our democracy is really at stake. We can't chance the sovereignty of this Nation on a con man like Trump. Where are Senator MCCONNELL and Speaker RYAN when America needs our help from this person running for President?

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 a.m. will be equally divided between the two leaders or their designees.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. ENZI. Mr. President, resisting the urge to counter the diatribe I just heard, I will talk on a topic that is really important to America. I don't always agree with what I read in the New York Times, but this caught my eye, and I want to share it with my colleagues:

So much for choice. In many parts of the country, Obamacare customers will be down to one insurer when they go to sign up for coverage next year on the public exchanges.

That is from the August 19, 2016, New York Times, “TheUpshot.”

Just a few years ago, in 2013, President Obama was telling us:

Just visit healthcare.gov, and there you can compare insurance plans, side by side, the same way you'd shop for a plane ticket on Kayak or a TV on Amazon. . . . You'll find more choices, more competition, and in many cases lower prices.

Last year, Wyoming became one of the growing number of States that had one insurer on the ObamaCare exchange. In the environment created by ObamaCare, we have to hope that we can hold on to the one that we have left.

Before ObamaCare, Wyoming had many challenges in our health care system—particularly high costs and

the serious access challenges that come with being a frontier State. By frontier State, I mean we are the least populated State in the Nation. We have less than 570,000 people in our State. We have less than 20 towns or cities in which the population exceeds the elevation. We have a lot of distance between towns. We say Wyoming has miles and miles of miles and miles. It makes health care a difficult challenge. But we had choice. Under ObamaCare we saw one of the two carriers shut down by costs. Like other insurers across the country, this company focused on and dominated the Wyoming ObamaCare exchange in the first year, and then the economics of ObamaCare took hold. Patients were more costly than expected, premium rates didn't quite cover medical expenses—and then insolvency.

The changes to the health care system that President Obama and a completely Democratic-controlled Congress hammered through were sold as the positive change. It is absolutely stunning to me that not one out of the 60 Democrats who represent the people were being talked into it. Well, some of them were, I guess, because there were four extreme deals made for four States regarding Medicare Advantage that gave those States a little longer time than the rest of us would have to take care of our seniors. Two of the four are gone now. The other two may be going too.

As I said, we did have choice, but we have had one shut down, and I don't know if the other one can continue if they stay with the exchange.

The changes to the health care system that the completely Democratic-controlled Congress hammered through were sold as positive change. Many of us thought otherwise and said so at the time. We pointed out flaws in it, but we were ignored. We were called fear-mongers, and here we are today.

Today Wyoming continues to be one of the most expensive States for health care premiums. Do you know the one thing ObamaCare has done for Wyoming? We have more competition from other States for having the most expensive health insurance premiums. Misery loves company, I guess. This year there are some States with premium increases over 50 percent for 2017.

We have seen our individual market damaged, and we are seeing changes in our employer-sponsored insurance as well. Everyone from the biggest corporation to small, one-person operations are paying more and are getting less.

As a former small business owner, I tend to look at these issues from that perspective. In Wyoming, according to the Small Business Administration, there are 63,289 small businesses. Those businesses employ 132,085 people. In Wyoming, that is almost one-third of

all the adults in the State. Small business is the backbone of our economy. Now, that may not sound like many, but remember our low population, and it is just as important for each one of those people as it is for one out of 23 million. We are talking about individuals here. Small business owners in Wyoming and across the country are trying to figure out how to stay afloat as more and more regulations pile up and work to put them out of business. So many, even though they are not technically required to have ObamaCare, try to offer help to their employees for health care. They do it because their employees need it, and they feel it is their responsibility. It may give them a competitive advantage, and they need to have health care to attract employees. But in today's health insurance market, they face the ObamaCare combination of limited choice and seemingly unlimited premium increases.

According to the Kaiser Family Foundation, since 2004, the average annual family premium for covered employees in small firms increased from \$9,812 a year to \$16,625 a year. It has almost doubled. It is clear to anyone paying attention that the health care system is hurting, but my Democratic colleagues and President Obama have essentially dismissed us as hypochondriacs. They tell us it is working well; it is a success. Your premiums are high, and you can't afford your deductible? Nonsense. Your coverage is wonderfully comprehensive, so you can't complain that your mortgage is less than your health insurance premium.

The American people are facing more costly health care than ever before. There has been a complete refusal by the administration and Democrats in both Chambers to entertain any real changes to ObamaCare. The rollout was a mess. Do you remember how you couldn't get on the computer, and if you did get on the computer, you didn't get good data? Their rules and regulations are crushing. They keep adding on to them. Some that are required to be done still aren't done, and their costs are sky high. At the end of the day, anybody can get covered, but hardly anybody can afford it. That is not much of a choice.

I urge the Senate to look at this issue and acknowledge what the law is really doing, and we need to be going beyond simply providing short-term relief like the President's waivers, exceptions, and delays. Those are all instances where there is a flaw in the bill that would have tremendous impact on people that the President didn't want them to realize, so he delayed it, maybe just till he gets out of office. We need long-term, comprehensive changes that will lead us to sustained recovery.

I have been working to find a path toward what would give more flexi-

bility to States, fewer restrictions on how employers help their employees with medical expenses, and practical ways to offer more choices and lower costs for getting the health care that Wyomingites and all Americans should be able to access. We need meaningful, comprehensive change in health care that will take us away from ObamaCare and in a new direction that will meet the promises that were made years ago.

I yield the floor.

Mr. President, I will suggest the absence of a quorum, and I ask unanimous consent that the time in the quorum call be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I am here today to urge our colleagues to support the Water Resources Development Act. Missouri has more than 1,000 miles of navigable waterways that transport over \$4 billion worth of cargo every year.

I will say for the benefit of the Presiding Officer that it is hard at this moment not to stop and talk about what the EPA thinks navigable waters should be and what navigable waters have always been thought to be in Federal law. My State has 1,000 miles of those waterways—as I have just said, \$4 billion a year. There is no reason, with world food demand anticipated to double between now and 35 or 40 years from now, with people wanting to bring some manufacturing jobs and hopefully lots of manufacturing jobs back to this country, that \$4 billion number won't be much bigger than that over the next few years, and so this bill really matters.

Maintaining and improving our waterways and the infrastructure surrounding our waterways is critically important. The Mississippi River Valley is the biggest piece of contiguous agricultural ground in the world. One of the great benefits of the interior port system is it is a port system that uniquely supports some of the most productive agricultural land anywhere in the world but also that it is a natural network that has allowed our country to compete in the way it did early and the way it can now. So it is important that we maintain that system.

We also need to think about—if we have the blessings of the waterways, we also have the challenges of the wa-

terways—protecting families in Missouri and families in other places from natural disasters. In our State, we had a surprise flood in December. It is not the only time we have ever had a New Year's Eve flood, but it is not something we anticipate. It was very big, very destructive, and very localized. So managing that is a critically important part of what happens in the Water Resources Development Act.

This is a step to prioritize these resources so that once again we are thinking about why we have flood protection, navigation, and water projects.

Specifically, in our State this bill authorizes a number of projects in the Kansas City area. The Kansas City levees themselves started in the 1940s, while maybe Harry Truman was using the desk I stand behind right now or the office I now get to use in the Russell Building, maybe while he was President and Vice President. These were projects that took about 40 years to build and now need to be actively maintained. The Kansas City levees, the Turkey Creek Basin, the Swope Park Industrial Area, and the Blue River Basin are flood control projects that protect lots of jobs and protect lots of families and in some cases ensure that the waterway can be used for navigation and still have the proper emphasis we want to have on conservation and wildlife.

The bill funds much needed drinking water and clean water programs. In so many cases, the infrastructure we have in this country below ground is even more challenged than the infrastructure we have aboveground. It is not just about using the waterways for the drinking water that is provided to many communities from the rivers—the Missouri River is a drinking water source for people who live in the Missouri State capital, and it is a drinking water source for people up and down the river in many communities. This bill focuses not only on that traditional system but also provides some additional assistance for challenged communities, for communities that need to replace lead pipes, so that through this bill communities can work on better ways to solve the important infrastructure problems they have.

The bill authorizes \$25 million for the dredging of small ports on the Mississippi River System. In the last Congress, the Senator from Iowa, Mr. Harkin, and I—Senator Harkin has now retired, but Senator KLOBUCHAR stepped up to cochair with me the Mississippi River Caucus that looks at the river as the asset it is. As we try to take traffic off the highway system and off the rail system and put it on the water, if it is going to be on the water sooner rather than later, all these ports matter. So this bill takes a further step in encouraging looking at the small ports, the interior ports, the almost totally export ports.

There is nothing wrong with buying things from other people, but actually, economically, there is a tremendous, positive advantage to selling things to other people, and that is what the interior port system is all about. Not only is it an export port system, it basically serves twice the land mass of a coastal port. If a coastal port effectively serves 250 or 300 miles inland, the Mississippi River port would serve that same amount in all directions, 300 miles each way. So looking at those ports not for specifically the individual tonnage that might go out of the port but how they fit into a whole system is very important.

In many instances, the Corps said: Well, they do not export a million tons, so we don't want to dredge that port because it is only a 900,000-ton port. But I think we need to look at this in different ways, and this bill creates the opportunity to do that.

There is another measure that has an impact very close to where I live, Springfield, MO—Table Rock Lake. It is not on the lake but several miles from the lake. Owners there are worried that the Corps is not listening as it comes up with a shoreline management plan. If you don't live on the shore or if you aren't affected by the economy of the lake, it may not matter much, but it matters a lot if you are in one of those two categories. These plans don't come along very often, and so this measure addresses the concerns property owners have that they are simply not being listened to.

The public and those directly affected by changes in the plan for things such as awarding boat dock permits and shoreline zoning need to have a say in what that plan will look like for a long time because once these plans are in place, the Corps always has many reasons not to look at the shoreline management plans. The extra time here creates a comment period that lets the affected people be heard.

I will say on this topic that when you talk to the Corps about variations in the plan, there are always a thousand reasons they can't make one. Their view is, this is a plan that took a lot of time to put in place. Well, this bill says: OK, we would agree with that. Let's take the necessary time to put it in place.

I am also glad to see that this measure ensures that a community affordability study which I drafted some language on and which we put in the Interior appropriations bill last year will be put to use by the EPA. What is a community affordability study? If you have water issues in your community—if the drinking water system has a problem, if the storm water system has a problem—if you have water issues in your community, there are often reasonable caps that say: If the Federal Government comes in and tells you

that you have to do something, they have to give you enough time so that the community can afford it. Maybe that cap is no more than 4 percent or some percentage a year would be the cap on raising your water bill year after year. Well, if you raise it 4 percent a year, it doesn't take long before it is 40 percent higher than it was and then 50 percent higher than it was. That is a cap that somebody looked at, studied, and thought that even though communities never like to do this, maybe this is something communities can live with. But what if you have two or three of those instances that occur at the same time?

So what this bill does is further encourage the EPA to do something that the municipal league is really for and that my hometown of Springfield, MO, has encouraged and has been a proponent and drafter of, and that is, you have to look at the total impact on ratepayers before you tell a community they have to do something. You can put people in unbelievable economic stress by just deciding that whatever the Federal Government wants to do is what the Federal Government gets to do no matter what impact it has on that community. That sort of integrated permitting will give communities what they need to really make the changes they need to make in a way the community can live with and deal with and, more importantly, families in the community can live with.

This has some bipartisan compromise language that I have long supported to encourage the safe disposal of coal ash. I have heard from rural electric utilities that the rules handed down by EPA are too harsh. The language here will help address those concerns in a bipartisan way.

I urge my colleagues to support this measure. I am grateful for the leadership we have seen from Senator INHOFE, the chairman, and the ranking member, Senator BOXER, who served previously as the chairman of this committee. They have come together with a bipartisan package that makes sense and that impacts the lives of families, that has an impact on our economy and allows these projects to have a future they otherwise wouldn't have and new rules to be put in place that wouldn't be put in place.

With that, Mr. President, I yield the floor.

Mr. REED. Mr. President, I strongly support S. 2848, the Water Resources Development Act, WRDA, of 2016.

I want to thank and commend Chairman INHOFE, Ranking Member BOXER, and their staffs for developing a bipartisan bill to authorize and invest in our Nation's infrastructure—our harbors and waterways, flood and coastal protection projects, and drinking and clean water systems.

I particularly want to thank them for including provisions on small dam

safety from S. 2835, the High Hazard Potential Small Dam Safety Act that I introduced with Senator CAPITO. Like our bill, this legislation creates a new program in the Federal Emergency Management Agency, FEMA, to assist States and communities in rehabilitating small dams that have high-hazard potential, meaning that they threaten human life and property if they fail. There are thousands of these dams across the country, and we have seen the damage they can cause in the instances when they have failed. While there are programs to address small agricultural dams that were built by the U.S. Department of Agriculture, there is no Federal program to deal with the small dams that proliferate the Northeast, Southeast, and Midwest, including 78 high-hazard potential dams in Rhode Island. The bill authorizes up to \$445 million over 10 years to begin to address these structures, with funding to be disbursed on both a formula and a competitive basis. Estimates show that \$1 of predisaster mitigation spending can save between \$3-\$14 in postdisaster spending. Therefore, by assisting in the repair or removal of high-hazard dams before they fail, this program makes an investment in future cost savings, not to mention lives and property saved.

The bill also includes language to address concerns that Senator WHITEHOUSE and I identified about marine debris and abandoned Army Corps projects in Narragansett Bay by expanding the Corps' authority to remove obstructions adjacent to Federal navigation channels. I am pleased that the bill reauthorizes the Water Resources Research Act, which allows the U.S. Geological Survey to provide grants to colleges and universities, including the University of Rhode Island, to support research to improve water supply, address water quality, and train researchers. Additionally, the bill requires a study of the Army Corps' policies on aquaculture in certain areas of the country. Shellfish aquaculture is something we do well in Rhode Island, where there is an excellent relationship with the Corps and where the industry continues to grow. I hope the studies authorized in this bill will be informed by our State's very productive experience.

Beyond the traditional authorizations, the bill also includes important policy changes and funding to deal with the tragic public health and drinking water crisis in the city of Flint, MI, which was brought about by disastrous cost-cutting measures that caused lead contamination in the water supply. The situation in Flint is acute and pronounced. The \$100 million in funding provided under the Drinking Water State Revolving Fund and the \$70 million under the Water Infrastructure Finance and Innovation Act is long overdue.

However, drinking water is not the only source of lead contamination. Communities across the country are finding lead contamination in their soil and in the paint within their homes. In fact, lead-based paint is the leading cause of lead poisoning in children. Sadly, this is nothing new, and too often, it is low-income families and communities that experience this problem. This issue has long been a concern of mine. My home State of Rhode Island has the fourth oldest housing stock in the country. For the past two decades, I have undertaken initiatives to address lead-based paint hazards. I have pushed for increased funding for housing and public health programs to better track lead hazards and then remediate those hazards within homes for low-income families. While these investments have been significant, more must be done.

As ranking member of the Senate Appropriations Subcommittee for Transportation and Housing, I have worked with my chairman, Senator COLLINS, to direct HUD to update the elevated blood lead level standard that requires an immediate environmental investigation in HUD assisted housing. This aligns HUD's standard with the recommendations of health experts at the Centers for Disease Control and Prevention, CDC. Senator COLLINS and I have gone a step further in the fiscal year 2017 bill, providing \$25 million to help public housing agencies comply with this new rule and an additional \$25 million for the Office of Lead Hazard Control and Healthy Homes that provides grants to help low-income families mitigate lead-based paint hazards in their homes.

I am pleased that the WRDA bill builds on our efforts in the Appropriation Committee by providing an additional \$10 million for the Healthy Homes program over the next 2 years, as well as \$10 million for the CDC's Childhood Lead Poisoning Prevention Fund, which supports research and funds State programs to address and prevent childhood lead poisoning. The bill also provides \$10 million for the HHS Healthy Start Initiative to connect pregnant women and new mothers with health care and other resources to foster healthy childhood development.

Many of these measures and others are ones that I have joined some of my Democratic colleagues in proposing in legislation we introduced known as the True LEADership Act of 2016. They add a new dimension—public health—to a bill that is typically about “bricks and mortar.” For these reasons, I urge my colleagues to join me in voting for this bill.

SECTION 2004

Mr. INHOFE. Mr. President, as chairman of the Environment and Public Works Committee, today I wish to engage in a colloquy with my ranking member, Senator BOXER, Senator

BLUMENTHAL, and Senator MURPHY, to speak about section 2004 of S. 2848, the Water Resources Development Act of 2016, or WRDA 2016.

Section 2004 of S. 2848 reaffirms current law that the Army Corps of Engineers must adhere to State water quality standards under the Clean Water Act when determining the least costly, environmentally acceptable alternative for the disposal of dredged material, known as the Federal standard.

Although reaffirming current law, this section is not an endorsement by Congress of the Corps' current practices.

Instead, Congress is letting the Corps know that Congress is paying attention and that the Corps must meet its legal obligations to abide by State water quality standards when determining whether it is meeting the Federal standard.

I have heard concerns that, in some cases, that the Corps has not met this legal requirement and instead self-certifies its determination of the Federal standard rather than meeting State water quality standards. Senators PORTMAN and BROWN have raised this concern with me about the Corps' intention to dispose of dredged material in Lake Erie.

This section is therefore intended to clarify that the Federal standard is a legal, fact-based definition and that neither party is empowered to make the final decision on the Federal standard, should a dispute arise.

By not giving one party veto power over another, Congress is affirming that the Federal standard can be challenged in court. This means that a State can appeal the Corps' interpretation of the Federal standard if the State believes the Corps has failed to meet State water quality standards and that such challenges will be resolved on a case-by-case basis.

I also have heard from members who are worried about whether the permitting of new dredged material disposal sites would be affected by the adoption of new State water quality standards that could ban open water disposal of dredged material.

Under the Clean Water Act, the Environmental Protection Agency must approve new disposal sites and have a very rigorous process for making those decisions. WRDA 2016 does not affect this process at all.

The Clean Water Act also governs the adoption of new State water quality standards. These standards must carry out the purposes of the act. Blocking disposal of dredged material is not a purpose of the Clean Water Act. Any new State water quality standard must go through notice and comment rule-making and also can be litigated. WRDA 2016 does not affect that process.

Mrs. BOXER. As the ranking member of the Environment and Public Works

Committee, I agree with the explanation provided by Senator INHOFE.

Mr. BLUMENTHAL. I would like to thank Senators INHOFE and BOXER for their work on the Water Resources Development Act.

I would also like to thank them for helping to explain section 2004. As Senator INHOFE noted, this section has caused concern in some quarters that I think is useful to discuss.

It is critical for the record to reflect the intent and context of this provision and to spell out what it does and does not do.

Dredging is incredibly important to my State of Connecticut, which has a robust maritime economy.

Long Island Sound in particular is a treasured and integral resource, one that generates \$9 billion annually through tourism, recreation, and economic activity and is home to some of our most significant national security assets in terms of submarines and submarine manufacturing.

But in order to enjoy the benefits of the sound, our coves, harbors, and navigation channels have to be dredged.

My State has over 50 Federal dredging projects pending with the Army Corps of Engineers. It also has everything from small mom-and-pop marinas to Electric Boat that have significant equities in the sound and in the dredging of navigable channels.

For nearly 35 years, clean, nontoxic material dredged from Federal projects in Connecticut has been safely disposed of in Long Island Sound, meeting stringent water quality standards that have been approved by the EPA. Connecticut goes to great lengths to ensure that the material disposed of in the sound is protective of water quality and the environment.

Mr. MURPHY. That is correct. Sediment from Federal projects and larger private projects are required to undergo toxicity testing, and if they fail, the sediment cannot be disposed of at the Long Island Sound sites.

Connecticut requires “capping” or placement of clean sediment on top of sediments containing contaminants above certain levels as a best practice. It is not required, but our State does it as an added measure of protection.

We understand though that there are some who remain uncomfortable with the open-water disposal of dredged material, even if the material passes toxicity tests.

As the Senate affirmed when it adopted the amendment to S. 2848 that Senator BLUMENTHAL and I filed, the best way to resolve these types of disagreements over State water quality standards is collaboratively, with input from all relevant stakeholders.

Water quality standards that apply to the disposal of dredged material in Long Island Sound should be worked out by the States bordering the sound, working with appropriate Federal entities. One State should not arbitrarily impose its will on the other.

And that is the process I intend to work towards with my colleagues in Connecticut and New York, as we continue to address the issue of dredging in Long Island Sound.

If I understand correctly what Senator INHOFE just explained, nothing in S. 2848 gives any State any new rights with which to impose its own water quality standards on any other State. Is that a correct reading of the bill?

Mr. INHOFE. Yes, the Senator is correct.

Mrs. BOXER. I agree with the chairman.

Mr. BLUMENTHAL. And is section 2004 simply a restatement of current law under the Clean Water Act?

Mrs. BOXER. Yes, as Senator INHOFE stated earlier, the section was added to S. 2848 to let the Corps of Engineers know they must comply with the law, and that includes compliance with State water quality standards, and Congress is paying attention.

Mr. MURPHY. Does section 2004 or any other provision in WRDA 2016 revise the Army Corps' Federal standard for disposal of dredged material from Federal projects?

Mr. INHOFE. No. The Federal standard applicable to the disposal of dredged material from Federal projects is found in the Code of Federal Regulations at 33 C.F.R., section 335.7. That regulation requires that the method of disposal must be the least costly alternative that is consistent with sound engineering practices and environmentally protective, as provided under the guidelines established by EPA under section 404(b)(1) of the Clean Water Act. EPA's guidelines are found in the Code of Federal Regulations at 40 C.F.R., part 230.

Under EPA's guidelines, "No discharge of dredged or fill material shall be permitted if it: (1) Causes or contributes, after consideration of disposal site dilution and dispersion, to violations of any applicable State water quality standard." S. 2848 does not change this requirement.

Mr. BLUMENTHAL. Does this provision or WRDA 2016 affect the process for approving new dredged material disposal sites?

Mr. INHOFE. No, it does not.

Mrs. BOXER. I agree with Senator INHOFE.

Mr. MURPHY. I would like to thank Chairman INHOFE and Ranking Member BOXER for this informative discussion and for their help in clarifying the content and intent of section 2004 and the dredging provisions contained in WRDA 2016.

Mr. BLUMENTHAL. I would also like to thank Chairman INHOFE and Ranking Member BOXER for this edifying and clear discussion about the dredging provisions contained in WRDA 2016 and the legislative intent behind those provisions.

Mr. BLUNT. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, at 11:30, we will be voting on the WRDA bill, which we have talked extensively about for the last 2 weeks and the benefits it has. I applaud my Senate colleagues for advancing the WRDA bill to the floor to get to this point. We all have a lot to be proud of in the bipartisan passage of another critical infrastructure bill. We are kind of on a roll, really, when we think about our FAST Act and the chemical bill. We have a lot of things we have been doing, and we are authorizing the Engineers' 30 Chief's reports that recommend the construction of new projects with significant economic benefits. The modernization projects bill will modernize our Nation's ports and make our waterways safe and reliable.

This Panamax chart shows that we have a problem in this country with some of our ports because as the Panama Canal has expanded—and we have this Panamax, which the top shows the new capacity and then the old capacity—we have to do something to help our various ports.

Take the Port of Charleston, It has a 45-foot deck. That is fine for the old ships, but for the new ones it is not. The alternative is to take the ships into the Caribbean, change them, off-load some things, which is a great deal of expense. It is not necessary.

We deal with flood control projects in this bill. If we look at this chart and the picture, we must provide the necessary level of protection to our communities before another unfortunate disaster occurs like the one we are looking at in Louisiana. Of course, WRDA helps to do that.

The environmental projects in the bill also help our Nation's critical ecosystems, including water off the coast of Florida which is experiencing the algae blooms that are disrupting the economy. Of course, the occupier of the Chair is very much responsible for that.

It is important to note that this bill does a lot more than authorize new projects. WRDA 2016 includes substantive reforms to the Army Corps policy so local sponsors will be empowered to participate in the funding. This is a big deal, because we would think we shouldn't have to pass a law to accommodate those individuals who want to pay for things that otherwise the government is going to have to pay for. So we change the law.

It also establishes the FEMA assistance program to help States rehabilitate the unsafe dams. There are 14,726

which have been identified called high-hazard potential dams located all around the country. We can see that around the country—the term "high hazard potential" means that if a dam breaks or if a levee breaks, it will take American lives. It will cost lives. We have 14,000 of these scattered around the country.

The WRDA bill also provides reforms and assistance that will help communities address clean water and safe drinking water infrastructure mandates and help address aging infrastructure like this broken water main in Philadelphia. We can see it is not just in the larger, older parts of America. This is one where we have problems in the newer sections and the less-populated areas, such as my State of Oklahoma.

WRDA also supports innovative approaches to address drought and water supply issues, which is particularly a problem out West and in my State.

Finally, in addition to supporting infrastructure—and therefore the economy—WRDA carries four significant priority policies: It addresses the affordability of Clean Water Act mandates, unfunded mandates. We have been living with these since I was mayor of the city of Tulsa. Our biggest problem is unfunded mandates. In our area, we have a real serious problem in our smaller communities so it does address that.

It addresses EPA's coal ash rule. The coal ash rule is something that has been batted around for a long time. There are a lot of diverse thoughts on it. We came to a compromise on this, and it is something that will allow us to use the value of the coal ash for building roads and also taking care of the disposal problem.

WRDA 2016 includes exemptions from the SPCC rule for farmers. Senator FISCHER has championed this issue, and I have been with her all the way on this. The WRDA bill will exempt all animal feed tanks, and up to two tanks on separate parcels, to allow farmers to refuel their equipment out in the field without being subject to onerous regulations. She has done a great job.

Finally, the WRDA bill includes Gold King Mine legislation that will guarantee EPA will reimburse States, local governments, and tribes for the costs they incur cleaning up the mess that EPA makes.

So we are one step closer to getting back on track with passing the WRDA bill every 2 years. We went 7 years, from 2010 to 2017, without doing a WRDA bill. We are back on a 2-year schedule now. We want to stay that way. Senator BOXER and I have talked about this, and we have worked together to make sure this does get done. We have also talked to Chairman SHUSTER and Chairman UPTON of the House to make sure this gets done. As when I came way back many years ago, he

feels very strongly about the relief that Flint has and the drinking water emergency. I will talk a little bit more about this later after we vote on the bill.

I thank not just Senator BOXER for being chair of the committee, she has been the ranking member, and then when Democrats were in charge, she was the chairman and I was the ranking member, all the way through this. We were able to do what we were supposed to do; that is, infrastructure. I do applaud Senator BOXER. I will share my time before our vote with her. Maybe we can visit more about the benefits of this. I look forward to thanking the rest of the people afterward.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, once again, I think Senator INHOFE and I have proven we can get things done around here.

I have been asked—and I know he has been asked—by many in the press: How do you do it? You are one of the most liberal and one of the most conservative, one of the most progressive—

Mr. INHOFE. I am the conservative.

Mrs. BOXER. I think people know that, clearly. I know they know that in my State and in your State, but people wonder how can we possibly bridge the divide. It is a fact that on certain issues we can't, and I think there is a lesson there. On certain issues, we can't bridge the divide. We recognize that, but we never ever have taken those differences and made them personal. We always respected one another, we tried to understand one another, and we don't waste a lot of time arguing with each other about things where one is Venus and one is Mars, let's be clear, but we do come together as we work for this great country in our total belief that a sound infrastructure is essential for our Nation. You can't compete in a global economy if your infrastructure is failing.

If we look at the grade that is given to our infrastructure, our highways, our bridges, our roadways, our sewer systems, unfortunately, the independent engineers of our country—some of whom are Republican, some of whom are Democrats, some of whom are Independents, some of whom could care less about politics—they tell us a lot of our infrastructure is graded at C-minus, D-plus, D. It is sad when we look at the grades and think: Oh, my God. Thank goodness we got a C. That is not the way I raised my kids. We need to do better.

So we found this amazing area where we could work together. Even within that, we had different priorities, and that is OK. I know what his are and he knows what mine are.

I just want to say, in this bill, where we do so much to respond to the infrastructure needs—we fund so many

Chief's reports, 30 of them in 19 States, addressing critical needs, flood risk management, coastal storm damage reduction, ecosystem restoration, navigation, all the things we have to do to literally keep our country moving—we also did something else. We knew that passing a water bill in this time without addressing lead in drinking water, which came to us in the most tragic story from Flint, MI—I am not going to get into why, how, and where. That is for others to talk about today. We knew we needed to address it in a way that not only helps the Flint people but helps people all over this country who are facing aging water supplies and have lead in the drinking water. We agree the science is clear on the impact of lead in drinking water. Now, we disagree on a lot of other science, but on that one we agree.

I am so grateful to my friend JIM INHOFE, for he brings to the table his experiences as not only a Senator, beloved in his State, but also as a dad and as a granddad, and if we have any obligation to our children—and we do—we need to fix this problem.

Mr. INHOFE. Mr. President, will the Senator yield?

Mrs. BOXER. I will.

Mr. INHOFE. Just for one comment because we want to make sure we get this clear. We still have to go to the House, and Senator BOXER and I are hoping we are going to be able to resolve this. In fact, we may see House action as soon as next week. I know there are some Members in the House who have said they are going to make it difficult on Chairman SHUSTER to pass the WRDA bill because it doesn't have the Senate provisions that address the water crisis across our Nation that involves failing and outdated critical infrastructure and the situation in Flint. I promise to address this in conference. I have been standing with my colleagues in Michigan from the beginning on our fiscally responsible solution to help the Flint community, and I will continue to do so in conference.

So let me be clear. It would be a shortsighted mistake for those trying to help the people of Flint to prevent the quick movement of WRDA in the House so we can conference immediately. I am confident that is going to happen, and this bill will become law before the end of this Congress. I just want to be sure we got that in the record before the vote took place today.

Mrs. BOXER. I am very pleased my colleague has stated unequivocally that the Flint provision—which again helps the whole country—is going to be strongly supported by him and by me and by others in the conference.

I would simply say to my friends in the House, through the Chair, if I can: There is a simple way to go—take up and pass the Senate bill. We have had 93 votes for cloture.

I see the majority leader. I thank him so much for his work. He promised me this would happen, and he kept that promise. And Senator REID—who had a lot of other fish to fry around here, but he said: You know what, let's get this done. That is very good for the country and for the way this place functions. When I am not here, I just hope to leave behind a few of these bipartisan crumbs that I have been able to work on in my time here.

In conclusion, I don't want to get into what the House does. I hope they take up and pass our bill. If they don't, we will have to work with them, but let me just say, it is heartening to hear my colleague say he will stand for this lead provision.

I also thank Senators STABENOW and PETERS for bringing this unbelievable crisis to our attention and staying on this day after day. I can't say how many phone calls I have had. She would call me and I would call Senator INHOFE. Then he would call her and they would call Senator PETERS. We have been standing together on this.

I hope we have a resounding vote. I thought 93 was great, but as my father used to say to me when I brought a 90-percent grade home: Hey, what happened to the other 10 percent? So I am looking for a 93, at a minimum, today. That is a heck of a message to send. I don't know if we could get that for any other issue.

I am thrilled to be part of this team. Again, I thank my friend and colleague for his devotion to getting work done around here. I am going to miss him, but I will be cheering from outside the Chamber.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I hate to see the Boxer-Inhofe team come to an end. We have had some great bipartisan accomplishments—this bill we are about to pass and the highway bill last year, which was something I think all of us and the three of us were very proud of.

I want to say to my colleague from California, as we have discussed on numerous occasions, there are not a whole lot of things we agree on, but when we do, we have a lot of fun working together. We are going to miss that opportunity next Congress.

Mrs. BOXER. I thank the Senator.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote with respect to the motion to proceed to H.R. 5325 ripen at 5:30 p.m., Monday, September 19.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. We will continue to negotiate text for the short-term CR, the Zika bill, and moving the vote

until Monday night will allow us to move forward next week.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE
CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 1:30 p.m. on Thursday, September 15—that is today—the Senate proceed to executive session for the consideration of Calendar No. 698, with no other business in order; that there be 15 minutes for debate only on the nomination, equally divided in the unusual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 5075; 5063, AS MODIFIED; 5076; 5068; 5069; 5074, AS MODIFIED; 5077; AND 5066, AS MODIFIED, TO AMENDMENT NO. 4979

Mr. INHOFE. Mr. President, I ask unanimous consent that notwithstanding the adoption of amendment No. 4979, as amended, the following amendments be reported by number, called up, and agreed to en bloc: Isakson No. 5075; Sanders No. 5063, as modified; Cochran No. 5076; Paul No. 5068; Cardin No. 5069; Hoeven No. 5074, as modified; Tester No. 5077; and Sasse No. 5066, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number en bloc.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for others, proposes amendments numbered 5075; 5063, as modified; 5076; 5068; 5069; 5074, as modified; 5077; and 5066, as modified, en bloc to amendment No. 4979.

The amendments are as follows:

AMENDMENT NO. 5075

(Purpose: To deauthorize the New Savannah Bluff Lock and Dam, Georgia and South Carolina)

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

() NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term “New Savannah Bluff Lock and Dam” has the meaning given the term in

section 348(l)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term “Project” means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(l)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (l); and

(ii) by redesignating subsections (m) and (n) as subsections (l) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

AMENDMENT NO. 5063, AS MODIFIED

(Purpose: To provide for rehabilitation of certain dams)

At the end of title III, insert the following:

SEC. 3. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED FLOOD CONTROL DAMS.

(a) IN GENERAL.—If the Secretary determines that the project is feasible, the Secretary may carry out a project for the rehabilitation of a dam described in subsection (b).

(b) ELIGIBLE DAMS.—A dam eligible for assistance under this section is a dam—

(1) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;

(2) for which construction was completed before 1940;

(3) that is classified as “high hazard potential” by the State dam safety agency of the State in which the dam is located; and

(4) that is operated by a non-Federal entity.

(c) COST SHARING.—Non-Federal interests shall provide 35 percent of the cost of construction of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(d) AGREEMENTS.—Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

(1) to pay the non-Federal share of the costs of construction under subsection (c); and

(2) to pay 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to the project in accordance with regulations prescribed by the Secretary.

(e) COST LIMITATION.—The Secretary shall not expend more than \$10,000,000 for a project at any single dam under this section.

(f) FUNDING.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2017 through 2026.

AMENDMENT NO. 5076

(Purpose: To make technical corrections)

Strike section 6009 and insert the following:

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS”, authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

AMENDMENT NO. 5068

(Purpose: To ensure that the Secretary does not charge a fee for certain surplus water)

At the end of title I, add the following:

SEC. 1. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 2 years after the date of enactment of this Act.

(c) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

AMENDMENT NO. 5069

(Purpose: To require an annual survey of sea grasses in the Chesapeake Bay)

Strike section 7206 and insert the following:

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

Section 117(i) of the Federal Water Pollution Control Act (33 U.S.C. 1267(i)) is amended by adding at the end the following:

“(3) ANNUAL SURVEY.—The Administrator shall carry out an annual survey of sea grasses in the Chesapeake Bay.”.

AMENDMENT NO. 5074, AS MODIFIED

(Purpose: To limit the permit fees for cabins and trailers on land administered by the Dakotas Area Office of the Bureau of Reclamation and to allow trailer area permittees at Heart Butte Dam and Reservoir (Lake Tschida) to continue using trailer homes on their permitted lots)

At the end of title VIII, insert the following:

SEC. _____. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. _____. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term “addition” means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term “camper or recreational vehicle” includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term “immediate family” means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term “permit” means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term “permit year” means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term “permittee” means a person holding a permit.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term “trailer area” means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled “Heart Butte Reservoir Resource Management Plan” (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term “trailer home” means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMIT RENEWAL AND PERMITTED USE.—

(1) IN GENERAL.—The Secretary shall use the same permit renewal process for trailer

area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) REMOVAL.—

(1) IN GENERAL.—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) REPLACEMENT, REMOVAL, AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to the personal property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

AMENDMENT NO. 5077

(Purpose: To achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for the Blackfeet Tribe of the Blackfeet Indian Reservation and the United States, for the benefit of the Tribe and allottees, and for other purposes.)

(The amendment is printed in today's RECORD under “Text of Amendments.”)

AMENDMENT NO. 5066, AS MODIFIED

(Purpose: To require a GAO review and report on certain projects)

At the end of title I, insert the following:

SEC. 10 _____. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

The PRESIDING OFFICER. Under the previous order, amendments Nos. 5075; 5063, as modified; 5076; 5068; 5069; 5074, as modified; 5077; and 5066, as modified, are agreed to.

Under the previous order, all postcloture time has expired.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. HOEVEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from New Hampshire (Ms. AYOTTE).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted “yea”.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote yea.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—95

Alexander	Fischer	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rounds
Burr	Hirono	Rubio
Cantwell	Hoeven	Sanders
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	King	Sessions
Cassidy	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Manchin	Tester
Corker	Markey	Thune
Cornyn	McCain	Tillis
Cotton	McCaskill	Toomey
Crapo	McConnell	Udall
Cruz	Menendez	Vitter
Daines	Merkley	Warner
Donnelly	Mikulski	Warren
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Wyden
Feinstein	Murray	

NAYS—3

Flake Lee Sasse

NOT VOTING—2

Ayotte Kaine

The bill (S. 2848), as amended, was passed, as follows:

S. 2848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Water Resources Development Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Limitations.

TITLE I—PROGRAM REFORMS

- Sec. 1001. Study of water resources development projects by non-Federal interests.
- Sec. 1002. Advanced funds for water resources development studies and projects.
- Sec. 1003. Authority to accept and use materials and services.
- Sec. 1004. Partnerships with non-Federal entities to protect the Federal investment.
- Sec. 1005. Non-Federal study and construction of projects.
- Sec. 1006. Munitions disposal.
- Sec. 1007. Challenge cost-sharing program for management of recreation facilities.
- Sec. 1008. Structures and facilities constructed by the Secretary.
- Sec. 1009. Project completion.
- Sec. 1010. Contributed funds.
- Sec. 1011. Application of certain benefits and costs included in final feasibility studies.

- Sec. 1012. Leveraging Federal infrastructure for increased water supply.
 - Sec. 1013. New England District headquarters.
 - Sec. 1014. Buffalo District headquarters.
 - Sec. 1015. Completion of ecosystem restoration projects.
 - Sec. 1016. Credit for donated goods.
 - Sec. 1017. Structural health monitoring.
 - Sec. 1018. Fish and wildlife mitigation.
 - Sec. 1019. Non-Federal interests.
 - Sec. 1020. Discrete segment.
 - Sec. 1021. Funding to process permits.
 - Sec. 1022. International Outreach Program.
 - Sec. 1023. Wetlands mitigation.
 - Sec. 1024. Use of Youth Service and Conservation Corps.
 - Sec. 1025. Debris removal.
 - Sec. 1026. Aquaculture study.
 - Sec. 1027. Levee vegetation.
 - Sec. 1028. Planning assistance to States.
 - Sec. 1029. Prioritization.
 - Sec. 1030. Kennewick Man.
 - Sec. 1031. Disposition studies.
 - Sec. 1032. Transfer of excess credit.
 - Sec. 1033. Surplus water storage.
 - Sec. 1034. Hurricane and storm damage reduction.
 - Sec. 1035. Fish hatcheries.
 - Sec. 1036. Feasibility studies and watershed assessments.
 - Sec. 1037. Shore damage prevention or mitigation.
 - Sec. 1038. Enhancing lake recreation opportunities.
 - Sec. 1039. Cost estimates.
 - Sec. 1040. Tribal partnership program.
 - Sec. 1041. Cost sharing for territories and Indian tribes.
 - Sec. 1042. Local government water management plans.
 - Sec. 1043. Credit in lieu of reimbursement.
 - Sec. 1044. Retroactive changes to cost-sharing agreements.
 - Sec. 1045. Easements for electric, telephone, or broadband service facilities eligible for financing under the Rural Electrification Act of 1936.
 - Sec. 1046. Study on the performance of innovative materials.
 - Sec. 1047. Deauthorization of inactive projects.
 - Sec. 1048. Review of reservoir operations.
 - Sec. 1049. Written agreement requirement for water resources projects.
 - Sec. 1050. Maximum cost of projects.
 - Sec. 1051. Conversion of surplus water agreements.
 - Sec. 1052. Authorized funding for interagency and international support.
 - Sec. 1053. Surplus water storage.
 - Sec. 1054. GAO review and report.
- #### TITLE II—NAVIGATION
- Sec. 2001. Projects funded by the Inland Waterways Trust Fund.
 - Sec. 2002. Operation and maintenance of fuel-taxed inland waterways.
 - Sec. 2003. Funding for harbor maintenance programs.
 - Sec. 2004. Dredged material disposal.
 - Sec. 2005. Cape Arundel disposal site, Maine.
 - Sec. 2006. Maintenance of harbors of refuge.
 - Sec. 2007. Aids to navigation.
 - Sec. 2008. Beneficial use of dredged material.
 - Sec. 2009. Operation and maintenance of harbor projects.
 - Sec. 2010. Additional measures at donor ports and energy transfer ports.
 - Sec. 2011. Harbor deepening.
 - Sec. 2012. Operations and maintenance of inland Mississippi River ports.
 - Sec. 2013. Implementation guidance.

- Sec. 2014. Remote and subsistence harbors.
- Sec. 2015. Non-Federal interest dredging authority.
- Sec. 2016. Transportation cost savings.
- Sec. 2017. Dredged material.
- Sec. 2018. Great Lakes Navigation System.
- Sec. 2019. Harbor Maintenance Trust Fund.

TITLE III—SAFETY IMPROVEMENTS

- Sec. 3001. Rehabilitation assistance for non-Federal flood control projects.
- Sec. 3002. Rehabilitation of existing levees.
- Sec. 3003. Maintenance of high risk flood control projects.
- Sec. 3004. Rehabilitation of high hazard potential dams.
- Sec. 3005. Expedited completion of authorized projects for flood damage reduction.
- Sec. 3006. Cumberland River Basin Dam repairs.
- Sec. 3007. Indian dam safety.
- Sec. 3008. Rehabilitation of Corps of Engineers constructed flood control dams.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

- Sec. 4001. Gulf Coast oyster bed recovery plan.
 - Sec. 4002. Columbia River, Platte River, and Arkansas River.
 - Sec. 4003. Missouri River.
 - Sec. 4004. Puget Sound nearshore ecosystem restoration.
 - Sec. 4005. Ice jam prevention and mitigation.
 - Sec. 4006. Chesapeake Bay oyster restoration.
 - Sec. 4007. North Atlantic coastal region.
 - Sec. 4008. Rio Grande.
 - Sec. 4009. Texas coastal area.
 - Sec. 4010. Upper Mississippi and Illinois Rivers flood risk management.
 - Sec. 4011. Salton Sea, California.
 - Sec. 4012. Adjustment.
 - Sec. 4013. Coastal resiliency.
 - Sec. 4014. Regional intergovernmental collaboration on coastal resilience.
 - Sec. 4015. South Atlantic coastal study.
 - Sec. 4016. Kanawha River Basin.
 - Sec. 4017. Consideration of full array of measures for coastal risk reduction.
 - Sec. 4018. Waterfront community revitalization and resiliency.
 - Sec. 4019. Table Rock Lake, Arkansas and Missouri.
 - Sec. 4020. Pearl River Basin, Mississippi.
- #### TITLE V—DEAUTHORIZATIONS
- Sec. 5001. Deauthorizations.
 - Sec. 5002. Conveyances.
- #### TITLE VI—WATER RESOURCES INFRASTRUCTURE
- Sec. 6001. Authorization of final feasibility studies.
 - Sec. 6002. Authorization of project modifications recommended by the Secretary.
 - Sec. 6003. Authorization of study and modification proposals submitted to Congress by the Secretary.
 - Sec. 6004. Expedited completion of reports.
 - Sec. 6005. Extension of expedited consideration in Senate.
 - Sec. 6006. GAO study on Corps of Engineers methodology and performance metrics.
 - Sec. 6007. Inventory assessment.
 - Sec. 6008. Saint Lawrence Seaway modernization.
 - Sec. 6009. Yazoo Basin, Mississippi.
- #### TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE
- Sec. 7001. Definition of Administrator.

Sec. 7002. Sense of the Senate on appropriations levels and findings on economic impacts.

Subtitle A—Drinking Water

Sec. 7101. Preconstruction work.
 Sec. 7102. Priority system requirements.
 Sec. 7103. Administration of State loan funds.
 Sec. 7104. Other authorized activities.
 Sec. 7105. Negotiation of contracts.
 Sec. 7106. Assistance for small and disadvantaged communities.
 Sec. 7107. Reducing lead in drinking water.
 Sec. 7108. Regional liaisons for minority, tribal, and low-income communities.
 Sec. 7109. Notice to persons served.
 Sec. 7110. Electronic reporting of drinking water data.
 Sec. 7111. Lead testing in school and child care drinking water.
 Sec. 7112. WaterSense program.
 Sec. 7113. Water supply cost savings.
 Sec. 7114. Small system technical assistance.
 Sec. 7115. Definition of Indian tribe.
 Sec. 7116. Technical assistance for tribal water systems.
 Sec. 7117. Requirement for the use of American materials.

Subtitle B—Clean Water

Sec. 7201. Sewer overflow control grants.
 Sec. 7202. Small and medium treatment works.
 Sec. 7203. Integrated plans.
 Sec. 7204. Green infrastructure promotion.
 Sec. 7205. Financial capability guidance.
 Sec. 7206. Chesapeake Bay Grass Survey.
 Sec. 7207. Great Lakes harmful algal bloom coordinator.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

Sec. 7301. Water infrastructure public-private partnership pilot program.
 Sec. 7302. Water infrastructure finance and innovation.
 Sec. 7303. Water Infrastructure Investment Trust Fund.
 Sec. 7304. Innovative water technology grant program.
 Sec. 7305. Water Resources Research Act amendments.
 Sec. 7306. Reauthorization of Water Desalination Act of 1996.
 Sec. 7307. National drought resilience guidelines.
 Sec. 7308. Innovation in State water pollution control revolving loan funds.
 Sec. 7309. Innovation in drinking water State revolving loan funds.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

Sec. 7401. Drinking water infrastructure.
 Sec. 7402. Loan forgiveness.
 Sec. 7403. Registry for lead exposure and advisory committee.
 Sec. 7404. Additional funding for certain childhood health programs.
 Sec. 7405. Review and report.

Subtitle E—Report on Groundwater Contamination

Sec. 7501. Definitions.
 Sec. 7502. Report on groundwater contamination.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION

Sec. 7611. Great Lakes Restoration Initiative.
 Sec. 7612. Amendments to the Great Lakes Fish and Wildlife Restoration Act of 1990.

PART II—LAKE TAHOE RESTORATION

Sec. 7621. Findings and purposes.
 Sec. 7622. Definitions.
 Sec. 7623. Improved administration of the Lake Tahoe Basin Management Unit.
 Sec. 7624. Authorized programs.
 Sec. 7625. Program performance and accountability.
 Sec. 7626. Conforming amendments; updates to related laws.
 Sec. 7627. Authorization of appropriations.
 Sec. 7628. Land transfers to improve management efficiencies of Federal and State land.

PART III—LONG ISLAND SOUND RESTORATION

Sec. 7631. Restoration and stewardship programs.
 Sec. 7632. Reauthorization.

PART IV—DELAWARE RIVER BASIN CONSERVATION

Sec. 7641. Findings.
 Sec. 7642. Definitions.
 Sec. 7643. Program establishment.
 Sec. 7644. Grants and assistance.
 Sec. 7645. Annual reports.
 Sec. 7646. Authorization of appropriations.

PART V—COLUMBIA RIVER BASIN RESTORATION

Sec. 7651. Columbia River Basin restoration.
 Subtitle G—Innovative Water Infrastructure Workforce Development

Sec. 7701. Innovative water infrastructure workforce development program.

Subtitle H—Offset

Sec. 7801. Offset.

TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 8001. Approval of State programs for control of coal combustion residuals.
 Sec. 8002. Choctaw Nation of Oklahoma and the Chickasaw Nation water settlement.
 Sec. 8003. Land transfer and trust land for the Muscogee (Creek) Nation.
 Sec. 8004. Reauthorization of Denali Commission.
 Sec. 8005. Recreational access of floating cabins.
 Sec. 8006. Regulation of aboveground storage at farms.
 Sec. 8007. Salt cedar removal permit reviews.
 Sec. 8008. International outfall interceptor repair, operations, and maintenance.
 Sec. 8009. Pechanga Band of Luiseño Mission Indians water rights settlement.
 Sec. 8010. Gold King Mine spill recovery.
 Sec. 8011. Reports by the Comptroller General.
 Sec. 8012. Sense of Congress.
 Sec. 8013. Bureau of Reclamation Dakotas Area Office permit fees for cabins and trailers.
 Sec. 8014. Use of trailer homes at heart butte dam and reservoir (Lake Tschida).

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

Sec. 9001. Short title.
 Sec. 9002. Purposes.
 Sec. 9003. Definitions.
 Sec. 9004. Ratification of compact.
 Sec. 9005. Milk River water right.
 Sec. 9006. Water delivery through Milk River project.
 Sec. 9007. Bureau of Reclamation activities to improve water management.

Sec. 9008. St. Mary canal hydroelectric power generation.
 Sec. 9009. Storage allocation from Lake Elwell.
 Sec. 9010. Irrigation activities.
 Sec. 9011. Design and construction of MR&I System.
 Sec. 9012. Design and construction of water storage and irrigation facilities.
 Sec. 9013. Blackfeet water, storage, and development projects.
 Sec. 9014. Easements and rights-of-way.
 Sec. 9015. Tribal water rights.
 Sec. 9016. Blackfeet settlement trust fund.
 Sec. 9017. Blackfeet water settlement implementation fund.
 Sec. 9018. Authorization of appropriations.
 Sec. 9019. Water rights in Lewis and Clark National Forest and Glacier National Park.
 Sec. 9020. Waivers and releases of claims.
 Sec. 9021. Satisfaction of claims.
 Sec. 9022. Miscellaneous provisions.
 Sec. 9023. Expiration on failure to meet enforceability date.
 Sec. 9024. Antideficiency.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Army.

SEC. 3. LIMITATIONS.

Nothing in this Act—

(1) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(2) supersedes or authorizes any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(3) affects any water right in existence on the date of enactment of this Act;

(4) preempts or affects any State water law or interstate compact governing water; or

(5) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within the State.

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.”.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h-1), is amended—

(1) in the first sentence—

(A) by striking “Whenever any” and inserting the following:

“(a) IN GENERAL.—Whenever any”;

(B) by striking “a flood-control project duly adopted and authorized by law” and inserting “an authorized water resources development study or project,”; and

(C) by striking “such work” and inserting “such study or project”;

(2) in the second sentence—

(A) by striking “The Secretary of the Army” and inserting the following:

“(b) REPAYMENT.—The Secretary of the Army”; and

(B) by striking “from appropriations which may be provided by Congress for flood-control work” and inserting “if specific appropriations are provided by Congress for such purpose”; and

(3) by adding at the end the following:

“(c) DEFINITION OF STATE.—In this section, the term ‘State’ means—

“(1) a State;

“(2) the District of Columbia;

“(3) the Commonwealth of Puerto Rico;

“(4) any other territory or possession of the United States; and

“(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

“(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

“(2) acceptance of the materials and services or funds is in the public interest.”; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking “Not later than 60 days after initiating an activity under this section,” and inserting “Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section.”; and

(B) by striking “a report” and inserting “an annual report”.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “, at full Federal expense,” after “The Secretary may”; and

(2) in subsection (b), by striking “funded” and inserting “reimbursed”.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or inter-agency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

“(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

“(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.”.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the “Rivers and Harbors Act of 1899”), is amended—

(1) by striking “That it shall not be lawful” and inserting the following:

“(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful”; and

(2) by adding at the end the following:

“(b) CONCURRENT REVIEW.—

“(1) NEPA REVIEW.—

“(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

“(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

“(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

“(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

“(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

“(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

“(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

“(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

“(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

“(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.”.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than \$4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the “Flood Control Act of 1936”), is amended—

(1) by striking “funds appropriated by the United States for”; and

(2) in the first proviso, by inserting after “authorized purposes of the project.” the following: “*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise, consistent with authorized project purposes, operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River).”

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

“(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

“(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ‘Flood Control Act of 1936’); and

“(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).”.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ‘Rivers and Harbors Act of 1899’) (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and

maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

(l) EFFECT OF SECTION.—Nothing in this section affects or modifies any authority of the Secretary to review or modify reservoirs.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) **REQUIREMENT.**—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

“(d) **INCLUSIONS.**—A monitoring plan under subsection (b) shall include a description of—

“(1) the types and number of restoration activities to be conducted;

“(2) the physical action to be undertaken to achieve the restoration objectives of the project;

“(3) the functions and values that will result from the restoration plan; and

“(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

“(e) **CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.**—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).”

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting “regardless of the cost incurred by the non-Federal interest,” before “shall not”; and

(2) by striking “costs” and inserting “value”.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) **IN GENERAL.**—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) **CONSULTATION AND CONSIDERATION.**—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

“(D) include measures to protect or restore habitat connectivity”; and

(B) in paragraph (6)(C), by striking “impacts” and inserting “impacts, including impacts to habitat connectivity”; and

(C) by striking paragraph (11) and inserting the following:

“(11) **EFFECT.**—Nothing in this subsection—

“(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

“(B) affects the mitigation responsibilities of the Secretary under any other provision of law.”; and

(2) by adding at the end the following:

“(j) **USE OF FUNDS.**—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

“(k) **MEASURES.**—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.”

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(b)(1)) is amended by inserting “or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” after “Indian tribe”.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking “project or separable element” each place it appears and inserting “project, separable element, or discrete segment”; and

(2) by striking “project, or separable element thereof,” each place it appears and inserting “project, separable element, or discrete segment of a project”; and

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through “In this section, the” and inserting the following:

“(a) **DEFINITIONS.**—In this section:

“(1) **DISCRETE SEGMENT.**—The term ‘discrete segment’, with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

“(2) **WATER RESOURCES DEVELOPMENT PROJECT.**—The”;

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “project, or separate element thereof” and

inserting “project, separable element, or discrete segment of a project”; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking “project” and inserting “project, separable element, or discrete segment”; and

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “project, or a separable element of a water resources development project,” and inserting “project, separable element, or discrete segment of a project”; and

(C) by adding at the end the following:

“(5) **REPAYMENT OF REIMBURSEMENT.**—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.”

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(C) **RAIL CARRIER.**—The term ‘rail carrier’ has the meaning given the term in section 10102 of title 49, United States Code.”;

(2) in paragraph (2), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(3) in paragraph (3), by striking “or natural gas company” and inserting “, natural gas company, or rail carrier”; and

(4) in paragraph (5), by striking “and natural gas companies” and inserting “, natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws”.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

“(a) **AUTHORIZATION.**—

“(1) **IN GENERAL.**—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

“(2) **INCLUSIONS.**—Activities under paragraph (1) may include—

“(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

“(B) research, development, training, and other forms of technology transfer and exchange; and

“(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.”

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

“(4) **MITIGATION BANKS.**—

“(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration in water resources development feasibility studies of the entire amount of potential in-kind credits available at mitigation

banks and in-lieu fee programs with an approved service area that includes the projected impacts of the water resource development project.

“(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits that meet the criteria under subparagraph (A) shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

“(i) has an approved mitigation banking instrument; and

“(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.

“(C) EFFECT.—Nothing in this paragraph modifies or alters any requirement for a water resources project to comply with applicable laws or regulations, including section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283).”.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

“(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.”.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled “An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking “\$1,000,000” and inserting “\$5,000,000”;

(2) by striking “accumulated snags and other debris” and inserting “accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel”; and

(3) by striking “or flood control” and inserting “, flood control, or recreation”.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting “remove existing vegetation or” after “the Secretary shall not”; and

(2) by striking “as a condition or requirement for any approval or funding of a project, or any other action”.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(a)(1)) is amended—

(1) by inserting “, a group of States, or a regional or national consortia of States” after “working with a State”; and

(2) by striking “located within the boundaries of such State”.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting “re-store or” before “prevent the loss”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Development Act of 2016”; and

(ii) in subparagraph (A)(ii), by striking “that—” and all that follows through “(II)” and inserting “that”; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “For” and inserting the following:

“(1) IN GENERAL.—For”; and

(D) by adding at the end the following:

“(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

“(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

“(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

“(ii) that meet the criteria described in paragraph (1); and

“(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.”.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including a study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)), the Secretary shall consider the extent to which the property has economic or recreational significance or impacts at the national, State, or local level.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through “Subject to subsection (b)” and inserting the following:

“(a) APPLICATION OF CREDIT.—

“(1) IN GENERAL.—Subject to subsection (b); and

(B) by adding at the end the following:

“(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.”;

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1254) is amended by adding at the end the following:

“(5) TIME LIMIT.—

“(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

“(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

“(i) an identification of any outstanding information that is needed to make a final decision;

“(ii) the date by which the information referred to in clause (i) shall be obtained; and

“(iii) the date by which the Secretary will make a final decision on the request.”.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 1035. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATERSHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

“(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.”.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through “The Secretary” and inserting the following:

“(A) REQUIREMENT.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Secretary”; and

(2) by adding at the end the following:

“(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first \$100,000 of the feasibility study shall be a Federal expense.”.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end “, except that the first \$100,000 of the assessment shall be a Federal expense”.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking “measures” and all that follows through “project” and inserting “measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project”; and

(2) by adding at the end the following:

“(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).”.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “the Secretary” and all that follows through “projects” and inserting “the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources.”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “(2) MATTERS TO BE STUDIED.—A study” and inserting the following:

“(2) AUTHORIZED ACTIVITIES.—Any activity”; and

(C) by adding at the end the following:

“(3) FEASIBILITY STUDY AND REPORTS.—

“(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

“(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

“(C) FUNDING.—The first \$100,000 of a study under this paragraph shall be at full Federal expense.

“(4) DESIGN AND CONSTRUCTION.—

“(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than \$10,000,000.

“(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described

in subparagraph (A) is more than \$10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “studies” and inserting “any activity”; and

(B) in paragraph (2)(B), by striking “carrying out projects studied” and inserting “any activity conducted”;

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking “a study” and inserting “any activity conducted”;

(B) by striking paragraph (2) and inserting the following:

“(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

“(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

“(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

“(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

“(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

“(6) WATER-RELATED PLANNING ACTIVITIES.—

“(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

“(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.”; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking “TERRITORIES” and inserting “TERRITORIES AND INDIAN TRIBES”; and

(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—The Secretary shall waive local cost-sharing requirements up to \$200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a))—

“(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

“(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).”

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking “that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) before the date of enactment of this Act” and inserting “for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as it existed before the repeal made by section 1014(c)(3))”; and

(2) in subsection (b), by striking “share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies” and inserting “non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest”.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.—In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) NO CONSIDERATION FOR EASEMENTS.—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) ADMINISTRATIVE EXPENSES.—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United States Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) DEFINITION OF INNOVATIVE MATERIAL.—In this section, the term “innovative mate-

rial”, with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) CONTENTS.—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) PUBLIC COMMENT.—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) CONSULTATION.—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

SEC. 1047. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) IN GENERAL.—Section 6001(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b(c)) is amended by adding at the end the following:

“(5) DEFINITION OF CONSTRUCTION.—In this subsection, the term ‘construction’ includes the obligation or expenditure of non-Federal funds for construction of elements integral to the authorized project, whether or not the activity takes place pursuant to any agreement with, expenditure by, or obligation from the Secretary.”

(b) NOTICES OF CORRECTION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of correction removing from the lists under subsections (c) and (d) of section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) any project that was listed even though construction (as defined in subsection (c)(5) of that section) took place.

SEC. 1048. REVIEW OF RESERVOIR OPERATIONS.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term “reserved works” means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) TRANSFERRED WORKS.—The term “transferred works” means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity under the provisions of a formal operation and maintenance transfer contract.

(3) TRANSFERRED WORKS OPERATING ENTITY.—The term “transferred works operating entity” means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) APPLICABILITY.—

(1) IN GENERAL.—This section applies to reservoirs that are subject to regulation by the Secretary under section 7 of the Act of December 22, 1944 (33 U.S.C. 709) located in a State in which a Bureau of Reclamation project is located.

(2) EXCLUSIONS.—This section shall not apply to—

(A) any project authorized by the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the initial units of the Colorado River Storage Project, as authorized by the first section of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620);

(C) any dam or reservoir operated by the Bureau of Reclamation as reserved works, unless all non-Federal project sponsors of the reserved works jointly provide to the Secretary a written request for application of this section to the project;

(D) any dam or reservoir owned and operated by the Corps of Engineers; or

(E) any Bureau of Reclamation transferred works, unless the transferred works operating entity provides to the Secretary a written request for application of this section to the project.

(c) REVIEW.—

(1) IN GENERAL.—In accordance with the authorities of the Secretary in effect on the day before the date of enactment of this Act, at the reservoirs described in paragraph (2), the Secretary may—

(A) review any flood control rule curves developed by the Secretary; and

(B) determine, based on the best available science (including improved weather forecasts and forecast-informed operations, new watershed data, or structural improvements) whether an update to the flood control rule curves and associated changes to the water operations manuals is appropriate.

(2) DESCRIPTION OF RESERVOIRS.—The reservoirs referred to in paragraph (1) are reservoirs—

(A)(i) located in areas with prolonged drought conditions; or

(ii) for which no review has occurred during the 10-year period preceding the date of enactment of this Act; and

(B) for which individuals or entities, including the individuals or entities responsible for operations and maintenance costs or that have storage entitlements or contracts at a reservoir, a unit of local government, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, have submitted to the Secretary a written request to carry out the review described in paragraph (1).

(3) REQUIRED CONSULTATION.—In carrying out a review under paragraph (1) and prior to updating any flood control rule curves and

manuals under subsection (e), the Secretary shall comply with all applicable public participation and agency review requirements, including consultation with—

(A) affected States, Indian tribes, and other Federal and State agencies with jurisdiction over a portion of or all of the project or the operations of the project;

(B) the applicable power marketing administration, in the case of reservoirs with Federal hydropower projects;

(C) any non-Federal entity responsible for operation and maintenance costs;

(D) any entity that has a contractual right to withdraw water from, or use storage at, the project;

(E) any entity that the State determines holds rights under State law to the use of water from the project; and

(F) any unit of local government with flood risk reduction responsibilities downstream of the project.

(d) AGREEMENT.—Before carrying out an activity under this section, the Secretary shall enter into a cooperative agreement, memorandum of understanding, or other agreement with an affected State, any owner or operator of the reservoir, and, on request, any non-Federal entities responsible for operation and maintenance costs at the reservoir, that describes the scope and goals of the activity and the coordination among the parties.

(e) UPDATES.—If the Secretary determines under subsection (c) that an update to a flood control rule curve and associated changes to a water operations manual is appropriate, the Secretary may update the flood control rule curve and manual in accordance with the authorities in effect on the day before the date of enactment of this Act.

(f) FUNDING.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may accept and expend amounts from the entities described in paragraph (2) to fund all or part of the cost of carrying out a review under subsection (c) or an update under subsection (e), including any associated environmental documentation.

(2) DESCRIPTION OF ENTITIES.—The entities referred to in paragraph (1) are—

(A) non-Federal entities responsible for operations and maintenance costs at the affected reservoir;

(B) individuals and non-Federal entities with storage entitlements at the affected reservoir;

(C) a Federal power marketing agency that markets power produced by the affected reservoir;

(D) units of local government;

(E) public or private entities holding contracts with the Federal Government for water storage or water supply at the affected reservoir; and

(F) a nonprofit entity, with the consent of the affected unit of local government.

(3) IN-KIND CONTRIBUTIONS.—The Secretary may—

(A) accept and use materials and services contributed by an entity described in paragraph (2) under this subsection; and

(B) credit the value of the contributed materials and services toward the cost of carrying out a review or revision of operational documents under this section.

(g) PROTECTION OF EXISTING RIGHTS.—The Secretary shall not issue an updated flood control rule curve or operations manual under subsection (e) that—

(1) interferes with an authorized purpose of the project or the existing purposes of a non-

Federal project regulated for flood control by the Secretary;

(2) reduces the ability to meet contractual rights to water or storage at the reservoir;

(3) adversely impacts legal rights to water under State law;

(4) fails to address appropriate credit for the appropriate power marketing agency, if applicable; or

(5) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section, unless the modification is submitted to and authorized by Congress.

(h) EFFECT OF SECTION.—Nothing in this section—

(1) authorizes the Secretary to take any action not otherwise authorized as of the date of enactment of this Act;

(2) affects or modifies any obligation of the Secretary under Federal or State law; or

(3) affects or modifies any other authority of the Secretary to review or modify reservoir operations.

SEC. 1049. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

Section 221(a)(3) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(3)) is amended by striking “State legislature, the agreement may reflect” and inserting “State legislature, on the request of the State, body politic, or entity, the agreement shall reflect”.

SEC. 1050. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) in subsection (a)(2)(A), by striking “indexes” and inserting “indexes, including actual appreciation in relevant real estate markets”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h)” and inserting the following:

“(1) IN GENERAL.—Notwithstanding subsection (a)”—

(B) in paragraph (1) (as so designated)—

(i) by striking “funds” the first place it appears and inserting “funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas”; and

(ii) by striking “such funds” each place it appears and inserting “the contributions”; and

(C) by adding at the end the following:

“(2) LIMITATION.—Funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas provided under this subsection are not eligible for credit or repayment and shall not be included in calculating the total cost of the project.”.

SEC. 1051. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking “SEC. 6. That the Secretary” and inserting the following:

“SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

“(a) IN GENERAL.—The Secretary”—

(2) by adding at the end the following:

“(b) CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary

of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

“(c) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.”.

SEC. 1052. AUTHORIZED FUNDING FOR INTER-AGENCY AND INTERNATIONAL SUPPORT.

Section 234(d)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)(1)) is amended by striking “\$1,000,000” and inserting “\$5,000,000”.

SEC. 1053. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee.

(b) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 2 years after the date of enactment of this Act.

(c) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the “Flood Control Act of 1944”) or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

SEC. 1054. GAO REVIEW AND REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835).

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

“(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

“(A) the non-Federal share of future operation and maintenance under this subsection; or

“(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121).”.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The target total” and inserting “Except as provided in subsection (c), the target total”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

“(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

“(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.”.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 158) (referred to in this section as the “Site”) may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

(1) in subsection (a)(1)—

(A) by striking “For sediment” and inserting the following:

“(A) IN GENERAL.—For sediment”; and

(B) by adding at the end the following:

“(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.”; and

(2) in subsection (d), by adding at the end the following:

“(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

“(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).”.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking “for each of fiscal years 2015 through 2022” and inserting “for each fiscal year”.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

“(2) DISCRETIONARY CARGO.—The term ‘discretionary cargo’ means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.”;

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking “The term” and inserting the following:

“(A) IN GENERAL.—The term”; and

(iii) by adding at the end the following:

“(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.”;

(D) in paragraph (5)(A) (as redesignated), by striking “Code of Federal Regulation” and inserting “Code of Federal Regulations”; and

(E) by adding at the end the following:

“(8) MEDIUM-SIZED DONOR PORT.—The term ‘medium-sized donor port’ means a port—

“(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

“(B) at which the total amount of harbor maintenance taxes collected comprise annually more than \$5,000,000 but less than \$15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

“(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

“(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “donor ports” and inserting “donor ports, medium-sized donor ports.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

“(C) for donor ports and medium-sized donor ports—

“(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

“(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.”;

(3) in subsection (c), in the matter preceding paragraph (1), by striking “donor port” and inserting “donor port, a medium-sized donor port.”;

(4) by striking subsection (d) and inserting the following:

“(d) ADMINISTRATION OF PAYMENTS.—

“(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

“(A) shipped through respective eligible ports; and

“(B) most at risk of diversion to seaports outside of the United States.

“(2) REQUIREMENT.—The Secretary, in consultation with the eligible port, shall limit

payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.”; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section \$50,000,000 from the Harbor Maintenance Trust Fund.”;

(B) by striking paragraph (2) and inserting the following:

“(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

“(A) donor ports and medium-sized donor ports; and

“(B) energy transfer ports.”; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “the date of enactment of this Act” and inserting “the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1193)”;

(2) in subparagraph (B), by striking “45 feet” and inserting “50 feet”; and

(3) in subparagraph (C), by striking “45 feet” and inserting “50 feet”.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking “45 feet” and inserting “50 feet”.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term “inland Mississippi River” means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term “shallow draft” means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section \$25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1273) is amended by adding at the end the following:

“(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.”.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting “in which the project is located or of a commu-

nity that is located in the region that is served by the project and that will rely on the project” after “community”; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or of a community that is located in the region to be served by the project and that will rely on the project” after “community”; and

(B) in paragraph (4), by striking “local population” and inserting “regional population to be served by the project”; and

(C) in paragraph (5), by striking “community” and inserting “local community or to a community that is located in the region to be served by the project and that will rely on the project”.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) PROVISION OF EQUIPMENT.—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault or negligence of a contractor of the Federal Government.

(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) AUDIT.—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

“(B) ADDITIONAL REQUIREMENT.—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.”.

SEC. 2017. DREDGED MATERIAL.

(a) IN GENERAL.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) ADDITIONAL COSTS.—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

SEC. 2018. GREAT LAKES NAVIGATION SYSTEM.

Section 210(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking “For each of fiscal years 2015 through 2024” and inserting “For each fiscal year”.

SEC. 2019. HARBOR MAINTENANCE TRUST FUND.

The Secretary shall allocate funding made available to the Secretary from the Harbor Maintenance Trust Fund, established under section 9505 of the Internal Revenue Code of 1986, in accordance with section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

“(3) DEFINITION OF NONSTRUCTURAL ALTERNATIVES.—In this subsection, ‘nonstructural alternatives’ includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.”; and

(2) by adding at the end the following:

“(d) INCREASED LEVEL OF PROTECTION.—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

“(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

“(A) the authority under this section has been used more than once at the same location;

“(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

“(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

“(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

“(e) NOTICE.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).”.

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

(1) IN GENERAL.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113-121) is amended—

(1) in subsection (a), by striking “if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified”;

(2) in subsection (b)—

(A) by striking “This section” and inserting the following:

“(1) IN GENERAL.—This section”; and

(B) by adding at the end the following:

“(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).”;

(3) in subsection (c)(1), by striking “The non-Federal” and inserting “Notwithstanding subsection (b)(2), the non-Federal”; and

(4) by adding at the end the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$125,000,000.”.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary has assumed, as of the date of enactment of this Act, responsibility for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

(2) by inserting after paragraph (3) the following:

“(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

“(A) IN GENERAL.—The term ‘eligible high hazard potential dam’ means a non-Federal dam that—

“(i) is located in a State with a State dam safety program;

“(ii) is classified as ‘high hazard potential’ by the State dam safety agency in the State in which the dam is located;

“(iii) has an emergency action plan approved by the relevant State dam safety agency; and

“(iv) the State in which the dam is located determines—

“(I) fails to meet minimum dam safety standards of the State; and

“(II) poses an unacceptable risk to the public.

“(B) EXCLUSION.—The term ‘eligible high hazard potential dam’ does not include—

“(i) a licensed hydroelectric dam; or

“(ii) a dam built under the authority of the Secretary of Agriculture.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) NON-FEDERAL SPONSOR.—The term ‘non-Federal sponsor’, in the case of a project receiving assistance under section 8A, includes—

“(A) a governmental organization; and

“(B) a nonprofit organization.” and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) REHABILITATION.—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

“(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

“(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

“(1) repair;

“(2) removal; or

“(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

“(c) AWARD OF GRANTS.—

“(1) APPLICATION.—

“(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

“(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

“(2) GRANT.—

“(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

“(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

“(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

“(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

“(i) 12.5 percent of the total amount of funds made available to carry out this section; or

“(ii) \$7,500,000.

“(d) REQUIREMENTS.—

“(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

“(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

“(A) participate in, and comply with, all applicable Federal flood insurance programs;

“(B) have in place a hazard mitigation plan that—

“(i) includes all dam risks; and

“(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106-390; 114 Stat. 1552);

“(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

“(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

“(i) acts in accordance with the State dam safety program; and

“(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

“(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions

from the Administrator for emergency preparedness purposes.

“(e) FLOODPLAIN MANAGEMENT PLANS.—

“(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

“(A) is in place; or

“(B) will be—

“(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

“(ii) implemented not later than 1 year after the date of completion of construction of the project.

“(2) INCLUSIONS.—A plan under paragraph (1) shall address—

“(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

“(B) plans for flood fighting and evacuation; and

“(C) public education and awareness of flood risks.

“(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

“(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

“(g) FUNDING.—

“(1) COST SHARING.—

“(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

“(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

“(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

“(A) EQUAL DISTRIBUTION.— $\frac{1}{3}$ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

“(B) NEED-BASED.— $\frac{2}{3}$ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

“(i) the number of eligible high hazard potential dams in the State; bears to

“(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

“(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

“(1) to rehabilitate a Federal dam;

“(2) to perform routine operation or maintenance of a dam;

“(3) to modify a dam to produce hydroelectric power;

“(4) to increase water supply storage capacity; or

“(5) to make any other modification to a dam that does not also improve the safety of the dam.

“(i) CONTRACTUAL REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under

this section of an amount greater than \$1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

“(A) chapter 11 of title 40, United States Code; or

“(B) an equivalent qualifications-based requirement prescribed by the relevant State.

“(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$10,000,000 for fiscal years 2017 and 2018;

“(2) \$25,000,000 for fiscal year 2019;

“(3) \$40,000,000 for fiscal year 2020; and

“(4) \$60,000,000 for each of fiscal years 2021 through 2026.”

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113-121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104-03; 110 Stat. 3709) and section 371 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108-7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

(a) IN GENERAL.—Costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

(b) APPLICATION.—Subsection (a) shall apply only to repairs for projects for which construction has not begun and appropriations have not been made as of the date of enactment of this Act.

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term “dam” has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term “dam” includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term “Fund” means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term “high hazard potential dam” means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW HAZARD POTENTIAL DAM.—The term “low hazard potential dam” means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams” (FEMA Publication Number 333).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “High-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$22,750,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the “Low-Hazard Indian Dam Safety Deferred Maintenance Fund”, consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund \$10,000,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) \$10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than \$10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than \$10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received

pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than \$10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be non-reimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the “Committee”).

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plains Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, \$1,000,000 shall

be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the “program”) to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

- (A) flood plain mapping; or
- (B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, \$250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

SEC. 3008. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED FLOOD CONTROL DAMS.

(a) IN GENERAL.—If the Secretary determines that the project is feasible, the Secretary may carry out a project for the rehabilitation of a dam described in subsection (b).

(b) ELIGIBLE DAMS.—A dam eligible for assistance under this section is a dam—

- (1) that has been constructed, in whole or in part, by the Corps of Engineers for flood control purposes;
- (2) for which construction was completed before 1940;
- (3) that is classified as “high hazard potential” by the State dam safety agency of the State in which the dam is located; and
- (4) that is operated by a non-Federal entity.

(c) COST SHARING.—Non-Federal interests shall provide 35 percent of the cost of construction of any project carried out under this section, including provision of all land, easements, rights-of-way, and necessary relocations.

(d) AGREEMENTS.—Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary—

- (1) to pay the non-Federal share of the costs of construction under subsection (c); and
- (2) to pay 100 percent of any operation, maintenance, and replacement and rehabilitation costs with respect to the project in accordance with regulations prescribed by the Secretary.

(e) COST LIMITATION.—The Secretary shall not expend more than \$10,000,000 for a project at any single dam under this section.

(f) FUNDING.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2017 through 2026.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

- (1) Hurricane Katrina in 2005;
- (2) the Deep Water Horizon oil spill in 2010; and
- (3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, PLATTE RIVER, AND ARKANSAS RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking “\$50,000,000” and inserting “\$75,000,000”.

(b) WATERCRAFT INSPECTION STATIONS.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than \$65,000,000, to carry out this section for each fiscal year, of which—

“(A) \$20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

“(B) \$25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

“(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

“(A) the urgency and need of each area; and

“(B) the availability of local funds.”; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

“(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

- “(i) the Columbia River Basin;
- “(ii) the Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and
- “(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

“(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.”; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

“(A) the Governor of each State in which a station is established under paragraph (1);”.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term “report” means the final report for the Portland District, Corps of Engineers, entitled “Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing” and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100-581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87-874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term “sediment management plan” means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) **CONTRIBUTED FUNDS.**—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) **GUIDANCE.**—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) **PARTNERSHIP WITH SECRETARY OF THE INTERIOR.**—

(A) **IN GENERAL.**—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) **LEAD AGENCY.**—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) **OTHER AUTHORITIES NOT AFFECTED.**—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) **SNOWPACK AND DROUGHT MONITORING.**—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1311) is amended by adding at the end the following:

“(5) **LEAD AGENCY.**—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).”

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106-541; 114 Stat. 2675) is amended by striking “\$5,000,000” and inserting “\$10,000,000”.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) **IN GENERAL.**—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) **INCLUSION.**—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) **PILOT PROGRAM.**—

(1) **AUTHORIZATION.**—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend \$30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) **PRIORITY.**—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) **SUNSET.**—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking “\$60,000,000” and inserting “\$100,000,000”.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking “conduct a study to determine the feasibility of carrying out projects” and inserting “develop a comprehensive assessment and management plan at Federal expense”;

(2) in subsection (b), by striking the subsection designation and heading and all that follows through “In carrying out the study” and inserting the following:

“(b) **ASSESSMENT AND MANAGEMENT PLAN.**—In developing the comprehensive assessment and management plan”;

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “identified in the study pursuant to subsection (a)” and inserting “identified in the comprehensive assessment and management plan under this section”.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking “2019” and inserting “2024”.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) **IN GENERAL.**—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) **PURPOSE.**—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) **STUDY COMPONENTS.**—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop

and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) **BASIS FOR RECOMMENDATIONS.**—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1113) is amended—

(1) in the section heading, by inserting “**PROGRAM**” after “**RESTORATION**”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “**PILOT PROJECTS**” and inserting “**PROGRAM**”;

(B) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B) (as redesignated) the following:

“(A) **ESTABLISHMENT.**—The Secretary shall carry out a program to implement projects to restore the Salton Sea in accordance with this section.”;

(iii) in subparagraph (B) (as redesignated by clause (i)), by striking “the pilot”; and

(iv) in subparagraph (C) (as redesignated by clause (i))—

(I) in clause (i), in the matter preceding subclause (I), by striking “the pilot projects referred to in subparagraph (A)” and inserting “the projects referred to in subparagraph (B)”;

(II) in subclause (I), by inserting “, Salton Sea Authority, or other non-Federal interest” before the semicolon at the end; and

(III) in subclause (II), by striking “pilot”;

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking “pilot”; and

(D) in paragraph (3)—

(i) by striking “pilot” each place it appears; and

(ii) by inserting “, Salton Sea Authority, or other non-Federal interest” after “State”; and

(3) in subsection (c), by striking “pilot”.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102-580; 113 Stat. 336) is amended—

(1) by inserting “Berkeley” before “Calhoun”; and

(2) by striking “Orangeberg, and Sumter” and inserting “and Orangeberg”.

SEC. 4013. COASTAL RESILIENCY.

(a) **IN GENERAL.**—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting “Indian tribes,” after “nonprofit organizations,”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

“(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials.”.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—

(1) IN GENERAL.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) DEFINITIONS.—In this section:

(1) NATURAL FEATURE.—The term “natural feature” means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) NATURE-BASED FEATURE.—The term “nature-based feature” means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) REQUIREMENT.—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) FINDINGS.—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) RESILIENT WATERFRONT COMMUNITY.—The term “resilient waterfront community” means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of

the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) COLLABORATION.—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or

(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;

(ii) utilities; and

(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;

(II) water-oriented commerce; and

(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;

(II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;

(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agen-

cies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;

(iii) engineering and design;

(iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;

(v) updates to zoning codes;

(vi) construction of—

(I) public waterfront or boating amenities; and

(II) public spaces;

(vii) infrastructure upgrades to improve coastal resiliency;

(viii) economic and community development marketing and outreach; and

(ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(i) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

(I) a nonprofit organization;

(II) a public utility;

(III) a private entity;

(IV) an institution of higher education;

(V) a State government; or

(VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

(i) 1 or more units of local or tribal government;

(ii) a State government;

(iii) a nonprofit organization;

(iv) a private entity;

(v) a foundation;

(vi) a public utility; or

(vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

- (1) the Secretary of Transportation;
- (2) the Secretary of Agriculture;
- (3) the Administrator of the Environmental Protection Agency;
- (4) the Administrator of the Federal Emergency Management Agency;
- (5) the Assistant Secretary of the Army for Civil Works;
- (6) the Secretary of the Interior; and
- (7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$25,000,000 for each of fiscal years 2017 through 2021.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section \$800,000, to remain available until expended.

SEC. 4019. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) OVERSIGHT COMMITTEE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the “Committee”).

(2) PURPOSES.—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) MEMBERSHIP.—Membership in the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) STUDY.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of the new permit fee structure based on the findings of the study described in subparagraph (A).

SEC. 4020. PEARL RIVER BASIN, MISSISSIPPI.

The Secretary shall expedite review and decision on the recommendation for the project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), submitted to the Secretary under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b-13) (as in effect on the day before the date of enactment of the Water Resources Reform and Development Act of 2014).

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86" N., by long. 93°46'16.82" W., and ends at lat. 32° 31'22.79" N., by long. 93° 45' 2.47" W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86,

is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled “Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky” and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

(g) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81-516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

(h) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term “flowage easement” means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River, County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the “Port of Cascade Locks Business Park” subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(i) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61–63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27–35, 35.5, 36, 37, 38, 39, 49, 51–52, 53–57, 58–65, 66, 67, 69, 70–72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the “River and Harbors Appropriation Act of 1899”) (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(j) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 278–279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(k) NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term “New Savannah Bluff Lock and Dam” has the meaning given the term in section 348(l)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term “Project” means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(l)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (1); and

(ii) by redesignating subsections (m) and (n) as subsections (l) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89–789; 80 Stat. 1405), is no

longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United States in and to the property identified in the leases numbered DACW38–1–15–7, DACW38–1–15–33, DACW38–1–15–34, and DACW38–1–15–38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by December 31, 2016, \$31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

(e) WEBER BASIN PROJECT, UTAH.—

(1) IN GENERAL.—The Secretary of the Interior shall allow for the prepayment of repayment obligations under the repayment contract numbered 14–06–400–33 between the United States and the Weber Basin Water Conservancy District (referred to in this subsection as the “District”), dated December 12, 1952, and supplemented and amended on June 30, 1961, on April 15, 1966, on September 20, 1968, and on May 9, 1985, including any other amendments and all related applicable contracts to the repayment contract, providing for repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the repayment contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102–575; 106 Stat. 4624) for prepayment of Central Utah Project, Bonneville Unit repayment obligations.

(2) AUTHORIZATIONS AND REQUIREMENTS.—The prepayment authorized under paragraph (1)—

(A) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(B) may be provided in several installments;

(C) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(D) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: \$116,116,000 Non-Federal: \$135,836,000 Total: \$251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: \$16,700,000 Non-Federal: \$0 Total: \$16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: \$15,580,000 Non-Federal: \$5,190,000 Total: \$20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: \$0 Non-Federal: \$0 Total: \$0
5. FL	Port Everglades	June 25, 2015	Federal: \$220,200,000 Non-Federal: \$102,500,000 Total: \$322,700,000
6. AK	Little Diomedes	August 10, 2015	Federal: \$26,015,000 Non-Federal: \$2,945,000 Total: \$28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: \$224,300,000 Non-Federal: \$269,000,000 Total: \$493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: \$29,062,000 Non-Federal: \$3,255,000 Total: \$32,317,000
9. PA	Upper Ohio River, Allegheny and Beaver Counties	September 12, 2016	Federal: \$1,324,235,500 Non-Federal: \$1,324,235,500 Total: \$2,648,471,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: \$18,314,000 Non-Federal: \$9,861,000 Total: \$28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: \$207,036,000 Non-Federal: \$111,481,000 Total: \$318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: \$15,440,100 Non-Federal: \$8,313,900 Total: \$23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: \$24,584,000 Non-Federal: \$13,238,000 Total: \$37,822,000
5. NC	Princeville	February 23, 2016	Federal: \$14,001,000 Non-Federal: \$7,539,000 Total: \$21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: \$776,517,000 Non-Federal: \$414,011,000 Total: \$1,190,528,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
7. CA	American River Watershed Common Features	April 26, 2016	Federal: \$876,478,000 Non-Federal: \$689,272,000 Total: \$1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: \$17,759,000 Non-Federal: \$10,745,000 Total: \$28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: \$13,733,850 Initial Non-Federal: \$7,395,150 Initial Total: \$21,129,000 Renourishment Federal: \$16,371,000 Renourishment Non-Federal: \$16,371,000 Renourishment Total: \$32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: \$9,218,300 Initial Non-Federal: \$4,963,700 Initial Total: \$14,182,000 Renourishment Federal: \$15,390,000 Renourishment Non-Federal: \$15,390,000 Renourishment Total: \$30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: \$24,263,000 Initial Non-Federal: \$13,064,000 Initial Total: \$37,327,000 Renourishment Federal: \$114,728,000 Renourishment Non-Federal: \$114,728,000 Renourishment Total: \$229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: \$14,040,000 Initial Non-Federal: \$7,560,000 Initial Total: \$21,600,000 Renourishment Federal: \$41,215,000 Renourishment Non-Federal: \$41,215,000 Renourishment Total: \$82,430,000
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: \$466,760,000 Non-Federal: \$251,330,000 Total: \$718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: \$20,166,000 Initial Non-Federal: \$10,858,000 Initial Total: \$31,024,000 Renourishment Federal: \$68,215,000 Renourishment Non-Federal: \$68,215,000 Renourishment Total: \$136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: \$2,011,279,000 Non-Federal: \$1,082,997,000 Total: \$3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: \$199,393,000 Non-Federal: \$107,694,000 Total: \$307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: \$69,521,000 Non-Federal: \$104,379,000 Total: \$173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: \$976,375,000 Non-Federal: \$974,625,000 Total: \$1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: \$19,143,000 Non-Federal: \$10,631,000 Total: \$29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: \$12,782,000 Non-Federal: \$6,882,000 Total: \$19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: \$375,773,000 Non-Federal: \$980,835,000 Total: \$1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be

carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: \$97,067,750 Estimated Non-Federal: \$55,465,250 Total: \$152,533,000
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: \$34,860,000 Estimated Non-Federal: \$11,620,000 Total: \$46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: \$308,983,000 Estimated Non-Federal: \$308,983,000 Total: \$617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: \$20,309,900 Estimated Non-Federal: \$10,936,100 Total: \$31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: \$381,032,000 Estimated Non-Federal: \$127,178,000 Total: \$508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: \$65,514,650 Estimated Non-Federal: \$35,322,350 Total: \$100,837,000

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: \$20,205,250 Estimated Non-Federal: \$10,879,750 Total: \$31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking “(25 U.S.C. 450b))” each place it appears and inserting “(25 U.S.C. 5304)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))”; and

(2) by adding at the end the following:

“(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

“(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

“(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.”.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86-645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPELLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106-53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89-298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary

shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99-662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86-645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood

risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of \$30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) **TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.**—

(1) **IN GENERAL.**—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1914 (55 Stat. 645; chapter 377).

(2) **REQUIREMENTS.**—

(A) **IN GENERAL.**—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) **ADDRESSING DEFICIENCIES.**—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) **PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.**—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) **JOHNSTOWN, PENNSYLVANIA.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the “Flood Control Act of 1936”), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) **CHACON CREEK, TEXAS.**—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) **CORPUS CHRISTI SHIP CHANNEL, TEXAS.**—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) **TRINITY RIVER AND TRIBUTARIES, TEXAS.**—

(1) **REVIEW.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of

the Center for Economic Development and Research of the University of North Texas entitled “Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas” and dated November 2014.

(2) **AUTHORIZATION.**—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89-298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled “Final Supplemental No. 1” is economically justified.

(3) **LIMITATION.**—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed \$520,000,000, of which not more than \$5,500,000 may be expended to carry out recreation features of the project.

(z) **CHINCOTEAGUE ISLAND, VIRGINIA.**—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89-195 (16 U.S.C. 459f-7) (commonly known as the “Assateague Island National Seashore Act”) for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) **BURLEY CREEK WATERSHED, WASHINGTON.**—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects, in accordance with section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

(4) The project for navigation, Mobile Harbor, Alabama.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public

Law 113-121; 128 Stat. 1374) is amended by striking “2018” and inserting “2020”.

SEC. 6006. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-to-cost ratios and evaluate construction projects.

(b) **CONSIDERATIONS.**—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-to-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-to-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SEC. 6007. INVENTORY ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349).

SEC. 6008. SAINT LAWRENCE SEAWAY MODERNIZATION.

(a) **DEFINITIONS.**—In this section:

(1) **GREAT LAKES REGION.**—The term “Great Lakes region” means the region comprised of the Great Lakes States.

(2) **GREAT LAKES STATES.**—The term “Great Lakes States” means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(3) **SEAWAY.**—The term “Seaway” means the Saint Lawrence Seaway.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Comptroller General, in cooperation with appropriate Federal, State, and local authorities, shall conduct a study to—

(A) assess the condition of the Seaway; and

(B) evaluate options available in the 21st century for modernizing the Seaway as a globally significant transportation corridor.

(2) **SCOPE OF STUDY.**—In conducting the study under paragraph (1), the Comptroller General shall—

(A) assess the condition of the Seaway and the capacity of the Seaway to drive commerce and other economic activity in the Great Lakes region;

(B) detail the importance of the Seaway to the functioning of the United States economy, with an emphasis on the domestic manufacturing sector, including the domestic steel manufacturing industry;

(C) evaluate options—

(i) to modernize physical navigation infrastructure, facilities, and related assets not operated or maintained by the Secretary

along the corridor of the Seaway, including an assessment of alternative means for the Great Lakes region to finance large-scale initiatives;

(ii) to increase exports of domestically produced goods and study the trade balance and regional economic impact of the possible increase in imports of agricultural products, steel, aggregates, and other goods commonly transported through the Seaway;

(iii) increase economic activity and development in the Great Lakes region by advancing the multimodal transportation and economic network in the region;

(iv) ensure the competitiveness of the Seaway as a transportation corridor in an increasingly integrated global transportation network; and

(v) attract tourists to the Great Lakes region by improving attractions and removing barriers to tourism and travel throughout the Seaway; and

(D) evaluate the existing and potential financing authorities of the Seaway as compared to other Federal agencies and instrumentalities with development responsibilities.

(3) **DEADLINE.**—The Comptroller General shall complete the study under paragraph (1) as soon as practicable and not later than 2 years after the date of enactment of this Act.

(4) **COORDINATION.**—The Comptroller General shall conduct the study under paragraph (1) with input from representatives of the Saint Lawrence Seaway Development Corporation, the Economic Development Administration, the Coast Guard, the Corps of Engineers, the Department of Homeland Security, and State and local entities (including port authorities throughout the Seaway).

(5) **REPORT.**—The Comptroller General shall submit to Congress a report on the results of the study under paragraph (1) not later than the earlier of—

(A) the date that is 180 days after the date on which the study is completed; or

(B) the date that is 30 months after the date of enactment of this Act.

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS”, authorized by title I of Public Law 98-8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term “Administrator” means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) **SENSE OF THE SENATE.**—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) **FINDINGS.**—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WaterReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the

Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns \$0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns \$0.93 in Federal tax revenue.

(B) A combined \$34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate \$7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in \$32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every \$1,000,000 in State revolving loan fund spending generates 16½ jobs.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every \$1,000,000 in State revolving loan fund spending results in \$2,950,000 in output for the economy of the United States.

(B) \$34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate \$102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking “(not)” and inserting “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not”;

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

“(C) **SALE OF BONDS.**—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.”

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

(2) by striking subparagraph (A) and inserting the following:

“(A) **DEFINITION OF RESTRUCTURING.**—In this paragraph, the term ‘restructuring’ means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

“(B) **PRIORITY SYSTEM.**—An intended use plan shall provide, to the maximum extent

practicable, that priority for the use of funds be given to projects that—

“(i) address the most serious risk to human health;

“(ii) are necessary to ensure compliance with this title (including requirements for filtration);

“(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

“(iv) improve the sustainability of systems.

“(C) **WEIGHT GIVEN TO APPLICATIONS.**—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

“(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

“(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

“(II) a schedule for replacement of assets;

“(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

“(IV) a review of options for restructuring the public water system;

“(ii) demonstration of consistency with State, regional, and municipal watershed plans;

“(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

“(iv) approaches to improve the sustainability of the system, including—

“(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

“(II) use of reclaimed water;

“(III) actions to increase energy efficiency; and

“(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.”; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking “periodically” and inserting “at least biennially”.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(g)(2)) is amended—

(1) in the first sentence, by striking “up to 4 percent of the funds allotted to the State under this section” and inserting “, for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of \$400,000, ½ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year.”; and

(2) by striking “1419,” and all that follows through “1993.” and inserting “1419.”.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j-12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: “and the implementation of plans to protect source water identified in a source water assessment under section 1453”; and

(2) in paragraph (2)(E), by inserting after “wellhead protection programs” the following: “and implement plans to protect source water identified in a source water assessment under section 1453”.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended by adding at the end the following:

“(s) **NEGOTIATION OF CONTRACTS.**—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

“(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

“(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).”.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

“SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

“(a) **DEFINITION OF UNDERSERVED COMMUNITY.**—In this section:

“(1) **IN GENERAL.**—The term ‘underserved community’ means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

“(2) **INCLUSIONS.**—The term ‘underserved community’ includes a local political subdivision that either, as determined by the Administrator—

“(A) does not have household drinking water or wastewater services; or

“(B) has a drinking water system that fails to meet health-based standards under this Act, including—

“(i) a maximum contaminant level for a primary drinking water contaminant;

“(ii) a treatment technique violation; and

“(iii) an action level exceedance.

“(b) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

“(2) **INCLUSIONS.**—Projects and activities under paragraph (1) include—

“(A) infrastructure investments necessary to comply with the requirements of this Act,

“(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

“(C) programs to provide household water quality testing, including testing for unregulated contaminants.

“(c) **ELIGIBLE ENTITIES.**—An entity eligible to receive a grant under this section—

“(1) is—

“(A) a public water system as defined in section 1401;

“(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

“(C) a State, on behalf of an underserved community; and

“(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

“(A) to be a disadvantaged community;

“(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

“(C) to serve a community with a population of less than 10,000 individuals that the

Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

“(d) **PRIORITY.**—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

“(e) **LOCAL PARTICIPATION.**—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

“(f) **TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.**—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

“(g) **COST SHARING.**—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

“(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

“(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

“(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

“(h) **WAIVER.**—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) \$230,000,000 for fiscal year 2017; and

“(2) \$300,000,000 for each of fiscal years 2018 through 2021.”.

(b) **FUNDING.**—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) **IN GENERAL.**—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

“SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a community water system;

“(B) a system located in an area governed by an Indian Tribe;

“(C) a nontransient noncommunity water system;

“(D) a qualified nonprofit organization, as determined by the Administrator; and

“(E) a municipality or State, interstate, or intermunicipal agency.

“(2) **LEAD REDUCTION PROJECT.**—

“(A) **IN GENERAL.**—The term ‘lead reduction project’ means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

“(i) replacement of publicly owned lead service lines;

“(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

“(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

“(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

“(B) **LIMITATION.**—The term ‘lead reduction project’ does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

“(3) **LOW-INCOME.**—The term ‘low-income’, with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

“(4) **MUNICIPALITY.**—The term ‘municipality’ means—

“(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(b) **GRANT PROGRAM.**—

“(1) **ESTABLISHMENT.**—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

“(2) **PRECONDITION.**—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

“(A) the source of lead in water for human consumption; and

“(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

“(3) **PRIORITY APPLICATION.**—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

“(A) the Administrator determines, based on affordability criteria established by the State under section 1452(d)(3), to be a disadvantaged community; and

“(B) proposes to—

“(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

“(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

“(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

“(4) **COST SHARING.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

“(B) **WAIVER.**—The Administrator may reduce or eliminate the non-Federal share

under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

“(5) LOW-INCOME ASSISTANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

“(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

“(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

“(A) notify customers of the replacement of any publicly owned portion of the lead service line;

“(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

“(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

“(i) the cost of replacement; and

“(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

“(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

“(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$60,000,000 for each of fiscal years 2017 through 2021.”

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), \$20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section

1412, including the concentrations of lead found in a monitoring activity.”;

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking “Administrator or” and inserting “Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,”; and

(II) by inserting “and the appropriate State and county health agencies” after “1413”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

“(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

“(B) RESULTS OF LEAD MONITORING.—

“(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

“(I) any person that is served by the public water system; or

“(II) the local or State health department of a locality or State in which the public water system is located.

“(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

“(I) press release; or

“(II) other form of communication, including local media.

“(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.”; and

(5) by adding at the end the following:

“(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.”.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)) is amended—

(1) in paragraph (1)(C), by striking “paragraph (2)(E)” and inserting “paragraph (2)(F)”;

(2) in paragraph (2)(B)(i)(II), by striking “subparagraph (D)” and inserting “subparagraph (E)”;

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking “(D)” and inserting “(E)”.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g-3) is amended by adding at the end the following:

“(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

“(1) IN GENERAL.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

“(A) by public water systems (or a certified laboratory on behalf of a public water system)—

“(i) to the Administrator; or

“(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

“(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

“(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

“(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

“(B) information system compatibility;

“(C) the size of the public water system; and

“(D) the size of the community served by the public water system.”.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended by striking subsection (d) and inserting the following:

“(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHILD CARE PROGRAM.—The term ‘child care program’ has the meaning given the term ‘early childhood education program’ in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(B) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ means—

“(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

“(iii) an operator of a child care program facility licensed under State law.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

“(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

“(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

“(ii) any direct implementation area.

“(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

“(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

“(A) expend grant funds in accordance with—

“(i) the guidance of the Environmental Protection Agency entitled ‘3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance’ and dated October 2006 (or any successor guidance); or

“(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

“(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

“(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

“(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

“(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2017 through 2021.”

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j-25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

“PART G—ADDITIONAL PROVISIONS

“SEC. 1471. WATERSENSE PROGRAM.

“(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

“(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

“(A) reduce water use;

“(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

“(C) conserve energy used to pump, heat, transport, and treat water; and

“(D) preserve water resources for future generations.

“(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

“(A) irrigation technologies and services;

“(B) point-of-use water treatment devices;

“(C) plumbing products;

“(D) reuse and recycling technologies;

“(E) landscaping and gardening products, including moisture control or water enhancing technologies;

“(F) xeriscaping and other landscape conversions that reduce water use;

“(G) whole house humidifiers; and

“(H) water-efficient buildings or facilities.

“(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

“(1) establish—

“(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

“(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

“(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

“(3) preserve the integrity of the WaterSense label by—

“(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

“(B) overseeing WaterSense certifications made by third parties;

“(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

“(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

“(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

“(5) in revising a WaterSense specification—

“(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

“(B) solicit comments from interested parties and the public prior to any changes;

“(C) as appropriate, respond to comments submitted by interested parties and the public; and

“(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

“(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

“(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled

products, buildings, landscapes, facilities, processes, and services.

“(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

“(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.”

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately \$384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at \$64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local

government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

- (1) individual wells;
- (2) shared wells; and
- (3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

- (1) the use of innovative and alternative drinking water systems described in this section;
- (2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and
- (3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking “appropriated” and all that follows through “2003” and inserting “made available for each of fiscal years 2016 through 2021”.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300(f)(14)) is amended by striking “section 1452” and inserting “sections 1452, 1459A, and 1459B”.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking “Tribes” and inserting “tribes, including grants to provide training and operator certification services under section 1452(i)(5)”.

(b) INDIAN TRIBES.—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking “Tribes and Alaska Native villages” and inserting “tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations”; and

(2) by adding at the end the following:

“(5) TRAINING AND OPERATOR CERTIFICATION.—

“(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

“(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

“(i) is the most qualified to provide training and technical assistance to Indian tribes; and

“(ii) Indian tribes determine to be the most beneficial and effective.”.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

“(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

“(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term ‘iron and steel products’ means the following products made, in part, of iron or steel:

- “(i) Lined or unlined pipe and fittings.

“(ii) Manhole covers and other municipal castings.

“(iii) Hydrants.

“(iv) Tanks.

“(v) Flanges.

“(vi) Pipe clamps and restraints.

“(vii) Valves.

“(viii) Structural steel.

“(ix) Reinforced precast concrete.

“(x) Construction materials.

“(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

“(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

“(i) applying subparagraph (B) would be inconsistent with the public interest;

“(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

“(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

“(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

“(I) make available to the public on an informal basis, including on the public website of the Administrator—

“(aa) a copy of the request; and

“(bb) any information available to the Administrator regarding the request; and

“(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

“(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

“(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

“(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.”.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through “subject to subsection (g), the Administrator may” in paragraph (2) and inserting the following:

“(a) AUTHORITY.—The Administrator may—

“(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

“(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

“(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

- “(2) subject to subsection (g),”;

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting “; or”;

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

“(e) ADMINISTRATIVE REQUIREMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

“(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

“(1) \$250,000,000 for fiscal year 2017;

“(2) \$300,000,000 for fiscal year 2018;

“(3) \$350,000,000 for fiscal year 2019;

“(4) \$400,000,000 for fiscal year 2020; and

“(5) \$500,000,000 for fiscal year 2021.

“(g) ALLOCATION OF FUNDS.—

“(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

“(A) in accordance with the priority criteria described in subsection (b); and

“(B) with additional priority given to proposed projects that involve the use of—

“(i) nonstructural, low-impact development;

“(ii) water conservation, efficiency, or reuse; or

“(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

“(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

“(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

“(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

“(i) conducted under section 210; and

“(ii) included in a report required under section 516(b)(1)(B).”;

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

“(a) DEFINITIONS.—In this section:

“(1) MEDIUM TREATMENT WORKS.—The term ‘medium treatment works’ means a publicly owned treatment works serving not fewer

than 10,001 and not more than 100,000 individuals.

“(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit medium treatment works technical assistance provider’ means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

“(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term ‘qualified nonprofit small treatment works technical assistance provider’ means a nonprofit organization that, as determined by the Administrator—

“(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

“(B) the small treatment works in the State finds to be the most beneficial and effective.

“(4) SMALL TREATMENT WORKS.—The term ‘small treatment works’ means a publicly owned treatment works serving not more than 10,000 individuals.

“(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) for grants for small treatment works technical assistance, \$15,000,000 for each of fiscal years 2017 through 2021; and

“(2) for grants for medium treatment works technical assistance, \$10,000,000 for each of fiscal years 2017 through 2021.”.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting “and as provided in subsection (e)” after “State law”;

(ii) by redesignating subsections (e) through (j) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

“(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.”.

(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking “section 603(h)” and inserting “section 603(i)”.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

“(s) INTEGRATED PLAN PERMITS.—

“(1) DEFINITIONS.—In this subsection:

“(A) GREEN INFRASTRUCTURE.—The term ‘green infrastructure’ means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

“(B) INTEGRATED PLAN.—The term ‘integrated plan’ has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

“(C) MUNICIPAL DISCHARGE.—

“(i) IN GENERAL.—The term ‘municipal discharge’ means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection (p).

“(ii) INCLUSION.—The term ‘municipal discharge’ includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

“(2) INTEGRATED PLAN.—

“(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

“(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

“(i) a combined sewer overflow;

“(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

“(iii) a municipal stormwater discharge;

“(iv) a municipal wastewater discharge; and

“(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

“(3) COMPLIANCE SCHEDULES.—

“(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

“(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

“(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

“(4) EXISTING AUTHORITIES RETAINED.—

“(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

“(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

“(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

“(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(5) CLARIFICATION OF STATE AUTHORITY.—

“(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

“(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.”.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) **MUNICIPAL ENFORCEMENT.**—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

“(h) **IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.**—

“(1) **IN GENERAL.**—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

“(2) **MODIFICATION.**—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.”.

(d) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the “Integrated Municipal Stormwater and Wastewater Planning Approach Framework” issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

“SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

“(a) **IN GENERAL.**—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

“(b) **DUTIES.**—The Administrator shall ensure that the Office of Water—

“(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

“(2) coordinates efforts to increase the use of green infrastructure with—

“(A) other Federal departments and agencies;

“(B) State, tribal, and local governments; and

“(C) the private sector.

“(c) **REGIONAL GREEN INFRASTRUCTURE PROMOTION.**—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

“(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

“(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

“(d) **GREEN INFRASTRUCTURE INFORMATION-SHARING.**—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

“(1) reducing water pollution;

“(2) protecting water resources;

“(3) complying with regulatory requirements; and

“(4) achieving other environmental, public health, and community goals.”.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) **DEFINITIONS.**—In this section:

(1) **AFFORDABILITY.**—The term “affordability” means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) **FINANCIAL CAPABILITY.**—The term “financial capability” means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) **GUIDANCE.**—The term “guidance” means the guidance published by the Administrator entitled “Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development” and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled “Financial Capability Assessment Framework” and dated November 24, 2014.

(b) **USE OF MEDIAN HOUSEHOLD INCOME.**—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) **REVISED GUIDANCE.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114-70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) **USE OF GUIDANCE.**—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) **CONSIDERATION AND CONSULTATION.**—

(1) **CONSIDERATION.**—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) **CONSULTATION.**—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) **PUBLICATION AND SUBMISSION.**—

(1) **IN GENERAL.**—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) **EXPLANATION.**—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) **EFFECT.**—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

Section 117(i) of the Federal Water Pollution Control Act (33 U.S.C. 1267(i)) is amended by adding at the end the following:

“(3) **ANNUAL SURVEY.**—The Administrator shall carry out an annual survey of sea grasses in the Chesapeake Bay.”.

SEC. 7207. GREAT LAKES HARMFUL ALGAL BLOOM COORDINATOR.

The Administrator, acting as the chair of the Great Lakes Interagency Task Force, shall appoint a coordinator to work with appropriate Federal agencies and State, local, tribal, and foreign governments to coordinate efforts to address the issue of harmful algal blooms in the Great Lakes.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113-121) is amended by striking “Any activity undertaken under this section is authorized only to the extent” and inserting “Nothing in this section obligates the Secretary to expend funds unless”.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking “carry out” and inserting “provide financial assistance to carry out”.

(b) **PROJECTS ELIGIBLE FOR ASSISTANCE.**—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking “desalination project” and inserting “desalination project, including chloride control”; and

(ii) by striking “or a water recycling project” and inserting “a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion”;

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

(C) by inserting after paragraph (6) the following:

“(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.”; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking “or (7)” and inserting “(7), or (8)”.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking “and (8)” and inserting “(7), and (9)”;

(ii) in paragraph (3), by striking “paragraph (7) or (9)” and inserting “paragraph (8) or (10)”.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking “paragraph (8) or (9)” and inserting “paragraph (9) or (10)”.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking “section 5026(7)” and inserting “section 5026(8)”.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking “section 5026(9)” and inserting “section 5026(10)”;

(II) by striking “section 5026(8)” and inserting “section 5026(9)”;

(ii) in subsection (b)(3), by striking “section 5026(8)” and inserting “section 5026(9)”.

(c) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 5028(b)(2)(F) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(b)(2)(F)) is amended—

(1) in clause (i), by striking “or” at the end; and

(2) by striking clause (ii) and inserting the following:

“(i) helps maintain or protect the environment;

“(iii) resists hazards due to a natural disaster;

“(iv) continues to serve the primary function of the water resources infrastructure project following a natural disaster;

“(v) reduces the magnitude or duration of a disruptive event to a water resources infrastructure project; or

“(vi) has the absorptive, adaptive, and recoverable capacities to withstand a potentially disruptive event.”.

(d) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary”; and

(B) by adding at the end the following:

“(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Adminis-

trator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.”; and

(2) by adding at the end the following:

“(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

(e) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

“**Subtitle C—Innovative Financing Projects**”.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by striking “pilot” each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

“**SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION**”.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113-121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

“**Subtitle C—Innovative Financing Projects**”; and

(B) by striking the item relating to section 5034 and inserting the following:

“**Sec. 5034. Reports on program implementation**”.

(f) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the “Water Infrastructure Investment Trust Fund” (referred to in this section as the “Fund”), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the “Secretary”) shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve “full cost” or “true value” pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources;

(N) address treatment byproduct and brine disposal alternatives; or

(O) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be \$5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section \$10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking “and” at the end; and

(3) by inserting after paragraph (6) the following:

“(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

“(A) nonstructural alternatives;

“(B) decentralized approaches;

“(C) water use efficiency and conservation; and

“(D) actions to reduce energy consumption or extract energy from wastewater.”;

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(B) in subparagraph (D), by striking the period at the end and inserting “; and”;

(2) in subsection (c)—

(A) by striking “From the” and inserting the following:

“(1) IN GENERAL.—From the”; and

(B) by adding at the end the following:

“(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”;

(3) by striking subsection (e) and inserting the following:

“(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

“(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”;

(4) in subsection (f)(1), by striking “\$12,000,000 for each of fiscal years 2007 through 2011” and inserting “\$7,500,000 for each of fiscal years 2017 through 2021”; and

(5) in subsection (g)(1), in the first sentence, by striking “\$6,000,000 for each of fiscal years 2007 through 2011” and inserting “\$1,500,000 for each of fiscal years 2017 through 2021”.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

“(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.”; and

(2) by adding at the end the following:

“(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

“(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

“(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

“(3) to improve existing reverse osmosis and membrane technology;

“(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

“(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

“(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.”;

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended by adding at the end the following:

“(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

“(1) for the benefit of drought-stricken States and communities;

“(2) for the benefit of States that have authorized funding for research and development of desalination technologies and projects;

“(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.”;

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking “\$5,000,000” and inserting “\$8,000,000”; and

(B) by striking “2013” and inserting “2021”; and

(2) in subsection (b), by striking “for each of fiscal years 2012 through 2013” and inserting “for each of fiscal years 2017 through 2021”.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104-298) is amended—

(1) by striking the section designation and heading and all that follows through “In carrying out” in the first sentence and inserting the following:

“SEC. 9. CONSULTATION AND COORDINATION.

“(a) CONSULTATION.—In carrying out”;

(2) in the second sentence, by striking “The authorization” and inserting the following:

“(c) OTHER DESALINATION PROGRAMS.—The authorization”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

“(1) establishes priorities for future Federal investments in desalination;

“(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

“(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

“(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.”.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Administrator, and other appropriate Federal agency heads along with State, local, and tribal governments, shall jointly develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers, in a manner consistent with the Presidential Memorandum entitled “Building National Capabilities for Long-Term Drought Resilience” (81 Fed. Reg. 16053 (March 21, 2016)).

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

- (1) State and local governments;
- (2) water utilities;
- (3) scientists;
- (4) institutions of higher education;
- (5) relevant private entities; and
- (6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the fu-

ture effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

- (i) public health and safety;
- (ii) municipal and industrial water supply;
- (iii) agricultural water supply;
- (iv) water quality;
- (v) ecosystem health; and
- (vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

- (ii) water recycling;
- (iii) groundwater clean-up and storage;
- (iv) new technologies, such as behavioral water efficiency; and
- (v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

- (A) the establishment of planning goals;
- (B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking “or” at the end;

(2) in clause (iv), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)”.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

“(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

“(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting “ADDITIONAL ASSISTANCE.”;

(B) in paragraph (1)—

(i) by striking “Notwithstanding” and inserting the following:

“(A) IN GENERAL.—Notwithstanding”; and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.”;

(C) in paragraph (2)—

(i) by striking “For each fiscal year” and inserting the following:

“(A) IN GENERAL.—For each fiscal year”;

and

(ii) by adding at the end the following:

“(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.”; and

(D) in paragraph (3), in the first sentence, by inserting “, or portion of a service area,” after “service area”; and

(2) by adding at the end the following:

“(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

“(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

“(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.”.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term “eligible State” means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term “eligible system” means a public drinking water supply system that has been the subject of an

emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j-12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not

duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of \$100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator \$70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least \$700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), \$20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading “STATE AND TRIBAL ASSISTANCE GRANTS” under the heading “ENVIRONMENTAL PROTECTION AGENCY” in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114-113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: “or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;”.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means a city exposed to lead contamination in the local drinking water system.

(2) COMMITTEE.—The term “Committee” means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

- (i) an epidemiologist;
- (ii) a toxicologist;
- (iii) a mental health professional;
- (iv) a pediatrician;
- (v) an early childhood education expert;
- (vi) a special education expert;
- (vii) a dietician; and
- (viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACAs.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) \$17,500,000 to carry out subsection (b); and

(B) \$2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections

(b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, \$10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c-8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence

a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term “comprehensive strategy” means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) GROUNDWATER.—The term “groundwater” means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term “plume” means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term “site” means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration**PART I—GREAT LAKES RESTORATION****SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.**

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

“(7) GREAT LAKES RESTORATION INITIATIVE.—

“(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the ‘Initiative’) to carry out programs and projects for Great Lakes protection and restoration.

“(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

“(ii) the feasibility of—

“(I) prompt implementation;

“(II) timely achievement of results; and

“(III) resource leveraging; and

“(iii) the opportunity to improve inter-agency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(D) IMPLEMENTATION OF PROJECTS.—

“(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects; and

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

“(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

“(I) transfer not more than \$300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

“(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

“(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

“(E) SCOPE.—

“(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

“(I) Great Lakes-wide; and

“(II) Great Lakes basin-wide.

“(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

“(I) a State water pollution control revolving fund established under title VI; or

“(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

“(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

“(G) FUNDING.—

“(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”.

SEC. 7612. AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

“SEC. 1002. FINDINGS.

“Congress finds that—

“(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

“(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

“(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

“(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

“(5) as of the date of enactment of this Act, actions are not funded that are consid-

ered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

“(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.”.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking “and” at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

“(viii) each applicable State wildlife action plan.”.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking “Great Lakes Coordinator of the”.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal” and inserting the following:

“(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project”; and

(ii) by adding at the end the following:

“(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

“(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

“(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

“(ii) as described in subparagraph (C), the costs associated with—

“(I) land acquisition or securing a conservation easement; and

“(II) restoration or enhancement of that land or conservation easement.

“(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

“(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

“(I) meets the requirements of subsection (b)(2);

“(II) is acquired before the end of the grant period of the proposal or regional project;

“(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described

in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

“(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

“(V) is appraised in accordance with clause (ii).

“(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

“(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

“(II) the appraisal shall—

“(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

“(bb) be completed by a Federal- or State-certified appraiser.

“(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

“(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

“(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

“(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).”.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2011” and inserting “2021”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2020”; and

(B) in paragraph (5), by inserting “the Great Lakes Restoration Initiative Action Plan based on” after “in support of”; and

(3) by striking subsection (c) and inserting the following:

“(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

“(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

“(2) may reassess and update, as necessary, the findings and recommendations of the Report.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2021”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “\$14,000,000” and inserting “\$6,000,000”;

(B) in subparagraph (A), by striking “\$4,600,000” and inserting “\$2,000,000”; and

(C) in subparagraph (B), by striking “\$700,000” and inserting “\$300,000”; and

(3) in paragraph (2), by striking “the activities of” and all that follows through “section 1007” and inserting “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007”.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109-326) is repealed.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

“SEC. 2. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds that—

“(1) Lake Tahoe—

“(A) is one of the largest, deepest, and clearest lakes in the world;

“(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

“(C) is recognized nationally and worldwide as a natural resource of special significance;

“(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

“(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

“(B) contributes significantly to the economies of California, Nevada, and the United States;

“(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

“(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

“(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

“(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

“(A) high tree density and mortality;

“(B) the loss of biological diversity; and

“(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

“(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

“(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of

other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

“(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

“(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

“(A) congressional consent to the establishment of the Planning Agency with—

“(i) the enactment in 1969 of Public Law 91-148 (83 Stat. 360); and

“(ii) the enactment in 1980 of Public Law 96-551 (94 Stat. 3233);

“(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

“(C) the enactment of Public Law 96-586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

“(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108-108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

“(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109-432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

“(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

“(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

“(A) stream and wetland restoration; and

“(B) programmatic technical assistance;

“(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

“(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

“(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

“(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

“(A) renewed their commitment to Lake Tahoe; and

“(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

“(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,955,500,000 to the Lake Tahoe Basin, including—

“(A) \$635,400,000 from the Federal Govern-

ment;

“(B) \$758,600,000 from the State of California;

“(C) \$123,700,000 from the State of Nevada;

“(D) \$98,900,000 from units of local government; and

“(E) \$338,900,000 from private interests;

“(16) significant additional investment from Federal, State, local, and private sources is necessary—

“(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

“(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

“(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

“(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

“(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

“(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

“(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

“(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

“(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.”

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Environmental Protection Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of the Army for Civil Works.

“(3) CHAIR.—The term ‘Chair’ means the Chair of the Federal Partnership.

“(4) COMPACT.—The term ‘Compact’ means the Tahoe Regional Planning Compact included in the first section of Public Law 96-551 (94 Stat. 3233).

“(5) DIRECTORS.—The term ‘Directors’ means—

“(A) the Director of the United States Fish and Wildlife Service; and

“(B) the Director of the United States Geological Survey.

“(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term ‘Environmental Improvement Program’ means—

“(A) the Environmental Improvement Program adopted by the Planning Agency; and

“(B) any amendments to the Program.

“(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term ‘environmental thresh-

old carrying capacity’ has the meaning given the term in Article II of the Compact.

“(8) FEDERAL PARTNERSHIP.—The term ‘Federal Partnership’ means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

“(9) FOREST MANAGEMENT ACTIVITY.—The term ‘forest management activity’ includes—

“(A) prescribed burning for ecosystem health and hazardous fuels reduction;

“(B) mechanical and minimum tool treatment;

“(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

“(D) nonnative invasive species management; and

“(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

“(10) MAPS.—The term ‘Maps’ means the maps—

“(A) entitled—

“(i) ‘LTRA USFS-CA Land Exchange/North Shore’;

“(ii) ‘LTRA USFS-CA Land Exchange/West Shore’; and

“(iii) ‘LTRA USFS-CA Land Exchange/South Shore’; and

“(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

“(i) the Forest Service;

“(ii) the California Tahoe Conservancy; and

“(iii) the California Department of Parks and Recreation.

“(11) NATIONAL WILDLAND FIRE CODE.—The term ‘national wildland fire code’ means—

“(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

“(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

“(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

“(12) PLANNING AGENCY.—The term ‘Planning Agency’ means the Tahoe Regional Planning Agency established under Public Law 91-148 (83 Stat. 360) and Public Law 96-551 (94 Stat. 3233).

“(13) PRIORITY LIST.—The term ‘Priority List’ means the environmental restoration priority list developed under section 5(b).

“(14) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(15) STREAM ENVIRONMENT ZONE.—The term ‘Stream Environment Zone’ means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

“(16) TOTAL MAXIMUM DAILY LOAD.—The term ‘total maximum daily load’ means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

“(17) WATERCRAFT.—The term ‘watercraft’ means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.”

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking “basin” and inserting “Basin”; and

(2) by adding at the end the following:

“(c) FOREST MANAGEMENT ACTIVITIES.—

“(1) COORDINATION.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

“(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

“(2) MULTIPLE BENEFITS.—

“(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

“(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

“(I) reducing forest fuels;

“(II) maintaining biological diversity;

“(III) improving wetland and water quality, including in Stream Environment Zones; and

“(IV) increasing resilience to changing water temperature and precipitation; and

“(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

“(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

“(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

“(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

“(B) provide for monitoring to ascertain the attainment of the post-program conditions.

“(d) WITHDRAWAL OF FEDERAL LAND.—

“(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

“(A) all forms of entry, appropriation, or disposal under the public land laws;

“(B) location, entry, and patent under the mining laws; and

“(C) disposition under all laws relating to mineral and geothermal leasing.

“(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

“(A) this Act; or

“(B) Public Law 96-586 (94 Stat. 3381) (commonly known as the ‘Santini-Burton Act’).

“(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

“(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on

Federal land and non-Federal land within the programs.”.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

“SEC. 5. AUTHORIZED PROGRAMS.

“(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

“(1) is described in subsection (d);

“(2) is included in the Priority List under subsection (b); and

“(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

“(b) PRIORITY LIST.—

“(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

“(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

“(A) The 4-year threshold carrying capacity evaluation.

“(B) The ability to measure progress or success of the program.

“(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

“(D) The ability of a program to provide multiple benefits.

“(E) The ability of a program to leverage non-Federal contributions.

“(F) Stakeholder support for the program.

“(G) The justification of Federal interest.

“(H) Agency priority.

“(I) Agency capacity.

“(J) Cost-effectiveness.

“(K) Federal funding history.

“(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

“(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

“(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

“(d) DESCRIPTION OF ACTIVITIES.—

“(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

“(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

“(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

“(iii) Biomass programs, including feasibility assessments.

“(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

“(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

“(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

“(vii) Development of updated community wildfire protection plans by local fire districts.

“(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

“(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

“(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least \$100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

“(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

“(D) COST-SHARING REQUIREMENTS.—

“(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

“(ii) FORM OF NON-FEDERAL SHARE.—

“(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

“(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

“(III) DOCUMENTATION.—Communities and local fire districts shall—

“(aa) maintain a record of in-kind contributions that describes—

“(AA) the monetary value of the in-kind contributions; and

“(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

“(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

“(2) INVASIVE SPECIES MANAGEMENT.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a), \$45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

“(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management

Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

“(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

“(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

“(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

“(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

“(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

“(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

“(G) CIVIL PENALTIES.—

“(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

“(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

“(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

“(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

“(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

“(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), \$113,000,000 shall be made available—

“(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

“(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

“(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and

other watershed restoration programs identified in the Priority List established under section 5(b); and

“(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

“(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.”.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

“(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

“(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than \$5,000,000 shall be made available to the Secretary to carry out this section.

“(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

“(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

“(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

“(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

“(2) LOCAL COOPERATION AGREEMENTS.—

“(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

“(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

“(i) describe the nature of the technical assistance;

“(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

“(iii) include cost-sharing provisions in accordance with subparagraph (C).

“(C) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

“(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

“(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

“(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Sec-

retary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

“(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

“(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

“(3) use the integrated multiagency performance measures established under this section.

“(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

“(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

“(A) the program scope;

“(B) the budget for the program; and

“(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

“(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

“(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

“(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

“(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

“(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

“(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

“(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.”.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting “, Director, or Administrator” after “Secretary”.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96-551;

94 Stat. 3240) is amended in the third sentence by inserting “and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce” after “maintain the regional plan”.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting “and 25 square miles of land area” after “145,000”; and

(2) by inserting “and 12 square miles of land area” after “65,000”.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

“(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

“(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

“(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

“(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

“(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts $\frac{3}{4}$ of the costs of relocating facilities in connection with—

“(1) environmental restoration programs under sections 5 and 6; and

“(2) erosion control programs under section 2 of Public Law 96-586 (94 Stat. 3381).

“(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

“(1) provides information to the public on—

“(A) the amount of Federal funds being provided to the program; and

“(B) this Act; and

“(2) displays the visual identity mark of the Environmental Improvement Program.”.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96-586 (94 Stat. 3384) (commonly known as the “Santini-Burton Act”) is amended—

(1) by striking “(b) Lands” and inserting the following:

“(b) ADMINISTRATION OF ACQUIRED LAND.—

“(1) IN GENERAL.—Land”; and

(2) by adding at the end the following:

“(2) CALIFORNIA CONVEYANCES.—

“(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

“(i) may accept the offer; and

“(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

“(B) DESCRIPTION OF LAND.—

“(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

“(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as ‘Tahoe Conservancy to the USFS’; and

“(II) the approximately 183 acres of land administered by California State Parks and identified on the Maps as ‘Total USFS to California’.

“(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as ‘U.S. Forest Service to Conservancy and State Parks’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(3) NEVADA CONVEYANCES.—

“(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

“(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

“(i) the approximately 38.68 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Van Sick Unit USFS Inholding’; and

“(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled ‘State of Nevada Conveyances’ as ‘Lake Tahoe Nevada State Park USFS Inholding’.

“(C) CONDITIONS.—Any land conveyed under this paragraph shall—

“(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

“(ii) not result in any significant changes in the uses of the land; and

“(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

“(I) to ensure compliance with this Act; and

“(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer

under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

“(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

“(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

“(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

“(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

“(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

“(i) purchasing inholdings throughout the Lake Tahoe Basin; or

“(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

“(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

“(5) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2) or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

“(6) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506; 114 Stat. 2351), \$2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

“(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).”.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through “The Office shall” and inserting the following:

“(b) OFFICE.—

“(1) ESTABLISHMENT.—The Administrator shall—

“(A) continue to carry out the conference study; and

“(B) establish an office, to be located on or near Long Island Sound.

“(2) ADMINISTRATION AND STAFFING.—The Office shall”; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “Management Conference of the Long Island Sound Study” and inserting “conference study”; and

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking “, and” and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(J) environmental impacts on the Long Island Sound watershed, including—

“(i) the identification and assessment of vulnerabilities in the watershed;

“(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

“(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

“(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;”;

(C) by striking paragraph (4) and inserting the following:

“(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;”;

(D) in paragraph (5), by inserting “study” after “conference”; and

(E) in paragraph (6)—

(i) by inserting “(including on the Internet)” after “the public”; and

(ii) by inserting “study” after “conference”; and

(F) by striking paragraph (7) and inserting the following:

“(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and”;

(3) in subsection (d)(3), in the second sentence, by striking “50 per centum” and inserting “60 percent”; and

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

“(f) REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

“(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan; and

“(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

“(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

“(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

“(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

“(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

“(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

“(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

“(1) an interagency crosscut budget that displays for each department and agency—

“(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

“(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

“(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

“(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

“(h) FEDERAL ENTITIES.—

“(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

“(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

“(A) enter into interagency agreements; and

“(B) make intergovernmental personnel appointments.

“(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

“(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).”.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) in subsection (g), by striking “2011” and inserting “2021”; and

(B) by adding at the end the following:

“(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

“(1) the Advisory Committee; or

“(2) any board, committee, or other group established under this Act.”.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended in the matter preceding subparagraph (A) by striking “2011” and inserting “2021”.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking “under this section each” and inserting “to carry out this Act for a”.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) \$40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109-359) \$25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according

to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes \$25,000,000,000 annually in economic activity, provides \$21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with \$10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly \$4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over \$21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-

service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) **Basin.**—The term “Basin” means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) **Basin State.**—The term “Basin State” means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) **Director.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **Foundation.**—The term “Foundation” means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) **Grant Program.**—The term “grant program” means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) **Program.**—The term “program” means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) **Restoration and Protection.**—The term “restoration and protection” means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) **Secretary.**—The term “Secretary” means the Secretary of the Interior, acting through the Director.

(9) **Service.**—The term “Service” means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) **Establishment.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the “Delaware River Basin restoration program”.

(b) **Duties.**—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) **Coordination.**—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) **Purposes.**—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) **DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.**—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the “Delaware River Basin Restoration Grant Program” to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) **CRITERIA.**—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) **FUNDING.**—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) **REQUIREMENTS.**—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to the Secretary to carry out this part \$5,000,000 for each of fiscal years 2017 through 2022.

(b) **USE.**—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

PART V—COLUMBIA RIVER BASIN RESTORATION

SEC. 7651. COLUMBIA RIVER BASIN RESTORATION.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

“(a) DEFINITIONS.—

“(1) COLUMBIA RIVER BASIN.—The term ‘Columbia River Basin’ means the entire United States portion of the Columbia River watershed.

“(2) ESTUARY PARTNERSHIP.—The term ‘Estuary Partnership’ means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

“(3) ESTUARY PLAN.—

“(A) IN GENERAL.—The term ‘Estuary Plan’ means the Estuary Partnership Comprehensive Conservation and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

“(B) INCLUSION.—The term ‘Estuary Plan’ includes any amendments to the plan.

“(4) LOWER COLUMBIA RIVER ESTUARY.—The term ‘Lower Columbia River Estuary’ means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

“(5) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—The term ‘Middle and Upper Columbia River Basin’ means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

“(6) PROGRAM.—The term ‘Program’ means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

“(b) COLUMBIA RIVER BASIN RESTORATION PROGRAM.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

“(B) EFFECT.—

“(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

“(ii) This section does not create any new regulatory authority.

“(2) SCOPE OF PROGRAM.—The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

“(3) DUTIES.—The Administrator shall—

“(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

“(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

“(C) provide grants in accordance with subsection (d) for projects that assist in—

“(i) eliminating or reducing pollution;

“(ii) cleaning up contaminated sites;

“(iii) improving water quality;

“(iv) monitoring to evaluate trends;

“(v) reducing runoff;

“(vi) protecting habitat; or

“(vii) promoting citizen engagement or knowledge.

“(c) STAKEHOLDER WORKING GROUP.—

“(1) ESTABLISHMENT.—The Administrator shall establish a Columbia River Basin Res-

toration Working Group (referred to in this subsection as the ‘Working Group’).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

“(B) INVITED REPRESENTATIVES.—The Administrator shall invite, at a minimum, representatives of—

“(i) each State located in whole or in part within the Columbia River Basin;

“(ii) the Governors of each State located in whole or in part with the Columbia River Basin;

“(iii) each federally recognized Indian tribe in the Columbia River Basin;

“(iv) local governments located in the Columbia River Basin;

“(v) industries operating in the Columbia River Basin that affect or could affect water quality;

“(vi) electric, water, and wastewater utilities operating in the Columbia River Basin;

“(vii) private landowners in the Columbia River Basin;

“(viii) soil and water conservation districts in the Columbia River Basin;

“(ix) nongovernmental organizations that have a presence in the Columbia River Basin;

“(x) the general public in the Columbia River Basin; and

“(xi) the Estuary Partnership.

“(3) GEOGRAPHIC REPRESENTATION.—The Working Group shall include representatives from—

“(A) each State; and

“(B) each of the Lower, Middle, and Upper Basins of the Columbia River.

“(4) DUTIES AND RESPONSIBILITIES.—The Working Group shall—

“(A) recommend and prioritize projects and actions; and

“(B) review the progress and effectiveness of projects and actions implemented.

“(5) LOWER COLUMBIA RIVER ESTUARY.—

“(A) ESTUARY PARTNERSHIP.—The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 320.

“(B) DESIGNATION.—If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 320, the Administrator may designate the new management conference to assume the duties and responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

“(C) INCORPORATION.—If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this Act shall be incorporated into the duties of the Working Group.

“(d) GRANTS.—

“(1) IN GENERAL.—The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

“(2) FEDERAL SHARE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

“(i) shall not exceed 75 percent of the total cost of the project or activity; and

“(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

“(B) EXCEPTIONS.—With respect to cost-sharing for a grant provided under this subsection—

“(i) a tribal government may use Federal funds for the non-Federal share; and

“(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

“(3) ALLOCATION.—In making grants using funds appropriated to carry out this section, the Administrator shall—

“(A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;

“(B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, which includes the Snake River Basin; and

“(C) retain for Environmental Protection Agency not more than 5 percent of the funds for purposes of implementing this section.

“(4) REPORTING.—

“(A) IN GENERAL.—Each grant recipient under this subsection shall submit to the Administrator reports on progress being made in achieving the purposes of this section.

“(B) REQUIREMENTS.—The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

“(5) RELATIONSHIP TO OTHER FUNDING.—

“(A) IN GENERAL.—Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

“(B) LIMITATION.—None of the funds made available under this subsection may be used for the administration of a management conference under section 320.

“(e) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

“(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

“(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

“(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.”

Subtitle G—Innovative Water Infrastructure Workforce Development

SEC. 7701. INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Administrator shall establish a competitive grant

program to assist the development of innovative activities relating to workforce development in the water utility sector.

(b) **SELECTION OF GRANT RECIPIENTS.**—In awarding grants under subsection (a), the Administrator shall, to the maximum extent practicable, select water utilities that—

- (1) are geographically diverse;
- (2) address the workforce and human resources needs of large and small public water and wastewater utilities;
- (3) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(4) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(5)(A) have a high retiring workforce rate; or

(B) are located in areas with a high unemployment rate.

(c) **USE OF FUNDS.**—Grants awarded under subsection (a) may be used for activities such as—

(1) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

- (A) on-the-job training;
- (B) soft and hard skills development;
- (C) test preparation for skilled trade apprenticeships; or
- (D) other support services to facilitate post-secondary success;

(2) kindergarten through 12th grade and young adult education programs that—

(A) educate young people about the role of water and wastewater utilities in the communities of the young people;

(B) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(C) connect young people to post-secondary career pathways related to water utilities;

(3) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

- (A) water utilities employers;
- (B) educational and training institutions;
- (C) local community-based organizations;
- (D) public workforce agencies; and
- (E) other related stakeholders;

(4) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(A) hands-on, contextualized learning opportunities;

(B) dual enrollment credit for post-secondary education and training programs; and

(C) direct connection to industry employers; and

(5) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$1,000,000 for each of fiscal years 2017 through 2021.

Subtitle H—Offset

SEC. 7801. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

“(d) **STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.**—

“(1) **APPROVAL BY ADMINISTRATOR.**—

“(A) **IN GENERAL.**—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

“(B) **REQUIREMENT.**—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

“(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

“(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

“(C) **PERMIT REQUIREMENTS.**—The Administrator may approve under subparagraph (B)(i) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

“(D) **WITHDRAWAL OF APPROVAL.**—

“(i) **PROGRAM REVIEW.**—The Administrator shall review programs or other systems approved under subparagraph (B)—

“(I) from time to time, but not less frequently than once every 5 years; or

“(II) on request of any State.

“(ii) **NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.**—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

“(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

“(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located

in the State to ensure compliance with the requirements of subparagraph (B); or

“(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

“(iii) **WITHDRAWAL.**—

“(I) **IN GENERAL.**—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

“(II) **REINSTATEMENT OF STATE APPROVAL.**—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

“(2) **NONPARTICIPATING STATES.**—

“(A) **DEFINITION OF NONPARTICIPATING STATE.**—In this paragraph, the term ‘nonparticipating State’ means a State—

“(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

“(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

“(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

“(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

“(B) **PERMIT PROGRAM.**—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(3) **APPLICABILITY OF CRITERIA.**—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

“(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

“(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

“(4) **PROHIBITION ON OPEN DUMPING.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open

dumping contained in subsection (a) with respect to a coal combustion residual unit.

“(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

“(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

“(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

“(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

“(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

“(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

“(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

“(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

“(A) the requirements established pursuant to a program for which an approval is provided by—

“(i) the State in accordance with a program or system approved under paragraph (1)(B); or

“(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

“(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

“(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.”.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the

Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term “1974 storage contract” means the contract approved by the Secretary on April 9, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term “2010 agreement” means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term “administrative set-aside subcontracts” means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by section 4 of the amended storage contract.

(4) ALLOTMENT.—The term “allotment” means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term “allottee” means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term “amended permit application” means the permit application of the City to the OWRB, No. 2007-17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT.—The terms “amended storage contract transfer agreement” and “amended storage contract” mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term “Atoka and Sardis Conservation Projects Fund” means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term “City” means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term “City permit” means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term “conservation storage capacity” means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and 542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term “future use storage” means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term “Nations” means, collectively, the Choctaw Nation of Oklahoma (“Choctaw Nation”) and the Chickasaw Nation.

(15) OWRB.—The term “OWRB” means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term “Sardis Lake” means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term “Settlement Agreement” means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term “settlement area” means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Oklahoma-Texas State line to the south;

(iii) the Oklahoma-Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.

(ii) Bryan.

(iii) Carter.

(iv) Choctaw.

(v) Coal.

(vi) Garvin.

(vii) Grady.

(viii) McClain.

(ix) Murray.

(x) Haskell.

(xi) Hughes.

(xii) Jefferson.

(xiii) Johnston.

(xiv) Latimer.

(xv) LeFlore.

- (xvi) Love.
- (xvii) Marshall.
- (xviii) McCurtain.
- (xix) Pittsburgh.
- (xx) Pontotoc.
- (xxi) Pushmataha.
- (xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term “settlement area waters” means the waters located—

(A) within the settlement area; and
(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

- (i) Beaver Creek (24, 25, and 26).
- (ii) Blue (11 and 12).
- (iii) Clear Boggy (9).
- (iv) Kiamichi (5 and 6).
- (v) Lower Arkansas (46 and 47).
- (vi) Lower Canadian (48, 56, 57, and 58).
- (vii) Lower Little (2).
- (viii) Lower Washita (14).
- (ix) Mountain Fork (4).
- (x) Middle Washita (15 and 16).
- (xi) Mud Creek (23).
- (xii) Muddy Boggy (7 and 8).
- (xiii) Poteau (44 and 45).
- (xiv) Red River Mainstem (1, 10, 13, and 21).
- (xv) Upper Little (3).
- (xvi) Walnut Bayou (22).

(20) STATE.—The term “State” means the State of Oklahoma.

(21) TRUST.—

(A) IN GENERAL.—The term “Trust” means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority, a public trust established pursuant to State law with the City as the beneficiary.

(B) REFERENCES.—A reference in this section to “Trust” shall refer to the Oklahoma City Water Utilities Trust, acting severally.

(C) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98-00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if by January 1, 2050, the right to future use storage is not activated by the withdrawal or release of water from future use storage for an authorized consumptive use of water.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(i) are deemed consistent with the authorized purposes for Sardis Lake as described in

section 203 of the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1187) and do not affect the authorized purposes for which the project was authorized, surveyed, planned, and constructed; and

(ii) shall not constitute a reallocation of storage.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)).

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act,

including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or

exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 of the City for water rights from the Muddy Boggy

River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract; and

(H) all claims for damages, losses, or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of rights pursuant to the amended storage contract.

(2) **WAIVERS AND RELEASES OF CLAIMS BY THE NATIONS AGAINST THE UNITED STATES.**—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations are authorized to execute a waiver and release of all claims against the United States (including any agency or employee of the United States) relating to—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed by the United States as a trustee during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-9272 (W.D. Ok.) or OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of

the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80-48 and 54-613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73-282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract;

(H) all claims relating to litigation brought by the United States prior to the enforceability date of the water rights of the Nations in the State; and

(I) all claims relating to the negotiation, execution, or adoption of the Settlement Agreement (including exhibits) or this section.

(3) **RETENTION AND RESERVATION OF CLAIMS BY NATIONS AND THE UNITED STATES.**—

(A) **IN GENERAL.**—Notwithstanding the waiver and releases of claims authorized under paragraphs (1) and (2), the Nations and the United States, acting as trustee, shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v) or paragraph (2)(A)(v), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in items (aa) through (cc);

(iv) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(B) **AGREEMENT.**—

(i) **IN GENERAL.**—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(ii) **APPLICATION.**—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under clause (i), in accordance with applicable Federal law.

(iii) **RECORDING.**—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(iv) **CONSIDERATION.**—In exchange for conveyance of the easement under clause (i), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(4) **EFFECTIVE DATE OF WAIVER AND RELEASES.**—The waivers and releases under this subsection take effect on the enforceability date.

(5) **TOLLING OF CLAIMS.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled during the period beginning on the date of enactment of this Act and ending on the earlier of the enforceability date or the expiration date under subsection (i)(2).

(i) **ENFORCEABILITY DATE.**—

(1) **IN GENERAL.**—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98-C-521-E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ. 11-297 (W.D. Ok.) and OWRB v. United States, et al. Civ. 12-275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007-017 without having waived the original application priority date and appropriate quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007-017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007-017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(J) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) NO ACTION IN OTHER COURTS.—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) NO MONETARY JUDGMENT.—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) NOTICE AND CONFERENCE.—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—

(A) IN GENERAL.—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) UNITED STATES IMMUNITY.—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions

brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) CHICKASAW NATION IMMUNITY.—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) CHOCTAW NATION IMMUNITY.—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(K) DISCLAIMER.—

(1) IN GENERAL.—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) NO PRECEDENT.—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SEC. 8003. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(A) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as “USACE” on the map entitled “Muscogee (Creek) Nation Proposed Land Acquisition” and dated October 16, 2014.

(2) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of—

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 8004. REAUTHORIZATION OF DENALI COMMISSION.

(a) ADMINISTRATION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) TERM OF FEDERAL COCHAIRPERSON.—The Federal Cochairperson”;

(B) in the second sentence, by striking “All other members” and inserting the following:

“(3) TERM OF ALL OTHER MEMBERS.—All other members”;

(C) in the third sentence, by striking “Any vacancy” and inserting the following:

“(4) VACANCIES.—Except as provided in paragraph (2), any vacancy”;

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

“(2) INTERIM FEDERAL COCHAIRPERSON.—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2).”;

(2) by adding at the end the following:

“(f) NO FEDERAL EMPLOYEE STATUS.—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

“(g) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a ‘member’) shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

“(A) The member.

“(B) The spouse, minor child, or partner of the member.

“(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

“(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the member—

“(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

“(3) ANNUAL DISCLOSURES.—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

“(4) TRAINING.—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

“(5) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned for not more than 2 years, or both.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is amended, in subsection (a), by striking “under section 4 under this Act” and all that follows through “2008” and inserting “under section 304, \$20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.”.

(2) CLERICAL AMENDMENT.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is redesignated as section 312.

SEC. 8005. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h-1) the following:

“SEC. 9b. RECREATIONAL ACCESS.

“(a) DEFINITION OF FLOATING CABIN.—In this section, the term ‘floating cabin’ means a watercraft or other floating structure—

“(1) primarily designed and used for human habitation or occupation; and

“(2) not primarily designed or used for navigation or transportation on water.

“(b) RECREATIONAL ACCESS.—The Board may allow the use of a floating cabin if—

“(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;

“(2) the Corporation has authorized the use of recreational vessels on the waters; and

“(3) the floating cabin was located on waters under the jurisdiction of the Corporation as of the date of enactment of this section.

“(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for

the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

“(d) CONTINUED RECREATIONAL USE.—

“(1) IN GENERAL.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

“(A) may not require the removal of the floating cabin—

“(i) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

“(ii) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

“(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

“(i) the floating cabin meets the requirements of subsection (b); and

“(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

“(2) SAVINGS PROVISIONS.—

“(A) Nothing in this subsection restricts the ability of the Corporation to enforce health, safety, or environmental standards.

“(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

“(e) NEW CONSTRUCTION.—The Corporation may establish regulations to prevent the construction of new floating cabins.”.

SEC. 8006. REGULATION OF ABOVEGROUND STORAGE AT FARMS.

Section 1049(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113-121) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking the subsection designation and heading and all that follows through “subsection (b),” and inserting the following:

“(c) REGULATION OF ABOVEGROUND STORAGE AT FARMS.—

“(1) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b),”;

(3) by adding at the end the following:

“(2) CERTAIN FARM CONTAINERS.—Part 112 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to the following containers located at a farm:

“(A) Containers on a separate parcel that have—

“(i) an individual capacity of not greater than 1,000 gallons; and

“(ii) an aggregate capacity of not greater than 2,000 gallons.

“(B) A container holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.”.

SEC. 8007. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—In the case of an application for a permit for the mechanized removal of salt cedar from an area that consists of not more than 500 acres—

(1) any review by the Secretary under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 403), and any review by the Director of the United States Fish and Wildlife Service (referred to in this section as the “Director”) under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536),

shall, to the maximum extent practicable, occur concurrently;

(2) all participating and cooperating agencies shall, to the maximum extent practicable, adopt and use any environmental document prepared by the lead agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

(A) that Act; and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations); and

(3) the review of the application shall, to the maximum extent practicable, be completed not later than the date on which the Secretary, in consultation with, and with the concurrence of, the Director, establishes.

(b) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds received from non-Federal public or private entities to conduct a review referred to in subsection (a).

(c) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

SEC. 8008. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, pursuant to the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006 (referred to in this section as the “Agreement”), an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona (referred to in this section as the “City”), should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the Agreement and the Act of July 27, 1953 (22 U.S.C. 277d-10 et seq.), the City shall have no obligation to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the Agreement and subject to subsection (d), the United States Section of the International Boundary and Water Commission shall reimburse the City for, and shall not charge the City after the date of enactment of this Act for, operations and maintenance costs in excess of an equitable proportion of the costs, as described in subsection (a).

(d) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed \$4,000,000.

SEC. 8009. PECHANGA BAND OF LUISEÑO MISSION INDIANS WATER RIGHTS SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights and cer-

tain claims for injuries to water rights in the Santa Margarita River Watershed for—

(A) the Band; and

(B) the United States, acting in its capacity as trustee for the Band and Allottees;

(2) to achieve a fair, equitable, and final settlement of certain claims by the Band and Allottees against the United States;

(3) to authorize, ratify, and confirm the Pechanga Settlement Agreement to be entered into by the Band, RCWD, and the United States;

(4) to authorize and direct the Secretary—

(A) to execute the Pechanga Settlement Agreement; and

(B) to take any other action necessary to carry out the Pechanga Settlement Agreement in accordance with this section; and

(5) to authorize the appropriation of amounts necessary for the implementation of the Pechanga Settlement Agreement and this section.

(b) DEFINITIONS.—In this section:

(1) ADJUDICATION COURT.—The term “Adjudication Court” means the United States District Court for the Southern District of California, which exercises continuing jurisdiction over the Adjudication Proceeding.

(2) ADJUDICATION PROCEEDING.—The term “Adjudication Proceeding” means litigation initiated by the United States regarding relative water rights in the Santa Margarita River Watershed in United States v. Fallbrook Public Utility District et al., Civ. No. 3:51-cv-01247 (S.D.C.A.), including any litigation initiated to interpret or enforce the relative water rights in the Santa Margarita River Watershed pursuant to the continuing jurisdiction of the Adjudication Court over the Fallbrook Decree.

(3) ALLOTTEE.—The term “Allottee” means an individual who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(4) BAND.—The term “Band” means Pechanga Band of Luiseño Mission Indians, a federally recognized sovereign Indian tribe that functions as a custom and tradition Indian tribe, acting on behalf of itself and its members, but not acting on behalf of members in their capacities as Allottees.

(5) CLAIMS.—The term “claims” means rights, claims, demands, actions, compensation, or causes of action, whether known or unknown.

(6) EMWD.—The term “EMWD” means Eastern Municipal Water District, a municipal water district organized and existing in accordance with the Municipal Water District Law of 1911, Division 20 of the Water Code of the State of California, as amended.

(7) EMWD CONNECTION FEE.—The term “EMWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(8) ENFORCEABILITY DATE.—The term “enforceability date” means the date on which the Secretary publishes in the Federal Register the statement of findings described in subsection (f)(5).

(9) ESAA CAPACITY AGREEMENT.—The term “ESAA Capacity Agreement” means the “Agreement to Provide Capacity for Delivery of ESAA Water”, among the Band, RCWD and the United States.

(10) ESAA WATER.—The term “ESAA Water” means imported potable water that the Band receives from EMWD and MWD pursuant to the Extension of Service Area Agreement and delivered by RCWD pursuant to the ESAA Water Delivery Agreement.

(11) ESAA WATER DELIVERY AGREEMENT.—The term “ESAA Water Delivery Agree-

ment” means the agreement among EMWD, RCWD, and the Band, establishing the terms and conditions of water service to the Band.

(12) EXTENSION OF SERVICE AREA AGREEMENT.—The term “Extension of Service Area Agreement” means the “Agreement for Extension of Existing Service Area”, among the Band, EMWD, and MWD, for the provision of water service by EMWD to a designated portion of the Reservation using water supplied by MWD.

(13) FALLBROOK DECREE.—

(A) IN GENERAL.—The term “Fallbrook Decree” means the “Modified Final Judgment And Decree”, entered in the Adjudication Proceeding on April 6, 1966.

(B) INCLUSIONS.—The term “Fallbrook Decree” includes all court orders, interlocutory judgments, and decisions supplemental to the “Modified Final Judgment And Decree”, including Interlocutory Judgment No. 30, Interlocutory Judgment No. 35, and Interlocutory Judgment No. 41.

(14) FUND.—The term “Fund” means the Pechanga Settlement Fund established by subsection (h).

(15) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) INJURY TO WATER RIGHTS.—The term “injury to water rights” means an interference with, diminution of, or deprivation of water rights under Federal or State law.

(17) INTERIM CAPACITY.—The term “Interim Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(18) INTERIM CAPACITY NOTICE.—The term “Interim Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(19) INTERLOCUTORY JUDGMENT NO. 41.—The term “Interlocutory Judgment No. 41” means Interlocutory Judgment No. 41 issued in the Adjudication Proceeding on November 8, 1962, including all court orders, judgments and decisions supplemental to that interlocutory judgment.

(20) MWD.—The term “MWD” means the Metropolitan Water District of Southern California, a metropolitan water district organized and incorporated under the Metropolitan Water District Act of the State of California (Stats. 1969, Chapter 209, as amended).

(21) MWD CONNECTION FEE.—The term “MWD Connection Fee” has the meaning set forth in the Extension of Service Area Agreement.

(22) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The term “Pechanga ESAA Delivery Capacity account” means the account established by subsection (h)(3)(B).

(23) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The term “Pechanga Recycled Water Infrastructure account” means the account established by subsection (h)(3)(A).

(24) PECHANGA SETTLEMENT AGREEMENT.—The term “Pechanga Settlement Agreement” means the Pechanga Settlement Agreement, dated June 17, 2014, together with the exhibits to that agreement, entered into by the Band, the United States on behalf of the Band, its members and Allottees, MWD, EMWD, and RCWD, including—

(A) the Extension of Service Area Agreement;

(B) the ESAA Capacity Agreement; and

(C) the ESAA Water Delivery Agreement.

(25) PECHANGA WATER CODE.—The term “Pechanga Water Code” means a water code to be adopted by the Band in accordance with subsection (d)(6).

(26) PECHANGA WATER FUND ACCOUNT.—The term “Pechanga Water Fund account” means the account established by subsection (h)(3)(C).

(27) PECHANGA WATER QUALITY ACCOUNT.—The term “Pechanga Water Quality account” means the account established by subsection (h)(3)(D).

(28) PERMANENT CAPACITY.—The term “Permanent Capacity” has the meaning set forth in the ESAA Capacity Agreement.

(29) PERMANENT CAPACITY NOTICE.—The term “Permanent Capacity Notice” has the meaning set forth in the ESAA Capacity Agreement.

(30) RCWD.—

(A) IN GENERAL.—The term “RCWD” means the Rancho California Water District organized pursuant to section 34000 et seq. of the California Water Code.

(B) INCLUSIONS.—The term “RCWD” includes all real property owners for whom RCWD acts as an agent pursuant to an agency agreement.

(31) RECYCLED WATER INFRASTRUCTURE AGREEMENT.—The term “Recycled Water Infrastructure Agreement” means the “Agreement for Recycled Water Infrastructure” among the Band, RCWD, and the United States.

(32) RECYCLED WATER TRANSFER AGREEMENT.—The term “Recycled Water Transfer Agreement” means the “Recycled Water Transfer Agreement” between the Band and RCWD.

(33) RESERVATION.—

(A) IN GENERAL.—The term “Reservation” means the land depicted on the map attached to the Pechanga Settlement Agreement as Exhibit I.

(B) APPLICABILITY OF TERM.—The term “Reservation” shall be used solely for the purposes of the Pechanga Settlement Agreement, this section, and any judgment or decree issued by the Adjudication Court approving the Pechanga Settlement Agreement.

(34) SANTA MARGARITA RIVER WATERSHED.—The term “Santa Margarita River Watershed” means the watershed that is the subject of the Adjudication Proceeding and the Fallbrook Decree.

(35) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(36) STATE.—The term “State” means the State of California.

(37) STORAGE POND.—The term “Storage Pond” has the meaning set forth in the Recycled Water Infrastructure Agreement.

(38) TRIBAL WATER RIGHT.—The term “Tribal Water Right” means the water rights ratified, confirmed, and declared to be valid for the benefit of the Band and Allottees, as set forth and described in subsection (d).

(C) APPROVAL OF THE PECHANGA SETTLEMENT AGREEMENT.—

(1) RATIFICATION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—Except as modified by this section, and to the extent that the Pechanga Settlement Agreement does not conflict with this section, the Pechanga Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—Any amendment to the Pechanga Settlement Agreement is authorized, ratified, and confirmed, to the extent that the amendment is executed to make the Pechanga Settlement Agreement consistent with this section.

(2) EXECUTION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent that the Pechanga Settlement Agreement does not

conflict with this section, the Secretary is directed to and promptly shall execute—

(i) the Pechanga Settlement Agreement (including any exhibit to the Pechanga Settlement Agreement requiring the signature of the Secretary); and

(ii) any amendment to the Pechanga Settlement Agreement necessary to make the Pechanga Settlement Agreement consistent with this section.

(B) MODIFICATIONS.—Nothing in this section precludes the Secretary from approving modifications to exhibits to the Pechanga Settlement Agreement not inconsistent with this section, to the extent those modifications do not otherwise require congressional approval pursuant to section 2116 of the Revised Statutes (25 U.S.C. 177) or other applicable Federal law.

(3) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—In implementing the Pechanga Settlement Agreement, the Secretary shall promptly comply with all applicable requirements of—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(iii) all other applicable Federal environmental laws; and

(iv) all regulations promulgated under the laws described in clauses (i) through (iii).

(B) EXECUTION OF THE PECHANGA SETTLEMENT AGREEMENT.—

(i) IN GENERAL.—Execution of the Pechanga Settlement Agreement by the Secretary under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) COMPLIANCE.—The Secretary is directed to carry out all Federal compliance necessary to implement the Pechanga Settlement Agreement.

(C) LEAD AGENCY.—The Bureau of Reclamation shall be designated as the lead agency with respect to environmental compliance.

(d) TRIBAL WATER RIGHT.—

(1) INTENT OF CONGRESS.—It is the intent of Congress to provide to each Allottee benefits that are equal to or exceed the benefits Allottees possess as of the date of enactment of this section, taking into consideration—

(A) the potential risks, cost, and time delay associated with litigation that would be resolved by the Pechanga Settlement Agreement and this section;

(B) the availability of funding under this section;

(C) the availability of water from the Tribal Water Right and other water sources as set forth in the Pechanga Settlement Agreement; and

(D) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this section to protect the interests of Allottees.

(2) CONFIRMATION OF TRIBAL WATER RIGHT.—

(A) IN GENERAL.—A Tribal Water Right of up to 4,994 acre-feet of water per year that, under natural conditions, is physically available on the Reservation is confirmed in accordance with the Findings of Fact and Conclusions of Law set forth in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree.

(B) USE.—Subject to the terms of the Pechanga Settlement Agreement, this section, the Fallbrook Decree and applicable Federal law, the Band may use the Tribal Water Right for any purpose on the Reservation.

(3) HOLDING IN TRUST.—The Tribal Water Right, as set forth in paragraph (2), shall—

(A) be held in trust by the United States on behalf of the Band and the Allottees in accordance with this subsection;

(B) include the priority dates described in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree; and

(C) not be subject to forfeiture or abandonment.

(4) ALLOTTEES.—

(A) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal Water Right.

(B) ENTITLEMENT TO WATER.—Any entitlement to water of allotted land located within the exterior boundaries of the Reservation under Federal law shall be satisfied from the Tribal Water Right.

(C) ALLOCATIONS.—Allotted land located within the exterior boundaries of the Reservation shall be entitled to a just and equitable allocation of water for irrigation and domestic purposes from the Tribal Water Right.

(D) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an Allottee shall exhaust remedies available under the Pechanga Water Code or other applicable tribal law.

(E) CLAIMS.—Following exhaustion of remedies available under the Pechanga Water Code or other applicable tribal law, an Allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(F) AUTHORITY.—The Secretary shall have the authority to protect the rights of Allottees as specified in this subsection.

(5) AUTHORITY OF BAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Band shall have authority to use, allocate, distribute, and lease the Tribal Water Right on the Reservation in accordance with—

(i) the Pechanga Settlement Agreement; and

(ii) applicable Federal law.

(B) LEASES BY ALLOTTEES.—

(i) IN GENERAL.—An Allottee may lease any interest in land held by the Allottee, together with any water right determined to be appurtenant to that interest in land.

(ii) WATER RIGHT APPURTENANT.—Any water right determined to be appurtenant to an interest in land leased by an Allottee shall be used on the Reservation.

(6) PECHANGA WATER CODE.—

(A) IN GENERAL.—Not later than 18 months after the enforceability date, the Band shall enact a Pechanga Water Code, that provides for—

(i) the management, regulation, and governance of all uses of the Tribal Water Right in accordance with the Pechanga Settlement Agreement; and

(ii) establishment by the Band of conditions, permit requirements, and other limitations relating to the storage, recovery, and use of the Tribal Water Right in accordance with the Pechanga Settlement Agreement.

(B) INCLUSIONS.—The Pechanga Water Code shall provide—

(i) that allocations of water to Allottees shall be satisfied with water from the Tribal Water Right;

(ii) that charges for delivery of water for irrigation purposes for Allottees shall be assessed in accordance with section 7 of the Act of February 8, 1887 (25 U.S.C. 381);

(iii) a process by which an Allottee (or any successor in interest to an Allottee) may request that the Band provide water for irrigation or domestic purposes in accordance with this section;

(iv) a due process system for the consideration and determination by the Band of any request by an Allottee (or any successor in interest to an Allottee) for an allocation of such water for irrigation or domestic purposes on allotted land, including a process for—

(I) appeal and adjudication of any denied or disputed distribution of water; and

(II) resolution of any contested administrative decision; and

(v) a requirement that any Allottee (or any successor in interest to an Allottee) with a claim relating to the enforcement of rights of the Allottee (or any successor in interest to an Allottee) under the Pechanga Water Code or relating to the amount of water allocated to land of the Allottee must first exhaust remedies available to the Allottee under tribal law and the Pechanga Water Code before initiating an action against the United States or petitioning the Secretary pursuant to paragraph (4)(D).

(C) ACTION BY SECRETARY.—

(i) **IN GENERAL.**—The Secretary shall administer the Tribal Water Right until the Pechanga Water Code is enacted and approved under this subsection.

(ii) **APPROVAL.**—Any provision of the Pechanga Water Code and any amendment to the Pechanga Water Code that affects the rights of Allottees—

(I) shall be subject to the approval of the Secretary; and

(II) shall not be valid until approved by the Secretary.

(iii) **APPROVAL PERIOD.**—The Secretary shall approve or disapprove the Pechanga Water Code within a reasonable period of time after the date on which the Band submits the Pechanga Water Code to the Secretary for approval.

(7) **EFFECT.**—Except as otherwise specifically provided in this section, nothing in this section—

(A) authorizes any action by an Allottee (or any successor in interest to an Allottee) against any individual or entity, or against the Band, under Federal, State, tribal, or local law; or

(B) alters or affects the status of any action pursuant to section 1491(a) of title 28, United States Code.

(e) SATISFACTION OF CLAIMS.—

(1) **IN GENERAL.**—The benefits provided to the Band under the Pechanga Settlement Agreement and this Act shall be in complete replacement of, complete substitution for, and full satisfaction of all claims of the Band against the United States that are waived and released pursuant to subsection (f).

(2) **ALLOTTEE CLAIMS.**—The benefits realized by the Allottees under this section shall be in complete replacement of, complete substitution for, and full satisfaction of—

(A) all claims that are waived and released pursuant to subsection (f); and

(B) any claims of the Allottees against the United States that the Allottees have or could have asserted that are similar in nature to any claim described in subsection (f).

(3) **NO RECOGNITION OF WATER RIGHTS.**—Except as provided in subsection (d)(4), nothing in this section recognizes or establishes any right of a member of the Band or an Allottee to water within the Reservation.

(4) **CLAIMS RELATING TO DEVELOPMENT OF WATER FOR RESERVATION.—**

(A) **IN GENERAL.**—The amounts authorized to be appropriated pursuant to subsection (j)

shall be used to satisfy any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation.

(B) **SATISFACTION OF CLAIMS.**—Upon the complete appropriation of amounts authorized pursuant to subsection (j), any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation shall be deemed to have been satisfied.

(f) WAIVER OF CLAIMS.—

(1) IN GENERAL.—

(A) **WAIVER OF CLAIMS BY THE BAND AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE BAND.—**

(i) **IN GENERAL.**—Subject to the retention of rights set forth in paragraph (3), in return for recognition of the Tribal Water Right and other benefits as set forth in the Pechanga Settlement Agreement and this section, the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), and the United States, acting as trustee for the Band, are authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the Band, or the United States acting as trustee for the Band, asserted or could have asserted in any proceeding, including the Adjudication Proceeding, except to the extent that such rights are recognized in the Pechanga Settlement Agreement and this section.

(ii) **CLAIMS AGAINST RCWD.**—Subject to the retention of rights set forth in paragraph (3) and notwithstanding any provisions to the contrary in the Pechanga Settlement Agreement, the Band and the United States, on behalf of the Band and Allottees, fully release, acquit, and discharge RCWD from—

(I) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(II) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time after June 30, 2009, resulting from the diversion or use of water in a manner not in violation of the Pechanga Settlement Agreement or this section;

(III) claims for subsidence damage to land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(IV) claims for subsidence damage arising or occurring after June 30, 2009, to land located within the Reservation resulting from the diversion of underground water in a manner consistent with the Pechanga Settlement Agreement or this section; and

(V) claims arising out of, or relating in any manner to, the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(B) **CLAIMS BY THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR ALLOTTEES.**—Subject to the retention of claims set forth in paragraph (3), in return for recognition of the water rights of the Band and other benefits as set forth in the Pechanga Settlement Agreement and this section, the United States, acting as trustee for Allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the United States, acting as trustee for the Allottees, asserted or could have asserted in any proceeding, including the Adjudication Proceeding.

(C) **CLAIMS BY THE BAND AGAINST THE UNITED STATES.**—Subject to the retention of

rights set forth in paragraph (3), the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), is authorized to execute a waiver and release of—

(i) all claims against the United States (including the agencies and employees of the United States) relating to claims for water rights in, or water of, the Santa Margarita River Watershed that the United States, acting in its capacity as trustee for the Band, asserted, or could have asserted, in any proceeding, including the Adjudication Proceeding, except to the extent that those rights are recognized in the Pechanga Settlement Agreement and this section;

(ii) all claims against the United States (including the agencies and employees of the United States) relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water or water rights, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) in the Santa Margarita River Watershed that first accrued at any time up to and including the enforceability date;

(iii) all claims against the United States (including the agencies and employees of the United States) relating to the pending litigation of claims relating to the water rights of the Band in the Adjudication Proceeding; and

(iv) all claims against the United States (including the agencies and employees of the United States) relating to the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(2) **EFFECTIVENESS OF WAIVERS AND RELEASES.**—The waivers under paragraph (1) shall take effect on the enforceability date.

(3) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases authorized in this section, the Band, on behalf of itself and the members of the Band, and the United States, acting in its capacity as trustee for the Band and Allottees, retain—

(A) all claims for enforcement of the Pechanga Settlement Agreement and this section;

(B) all claims against any person or entity other than the United States and RCWD, including claims for monetary damages;

(C) all claims for water rights that are outside the jurisdiction of the Adjudication Court;

(D) all rights to use and protect water rights acquired on or after the enforceability date; and

(E) all remedies, privileges, immunities, powers, and claims, including claims for water rights, not specifically waived and released pursuant to this section and the Pechanga Settlement Agreement.

(4) **EFFECT OF PECHANGA SETTLEMENT AGREEMENT AND ACT.**—Nothing in the Pechanga Settlement Agreement or this section—

(A) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(B) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or an Allottee of any other Indian tribe;

(C) confers jurisdiction on any State court—

(i) to interpret Federal law regarding health, safety, or the environment;

(ii) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(iii) to conduct judicial review of Federal agency action;

(D) waives any claim of a member of the Band in an individual capacity that does not derive from a right of the Band;

(E) limits any funding that RCWD would otherwise be authorized to receive under any Federal law, including, the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) as that Act applies to permanent facilities for water recycling, demineralization, and desalination, and distribution of nonpotable water supplies in Southern Riverside County, California;

(F) characterizes any amounts received by RCWD under the Pechanga Settlement Agreement or this section as Federal for purposes of section 1649 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h-32); or

(G) affects the requirement of any party to the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the California Environmental Quality Act (Cal. Pub. Res. Code 21000 et seq.) prior to performing the respective obligations of that party under the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement.

(5) **ENFORCEABILITY DATE.**—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) the Adjudication Court has approved and entered a judgment and decree approving the Pechanga Settlement Agreement in substantially the same form as Appendix 2 to the Pechanga Settlement Agreement;

(B) all amounts authorized by this section have been deposited in the Fund;

(C) the waivers and releases authorized in paragraph (1) have been executed by the Band and the Secretary;

(D) the Extension of Service Area Agreement—

(i) has been approved and executed by all the parties to the Extension of Service Area Agreement; and

(ii) is effective and enforceable in accordance with the terms of the Extension of Service Area Agreement; and

(E) the ESAA Water Delivery Agreement—

(i) has been approved and executed by all the parties to the ESAA Water Delivery Agreement; and

(ii) is effective and enforceable in accordance with the terms of the ESAA Water Delivery Agreement.

(6) **TOLLING OF CLAIMS.**—

(A) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the earlier of—

(i) April 30, 2030, or such alternate date after April 30, 2030, as is agreed to by the Band and the Secretary; or

(ii) the enforceability date.

(B) **EFFECTS OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(C) **LIMITATION.**—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(7) **TERMINATION.**—

(A) **IN GENERAL.**—If all of the amounts authorized to be appropriated to the Secretary pursuant to this section have not been made available to the Secretary by April 30, 2030—

(i) the waivers authorized by this subsection shall expire and have no force or effect; and

(ii) all statutes of limitations applicable to any claim otherwise waived under this subsection shall be tolled until April 30, 2030.

(B) **VOIDING OF WAIVERS.**—If a waiver authorized by this subsection is void under subparagraph (A)—

(i) the approval of the United States of the Pechanga Settlement Agreement under subsection (c) shall be void and have no further force or effect;

(ii) any unexpended Federal amounts appropriated or made available to carry out this section, together with any interest earned on those amounts, and any water rights or contracts to use water and title to other property acquired or constructed with Federal amounts appropriated or made available to carry out this section shall be returned to the Federal Government, unless otherwise agreed to by the Band and the United States and approved by Congress; and

(iii) except for Federal amounts used to acquire or develop property that is returned to the Federal Government under clause (ii), the United States shall be entitled to set off any Federal amounts appropriated or made available to carry out this section that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights asserted by the Band or Allottees in any future settlement of the water rights of the Band or Allottees.

(g) **WATER FACILITIES.**—

(1) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the designated accounts of the Fund, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement and the ESAA Capacity Agreement, in an amount not to exceed the amounts deposited in the designated accounts for such purposes plus any interest accrued on such amounts from the date of deposit in the Fund to the date of disbursement from the Fund, in accordance with this section and the terms and conditions of those agreements.

(2) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this subsection shall be nonreimbursable.

(3) **RECYCLED WATER INFRASTRUCTURE.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga Recycled Water Infrastructure account, provide amounts for the Storage Pond in accordance with this paragraph.

(B) **STORAGE POND.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, provide the amounts necessary to fulfill the

obligations of the Band under the Recycled Water Infrastructure Agreement for the design and construction of the Storage Pond, in an amount not to exceed \$2,656,374.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this paragraph shall be as set forth in the Recycled Water Infrastructure Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this paragraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Storage Pond.

(4) **ESAA DELIVERY CAPACITY.**—

(A) **IN GENERAL.**—The Secretary shall, using amounts from the Pechanga ESAA Delivery Capacity account, provide amounts for Interim Capacity and Permanent Capacity in accordance with this paragraph.

(B) **INTERIM CAPACITY.**—

(i) **IN GENERAL.**—The Secretary shall, subject to the availability of appropriations, using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Interim Capacity to the Band in an amount not to exceed \$1,000,000.

(ii) **PROCEDURE.**—The procedure for the Secretary to provide amounts pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iii) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(iv) **LIABILITY.**—The United States shall have no responsibility or liability for the Interim Capacity to be provided by RCWD.

(v) **TRANSFER TO BAND.**—If RCWD does not provide the Interim Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 60 days after the date required under the ESAA Capacity Agreement, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Interim Capacity and Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative interim capacity in a manner that is similar to the Interim Capacity and Permanent Capacity that the Band would have received had RCWD provided such Interim Capacity and Permanent Capacity.

(C) **PERMANENT CAPACITY.**—

(i) **IN GENERAL.**—On receipt of the Permanent Capacity Notice pursuant to section 5(b) of the ESAA Capacity Agreement, the Secretary, acting through the Bureau of Reclamation, shall enter into negotiations with RCWD and the Band to establish an agreement that will allow for the disbursement of amounts from the Pechanga ESAA Delivery Capacity account in accordance with clause (ii).

(ii) **SCHEDULE OF DISBURSEMENT.**—Subject to the availability of amounts under subsection (h)(5), on execution of the ESAA Capacity Agreement, the Secretary shall, subject to the availability of appropriations and using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Permanent Capacity to the Band in an amount not to exceed the amount available in the ESAA Delivery Capacity account as of the date on which the ESAA Capacity Agreement is executed.

(iii) **PROCEDURE.**—The procedure for the Secretary to provide funds pursuant to this

subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iv) **LEAD AGENCY.**—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(v) **LIABILITY.**—The United States shall have no responsibility or liability for the Permanent Capacity to be provided by RCWD.

(vi) **TRANSFER TO BAND.**—If RCWD does not provide the Permanent Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 5 years after the enforceability date, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative permanent capacity in a manner that is similar to the Permanent Capacity that the Band would have received had RCWD provided such Permanent Capacity.

(h) **PECHANGA SETTLEMENT FUND.**—

(1) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Pechanga Settlement Fund”, to be managed, invested, and distributed by the Secretary and to be available until expended, and, together with any interest earned on those amounts, to be used solely for the purpose of carrying out this section.

(2) **TRANSFERS TO FUND.**—The Fund shall consist of such amounts as are deposited in the Fund under subsection (j), together with any interest earned on those amounts, which shall be available in accordance with paragraph (5).

(3) **ACCOUNTS OF PECHANGA SETTLEMENT FUND.**—The Secretary shall establish in the Fund the following accounts:

(A) Pechanga Recycled Water Infrastructure account, consisting of amounts authorized pursuant to subsection (j)(1).

(B) Pechanga ESAA Delivery Capacity account, consisting of amounts authorized pursuant to subsection (j)(2).

(C) Pechanga Water Fund account, consisting of amounts authorized pursuant to subsection (j)(3).

(D) Pechanga Water Quality account, consisting of amounts authorized pursuant to subsection (j)(4).

(4) **MANAGEMENT OF FUND.**—The Secretary shall manage, invest, and distribute all amounts in the Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(5) **AVAILABILITY OF AMOUNTS.**—Amounts appropriated to, and deposited in, the Fund, including any investment earnings accrued from the date of deposit in the Fund through the date of disbursement from the Fund, shall be made available to the Band by the Secretary beginning on the enforceability date.

(6) **WITHDRAWALS BY BAND PURSUANT TO THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT.**—

(A) **IN GENERAL.**—The Band may withdraw all or part of the amounts in the Fund on approval by the Secretary of a tribal management plan submitted by the Band in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) **REQUIREMENTS.**—

(i) **IN GENERAL.**—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under subparagraph (A) shall require that the Band shall spend all amounts withdrawn from the Fund in accordance with this section.

(ii) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Band from the Fund under this paragraph are used in accordance with this section.

(7) **WITHDRAWALS BY BAND PURSUANT TO AN EXPENDITURE PLAN.**—

(A) **IN GENERAL.**—The Band may submit an expenditure plan for approval by the Secretary requesting that all or part of the amounts in the Fund be disbursed in accordance with the plan.

(B) **REQUIREMENTS.**—The expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be disbursed from the Fund will be used, in accordance with paragraph (8).

(C) **APPROVAL.**—If the Secretary determines that an expenditure plan submitted under this subsection is consistent with the purposes of this section, the Secretary shall approve the plan.

(D) **ENFORCEMENT.**—The Secretary may carry out such judicial or administrative actions as the Secretary determines necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this section.

(8) **USES.**—Amounts from the Fund shall be used by the Band for the following purposes:

(A) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—The Pechanga Recycled Water Infrastructure account shall be used for expenditures by the Band in accordance with subsection (g)(3).

(B) **PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.**—The Pechanga ESAA Delivery Capacity account shall be used for expenditures by the Band in accordance with subsection (g)(4).

(C) **PECHANGA WATER FUND ACCOUNT.**—The Pechanga Water Fund account shall be used for—

(i) payment of the EMWD Connection Fee;

(ii) payment of the MWD Connection Fee; and

(iii) any expenses, charges, or fees incurred by the Band in connection with the delivery or use of water pursuant to the Pechanga Settlement Agreement.

(D) **PECHANGA WATER QUALITY ACCOUNT.**—The Pechanga Water Quality account shall be used by the Band to fund groundwater desalination activities within the Wolf Valley Basin.

(9) **LIABILITY.**—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure of, or the investment of any amounts withdrawn from, the Fund by the Band under paragraph (6) or (7).

(10) **NO PER CAPITA DISTRIBUTIONS.**—No portion of the Fund shall be distributed on a per capita basis to any member of the Band.

(1) **MISCELLANEOUS PROVISIONS.**—

(A) **WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this section waives the sovereign immunity of the United States.

(2) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this section quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Band.

(3) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to Indian land within the Reservation—

(A) the United States shall not submit against any Indian-owned land located within the Reservation any claim for reimbursement of the cost to the United States of carrying out this section and the Pechanga Settlement Agreement; and

(B) no assessment of any Indian-owned land located within the Reservation shall be made regarding that cost.

(4) **EFFECT ON CURRENT LAW.**—Nothing in this subsection affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.**—There is authorized to be appropriated \$2,656,374, for deposit in the Pechanga ESAA Delivery Capacity account, to carry out the activities described in subsection (g)(3).

(2) **PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.**—There is authorized to be appropriated \$17,900,000, for deposit in the Pechanga ESAA Delivery Capacity account, which amount shall be adjusted for changes in construction costs since June 30, 2009, as is indicated by ENR Construction Cost Index, 20-City Average, as applicable to the types of construction required for the Band to provide the infrastructure necessary for the Band to provide the Interim Capacity and Permanent Capacity in the event that RCWD elects not to provide the Interim Capacity or Permanent Capacity as set forth in the ESAA Capacity Agreement and contemplated in subparagraphs (B)(v) and (C)(vi) of subsection (g)(4), with such adjustment ending on the date on which funds authorized to be appropriated under this subsection have been deposited in the Fund.

(3) **PECHANGA WATER FUND ACCOUNT.**—There is authorized to be appropriated \$5,483,653, for deposit in the Pechanga Water Fund account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(C).

(4) **PECHANGA WATER QUALITY ACCOUNT.**—There is authorized to be appropriated \$2,460,000, for deposit in the Pechanga Water Quality account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(D).

(k) **REPEAL ON FAILURE OF ENFORCEABILITY DATE.**—If the Secretary does not publish a statement of findings under subsection (f)(5) by April 30, 2021, or such alternative later date as is agreed to by the Band and the Secretary, as applicable—

(1) this section is repealed effective on the later of May 1, 2021, or the day after the alternative date agreed to by the Band and the Secretary;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this section shall be void;

(3) any amounts appropriated under subsection (j), together with any interest on those amounts, shall immediately revert to the general fund of the Treasury; and

(4) any amounts made available under subsection (j) that remain unexpended shall immediately revert to the general fund of the Treasury.

(1) **ANTIDEFICIENCY.**—

(1) **IN GENERAL.**—Notwithstanding any authorization of appropriations to carry out this section, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this section shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) **LIABILITY.**—The Department of the Interior shall not be liable for the failure to carry out any obligation or activity authorized by this section if adequate appropriations are not provided to carry out this section.

SEC. 8010. GOLD KING MINE SPILL RECOVERY.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **CLAIMANT.**—The term “claimant” means a State, Indian tribe, or local government that submits a claim under subsection (c).

(3) **GOLD KING MINE RELEASE.**—The term “Gold King Mine release” means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine to assess mine conditions.

(4) **NATIONAL CONTINGENCY PLAN.**—The term “National Contingency Plan” means the National Contingency Plan prepared and published under part 300 of title 40, Code of Federal Regulations (or successor regulations).

(5) **RESPONSE.**—The term “response” has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Administrator should receive and process, as expeditiously as possible, claims under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”) for any injury arising out of the Gold King Mine release.

(c) **GOLD KING MINE RELEASE CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.**—

(1) **IN GENERAL.**—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim made by a State, Indian tribe, or local government for eligible response costs relating to the Gold King Mine release.

(2) **ELIGIBLE RESPONSE COSTS.**—

(A) **IN GENERAL.**—Response costs incurred between August 5, 2015, and September 9, 2016, are eligible for payment by the Administrator under this subsection, without prior approval by the Administrator, if the response costs are not inconsistent with the National Contingency Plan.

(B) **PRIOR APPROVAL REQUIRED.**—Response costs incurred after September 9, 2016, are eligible for payment by the Administrator under this subsection if—

(1) the Administrator approves the response costs under section 111(a)(2) of the

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9611(a)(2)); and

(ii) the response costs are not inconsistent with the National Contingency Plan.

(3) **PRESUMPTION.**—

(A) **IN GENERAL.**—The Administrator shall consider response costs claimed under paragraph (1) to be eligible response costs if a reasonable basis exists to establish that the response costs are not inconsistent with the National Contingency Plan.

(B) **APPLICABLE STANDARD.**—In determining whether a response cost is not inconsistent with the National Contingency Plan, the Administrator shall apply the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) **TIMING.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any eligible response costs submitted to the Administrator before that date of enactment.

(B) **SUBSEQUENTLY FILED CLAIMS.**—Not later than 90 days after the date on which a claim is submitted to the Administrator, the Administrator shall make a decision on, and pay, any eligible response costs.

(C) **DEADLINE.**—All claims under this subsection shall be submitted to the Administrator not later than 180 days after the date of enactment of this Act.

(D) **NOTIFICATION.**—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) **WATER QUALITY PROGRAM.**—

(1) **IN GENERAL.**—In response to the Gold King Mine release, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall, subject to the availability of appropriations, develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine release.

(2) **REQUIREMENTS.**—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the water quality sample results and sediment data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other reasonable measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities related to long-term water quality monitoring that the Administrator determines to be necessary.

(3) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection, including the reimbursement of affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

(e) **EXISTING STATE AND TRIBAL LAW.**—Nothing in this section affects the jurisdiction or authority of any department, agency,

or officer of any State government or any Indian tribe.

(f) **SAVINGS CLAUSE.**—Nothing in this section affects any right of any State, Indian tribe, or other person to bring a claim against the United States for response costs or natural resources damages pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SEC. 8011. REPORTS BY THE COMPTROLLER GENERAL.

Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct the following reviews and submit to Congress reports describing the results of the reviews:

(1) A review of the implementation and effectiveness of the Columbia River Basin restoration program authorized under part V of subtitle F of title VII.

(2) A review of the implementation and effectiveness of watercraft inspection stations established by the Secretary under section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) in preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.

SEC. 8012. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

(2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

(3) Where practicable, the preference is for disputes between states related to the disposal of dredged material and the protection of water quality to be resolved between the states in accordance with regional plans and involving regional bodies.

SEC. 8013. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. 8014. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSHUDA).

(a) **DEFINITIONS.**—In this section:

(1) **ADDITION.**—The term “addition” means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) **CAMPER OR RECREATIONAL VEHICLE.**—The term “camper or recreational vehicle” includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) **IMMEDIATE FAMILY.**—The term “immediate family” means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) **PERMIT.**—The term “permit” means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) **PERMIT YEAR.**—The term “permit year” means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) **PERMITTEE.**—The term “permittee” means a person holding a permit.

(7) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) **TRAILER AREA.**—The term “trailer area” means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled “Heart Butte Reservoir Resource Management Plan” (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) **TRAILER HOME.**—The term “trailer home” means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) **PERMIT RENEWAL AND PERMITTED USE.**—

(1) **IN GENERAL.**—The Secretary shall use the same permit renewal process for trailer area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) **TRAILER HOMES.**—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) **CAMPERS OR RECREATIONAL VEHICLES.**—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) **REMOVAL.**—

(1) **IN GENERAL.**—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) **REMOVAL AND NEW USE.**—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) **TRANSFER OF PERMITS.**—

(1) **TRANSFER OF TRAILER HOME TITLE.**—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) **TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.**—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) **CONDITIONS.**—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) **ANCHORING REQUIREMENTS FOR TRAILER HOMES.**—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) **REPLACEMENT, REMOVAL, AND RETURN.**—

(1) **REPLACEMENT.**—Permittees may replace their trailer home with another trailer home.

(2) **REMOVAL AND RETURN.**—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) **LIABILITY; TAKING.**—

(1) **LIABILITY.**—The United States shall not be liable for flood damage to the personal property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) **TAKING.**—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the “Blackfeet Water Rights Settlement Act”.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) **ALLOTTEE.**—The term “allottee” means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) **BIRCH CREEK AGREEMENT.**—The term “Birch Creek Agreement” means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) **BLACKFEET IRRIGATION PROJECT.**—The term “Blackfeet Irrigation Project” means the irrigation project authorized by the matter under the heading “MONTANA” of title II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) **COMPACT.**—The term “Compact” means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) **ENFORCEABILITY DATE.**—The term “enforceability date” means the date described in section 9020(f).

(6) **LAKE ELWELL.**—The term “Lake Elwell” means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(7) **MILK RIVER BASIN.**—The term “Milk River Basin” means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) **MILK RIVER PROJECT.**—

(A) **IN GENERAL.**—The term “Milk River Project” means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) **INCLUSIONS.**—The term “Milk River Project” includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(9) **MILK RIVER PROJECT WATER RIGHTS.**—The term “Milk River Project water rights” means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) **MILK RIVER WATER RIGHT.**—The term “Milk River water right” means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) **MISSOURI RIVER BASIN.**—The term “Missouri River Basin” means the hydrologic basin of the Missouri River (including tributaries).

(12) **MR&I SYSTEM.**—The term “MR&I System” means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled “Blackfeet Regional Water System”, prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) **OM&R.**—The term “OM&R” means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) **RESERVATION.**—The term “Reservation” means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) **ST. MARY RIVER WATER RIGHT.**—The term “St. Mary River water right” means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) **ST. MARY UNIT.**—

(A) **IN GENERAL.**—The term “St. Mary Unit” means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) **INCLUSIONS.**—The term “St. Mary Unit” includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(17) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(18) **STATE.**—The term “State” means the State of Montana.

(19) **SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.**—The term “Swiftcurrent Creek Bank Stabilization Project” means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled “Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report”, prepared by DOWL HKM, and dated March 2012.

(20) **TRIBAL WATER RIGHTS.**—The term “Tribal water rights” means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) **TRIBE.**—The term “Tribe” means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) **RATIFICATION.**—

(1) **IN GENERAL.**—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) **AMENDMENTS.**—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) **EXECUTION.**—

(1) **IN GENERAL.**—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) **MODIFICATIONS.**—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval

under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) **ENVIRONMENTAL COMPLIANCE.**—

(1) **IN GENERAL.**—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) all other applicable environmental laws and regulations.

(2) **EFFECT OF EXECUTION.**—

(A) **IN GENERAL.**—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) **COMPLIANCE.**—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) **IN GENERAL.**—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) **WATER RIGHTS ARISING UNDER STATE LAW.**—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) **TRIBAL AGREEMENT.**—

(1) **IN GENERAL.**—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) **CONSIDERATIONS.**—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) **SECRETARIAL DETERMINATION.**—

(1) **IN GENERAL.**—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) **APPROVAL.**—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) **DEADLINE EXTENSION.**—The deadline to review the agreement described in paragraph

(1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) **SECRETARIAL DECISION.**—

(1) **IN GENERAL.**—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the Fort Belknap Indian Community in the Milk River may be exercised.

(2) **CONSIDERATION AS FINAL AGENCY ACTION.**—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) **JUDICIAL REVIEW.**—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) **INCORPORATION INTO DECREES.**—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) **EFFECTIVE DATE.**—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) **USE OF FUNDS.**—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) **TREATMENT.**—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St. Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) **WATER DELIVERY CONTRACT.**—

(1) **IN GENERAL.**—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) **TERMS AND CONDITIONS.**—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1) that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) TREATMENT.—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) SUBCONTRACTS.—

(1) IN GENERAL.—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) COMPLIANCE WITH OTHER LAW.—All subcontracts described in paragraph (1) shall comply with—

(A) this title;

(B) the Compact;

(C) the tribal water code; and

(D) other applicable law.

(3) NO LIABILITY.—The Secretary shall not be liable to any party, including the Tribe, for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) EFFECT OF PROVISIONS.—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) OTHER RIGHTS.—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) MILK RIVER PROJECT PURPOSES.—The purposes of the Milk River Project shall include—

(1) irrigation;

(2) flood control;

(3) the protection of fish and wildlife;

(4) recreation;

(5) the provision of municipal, rural, and industrial water supply; and

(6) hydroelectric power generation.

(b) USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) ST. MARY RIVER STUDIES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) COOPERATIVE AGREEMENT.—On request of the Tribe, the Secretary shall enter into a

cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) COSTS NONREIMBURSABLE.—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) SWIFTCURRENT CREEK BANK STABILIZATION.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

(A) a review of the final project design; and

(B) value engineering analyses.

(2) MODIFICATION OF FINAL DESIGN.—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) AGREEMENT REGARDING EXISTING USES.—The Tribe and the Secretary shall enter into an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the “Panel Determination”), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the “Interior Determination”), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) EFFECT.—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) INTERIOR DETERMINATION AS FINAL AGENCY ACTION.—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) FUNDING.—The total amount of obligations incurred by the Secretary shall not exceed—

(1) \$3,800,000 to carry out subsection (c);

(2) \$20,700,000 to carry out subsection (d); and

(3) \$3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) BUREAU OF RECLAMATION JURISDICTION.—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydropower on the St. Mary Unit.

(b) RIGHTS OF TRIBE.—

(1) EXCLUSIVE RIGHT OF TRIBE.—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) LIMITATIONS.—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) OM&R COSTS.—Effective beginning on the date that is 10 years after the date on which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) BUREAU OF RECLAMATION COOPERATION.—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) AGREEMENT.—Before construction of a hydroelectric power generation project

under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) USE OF HYDROELECTRIC POWER BY TRIBE.—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) REVENUES.—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) LIABILITY OF UNITED STATES.—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) PREFERENCE.—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) STORAGE ALLOCATION TO TRIBE.—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) REDUCTION.—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Tribe under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) AGREEMENTS BY TRIBE.—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfeet Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled “Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project”, prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled “Four Horns Dam Enlarged Appraisal Evaluation Design Report”, prepared by DOWL HKM, and dated April 2007.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.—

(1) IN GENERAL.—The scope of the rehabilitation and improvements shall be as generally described in the document entitled “Four Horns Feeder Canal Rehabilitation with Export”, prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) INCLUSIONS.—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure

that the final design meets applicable industry standards.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$54,900,000, of which—

(1) \$40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) \$14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) NON-FEDERAL CONTRIBUTION.—No part of the project under subsection (d) shall be commenced until the State has made available \$20,000,000 to carry out the activities described in subsection (d)(2).

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) OWNERSHIP, OPERATION, AND MAINTENANCE.—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) LIABILITY OF UNITED STATES.—The United States shall have no obligation or responsibility with respect to the facilities described in subsection (d)(2)(C).

(m) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

(n) EFFECT.—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfeet Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Regional Water System”, prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$76,200,000.

(f) NON-FEDERAL CONTRIBUTION.—

(1) CONSULTATION.—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) NEGOTIATIONS.—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) OWNERSHIP BY TRIBE.—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) **LEAD AGENCY.**—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) **SCOPE.**—

(1) **IN GENERAL.**—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) **MODIFICATION.**—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) **NEGOTIATION WITH TRIBE.**—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$87,300,000.

(f) **OWNERSHIP BY TRIBE.**—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) **ADMINISTRATION.**—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent

of the total costs incurred under this section.

(h) **OM&R COSTS.**—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) **PROJECT EFFICIENCIES.**—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) **IN GENERAL.**—

(1) **SCOPE.**—The scope of the construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) **MODIFICATION.**—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

(i) similar to the proposed project; and

(ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$91,000,000.

(d) **OM&R COSTS.**—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) **OWNERSHIP BY TRIBE.**—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) **TRIBAL EASEMENTS AND RIGHTS-OF-WAY.**—

(1) **IN GENERAL.**—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) **JURISDICTION.**—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) **LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.**—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) **LAND ACQUIRED BY UNITED STATES OR TRIBE.**—Any land acquired within the bound-

aries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) **CONFIRMATION OF TRIBAL WATER RIGHTS.**—

(1) **IN GENERAL.**—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) **USE.**—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) **CONFLICT.**—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) **INTENT OF CONGRESS.**—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) **TRUST STATUS OF TRIBAL WATER RIGHTS.**—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) **ALLOTTEES.**—

(1) **APPLICABILITY OF ACT OF FEBRUARY 8, 1887.**—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) **ENTITLEMENT TO WATER.**—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) **ALLOCATIONS.**—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) **CLAIMS.**—

(A) **EXHAUSTION OF REMEDIES.**—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) **ACTION FOR RELIEF.**—After the exhaustion of all remedies available under the tribal water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) **AUTHORITY OF SECRETARY.**—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) **AUTHORITY OF TRIBE.**—

(1) **IN GENERAL.**—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) **OFF-RESERVATION USE.**—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) **LAND LEASES BY ALLOTTEES.**—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the tribal water code.

(f) **TRIBAL WATER CODE.**—

(1) **IN GENERAL.**—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) **INCLUSIONS.**—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) **ACTION BY SECRETARY.**—

(A) **IN GENERAL.**—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) **APPROVAL.**—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) **APPROVAL PERIOD.**—

(1) **IN GENERAL.**—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) **EXTENSION.**—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) **ADMINISTRATION.**—

(1) **NO ALIENATION.**—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) **PURCHASES OR GRANTS OF LAND FROM INDIANS.**—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) **PROHIBITION ON FORFEITURE.**—The non-use of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) **EFFECT.**—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a trust fund, to be known as the “Blackfeet Settlement Trust Fund” (referred to in this section as the “Trust Fund”), to be managed, invested, and distributed by the Secretary and to remain available until expended.

(b) **ACCOUNTS.**—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) **DEPOSITS.**—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) **INTEREST.**—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (i).

(e) **MANAGEMENT.**—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(f) **AVAILABILITY OF AMOUNTS.**—

(1) **IN GENERAL.**—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) **FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.**—Notwithstanding paragraph (1), on approval pursuant to this title and the

Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, \$4,800,000 shall be made available to the Tribe for the implementation of this title.

(g) **WITHDRAWALS UNDER AIFRMRA.**—

(1) **IN GENERAL.**—The Tribe may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) **REQUIREMENTS.**—

(A) **IN GENERAL.**—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) **ENFORCEMENT.**—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(h) **WITHDRAWALS UNDER EXPENDITURE PLAN.**—

(1) **IN GENERAL.**—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) **REQUIREMENTS.**—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) **INCLUSIONS.**—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) **APPROVAL.**—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) **ENFORCEMENT.**—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(i) **USES.**—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary,

\$500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(j) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(l) DEPOSIT OF FUNDS.—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the “Blackfeet Water Settlement Implementation Fund” (referred to in this section as the “Implementation Fund”), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) DEPOSITS.—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (e).

(e) USES.—

(1) MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.—The Black-

feet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(f) MANAGEMENT.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), \$28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), \$27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), \$27,800,000;

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), \$91,000,000; and

(E) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Settlement Trust Fund; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), \$163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), \$54,900,000, of which—

(i) \$40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) \$14,000,000 shall be made available for activities and projects under section 9010(d)(2);

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), \$28,100,000, of which—

(i) \$27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) \$500,000 shall be used to carry out section 9005; and

(D) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Water Settlement Implementation Fund.

(b) ADJUSTMENTS.—

(1) IN GENERAL.—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated from an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) REPETITION.—The adjustment process under this subsection shall be repeated for

each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) TREATMENT.—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled “Stipulation to Address Claims by and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park”, and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss

of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled *Blackfeet Tribe v. United States*, No. 02-127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) **EFFECTIVENESS.**—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) **WITHDRAWAL OF OBJECTIONS.**—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases under subsection (a), the Tribe,

acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) **EFFECT OF COMPACT AND ACT.**—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled *Blackfeet Tribe v. United States*, No. 02-127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled *Cobell v. Salazar*, No. 1:96CV01285-JR (D.D.C. 2012).

(f) **ENFORCEABILITY DATE.**—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) **TOLLING OF CLAIMS.**—

(1) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) **EFFECT OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) **EXPIRATION.**—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) **VOIDING OF WAIVERS.**—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) **TRIBAL CLAIMS.**—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) ALLOTTEE CLAIMS.—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) LIMITATION ON LIABILITY OF UNITED STATES.—

(1) IN GENERAL.—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) INDEMNITY.—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) EFFECT ON CURRENT LAW.—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(g) IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) BIRCH CREEK AGREEMENT APPROVAL.—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) LIMITATION ON EFFECT.—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportion-

ment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. MCCONNELL. Madam President, I move to proceed to H.R. 5325.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.
The Senator from Oklahoma.

THANKING STAFF

Mr. INHOFE. Madam President, first of all, I will be very brief. What we just passed is a major bill. It took a lot of effort from a lot of people. Many times the Members get more credit than they should because the real heroes are the ones who are back there doing the work. I want to thank the staff who are responsible for the hours and a lot of late nights.

I want to thank my chief of staff, Adrienne Jackson, as well as Alex Herrgott. They do a lot of late night work on these things, as well as many on the other side. In the case of Alex Herrgott, who was driving this thing, he has been doing this for me for over a dozen years. We have had a lot of successes.

I also wish to recognize Susan Bodine, who is sitting right here. She is a long-time WRDA expert, going back to 2 years ago when we had the WRDA bill, in 2014. She actually worked on WRDA on the House side for 11 years. I thank, as well, Charles Brittingham. These are the two who actually spent the time on my side of the aisle who put in the hardest and the longest hours. He was originally on loan to me from Senator VITTER, but now he is a full member of the EPW Committee. Few, if any, have better expertise on the core operation than Charles.

I want to thank Joe Brown for his long hours, as well as Jennie Wright and Andrew Neely for their work on the Oklahoma priorities on this bill, along with Carter Vella and Amanda Hall.

I want to thank Jason Albritton and Ted Illston on Senator BOXER's staff for their hard work with my team, and I thank Bettina Poirier, as always, for the hard work she did.

I thank the hard-working Aurora Swanson at CBO. We really put the burden on CBO. They had to respond immediately on short notice in order to get this done. Everyone said it was going to be impossible during this work period, but she played a major part in that. I also recognize the scoring and work that was necessary from the Senate legislative counsel Deanna Edwards, Maureen Catreni, and Gary Endicott. Finally, I thank Neil Chatterjee for his work from the leader's office. It was very, very helpful.

Of course, I already mentioned the hard work of my colleague Senator BOXER for making this bill a reality. It was a project that couldn't have been done any other way with any other people, and I am proud to have that behind us now.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

REMEMBERING ROBERT J. DUNFEY, SR.

Mr. LEAHY. Madam President, for every pivotal moment in history, behind the faces of the political leaders, the negotiators, the protestors and the agreement-seekers, there are stalwart citizens, seeking to find the common ground for the common good. Last month, one such advocate in the march for peace in Ireland, Robert J. Dunfey, Sr., passed away.

Bob Dunfey was a successful businessman, the founder of what today we call the Omni Hotel chain, who gave back to his community, his state, his country and his world. A public servant who spent decades advancing peace-building efforts in his ancestral home of Ireland, Mr. Dunfey was widely regarded by leaders of all walks in Ireland. He worked to support initiatives in Northern Ireland, as well as those in Ireland. A trusted partner, Bob Dunfey sought neither credit nor the spotlight; he worked behind the scenes, a true hallmark of public service.

Marcelle and I were touched when Bob welcomed us and our family into his home in Ballyferriter, Ireland. He leaves behind family and friends in his native New England, across the country and around the world. His is a friendship I will miss.

I ask unanimous consent that the full obituary for Robert Dunfey, Sr., be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OBITUARY FOR ROBERT J. DUNFEY SR., CO-FOUNDER, OMNI-DUNFEY HOTELS INTERNATIONAL AND PEACE-BUILDER, NORTHERN IRELAND

Robert John 'Bob' Dunfey, Sr. of Portsmouth, NH and formerly of Cape Elizabeth, ME, died peacefully on Tuesday, August 23, 2016, surrounded by loving family including his devoted wife, Jeanette Marston Dunfey who tirelessly cared for him during his long and valiant struggle against Parkinson's Disease.

Bob was born February 9, 1928 in Lowell, MA, the seventh of twelve children of Catherine and LeRoy Dunfey. He was educated at St. Patrick's School and Keith Academy, both in Lowell.

He is survived by former wife Shirley (Corey) Dunfey, and five children: Robert Dunfey, Jr. Cape Elizabeth, ME; Roy and Karen Dunfey, Portland, ME; Eileen Dunfey and Michael Pulsifer, Cape Elizabeth, ME; Brian Dunfey, South Berwick, ME; Maryanne Dunfey, North Conway, NH; 10 grandchildren and 3 great-grandchildren.

He is also survived by 4 of his 11 siblings: Jack and his wife Lisa of Boston; Eileen Robinson of Bradenton, FL; Jerry and his wife Nadine Hack of Lutry, Switzerland; Eleanor Dunfey and her husband Jim Freiburger of Exeter, NH; many dear cousins in Ballyferriter, Co. Kerry, Ireland; and his wife Jeanette's devoted Marston family.

He was pre-deceased by his parents Catherine and LeRoy and 7 Dunfey siblings: Roy, Paul, Catherine, 'Kay,' Mary, William 'Bud,' and Richard, 'Dick,' and Walter.

Rarely in the 88 years of Bob Dunfey's life was he in or did he seek the limelight, but a

look behind the scenes in meetings, conversations, and telephone calls would reveal Bob's signature contributions. The seventh child in a family of 12 knew from the beginning that his life would be that of bridge builder, connector, supporter of worthy causes.

Too young to enlist in WWII with his older brothers, he became the indispensable "right hand" for his father and role model for his younger siblings by doing the often thankless hard work—behind the counter in the family's luncheonette and variety store in Lowell, MA's 'ACRE,' the home of so many first generation Irish and other immigrants. To this day, his closest friend and partner, brother Jack, credits Bob's energy and hard work as the distinct factor that grew the family business from one small business to fried clam stands at Hampton Beach then on to restaurants, motels and hotels throughout New England, an evolution which led to the purchase of Boston's famous Parker House in 1968 and later became Omni Hotels International.

Bob's work in the business community had a significant impact on the Maine economy. In 1966 Bob successfully led the controversial campaign to allow restaurants, lounges and hotels to sell alcoholic beverages on Sunday which was prohibited by law. Another major contribution was the development of the Maine Mall.

During Bobby Kennedy's 1968 campaign for President, Bobby would personally call Bob each Sunday to hear how the campaign was going in Maine. In 1980, on behalf of Maine Governor Brennan, Bob asked Federal Judge George Mitchell to fill the senate seat of Edmund Muskie, newly appointed Secretary of State by President Carter. Mitchell accepted.

As an active father he helped raise his family in Cape Elizabeth. His favorite places were Prout's Neck walking the beach and the bird walk, boating around Casco Bay and riding his bike along the New England Coast. In 1965, he built a ski chalet in North Conway where his family and grandchildren spent winter weekends skiing Cranmore Mountain and snowmobiling. He also arranged many family ski trips to Vail at Thanksgiving.

But his pride and joy was the house he had built in Ballyferriter, Ireland with the most amazing view of ocean and cliffs. His purpose was to have new generations of family reconnect with Irish relatives. His school master and archeologist cousin, Denis O'Connor helped Bob select the perfect Irish name: Feorann: "edge of the sea, a verdant bank on a mountainside . . ." Over 35 years, Bob expanded that word's meaning to include: a bit of heaven to be shared with all! He generously opened his Irish home to family, countless friends—even friends of friends. He introduced Senators George Mitchell, Ted Kennedy, Patrick Leahy, and Chris Dodd to the expansive beauty and warm hospitality of the Dingle Peninsula. Bob believed as every Kerryman does, that there are only two kingdoms: The Kingdom of God and The Kingdom of Kerry; "One is of this world and one is out of this world!"

Robert J. 'Bob' Dunfey, Sr. was a trustee of the University of Maine System; a director of the American Ireland Funds; founder and honorary director of the Susan L. Curtis Foundation, which operates a 50-acre summer camp for Maine's underprivileged children. Bob was a founding director of the Maine Community Foundation. Bob served on the Spurwink Board of Trustees for 14 years, and was honored as the inaugural Humanitarian of the Year in 1987.

He was founding treasurer and director of New England Circle/Global Citizens Circle, a 40-year old non-profit forum that brings leaders and activists together for civil dialogue on critical issues that lead to constructive change in our local and global communities. Bob worked tirelessly to support initiatives in Northern Ireland and cultural preservation projects in the South of Ireland. For his extraordinary efforts over 40 years on the Isle of Ireland, he was honored with several major awards by all the Parties to the Peace Process as a trusted behind the scenes partner for all who were interested in moving beyond "The Troubles."

He was an advisor for the White House Conference for Trade and Investment in Northern Ireland. He participated with Sen. George Mitchell, President Clinton's Special Envoy for Economic Initiatives for Northern Ireland, on the Senator's first tour of Belfast, Derry, and Border Towns.

Bob and his brother, Jack Dunfey, traveled to Oslo with John Hume and David Trimble and their families when the two Northern Ireland leaders were awarded the Nobel Peace Prize in 1998.

Perhaps it is in the reflections of others that we see the worth of a life well lived. Julia Brown, Bob's granddaughter, offers such a reflection and two dear friends warmly affirm her tribute: "Our Papa leaves an amazing legacy as a humanitarian and activist. He touched so many lives and made such a memorable impact in this world. He will be immensely missed by his loving family and wide circle of friends." One of those dear and longtime friends, Jackie Redpath, Belfast Shankill Community Centre, who worked so closely alongside Bob, shares that sentiment: "Bob was a 'great man'. In Ireland, in Belfast, on the Shankill Falls, he straddled 'both sides' & both extremes & I am forever grateful for his, and your family's, bringing loyalism/unionism in from the cold and giving us a seat 'at the top table' in the United States. People are alive today, who would not otherwise be, on account of this. Bob was strong, sincere, determined, wise, sensitive and great damn fun. He was very kind to me and I will miss him.

It was his beloved Maine, however, that Bob served first and foremost, and the Susan Curtis Foundation expresses best, all that Bob Dunfey means to them: "It may comfort you to know that this summer, nearly 500 youth learned about themselves and who they can be, while developing the character, skills and life lessons they need to reach their dreams. Over 16,000 youth have had that same experience since Camp Susan Curtis opened its doors in 1974. None of this would have happened without Bob. He lives on in the thousands of Maine youth (and former Maine youth—now adults!) who are succeeding and thriving in part because they mattered at Camp Susan Curtis. He will forever be a part of us and we will miss him."

A celebration of Bob's life will be held at St. John's Episcopal Church, 100 Chapel Street, Portsmouth, NH at 11 A.M. Saturday, September 10, 2016. Honoring Bob's wish, his ashes will be interred in the family's ancestral grave in Ballyferriter, Ireland alongside his sister, Mary; brother, Walter; and nephew, Philip, at a time convenient to the family. The family requests that, in lieu of flowers, friends consider a contribution in Bob's memory to the Susan Curtis Foundation 1321 Washington Ave. #104, Portland, ME 04103.

TRIBUTE TO TIM MITCHELL

Mr. LEAHY. Madam President, if I can take a moment. I don't think people realize how many men and women on both sides of the aisle work so hard to make the Senate work, to keep things going. I've often said, only partially in jest, that U.S. Senators are merely constitutional impediments to the staff who do all the work. One of those people is Tim Mitchell.

I have been here from the day he began, 25 years ago tomorrow. I know his wonderful wife, Alicia, and his son, Ben, who is in my grandson's class. We see them playing sports together.

If I am ever feeling down about the prospects of the Red Sox, I simply ask Tim, and know the sun will come up tomorrow because Tim will point out we still have a chance because of this or that. I have also been at the White House with him when the Red Sox came to town with their World Series trophy.

More importantly, Tim is a true professional, and one of the most honest people I've known. If it is bad news, he will give you the bad news, but he is so nice, it is almost acceptable. I can always go to him because he will keep confidences if we ask him to. He understands the Senate, every single aspect of the Senate, as well as anybody I have ever worked with and I have been here 42 years. He is a person that everyone who works for the Senate should model themselves after. He works very well with his Republican counterparts, and has the respect of all Senators.

I don't want to embarrass Tim, but as the Dean of the Senate, the one who has served here the longest, I think it is safe for me to say that I know of no one finer. He is a wonderful person, and I commend him. I commend the sacrifices that Alicia and Ben have made, because there are some nights we are here very late. I know what it is like to miss a child's game, play or school event. Tim has had to do that. I would like to address this part to Alicia and to Ben. Ben, you should be extraordinarily proud of your father and Alicia. I know you love, respect and are proud of your husband.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, before he leaves the floor, I note the very fine statement of the dean of the Senate Democrats, and I would just like to say that I want to ascribe to Senator LEAHY's views and also be a charter member of the "Tim Mitchell caucus." What a great name to give his public service. I thank you, Senator LEAHY.

UNANIMOUS CONSENT REQUEST—
S. 2979

Mr. WYDEN. Madam President and colleagues, I come to the Senate floor

today to discuss S. 2979, the Presidential Tax Transparency Act. I am very pleased to see that my colleague on the Finance Committee who is such a valuable Member, Senator CARDIN, is here as well.

In America, nobody forces you to run for President. You volunteer to run for President, and this year we have had a bumper crop of volunteers. Since Watergate, there has been a bipartisan tradition honored by all candidates that they would release their tax returns. Every Democrat, every Republican, every liberal, every conservative has subscribed to honoring this particular tradition. Why is it so important? Tax returns say so much about a candidate for the world's most demanding job. Rather than the spin and deception that counts as messaging in a Presidential campaign, the tax returns are legally required to be an accounting in black and white of a candidate's honesty, integrity, and their personal priorities.

A return can show whether a nominee has intimate connections to powerful interests in foreign governments whose priorities run contrary to the interests of typical Americans. A return highlights important questions about integrity. Are you the person giving to charity or, as some have wondered, are you converting another donor's gift into your own? Are you using charities for personal gain?

A return shows if you pay any taxes at all or if you use the complexity of this Byzantine Tax Code to hide your income while working Americans have their taxes taken out of their paycheck.

Today—and I made it clear I am going to shortly try to get support for the Presidential Tax Transparency Act. Today honest taxpayers who dot every "i" and cross every "t" are faced with a major Presidential candidate who refuses to show even one single page of his tax return. This flouting of a tradition honored by every candidate since Watergate is just too dangerous to ignore.

So shortly I will ask unanimous consent that the Senate pass S. 2979, the Presidential Tax Transparency Act. It is a straightforward proposal. It says within just over 2 weeks of becoming a nominee, at a party convention nominees are required to release at least 3 years of tax returns. If they refuse, the Treasury Secretary provides the returns to the Federal Election Commission and they are put online automatically.

Since I introduced this bill in the spring, I was asked again and again what was behind my thinking. I remember talking to Senator CARDIN, my colleague on the Finance Committee, about it. I said at home, through town meetings, and to colleagues here: Oh, how I wish this bill was not necessary. I think certainly millions of Americans

say: Hey, there are lots of laws already. Why do we need more laws? I think we all could feel very proud of this 40-year, bipartisan voluntary tradition that all the candidates have honored. I have waited to bring this bill up in front of the Senate, until it was clear the tradition would not be honored this year.

I believe it is time for the United States Senate to act on S. 2979, the Presidential Tax Transparency Act, to protect honesty, accountability, and transparency in our Presidential election process.

Madam President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of S. 2979; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority whip.

Mr. CORNYN. Madam President, reserving the right to object—if my friend from Oregon wants to discuss transparency and bring the Presidential election to the floor of the U.S. Senate, I think the person we should start with is the former Secretary of State. She has had, to put it charitably, innumerable challenges on the topic of transparency.

Let's just look at one. All we need to do is look at the way she exposed some of our Nation's most highly classified information by setting up a private email server in her home. The ensuing investigation produced nothing but stonewalling, obfuscation, and misleading statements she made to the American public.

When FBI Director James Comey announced the agency was closing the investigation, his statements made clear that Hillary Clinton had not been telling the truth. She did send and she did receive classified information, again, at some of the various highest levels. Director Comey said she and her staff who aided and abetted her were "extremely careless in their handling of this highly sensitive information."

In response, I have introduced legislation with the junior Senator from Colorado, Senator GARDNER, to help hold her and her staff accountable. The bill is called the Trust Act and it would revoke the security clearance of any person found to have been extremely careless in the handling of classified information, and it would keep them from receiving a security clearance in the future. It would also clarify that when someone has been found by investigators to have been extremely careless in handling classified information, that is tantamount to gross negligence.

So I would ask the Senator from Oregon to modify his request so S. 2979 and S. 3135 be discharged from their respective committees and the Senate

proceed to their immediate consideration. I would ask unanimous consent that the bills be read a third time and passed and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. WYDEN. Reserving the right to object—

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Thank you, Madam President.

First of all, it is with great disappointment and regret that I note that Senate Republicans are willing to throw aside a 40-year tradition of honesty and openness in our Presidential elections by blocking the Presidential Tax Transparency Act.

With respect to their own proposal, I want to be clear on this point. The bill that I have authored, S. 2979, the Presidential Tax Transparency Act, affects all the candidates for President in an attempt to preserve the tradition of openness and accountability that is no longer being honored. The proposal offered by my colleague from Texas, on behalf of Senate Republicans, responds with a bill targeted at one candidate, a proposal that all our true national security experts have said would harm America's security. The briefing of our Presidential candidates is not just for their benefit, it is for the benefit of the American people so we have a smooth, democratic transition of power without risk to our national security.

This attempt to hide the violation of a tradition of openness and accountability behind a political witch hunt ought to tell Americans all they need to know about Senate Republicans at this point. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. CORNYN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Madam President, I join with Senator WYDEN in my deep disappointment that the Republicans have objected to the continuation of a policy that has voluntarily been done for 40 years; that is, those who are running for President of the United States release their tax returns. I want to underscore a couple of points that were made by Senator WYDEN. I thank him very much for his leadership on this issue.

I just came from a hearing at the Senate Foreign Relations Committee—where I have the privilege of being the ranking Democrat—on Afghanistan. A large part of that hearing dealt with transparency, good governance, corruption, and anti-corruption. That is a key fundamental for Afghans' success. This

morning I also had a chance to meet with the new leader of Burma. She has tremendous challenges in that emerging country. Transparency and anti-corruption are critically important to the success of that democracy.

When the United States stands internationally for good governance, anti-corruption, and transparency, we first have to deal with our issues at home. It is hard for us to demand transparency globally when we ourselves fall victim to the failure to make information available to the public that they desperately need. Let me tell you why that is important. This is not theoretical. The Panama Papers indicate that heads of state—current heads of state and former heads of state—have used ways to avoid public disclosure of the gains of their office, the connections they have had.

There is a reason why for 40 years we have seen the release of tax returns by those running for President. Before they vote, the public has a right to know about the potential conflicts that individual brings to the Office of the Presidency, the highest office in the land.

Senator WYDEN pointed out accurately that that tax return could very well show international contacts, international business, and offshore activity that the public has a right to have debated during the course of the campaign. It may show a Presidential candidate's use of the provisions within our Tax Code to pay a different tax rate or no taxes at all. The public has a right to know that before they cast their vote so they can ask questions about that. The tax return may show that certain statements made in regard to the use of charities are either appropriate or not appropriate. They have the right to debate that before they cast their vote.

Senator WYDEN's bill carries out current practice. I don't think anyone thought 6 months ago that someone would step forward to run for the Presidency of the United States and accept the nomination of a major political party without disclosing their tax returns. I don't think any of us thought that was at issue.

Senator WYDEN has been very patient with this bill. We have given all the Presidential candidates that opportunity. Secretary Clinton has disclosed her tax returns. Secretary Clinton has made available her emails through appropriate channels. That has been done. That transparency has been made. But there is a person running on the Republican side who has refused to disclose his tax returns. That is wrong. That denies the American people the transparency they need to judge the candidates and to engage in political discourse during the campaign, which is critically important to their decision as to who the next President of the United States should be.

I am extremely disappointed that there has been an objection to Senator WYDEN's request that we require those who want to be President of the United States—the highest office in this land, the highest office in the free world—to disclose their tax returns.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENTIAL TAX TRANSPARENCY ACT

Ms. WARREN. Madam President, I am on the floor today to talk about the Presidential Tax Transparency Act. It is a simple proposal that would require every Presidential candidate of a major party to release their tax returns. Hillary Clinton has already done it. In fact, every single general election candidate in the past nine elections has done it.

I will be honest. This is not the kind of legislation that I thought Congress would ever need to pass, but, like a lot of people, I never thought that someone like Donald Trump would be the nominee of a major political party. Donald Trump makes a big show, strutting around, pretending to be tough, but he is too chicken to show his tax returns to the American people. He has had a million excuses, but we all know why Donald Trump isn't releasing his taxes. He is hiding something.

For a long time I wasn't sure what he was hiding. But thanks to the tireless work of journalists and experts, we at least have some clues about what he is hiding. We don't know everything, but slowly some of his secrets are starting to leak to the public, and they are not pretty.

Let's start with the tax scams that we know about. Here are just three of them.

The first scam is claiming tax credits for homeowners who make less than \$500,000 a year. He wasn't eligible, so he lied—nothing fancy. Eventually, the press caught wind of it, and Trump paid up. And if he hadn't been caught, he would still be lying about it today.

Here is another Trump tax scam. Scoop up hundreds of millions of dollars in real estate developer subsidies, then skip out on paying any income taxes. In 1978, 1979, 1991, and 1993, Trump paid zero dollars in income taxes—zero, and that is not a comprehensive list of his zero-tax years. It is just the years when, for one reason or another, his tax returns were public.

Here is the third Trump tax scam. In this campaign, Trump claims the charitable deduction when he gives money

to his own foundation, and then he uses that foundation for personal expenses and campaign fundraising.

That is just the stuff we know about. So how bad are the things we don't know about? The American people should see Donald Trump's tax returns so they can decide for themselves if his shameful and, in some cases, illegal behavior disqualifies him from being President.

The tax scams are awful, but they are a sideshow compared to what else is probably tucked away in his tax returns. Those tax returns would show his personal deals with foreign governments, arrangements that could put him in direct conflict with American interests.

We already know about some of Trump's foreign dealings. We know he has gotten Russian oligarchs with close ties to Vladimir Putin to fund his businesses. Is he still doing that?

We know he has financial ties to political dynasties in Turkey. We know he is wrapped up in aggressive pipeline plans in North and East India.

The list of countries where Trump has financial conflicts is staggering: South Korea, India, Turkey, Libya, Russia, Ukraine, United Arab Emirates.

Remember the Libyan dictator Qadhafi. Back in 2009, Trump was set to lease his own estate to the dictator, but local protests shut that down. So who else has he been leasing his home to—Putin? I mean, maybe Trump's next business will be Airbnb for dictators.

Tax returns will not tell us everything, but we know that they will tell us something about what Trump is hiding. Donald Trump praises brutal dictators and murderers. He threatens our allies. He denigrates democracy right here at home. He is right out front with all of that stuff.

What is so bad that Donald Trump has to hide it? Would his tax returns show how deeply Donald Trump's personal, financial interests run directly counter to the national interests of the United States of America?

It is 8 weeks before a national election. Everyone wants Donald Trump to do what other candidates—Republican candidates and Democratic candidates—have done and disclose his financial information to the American people.

George W. Bush's IRS Commissioner has said: Trump should release his taxes, period.

The IRS Chief Counsel for Ronald Reagan has said the same thing: Trump should release his taxes, period.

TED CRUZ has released his taxes. John Kasich released his taxes. Jeb Bush released his taxes going all the way back to 1981.

Look, it is no surprise that Trump thinks the rules don't apply to him; he never does. But the American people

are not going to buy a pig in a poke. He should release his taxes voluntarily. But since he will not, then we should pass the Presidential Tax Transparency Act and make him release those taxes.

No one knows what he is up to with Russia, Libya, or any other country. Let's take a look at his taxes and find out.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MINERS PROTECTION ACT

Mr. BROWN. Madam President, yesterday I joined Senator MANCHIN, Senator WARNER, Senator CAPITO, and others about the mine workers' pension. I come to the floor again today as I just cannot believe that my colleagues are going to go home. Some wanted to go today and make this the last day of session. Others are saying next week.

I think there is no excuse for this Senate to leave without taking care of the longtime—starting with Harry Truman—agreement we have made with the people who go down into coal mines and do their work. They powered this country and have for decades. It is one of the most difficult, least safe jobs in the country.

On my lapel I wear a depiction of a canary in a bird cage that was given to me at a workers' Memorial Day rally. The mine workers stuck a canary down in the mines. One hundred years ago they had no union to protect them. They had no government that cared enough to protect them and their safety. They relied on this canary. If the canary died, they got out of the mines. They were on their own.

We know this proud history of mine workers in Ohio, West Virginia, Kentucky, Western Pennsylvania, and Southwest Virginia. We have an obligation—the anti-labor sentiment in this body, particularly in Republican leadership—to these mine workers. When they negotiated their wages at the bargaining table, they gave up wages 20 years ago, 30 years ago, or 40 years ago. They gave up wages then so they would have pension and health care later. They were some of the most patriotic people—and have been.

When we had our rally the other day outside of the Capitol to at least push Senator MCCONNELL to do his job, to push this Senate to do its job. This is a Senate that has been out of session more than any Senate in the last 60 years. They simply don't want to do their job. Even forgetting about nomi-

nating, confirming, or at least having hearings on a Supreme Court nominee, forgetting about the Zika virus for a moment—this Senate simply isn't doing its job, and it starts down the hall in the majority leader's office.

They are simply refusing to bring to a vote this very simple bill to protect miners' pensions and health care. It doesn't cost taxpayer dollars. It is moving money from the abandoned mine fund into this UMWA pension and health care fund.

It is a betrayal of those workers. It is simply saying we don't care about those workers. I can't believe that this body doesn't seem to care much about workers, doesn't seem to care much about people who work with their hands, doesn't seem to care much about the safety of workers, doesn't seem to care much about the air they breathe and the conditions they work in.

This is finally a chance for this body to go on record saying: Yes, we actually think mine workers have dedicated their lives to working some of the most difficult jobs in our country, and we should live up to our obligation. Other than that, it is a betrayal of those workers, and it is coming straight out of the majority leader's office.

It is shameful that this Senate is thinking about going home without doing its work. I again ask the leader to schedule this bill so we can move forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

OBAMACARE

Mr. BARRASSO. Mr. President, as you hear in Montana and I hear in Wyoming weekend after weekend as we go home and we travel our States over the summertime, we are hearing from more people and seeing more articles in the newspaper about how the Obama health care law is falling apart. Every Member of this body—every Member of this body—probably hears the same stories I hear and have heard again today visiting with people from Wyoming—stories from people who can no longer afford their health care premiums, their health care coverage, the copays, the deductibles, and all of the things that have happened because of the Obama health care law.

I think it is interesting to reflect on that new survey done by the Gallup organization, a well-known pollster from

around the country with a long history. They released numbers last week about what people are seeing around the country with regard to ObamaCare—the things we have been hearing at home every weekend.

The first thing we found is that more Americans disapprove of ObamaCare than approve of it. Now, it is interesting because the Senate minority leader, HARRY REID, was on the floor yesterday saying repeatedly: Isn't ObamaCare great? Well, I would say to my friend and colleague from Nevada: No, as a matter of fact, more Americans disapprove—thumbs down—of the Obama health care law than people who approve.

That is not what was supposed to happen—oh no. When the now minority leader—then the majority leader—came to the floor a number of years ago with a bill that was written behind closed doors in his office, when they forced this through the House and the Senate, they said it would be great. Senator SCHUMER, who may likely become the new leader of the Democrats in a new Senate after the minority leader retires, predicted from the floor—right over there—that the law was going to be much more popular as time went on. He said: “When people see what is in the bill, and when people see what it does, they will come around.”

Well, it has now been 6 years. People have seen what is in the bill. Remember NANCY PELOSI saying: First you have to pass it before you get to find out what is in it. People have seen what is in it. They have not come around. People disapprove of the President's health care law—thumbs down—by 51 percent.

It is interesting that the numbers have actually gotten worse, in spite of what the Senate minority leader said yesterday repeatedly, when he said: Isn't ObamaCare great? So 4 years ago, when Gallup asked the same question, the numbers were actually only 45 percent. Now it is 51 percent who disapprove. So it is actually heading backwards. ObamaCare is becoming more unpopular as time goes on and as people see that it has actually hurt them personally. Yes, that is what I said: It hurt them personally. The President's signature law is hurting them personally.

Let's take a look. How many people tell others the Obama health care law has hurt them personally—they and their families? A record number say that ObamaCare hurt their family—29 percent. Have people been helped by the health care law? Yes, but only 18 percent of people say they were helped by the health care law.

What I hear repeatedly in Wyoming—and I assume the Presiding Officer hears in Montana—is that the President should not have had to hurt this many Americans to help people who

didn't have insurance. Why should they have hurt people who had insurance to help those who didn't? That is why this law continues to be so unpopular. It is a record number. It is not what the President or the Democrats said would happen with the health care law.

What does the President say about the law? He says: Forcefully defend and be proud. I think that is why we saw the minority leader on the floor yesterday saying: Isn't ObamaCare great? The minority party whip came to the floor on Tuesday, and he said the major aspects of the law are working. That is what he said. This doesn't look like a law that is working to me. More Americans have been hurt by the law than have been helped.

The Senator from Illinois said that the major parts of the law, the major aspects of the law are working. Well, what are the major aspects? Premiums, what people have to pay—but premiums are going through the roof. In Senator DURBIN's home State of Illinois, the average person in an ObamaCare exchange is going to be paying 45 percent more next year than this year. That is when they select their plans—November 1. When they go to the exchange to see what is available, they are going to find it 45 percent more expensive than this year. So it doesn't seem like the fundamental parts of the law are working.

Why did the rates go up? It is because of ObamaCare and the mandates that come from a Washington that decides it knows what is better for the people than they know themselves. They have to buy insurance the President says they have to buy, not what they think might work best for them or their families. That is why record numbers say ObamaCare has hurt their family. They can't buy what they want. They are paying a price that is too high. The deductibles are too high. The copays are too high. So we hear the stories of what is happening with ObamaCare.

There was one other question in this poll that I would like to point to. They asked all these American families about ObamaCare. They asked: In the long run—in the long run—how do you think the health care law will affect your family's health care situation? Will it make it better for your family, as the Democrats promised? Will it have no affect? Or will it actually make things worse for you and your family? Over one-third of Americans—36 percent—say the health care law will make health care for them and for their family worse. Less than one in four say it will make it better. So more say ObamaCare will make their family's health care situation worse.

Now, that is an overwhelming margin. It is even a higher margin than last year. So as people see the impact of the health care law, as they see the impact on themselves and on their families, they are looking at this and

saying: Things are going to continue to get worse because premiums have continued to go up, copays have continued to go up, deductibles have been continuing to go up, and the options are fewer and fewer.

What does the administration say about that? Well, the Secretary of Health and Human Services, Sylvia Burwell, wrote an op-ed that appeared in CNN 6 days ago. It was entitled: “The reality of the health insurance marketplace.” That is what they called it: “The reality of the health insurance marketplace.” She said that all these higher prices people are experiencing around the country—the reason people are saying it is worse for them and their family and that they have been hurt by the health care law—are “growing pains.” That is what she said—“growing pains.”

Well, as a doctor who practiced medicine for 25 years, I can tell you that growing pains generally happen when something is growing. But that is not what is happening here. What is actually happening here is that ObamaCare is shrinking. The ObamaCare exchanges are shrinking. Millions of Americans will have fewer choices this year when they go to the ObamaCare exchanges than they had to buy insurance last year. In about one out of every three counties in America, people are going to be limited to only one single ObamaCare coverage choice in 2017.

In her op-ed, the Secretary talked about the “health insurance marketplace.” When there is only one company selling insurance to one-third of the country, that is not a marketplace, that is a monopoly. That is why so many people say that they and their families have been personally hurt by the law and they believe it is going to make things worse for their families.

This Democrats' health care law is turning the country into an ObamaCare wasteland—a wasteland without choices and without opportunities to make decisions about what is best for you and your family. That is why the American people are so worried about the future of their health care and why there has been an incredible spike in the number of people who think that in the future, their health care will get worse.

People look at these unsustainable price increases and they say: What am I going to do? They can't afford the insurance now. Maybe they can make it through this year. What about next year?

People want and need relief because even if you are down to one choice, even if there is a monopoly and you are down to one choice, you have to buy it because if you don't, President Obama and the Democrats say “You must pay a fine. You must pay a penalty. You must pay a tax” even though you have no choice. That is the Democrats' plan

for health care—fine and penalize and tax them, but we are not going to give them any choice. There is no marketplace; there is a monopoly.

People want and deserve relief, and Republicans are offering that kind of relief. We are offering relief by saying: If you live in one of those counties that have no choices, the penalties, mandates, and fines should not apply to you.

The Democrats say: Pay up anyway.

If you live in a location where the premiums have gone up over 10 percent, the Republicans say: You deserve relief from what President Obama and the Democrats have forced upon you.

The Democrats say: Tough. Pay up anyway. Pay the fine. Pay the penalty. Pay the tax.

The American people deserve relief. People around the country are frightened by what they are seeing. They are frightened by what is happening with the health care law and the impacts, and they can see it getting worse and worse.

This didn't have to happen. It didn't have to happen. When the President wrote this law and had HARRY REID's office behind closed doors—had it written over in that area, ignoring the pleas of the Republicans, ignoring the pleas of the American people, who said "Do not do this to us," the Democrats and the President said they know better than all of us.

They said: If you like your doctor, you can keep your doctor. That turned out not to be true.

They said: If you like your health care plan, you can keep your health care plan. That turned out not to be true.

Premiums will drop by \$2,500, they said, and that was per year. That turned out not to be true.

This health care law has been very damaging to so many Americans. There are people who need help, but the Democrats should not have hurt so many Americans who had insurance, who had something that worked for them, who had something they could afford, in an effort to help others who didn't have insurance. That is why people are desperately asking for relief from a one-size-fits-all approach with Washington mandates, with unelected, unaccountable bureaucrats forcing more regulations on hospitals, on doctors, on nurses, and on nursing homes across the board. That is why the American people say the health care law is going to make things even worse.

It is very distressing to hear a Democratic Senator come to the floor and say "Isn't ObamaCare great?" because the American people know it is not. They know they have been hurt, they have been harmed, they have been taxed, they have been penalized, and they have been forced to pay more. They have lost options, lost choices,

and lost opportunities because of this law and this administration and the way this was passed—without listening to people from both sides.

I think it is time for the Democrats to stop trying to spin this destructive law. It is time for them to work with Republicans to give the American people what they wanted from the beginning. They wanted the care they need from a doctor they chose at lower costs, not a health care law that so many Americans believe is going to continue to make health care in this country worse.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes for debate, equally divided in the usual form.

The Senator from New Jersey.

RUSSIA

Mr. MENENDEZ. Mr. President, I rise to take a stand against Russia's attempts to tamper with the American Presidential electoral process and to create chaos in our elections and, at the end of the day, to undermine the integrity of the results of our election to serve its own purposes.

I remind my colleagues that in 2012, I was the victim of such election tampering attempts. The Washington Post reported that while I was running for reelection and preparing to become chairman of the Senate Foreign Relations Committee, the CIA had credible evidence, including Internet protocol addresses, linking Cuban agents to planted stories in the United States and in Latin American publications.

It was reported that those connections were laid out in intelligence reports provided to U.S. Government officials and sent by secure cables to the FBI's Counterintelligence Division. Despite all of our government's capabilities, they supposedly could not find who was behind the smear. Maybe our government didn't want to rock the

boat as they were prepared to establish relations with Cuba, but you would think that our government would do everything possible against a foreign government that was trying to upset the election of a sitting Senator to affect U.S. policy.

Let's be clear. In this new digital world of open and accessible personal information available to anyone who has the technical savvy to find it and use it for nefarious purposes, the election of anyone in this Chamber is at risk.

We need to take a stand in this election cycle. We need the administration to come forward and tell us what they know about Vladimir Putin's efforts to influence our Presidential election. We need to know what Putin knows, and we must find out exactly who is behind it, what they have, and what their purpose is.

It is certainly more than my experience and more than the Republican nominee's deplorable admiration for dictators and strongmen. It is about protecting the American political process from outside interference and influence.

Let's be very clear. I know, from my experience that we cannot underestimate the tradecraft of seasoned operatives like Vladimir Putin. We certainly cannot be naive enough to praise them for perceived strength and conflate it with the ruthless abuse of power. There is a difference between thuggery and strength.

Let's be clear. Neither the Cuban Government, which attempted to smear me, nor Putin is in any way a friend of the United States. In Putin's case, he is, as my colleague from Arizona—who, like me, was sanctioned by Putin—has publicly called him, "a thug and a butcher." He is, in fact, a dictator who has been connected to the brutal deaths of his enemies and now has shown a willingness to use cyber warfare to undermine our democratic process. He clearly is attempting to shake the bedrock integrity of our political system, as Cuban intelligence tried to undermine the integrity of my last election in an effort to prevent me from becoming chairman of the Senate Foreign Relations Committee.

From my perspective, the purpose is not only to undermine credibility and faith but to create a result that would benefit Russia. These actions are beyond the scope of any acceptable international norm and cannot be tolerated. With a laptop, a computer code, and a KGB penchant to rebuild the Russian Empire, wage Cold War 2.0, and use every technological tool to tip the geopolitical balance in Russia's favor, we cannot in any way praise Putin or anyone else who attempts to influence our election process for their leadership.

We have seen the manifestation of Putin's methods in the latest cyber attack on the Democratic National Committee and in a long list of egregious

conventional interventions, from the annexation of Crimea to the orchestrating of supposed-Russian separatists who shot down Malaysia Airlines Flight 17 over Ukraine, his invasion of eastern Ukraine through the use of irregular Russian forces, now his troops amassing along the Ukraine border, and his invasion of Georgia not long ago. You can see it in his efforts to undermine sovereign Baltic countries through broadcasting and cyber efforts against those governments.

We have seen it in his military and political maneuverings to maintain control of his naval base in the port city of Tartus in Syria by intervening, with Assad, in the Syrian civil war. In Syria, Putin has stepped up his support for his friend and dictator Bashar al-Assad.

While its own citizens are suffering severe economic hardships, and while innocent Syrian civilians continue to suffer under the barrel bombs and military campaigns of Assad, Putin continues to provide military and tactical support to this murderous regime, attacking schools and hospitals with cluster munitions and incendiary attacks. Further ignoring the basic rights of all people, as Russia sells weapons system to Assad, it refuses to grant asylum or basic humanitarian support to Syrian refugees, who are directly suffering under Russia's continued involvement in their country.

I remind my colleagues that Putin is no friend to the United States. His brand of leadership is to be condemned in no uncertain terms and should be denounced in this Chamber and by all responsible American Presidential candidates.

He is not a strong leader. He is a ruthless dictator who clearly knows his tradecraft and has not only hacked into the Democratic National Committee's computer files but has capitalized on whatever business ties Paul Manafort has or had to Russia to woo—seemingly, in effect—an American Presidential candidate who respects strongmen and bravado and effectively recruit him.

There is no room in this Chamber or in the American political landscape for the support of Putin's actions or leadership. This former KGB agent has a clear purpose in mind. He is engaged in a Soviet Cold War style brand of dictatorial actions, including state-sponsored surveillance, censorship, and repression.

Just look at the record. Human rights groups continue to report that in 2015, the Kremlin's crackdown on civil society, media, and the Internet took a sinister turn as the government further intensified harassment and persecution of independent critics. Putin's thugs routinely harass anyone and everyone who dares to question Putin's authority.

Earlier this year, a vocal critic was shot dead in front of the Kremlin. Ac-

cording to reports from rights groups, last week Russian police harassed, beat, and threatened environmental activists, and Russian state TV published a smear campaign against these environmentalists, calling them American spies. The real spying—the dangerous activity—comes from Russia itself.

It was July when Russian hackers broke into the email servers of the Democratic National Committee—a clear and blatant attempt to interfere in our domestic political process. We know that Russian actors released tens of thousands of emails with the intention of undermining the Democratic nominee for President, while, amazingly, the Republican nominee seems to encourage it. He encouraged an international adversary—someone he clearly admires for his supposed strength—to hack into the emails in the account of a former American Secretary of State.

This is not normal political campaign behavior. In my view, it is treasonous, and there are no excuses for it. There is no defending it. There is no reasonable explanation or defending it. Every one of my colleagues in this Chamber should condemn it.

Encouraging hacking and government surveillance reeks of authoritarianism that has no place in our democratic society and threatens each and every one of us. It is outrageous that anyone would invite a foreign leader of an adversarial country to undermine or threaten any American, let alone a former Secretary of State and Presidential candidate.

Putin clearly prefers a candidate who is willing to cozy up to dictators, who lavishes praise on the leadership styles of dictators like Saddam Hussein. Someone aspiring to be Commander in Chief, who praises the behavior of leaders who murder their own citizens, jail journalists who dare to question their activities, or consistently take actions to isolate themselves from the international community, in my view, has no business seeking higher office.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MENENDEZ. I ask unanimous consent for one additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Any praise of Putin for any reason, a Cold War warrior who continues to upend international stability and order, seeking to expand his rule and control, holds false Duma elections in Crimea, stages war games on Crimea's shores—simulating an invasion—clearly must raise a red flag to every American voter.

We must respond to Russia's continued muscle flexing and provocation. I call on the administration for forceful and appropriate responses to Russia's nefarious and calculated involvement in our elections. It is attacking the

U.S. political system in a Putin-led cold war 2.0, and it is clear this old KGB spy has no boundaries.

Let's not let ourselves be recruited by him or confuse strength with ruthlessness, as some have. It is my hope that every one of my colleagues will in no uncertain terms condemn any attempt by any nation to influence any American election as well as Russian interventionism and Putin's actions around the world.

With that, I yield the floor.

Mrs. FEINSTEIN. Mr. President, today I wish to support Ms. Susan Gibson to serve as the next inspector general of the National Reconnaissance Office, NRO, the first to be confirmed by the U.S. Senate.

In 2013, the Senate Select Committee on Intelligence, which I chaired at the time, included in its Intelligence Authorization Act a provision to require Senate confirmation of the inspectors general for the National Reconnaissance Office and the National Security Agency. Ms. Gibson represents the first nominee to be considered by the Senate for the NRO position.

I had the pleasure to meet Ms. Gibson earlier this year, prior to the Senate Intelligence Committee's open hearing which took place on June 7, 2016, to consider her nomination. I personally appreciated our frank discussion for it demonstrated Ms. Gibson's understanding of the role of the inspector general and the need for principled, objective, and effective oversight of every aspect of the NRO.

With this confirmation, it will be Ms. Gibson's job to ensure that the NRO remains free of waste, fraud, and mismanagement, while supporting efforts to drive the organization toward more efficient and effective operations. I believe that Ms. Gibson possesses the extensive experience and background necessary to carry out this mission.

It is also important that Ms. Gibson recognizes her responsibility to keep the appropriate Members of Congress fully and currently informed about the concerns she may identify at the NRO.

I do not want to sugarcoat it, but this is big job. It is a big job, in part, due to NRO's size and the complexity of its mission. Ms. Gibson will be required to dig deep into some very technical and complicated programs, including some of the most classified and expensive programs.

But it is also a big job because it comes with the extra responsibility of conducting oversight of an organization in which most activities are conducted in secret. The duty to the American public cannot be overstated.

The Senate Select Committee on Intelligence on which I currently serve as vice chairman is charged with ensuring the intelligence community operates in a manner that is legal, efficient, and abides by the values of the American people. The committee requires effective and independent inspectors general to support us in this task. It is my

expectation that Ms. Gibson will make full use of the authorities provided to her as an inspector general.

So, again, congratulations on Ms. Gibson's well-deserved confirmation to this important position, and I want to thank her again on her continued service to the country.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, my understanding is that we have 7 minutes left on the Republican side, and I ask unanimous consent to use those 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEROIN AND PRESCRIPTION DRUG EPIDEMIC

Mr. PORTMAN. Mr. President, I rise today to talk about this epidemic of heroin, prescription drugs, and now fentanyl and other synthetic heroin. It is devastating our communities. My home State of Ohio, unfortunately, is one of those States that has seen the tragedy of this epidemic unfold. The grip of this addiction has affected every single State in this Chamber, though. People are talking about it more and more in this Chamber because it is affecting every one of us, every community. It knows no ZIP Code. It is in the rural areas, in the suburban areas, and the inner city. No community is safe from it.

Yesterday, I had a coffee—which I do once a week—our Buckeye Coffee, and I had a woman come up to me at the coffee whose name is Sheila. Sheila told me about her son and her daughter-in-law. They had overdosed. They were unconscious. Luckily, she had Narcan—this miracle drug. It is a brand name of naloxone. She was able to bring them back to life.

She then started a group that is all over our State now, which is called Families of Addicts. They are in five different counties. They are focused on the hope of treatment and recovery, but they are also focused on—when Narcan is administered—going to people, intervening with people, getting them into treatment, longer term recovery, and helping them save lives. I so appreciate her and so appreciate these other parents like her who are ensuring that, yes, we save people's lives with Narcan, which is so important, but we also ensure that we are getting people into the treatment they need so they can get back to a productive life and back to their families.

This Chamber passed legislation called the Comprehensive Addiction and Recovery Act, or CARA, earlier this summer. That legislation is now being implemented by the administration. I hope they accelerate that implementation. They must because the epidemic is so urgent, but, unfortunately, that legislation, which was written over the last 3½ years, doesn't address one specific issue that I think must be addressed now in the context of what is

happening in my State of Ohio and around the country, because it is not just prescription drugs and not just heroin. Increasingly, it is this synthetic heroin called fentanyl or carfentanil and sometimes U-4. This is poison and it is getting into our communities. It is much more powerful than heroin. Ingesting just a few flakes of it can kill a human being.

We have seen huge spikes in overdoses in Ohio over the last couple of months. In my hometown of Cincinnati, we had 174 overdoses in the space of 6 days. Miraculously, most people were saved by Narcan but sometimes having to be administered four or five or six times. The authorities knew it wasn't just heroin, and sure enough, we were able to get a sample of carfentanil to them thinking that might be the problem. They tested it, and sure enough, many of these overdoses were caused by this synthetic heroin which is 100 times stronger than heroin in some cases. By the way, it is a large animal tranquilizer used for elephants in zoos. Yet these traffickers and pushers are using this drug and not just causing overdoses but causing overdose deaths.

We need new legislation. Last week, we introduced legislation in this Chamber to be able to stop this fentanyl, carfentanil, U-4, and these other synthetic drugs from coming into our communities.

What we were told by the authorities is, the drugs come in by way of the mail system primarily from China and sometimes India. There are chemists in sophisticated laboratories in these countries sending this poison into our community. All we are asking for in our legislation is let's ensure that packages coming from those countries have the information provided so we know where they are coming from, where they are going, and what the contents are. Unbelievably, that is not required now. FedEx, UPS, and other private carriers require it, but our mail system, including our U.S. mail system, does not require it. Talking to law enforcement, including Customs and Border Protection, DEA folks, and the people who are in the trenches dealing with this issue, all agree this legislation makes sense so we can try to stop some of this poison from coming into our communities.

I have been on this floor every single week since our legislation came up back on March 10. I have been talking about the importance of getting legislation passed, and that has now happened. I have been talking about the importance of implementing it quickly, and that is now happening. The Comprehensive Addiction Recovery Act was supported by an amazing 92-to-2 vote in this Chamber because every State is affected.

I believe we need to do even more with regard to the specific issue of

these synthetic drugs coming into our country through the mail system. I ask my colleagues to support it—with 92 of us supporting that legislation—and please look at this legislation. Let's support it, get it to the floor, get it to a vote, and let's begin saving more lives as we have to deal with this new wave of synthetic heroin coming into our communities.

I yield back my time.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Gibson nomination?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted "yea".

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Virginia (Mr. KAINE), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote yea.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 142 Ex.]

YEAS—93

Alexander	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Graham	Portman
Booker	Grassley	Reed
Boozman	Hatch	Reid
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Cantwell	Heller	Rounds
Capito	Hirono	Rubio
Cardin	Hoeven	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	King	Scott
Coats	Kirk	Sessions
Cochran	Klobuchar	Shaheen
Collins	Lankford	Shelby
Coons	Leahy	Stabenow
Corker	Lee	Sullivan
Cornyn	Manchin	Tester
Cotton	Markey	Thune
Crapo	McCain	Tillis
Cruz	McCaskill	Toomey
Daines	McConnell	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Enzi	Mikulski	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Wyden

NOT VOTING—7

Ayotte	Kaine	Vitter
Boxer	Moran	
Johnson	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Alaska.

REMEMBERING THE VENERABLE
NORMAN H.V. ELLIOTT

Ms. MURKOWSKI. Mr. President, it seems I am coming to the floor of the Senate on an increasingly frequent basis to honor the pioneering men and women who arrived in the State of Alaska prior to statehood who truly have left a lasting impression on the history of the 49th State.

Today I rise to remember the Venerable Norman H.V. Elliott. Father Elliott was an Episcopal clergyman who arrived in Alaska in 1951. He was truly a profound spiritual force in Alaska from the day he arrived in our State until his death on Friday, September 9 of this year. Father Elliott passed at the age of 97. To say he lived his life to the fullest would be a huge understatement.

Father Elliott lived a life as big as the State of Alaska. As we reflect upon that life, it would be no overstatement to characterize Norman Elliott as a true Alaskan icon.

Father Elliott was born in England. He moved to Detroit, MI, when he was 4 years old, and according to the stories, he decided very early on, about middle-school age, that he wanted to enter the ministry.

That future was somewhat interrupted by World War II. Father Elliott was drawn to military service, and after considering the possibility of joining a Canadian Forces battalion in neighboring Windsor, Ontario, he chose the U.S. Army instead. He was assigned to a new experimental light infantry division which was patterned after a German light division. After training in the swamps of Louisiana and California's mountains, he was deployed to Europe. Initially deployed to France, he fought in Luxembourg and Germany.

I had an opportunity to come to know Father Elliott very well over the years. Several years back, he agreed to sit for an interview as part of our Veterans Spotlight series. This is an oral history project I sponsored to capture the stories of Alaskan veterans. We worked in conjunction with the Vet-

erans History Project at the Library of Congress. In that interview, Father Elliott talked about the realities of the war. He said:

I remember good times. I remember bad times. I remember times where I barely escaped by the skin of my teeth. You never forget. I remember, and there are things I wish I had done or didn't do. I hope that as a whole, Alaskans remember what we did, because as a Nation, we are losing our remembrance of World War II.

Well, Father Elliott never let us forget our veterans, whether it was our veterans who fought honorably in World War II or the returning men and women who are coming back from Iraq and Afghanistan.

Father Elliott's history after the war took him to Alaska. He attended Virginia Theological Seminary. He intended to serve as a missionary in India. There wasn't a slot available there for him, but there was one in Alaska. Father Elliott ended up in Alaska. His first stop was at St. Mark's Episcopal Mission in Nenana, a church and boarding home for Native children. Then he went to St. Barnabas's Mission in Minto and St. Stephen's Mission in Fort Yukon. Over time, his responsibilities expanded to missions throughout the Gwich'in communities on the Upper Yukon—communities such as Eagle, Circle, Chalkyitsik, Arctic Village, Venetie, Beaver, and Stevens Village. To cover this very large territory, Father Elliott would often travel by dogsled. He became a pilot and flew his own aircraft. I think he called his yellow plane the "Drunken Canary."

Father Elliott was truly "as unique as Alaska itself," in the words of one of his parishioners.

His duties in the villages were hardly romantic. Father Elliott was forced to confront the dual scourge of alcohol abuse and suicide and the loss of faith that comes along with despair. As a member of a joint Federal-State Commission on Alaska Natives in the 1990s, he encouraged a shift in government policies toward Native people. Instead of the government doing for Native people and doing things perhaps poorly, he believed the Native people themselves needed to be heard. He was an incredible advocate in so many ways.

He was more than your village priest, though. In various villages, Father Elliott would come in and do whatever task was needed.

In an article in our local newspaper, the Alaska Dispatch, just a couple of days ago, it was reported this way:

[Father] Elliott did every kind of task—he was a policeman, a tax collector, a schoolteacher, a delivery person and a messenger. When he arrived in one village to do church services, he first vaccinated everyone for typhoid. He usually carried penicillin in his sled bag, giving anyone who needed it an injection in the rump, including any sick dogs in his team.

Now, that is an individual who cared for everyone in whatever the capacity.

After being in the remote interior of the State, Father Elliott's next assignments were in relatively urban corners of Alaska. In 1958, Father Elliott moved to Southeast Alaska where he served at St. John's Church in Ketchikan. In 1962, he settled in as rector at All Saints Episcopal Church, a beautiful church in downtown Anchorage. Father Elliott officially retired in 1990 when he reached the age of 70 in accordance with the church rules.

That might be the end of the story there, but it is hardly the story for Father Elliott. Two years after his retirement, All Saints needed a replacement priest, and he came out of retirement to serve as something called a priest in charge and continued to serve until earlier this year.

Father Elliott was one of those who was everywhere. He was at every social gathering. He was at every wedding, every funeral, baptisms, everything in between. He would visit those in the hospital. At times he would stay all night. He had this uncanny sense of knowing when they were in the hospital because he was very often the first one to visit.

Father Elliott ended up in the hospital earlier this year. He was down with pneumonia. It was a bit ironic. I went to visit him. He was really pretty grumpy. He was grumpy because he knew the hospital in and out, but he didn't like being the one who was confined in the bed. He was grumpy because he had places to go and people to see. As I recall, he had a funeral to go to and a wedding to go to, and when he got out of the hospital, he resumed that active schedule.

I have remarked often that Father Elliott lived every day to its fullest, from the time he woke up in the morning until the time he went to bed at night, and his is a life well lived.

Last week, Father Elliott passed away, and that, I am afraid, is the end of his story—at least the end of the story as we know it here on this Earth. Father Elliott served his church, his Nation, and his community with great distinction, and his was indeed a life that was well lived.

I have so many wonderful memories of my friend Father Norman Elliott, and that will sustain me, but I cannot help but observe that with Father Elliott's passing, another of Alaska's great and mighty trees has fallen.

I will be in Alaska this weekend and on Monday will have an opportunity to join with Alaskans from around the State in paying a tribute to a man who truly lived a life of service to others, who truly cared in a way that goes almost beyond description. I stand with my colleagues and ask that we join in prayers for Father Elliott and the family of truly a great Alaskan.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Texas.

Mr. CORNYN. Mr. President, I wasn't expecting to be on the floor when the Senator from Alaska was talking about Father Elliott. What a great story, and what a great life he lived. I am glad I happened to be here and had a chance to listen.

SENATE ACCOMPLISHMENTS

Mr. CORNYN. Just a few moments ago, the Senate passed a piece of legislation that some might ask: Well, what is the big deal? The Water Resources Development Act—what we call around here WRDA by the acronym—this bill is enormously important for States like North Dakota, places like Texas that have experienced flooding, in particular, but this bill will help us maintain and expand our infrastructure related to our most precious natural resource, and that is water.

Like I said, that might sound a little boring, not particularly interesting, but it actually has a lot of relevance to every American. Like I said last week, this legislation includes provisions that will help my constituents in Texas in a number of ways, from drought and flood protection to carving out deeper ports to enhance our ability to do international trade, but the passage of this bill serves as another example of what can happen when the Senate is actually working the way it is supposed to.

I am not going to suggest to you that just because the 2014 election gave Republicans the majority in the U.S. Senate that automatically made it possible for the Senate to begin functioning again, but the fact is, leadership does make a difference. I know it was absolutely key to Majority Leader MCCONNELL's agenda that we would actually work in the committees to build consensus on legislation, and then they would come to the floor and people would have an opportunity to offer amendments and other constructive suggestions and we would work until we built that consensus and accomplished our goal of passing legislation.

It is worth reminding our colleagues that the Senate, under Senator MCCONNELL's leadership, passed the first bicameral budget that we have passed since 2009 and the first balanced budget since 2001. Under a Republican-led Senate, all 12 appropriations bills were approved by their respective subcommittees and by the Appropriations Committee itself. As the Presiding Officer knows, the only way that happens is for the chair and the ranking member of the appropriate Appropriations subcommittee to work together on a bipartisan basis and then work with colleagues on the whole Appropriations Committee to come up with legislation they will support or that an overwhelming majority—in some cases unanimously—of the committee supports.

This is the first time since 2009 that we have actually seen all 12 appropriations bills approved by the subcommittees and then by the entire Appropriations Committee. That is the good news.

The bad news is, our Democratic colleagues wouldn't let us proceed with actually voting on those appropriations bills to get them done one at a time, in a transparent sort of way, where we would be held accountable for what we did, and it would be open to the American people to see exactly what we were doing.

The reason we are talking about a continuing resolution this week and next is because of the filibuster of the appropriations process. It didn't have to be that way. In fact, we were on track to funding the government the way we were supposed to, bill by bill. In spite of the filibuster on the appropriations bill, we have been able to find consensus on a number of other important pieces of legislation. This is legislation that will help American families, strengthen our economy, and help keep the American people secure. Importantly, these were bills that furthered what I believe to be the appropriate philosophy of the government; that is, Washington does not always know best, and that power needs to be devolved from the Federal Government in Washington back down to the States and back down to individual citizens.

For example, we passed the first major education reform bill since No Child Left Behind, a piece of legislation called the Every Student Succeeds Act. This bill does exactly what I just described. Under the chairmanship and the leadership of Senator ALEXANDER and Ranking Member MURRAY, what this legislation did was it transferred more power with regard to public education, K-12, from Washington back to the States and back to parents and teachers—people who actually understand best what the educational needs of their students are and how to make sure they achieve their potential.

We also passed the first multiyear highway bill since 2005. Why is that important? Well, if you come from a fast-growing State like mine, a big State, the quality of highways and bridges are pretty darn important—not only important to public safety, they are important to the environment and they are important for the economy. But this is the first time we passed a multiyear highway bill since 2005. As I said, this legislation will help us maintain and build our infrastructure so we can keep up with economic and population growth and make the most of it. It will also provide certainty to our States and communities so they can actually plan for the future. As long as we were passing 6-month or yearlong Transportation bills, there was no way they could do long-term planning,

which is more efficient and more cost-effective.

We also have done other important things. We passed trade promotion authority—working with the President—that defines the parameters of what Congress and the White House would agree to when it comes to trade agreements. I know “trade” has kind of become a little bit of a dirty word lately in Presidential politics, but I can tell you, in my State we see the benefits of our international trading ability every day. Six million jobs depend on binational trade with Mexico alone, and NAFTA, the North American Free Trade Agreement, which basically tied together Canada, Mexico, and the United States, has been seen as a very positive move and has created a lot of jobs and economic growth.

We also reauthorized the Federal Aviation Administration—pretty darn important if you happen to fly.

We passed another piece of important legislation called the POLICE Act to support our local law enforcement officials and to make sure they get the training they need to respond to an active shooter situation—something that, sadly, more and more police find themselves confronted with these days.

We also had a tremendous vote—99 to 0—in the Senate on a bill called Justice for Victims of Trafficking Act. I have said many times that sadly the profile of a victim of human trafficking is a girl between the ages of 12 and 14 years old, many of whom run away from home, only to find themselves living a life of literally modern-day slavery. This legislation was designed to make sure there were more resources available to help rescue those victims of human trafficking and to better equip law enforcement to track down their captors.

We also passed legislation that promotes a more transparent and open government and protects intellectual property rights, just to name a few.

Again, these may seem like small things in isolation, but they represent a major change in the way we do business here in the Senate—actually working together on a bipartisan basis to solve problems and to get legislation on the President's desk and have him sign it. Now, you won't read very much about that because the news covers conflict. That is just the nature of the beast. When we fight like cats and dogs, it is all over the newspapers and on the Internet and on TV, but when we actually appear to be doing the work the American people sent us here to do, frankly, it is not particularly newsworthy, sadly enough.

We have other important work that is still outstanding as the Senate continues to make progress on a conference report on the Energy Policy Modernization Act, a bill this Chamber passed months ago thanks to the leadership of Senator MURKOWSKI of Alaska

and Ranking Member CANTWELL. We also are close to finishing up our work on the National Defense Authorization Act. This is the major defense authorization bill that has been passed out of the Senate every year for more years than we can remember. Then the work we have to complete this week and next is to find a way to keep the government up and running and provide resources to communities to fight the Zika virus and to prevent the horrific birth defects that unfortunately are part of that disease.

I point out these accomplishments in an effort to just remind our colleagues and anybody who happens to be listening that we do try—not all the time but most of the time—to put politics aside, to focus on results, and to try to do things that benefit the American people.

I am thankful for the leadership of the majority leader. As I said earlier, leadership matters. Senator McCONNELL has worked hard to try to bring bills to the floor that did enjoy bipartisan support and, to the extent possible, to make sure everybody had a chance to participate in the process. It is that sort of vision and that sort of pragmatism which has brought us this record of success. I hope we continue to do that in the time we have left between now and the election and then when we return after the election to work together. I know it is tough work. It is frustrating. But it is worthwhile, and it is worth doing.

I don't see anybody ready to speak.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senate is in morning business, and the Senator is recognized for up to 10 minutes.

STOP TERRORIST OPERATIONAL RESOURCES AND MONEY ACT

Mr. CASEY. Mr. President, I rise today to discuss the issue of terrorism financing, especially with regard to the terrorist group ISIS, known by some as ISIL, or other terminology referring to ISIS itself.

Just days ago, we marked the 15th anniversary since the terrorist attack on our country on September 11, 2001. At the time, the United States had a fundamentally different understanding of terrorist groups, their ideologies, and their operations.

In the years since, our national security apparatus has grown and adapted,

responding to evolving threats and prioritizing the fight against terrorism and violent extremism.

For example, prior to 9/11, the Department of the Treasury was not as significant in our fight against terrorism as it is today. An act of Congress established the Treasury Office of Terrorism and Financial Intelligence in 2004. Since then, this office has grown into an essential component of our counterterrorism work. They are charged with the task of cutting off the financial resources that terrorist groups need to survive.

The terrorist group ISIS presents challenges, a whole new set of challenges. Similar to Hezbollah, ISIS is part terrorist group, part army, and part criminal syndicate fueled by a hateful ideology and controlling communities in Syria and Iraq. We know that ISIS has sacked banks and still profits from the illicit sale of oil, antiquities, and other items through the black market while extorting the civilians under their control. ISIS uses this funding to conduct terror attacks and control territory in both Syria and Iraq. They use it to buy more weapons, ammunition, and components for improvised explosive devices known as IEDs. They use it to pay salaries for fighters and develop propaganda materials to spread their hateful ideology.

In August of 2014, I joined with Senator RUBIO, urging the administration to prioritize stopping ISIS's financial support. Soon after, the President announced his comprehensive strategy to degrade and defeat ISIS.

Already, we have seen that the United States and coalition efforts, including airstrikes on oil trucks and cash storage sites, have had a meaningful impact on ISIS's finances. For example, in recent months, ISIS has had to reduce the salaries they pay their fighters. Our airstrikes have also taken key ISIS leaders, including their finance minister, off the battlefield.

Just yesterday, Deputy Secretary of State Tony Blinken reported significant progress on rolling back ISIS's control of territory. In April, Maj. Gen. Peter Gersten, Deputy Commander of the Combined Joint Task Force, Operation Inherent Resolve, said: "ISIS's ability to finance their war through oil refineries has been destroyed." That is what it says right here. Their "ability to finance their war through oil refineries has been destroyed." This is a very significant step, since ISIS was heavily reliant on this source of income.

The President also recently signed into law my bill, the Protect and Preserve International Cultural Property Act, which helped ensure that the United States is not a market for antiquities looted from Syria. This is important because a report by the CultureUnderThreat Task Force stated that ISIS may try to increase—in-

crease—its antiquities trafficking activity as other revenue streams, such as oil sales, are cut off.

ISIS is rewriting the rule book on how terrorist groups work. Despite the loss of territory in both Syria and Iraq, it continues to cultivate its affiliates in northern and western Africa, Central Asia, and other parts of the Middle East. It continues to sow the seeds of terror in neighboring countries such as Turkey, Saudi Arabia, further afield in Europe, Africa, and, of course, here in the United States. ISIS has figured out how to operate outside of the international financial system, lessening the impact of our banking sanctions that we have relied upon before. We may be able to defeat ISIS, but the problem of terrorist financing will stay with us.

I took a trip in February to Israel, Qatar, Saudi Arabia, and Turkey, which confirmed this assessment. That is why I believe we need a more robust, permanent, international architecture for countering terrorist financial networks.

In June, I introduced the Stop Terrorist Operational Resources and Money Act—the so-called STORM Act—with Senator JOHNNY ISAKSON, and this is but a first step. This bill provides a strong set of tools to compel greater cooperation from partner nations.

The STORM Act authorizes a new designation by the President called "Jurisdiction of Terrorism Financing Concern," which can be triggered either by a lack of political will by a country or a lack of capacity to take on this problem. Some countries have the capacity to make meaningful progress but lack the political will to do so. I believe we should levy tough penalties that make countries reconsider their willful ignorance or tacit acceptance of terrorist financiers carrying their country's passports or operating in their territory. The penalties under the STORM Act include suspension of security or development assistance, blocking of arms sales, and blocking loans from the IMF or the World Bank.

With some countries the challenge is a basic lack of capacity. The United States is well equipped to provide technical assistance and capacity building. We have done this before on the issue of nuclear nonproliferation. The STORM Act authorizes the administration to do the same with countering terrorism financing.

Lastly, the STORM Act authorizes sanctions against financial institutions that do business with ISIS. This sends a signal that banks need to be vigilant in ensuring that they do not facilitate ISIS's financial operations.

In the years since 9/11, terrorist groups have become ever more sophisticated in the way they finance their operations. We have to respond in kind,

and it is right to expect all our partners to do the same.

The bipartisan STORM Act sends a very clear message. If you fail to pull your weight when it comes to terrorism financing and cutting it off, there will be consequences. If you want to improve your record, the United States is here to help you.

I urge my colleagues to support the STORM Act as an element of our fight against ISIS and a step toward building a more robust, international architecture to stop terrorism financing in the long run.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

ISIS

Mr. CARPER. Mr. President, you oftentimes draw the short straw and have to preside while I am speaking, and you can probably give some of these talks as well as I can, but I am going to go back and talk about something I have discussed every couple of weeks—not so much during our 7-week recess but certainly before and subsequent to that as well. What I have been doing is providing an update for our colleagues on what is going on in a part of the world we have a lot of interest in, including Iraq, here; Kurdistan, here, which is part of Iraq; Turkey in the north; Syria, which is right here to the west of Iraq; and Iran is over here. We have the Mediterranean Sea right here.

I just want to hearken back to 2 years ago when the folks from ISIS were rolling through this part of the world hellbent on getting to Baghdad. Baghdad is right here, right down here, not too far from Iran. They had made extraordinary progress, killing a lot of people along the way, taking a lot of prisoners, a lot of them women as sex prisoners, and slaughtering a lot of people, with mass graves and a large amount of carnage. They were able to scare off the Iraqi Army. In many cases, the Iraqis turned tail and ran. Their leadership ran too. In fact, their leadership may have actually run before the rank-and-file troops, heading this way, back toward Baghdad. Finally, when the folks of ISIS were sort of knocking on the door just west of Baghdad, they were slowed and stopped.

What has happened in the last several months? There has been a big change in the momentum of the battle.

Now it is not just Iraq on its own in this fight; Iraq is joined by a coalition of roughly 60 nations, of which the United States is the leader. Our job is not to provide boots on the ground in Iraq or in Syria; for the most part, our job is to provide intelligence support. Our job is to provide air support—fixed-wing, rotary-wing, unpiloted aircraft, drones—and our job is to provide training, support, and advice to the folks who are doing the fighting.

This is a province just west of Baghdad called Anbar Province. We have all heard of it. This area right here—west of this whole area is considered the Sunni Triangle because the lion's share of the folks who live in this part of Iraq are Sunni. There are particular cities they live in. One is called Fallujah. A member of my staff was wounded and almost killed in Fallujah a few years ago. There is Ramadi and a place called Tikrit. Tikrit, right up here, is where Saddam Hussein was from. All these areas were taken over by ISIS a couple of years ago. They have been driven out of those cities and out of this part of Iraq.

The folks who have been doing most of the fighting on the ground—their abbreviation is CTS, which, as I recall, stands for Counter Terrorism Service. We are providing support for them, but they are actually the boots on the ground.

The next province here in this country is to the northeast. It is on the border here with Kurdistan, and it is a town called Mosul. It is not a town, it is a city, and there are about 2 million people living there. That is the second largest city, right behind Baghdad, that is still in the hands of ISIS.

Sometime later this year or early next year, we expect to see a full-scale movement by the coalition—led again by the Iraqi forces themselves—to move on Mosul. There is a town here—there is actually a base here about 50 miles southwest of Mosul called Qayyarah, and it is a big Air Force base, and that was taken maybe a month or so ago by the Iraqi forces with our support. There is not only a base there, there is a town that goes with it called Qayyarah, and that town is now in the hands of the Iraqis, and the folks from ISIS have been driven out of Qayyarah. It was really the last major city or town between Baghdad and Mosul that was in the hands of ISIS.

Now we come across the northern part of Iraq over into Syria again to a place called Manbij. This is a pretty good size city. It is very close to the Turkish border. There is another town here on the Turkish border with Syria called Jarabulus. These two places were in the hands of ISIS until very recently. They served almost as a gateway, almost a free flow of ISIS troops, soldiers, or reinforcements coming across the border with Turkey and

through Jarabulus and down by Manbij. Both those cities are now in the hands of forces that are in alliance with our coalition.

There is a place here—not as big as Mosul—called Raqqa that is still in the hands of ISIS. They think of it as the spiritual center of their caliphate. My guess is that sometime next year, after Mosul has been taken, full attention will turn to Raqqa. There will be coalition forces coming in from the southwest and folks who we are fighting with in the northeast, and that will be the next big battle.

In the meantime, since the last time I spoke on the Senate floor, a lot of land that ISIS had taken has been retaken. It was less than 50 percent, and now 50 percent or more of the land that ISIS previously held has been retaken.

Again, this is not just the United States. We are playing a constructive role, but the coalition and the Iraqis themselves—some who ran from ISIS—don't run anymore. We were very much encouraged by the courage they have shown.

Among the other things that ISIS took, aside from land, was oil—oil reserves—and they turned that into money. They captured banks. They went right into the treasuries of the banks and safes and vaults and stole a lot of money—hundreds of millions of dollars. A fair amount of that money has actually been destroyed by airstrikes—literally, cash on fire. I don't know if it is half, but it is a lot of the money, and ISIS's ability to realize more revenues by virtue of oil and by selling oil on the black market has been significantly reduced. The idea there is to starve them and reduce the ability for reinforcements to come in from the north and at the same time to take away their ability to make money and use that money to pay their troops and buy things that they and their forces need to wage a successful war.

So that is a little bit about what is going on in that part of the world. I will mention a couple of other pieces. I don't think we have Libya on this map. Libya is over here, a little to the west and to the south. Imagine it is somewhere over here—probably over here, but we get the drift.

When ISIS is being driven out of this part of the world—out of Iraq and Syria—where do they go? About 50,000 have been killed, over 100 to 200 of their top leaders, including the No. 2 guy who was killed I think last week. Frankly, some are packing up and going home. They see the writing on the wall.

Others are going to different countries. Libya is one of the places ISIS has headed. They settled into a place called Sirte, a big seaport town. We have had a heavy focus working with the Libyan forces to take back Sirte, and a week or two ago the last portion of Sirte was recaptured. I think that is another positive development.

We have terrorist groups in the Mediterranean and the Persian Gulf. And through the air and with aircraft assigned to the carriers, we have been providing that support. The Turks have been good about giving us access to one or more of their bases, so we have the ability to fly aircraft out of there and provide air support for the coalition forces that we have.

One of the other ways that ISIS has been very effective in waging this war, aside from the actual fighting on the battlefield, is fighting that does not occur on a battlefield and is not the kind of battle that you win with guns and bullets and rockets and missiles, but it is the kind of fight that goes on through the Internet and through social media. These guys are pretty good at that. They are not 12 feet tall on the battlefield, as it turns out. We are capable of degrading and destroying them, as the President likes to say. But the ability to actually take them down on the Internet through social media has been more challenging.

Before I get into that, though, I think the last time I spoke here, I mentioned that 2 years ago some 2,000 foreign fighters per month were coming in to this part of the world to be part of the ISIS team—2,000 a month. The last time I reported, I said that number was down to 200 a month. Today, we know that number is down to 50 a month. Part of it is because Jarabulus and Manbij and other towns have pretty much cut off access to the Turkish border. That is an encouragement. I think I mentioned the last time I was on the floor that 2 years ago maybe 10 Americans a month were coming to this part of the world to join ISIS and to fight. Today, that number is probably down to one per month, one every 2 months. We are encouraged by that.

In cyberspace, I understand there are over 360,000 pro-ISIS twitter accounts that have been taken offline this year. Let me say that again. In cyberspace, over 360,000 ISIS twitter accounts have been taken offline over the past 12 months. For every pro-ISIS twitter account, there are now six anti-ISIS accounts criticizing and challenging ISIS's twisted theology. For a while, the ISIS fighters continued to take their hits on the battlefield and had a good spanking applied to them, but they were still doing well on social media. Not so much anymore. As it turns out, as they move over to places like Libya and try to set up a minicaliphate, we have shown that isn't going to work either.

So on balance, this is going in the right direction. It is not time to spike the football. It is a pretty good coalition working together, and we are starting to hit on all eight cylinders.

I would just say to our troops and to those who are part of the coalition, as we say in the Navy when people do a good job, "Bravo Zulu." We are not

going to spike the football yet, but things are very much encouraging. We are grateful for everybody who has helped to make that possible.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

BLACKFEET WATER RIGHTS SETTLEMENT ACT

Mr. DAINES. Mr. President, today is a good day for Montana and the Blackfeet people.

With the passage of the Water Resources Development Act, the Blackfeet Water Rights Settlement Act is one step closer to the President's desk. Today's action marks the first time the compact has passed the Senate after being introduced four times since 2010.

Today, for the first time, this important legislation came to the Senate for a vote and it passed. I, along with my colleague Senator JON TESTER, worked hard to make sure it made it through this time. The settlement is long overdue and will not only establish the tribe's water rights but will also facilitate real, tangible benefits for the Blackfeet and surrounding communities.

The bill will improve several Federal water structures that are some of the oldest and most in need of repair in the country and will help irrigate some of the most productive farmland in our State. The Blackfeet Water Rights Settlement Act also balances the need of the State and the local community. The Blackfeet Indian Reservation is located adjacent to Glacier National Park and is some 1.5 million acres in size. There are 17,000 enrolled tribal members, about half of whom live on the reservation.

This water settlement also upholds agreements by the State that will strengthen irrigation for neighboring farmlands. We call that Montana's Golden Triangle. It is where my great-great-grandmother homesteaded because of its wheat production.

I commend the Blackfeet Tribe and Chairman Harry Barnes, who have been diligent and patient in seeing this settlement forward. I commend our State for its commitment to the Blackfeet Tribe and Indian Country in Montana and my colleague Senator TESTER for working with me on this bill. I am proud to get this through the Senate and will continue to fight for its enactment.

OBAMACARE

Mr. DAINES. ObamaCare—it is still a train wreck of broken promises. President Obama promised that the cost of premiums would go down by \$2,500 per family. But just yesterday, Montana's insurance commissioner announced an average premium increase of 58 percent

for Montana's largest provider on the exchange. And not only have premiums not gone down, the coverage that people get from it is unaffordable and unusable.

With some deductibles at or above \$9,000 per family, middle-class families are being priced out of the market, all the while paying for a policy they simply can't use. Now plans are also restricting provider networks and eliminating doctors from their plans, all in an attempt to remain solvent under ObamaCare's requirements.

In Montana, we like to fish. Sometimes when the fishing line gets really tangled up, the only thing you can do is cut the line. It is time to cut the line with ObamaCare. It is time to clear this train wreck from the tracks and get our health care moving forward again.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

HONORING TIM BRACKEEN

Mr. TILLIS. Mr. President, today I rise to honor the memory of Tim Brackeen, a K-9 police officer with the Shelby Police Department in North Carolina. Officer Brackeen was tragically killed after succumbing to gunshot wounds he sustained in the line of duty just last week.

On September 10, 2016, Officer Brackeen was doing what he did every day—going to work, trying to put his life in the way of others to keep them safe. He said good-bye to his wife and his family, and he went to work.

Unfortunately, on that day, in the middle of the night, Officer Brackeen responded to a call to bring a wanted robbery suspect into custody. Officer Brackeen attempted to arrest the suspect. The suspect resisted and opened fire, critically wounding Officer Brackeen.

The people of North Carolina and citizens from across the Nation prayed for Officer Brackeen and his family as he received treatment. Unfortunately, on Monday, we heard the tragic news that Officer Brackeen, only 38 years old, had passed away.

When we lost Officer Brackeen, we lost more than a dedicated K-9 officer who had served the Shelby Police Department for 13 years. Above all else, we lost a devoted husband to his wife Mikel and a loving father to his 4-year-old daughter. He was well known as a loving family man and was deeply respected and admired for the dedication he had to the department and the community which he served. Many had the chance to meet Officer Brackeen during a class or seminar he held with his K-9 partner called Ciko. He was honored as Shelby police officer of the year in 2012.

For anyone in this country who has ever had a trace of doubt over the true

character and motivation of the vast majority of brave men and women in law enforcement, Officer Tim Brackeen was exactly the kind of officer who would instantly erase any of those doubts when you met him.

As Officer Brackeen's family, friends, and colleagues mourn this tragic loss, I hope they find comfort in knowing that his death was not in vain. The outpouring of love that we have seen in his honor has been tremendous.

On the night of Officer Brackeen's death, hundreds of people came together in Shelby to hold a vigil outside the police department. Attendees adorned his patrol car with flowers and candles. Shelby police officers all received a standing ovation, and the crowd came together to sing "Amazing Grace." That symbolizes the profound impact that Tim Brackeen had on people's lives and how grateful they are for his selfless service to the community of Shelby.

May God bless Officer Tim Brackeen's family and friends and give them strength in these difficult times. Let them know that the community of Shelby, the people of North Carolina, and Americans from across the Nation will continue to pray for them and stand with them during this difficult time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING DR. JOHN BRADEMAS

Mr. DONNELLY. Mr. President, I rise today to honor one of Indiana's best, Dr. John Brademas, who passed away on July 11.

John Brademas was an extraordinary public servant and a trailblazing leader. His achievements made a mark on Indiana and on our country that can still be felt today.

John was born a Hoosier in 1927 in Mishawaka, IN, to a Greek immigrant who ran a restaurant and to an Indiana native who worked as a schoolteacher. John Brademas was a star quarterback, and he was the valedictorian at South Bend Central High School.

After high school, he served in the U.S. Navy and in the naval officers' training program at the University of Mississippi. He graduated from Harvard University, and he received a Rhodes Scholarship to Oxford University in England, where he earned his doctorate.

In 1958, Dr. Brademas was elected to the U.S. House of Representatives to the then-Third District of Indiana, where he served with incredible distinction for 22 years, until 1981. In Congress he was always working, always pushing to make life better for Hoosiers and for all Americans.

His colleague, Representative Frank Thompson said:

He never stops. He's incredibly bright, works terribly hard, and is able to translate that brightness into very pragmatic legislative ability.

Dr. Brademas was a leading and effective legislator on issues involving schools, colleges, and universities, services for the elderly and the disabled, and for libraries, museums, the arts, and humanities. It earned him the recognition as "Mr. Arts" and "Mr. Education." He helped lead the successful charge to establish the National Endowment for the Arts and the National Endowment for the Humanities. He served as a member of the Committee on Education and Labor, writing Federal legislation on schools at every level.

He was instrumental in passing landmark legislation, including the Elementary and Secondary Education Act of 1965. This sought to increase opportunities for economically disadvantaged children and provided unprecedented Federal support for education. Dr. Brademas was the author in 1975 of the Education for All Handicapped Children Act, which for the first time provided Federal support and guaranteed nationwide educational opportunities for students with mental and physical disabilities.

Additionally, Dr. Brademas was pivotal in efforts to improve higher education and boost grants and aid for student loans. John is also remembered for his support to advance civil rights and social justice.

During his last 4 years in Congress, Dr. Brademas served as House majority whip. Following his congressional service, Dr. Brademas served as the president of New York University, or NYU, one of the largest private institutions in the country, until 1992. During his tenure, he led NYU's transformation from a local commuter school into a national and world-renowned research university.

After retiring from NYU, he continued dedicating himself to causes important to him, such as democracy, the arts, and education. To that end, he helped establish two centers at NYU. Dr. Brademas founded the John Brademas Center at NYU to teach students about Congress—to have them become more familiar with their government—the legislative process, the policies around education and the arts, and foreign policy.

The Brademas Center continues to educate some of the best and brightest students from around the world, and it educates them about democratic values and the need for an educated dialogue around the public policy challenges we are facing today and tomorrow.

Dr. Brademas also launched and served as the first President of the King Juan Carlos I of Spain Center, which promotes research and scholarship on Spain and Latin America.

Dr. Brademas was awarded honorary degrees by 52 colleges and universities

during his life—an incredible testament to his inspirational leadership and service to our country, which he loved so much.

He also earned countless awards, served on many boards, and received numerous prestigious appointments. Among those, Dr. Brademas served as the chairman of President Bill Clinton's Committee on the Arts and Humanities and on the board of the Federal Reserve of New York.

On a personal note, I was honored to call John Brademas my friend and my mentor. I got to know him after being elected to represent many of the same North Central Indiana communities that he served so well in Congress for so long. When I was elected to the House of Representatives, approximately a decade ago, it was a privilege to serve in what many still call "the Brademas seat."

Over the years, John was a resource to me, set an example for me, and was an example to so many. He was unfailingly kind, helpful, thoughtful, and incredibly productive. John burned with a deep love for our country and with a desire to make the world a better place. The State of Indiana, the United States, and our world are so much better off because of Dr. John Brademas. God bless Mary Ellen and the Brademas family, God bless Indiana, and God bless America.

Thank you, Dr. Brademas.

I yield back.

The PRESIDING OFFICER. The Senator from West Virginia.

OPIOID EPIDEMIC

Mrs. CAPITO. Mr. President, I would like to talk a little bit on the floor about an issue that is cascading across the country and is deeply troubling in the State of West Virginia, the region in which I live, and that is the opioid crisis we are seeing.

Many of you have recently read about what has happened in the city of Huntington, WV. Huntington is a beautiful city. It sits right on the Ohio River at the corner of West Virginia, Kentucky, and Ohio. It is the home of the Thundering Herd of Marshall University. However, 1 month ago today, on Monday, August 15, in just a 4-hour period, this small city of Huntington was the site of 28 overdoses. Responding to this mass overdose occupied all of the ambulances in the city and more than a shift's worth of the police officers in Huntington.

Of the 28 people affected, 26 were revived using naloxone, a lifesaving drug that helps reverse overdoses. However, the heroin they had used was likely laced with a substance so potent that the ordinary dose of naloxone was not enough. Responders had to use two and sometimes three doses of naloxone to bring people back to life and out of the overdose.

Rashes of overdoses due to particularly strong batches of heroin have been happening more and more frequently. This is heroin that is likely laced with fentanyl or a new product we have heard about—a synthetic product—called carfentanil, which is a drug used to sedate elephants and other large animals that is 100 times as potent as fentanyl. Apparently, this is happening much too frequently.

Versions of this chaotic scene are happening day after day in big cities and small towns in Kentucky, New Hampshire, Ohio, and Florida. The region and area of my friend Senator PORTMAN, the State of Ohio and Cincinnati, probably 2 or 3 days after this occurred in Huntington had the same thing occur but much larger.

What makes the recent spate of overdoses in Huntington so noteworthy is that Huntington is a city that knows it has a problem and is doing all the right things to fight it. Under the mayor's guidance, they have really worked hard to put together a great consortium, which began in 2014, to fight this scourge on their town. The mayor started the office of drug control policy. They have staffed the office with people who have intimate knowledge of the problem.

They are not hiding their head in the sand. They are not saying it is something else. They know what this problem is, and they are trying to hit it face on. In staffing the office, they have a former police chief, a fire department captain who is also a registered nurse and works at the hospital, and a police department criminal intelligence analyst. They have created a strategic plan which focuses on three general principles: prevention, treatment, and law enforcement.

The plan embraces harm reduction strategies, including weekly training for citizens on how to use naloxone. I actually went to a naloxone training seminar myself, just to see. If you are trained on it properly, it can make the difference. It can make the difference in preventing people from inflicting irreversible damage to themselves and others.

Huntington has expanded their adult drug court and recently received a grant to launch the Women's Empowerment and Addiction Recovery Program—a specialized track within the drug court that will expand services to address the needs of drug-addicted prostitutes. Even in the face of the overdose, they are making progress. In fact, the cooperation among local agencies—and the sad reality that they are well-practiced and well-trained—can also be accredited with the 26 lives they have saved.

While the overdose rate in Huntington has remained steadily high, the number of deaths from overdose has fallen, and that is an encouraging sign. Jim Johnson, who is the director of the

Huntington Mayor's Office of Drug Control Policy has said:

What we are seeing around the country is overdose deaths going up—[especially] with the rise of fentanyl and . . . [other substances]. It's not good that our [Huntington] overdose rate is holding—but compared to others having real increases—it's encouraging. And we are happy the death rate is down.

As I have heard from West Virginians and read in local and national news accounts about this rash of overdoses, I think: What have we done and what do we need to do to help cities all across this Nation?

The Comprehensive Addiction and Recovery Act, or CARA, marked a big first step forward. It reflects some of the best practices we have seen in places like Huntington. It includes reforms to help law enforcement respond to this epidemic, such as the successful drug court programs that operate in West Virginia and in many other States.

It expands the availability of naloxone and allows funds to be used for followup services for those who receive another chance at life. When somebody comes into the emergency room in an overdose situation, is administered naloxone, and 1 or 2 hours later gets up and just walks out the door, we haven't really followed through on our public health obligation.

In this bill, we have followup services so that person can be followed by a home visit or a home phone call to see what their situation might be.

I proudly voted for CARA, as most of us did, and believe it is an excellent first step, but that is exactly what it is—a first step. Now we must take a fresh look at this epidemic—an epidemic that, to me, is threatening to take an entire generation, this next generation of our best and brightest.

We must look at ways to stop the drugs from getting to our communities. One solution is the Synthetics Trafficking and Overdose Prevention Act, or STOP Act, which was recently introduced by Senators PORTMAN, AYOTTE, and JOHNSON.

The STOP Act, of which I recently became a cosponsor, is designed to stop dangerous synthetic drugs such as fentanyl and carfentanil from being shipped through our borders and addresses any gaps in our mail security.

Earlier this year, I announced that the DEA had established a tactical diversion squad in Clarksburg, WV. It probably doesn't sound like much but it will be a big help to enhancing our law enforcement efforts to stay one step ahead of this influx of drugs.

Programs like the High Intensity Drug Trafficking Area Program, known as HIDTA, are critical in helping to coordinate initiatives that reduce drug use and abuse in communities. We must embrace and intensify prevention strategies in our schools, community centers, and our afterschool programs.

Our youth cannot think that this epidemic is acceptable or that it is the new normal. We must ensure that when someone decides they want treatment for their drug use, they have access to this treatment. There are no lists of people to admit into incarceration. There is no waiting list here. Yet there is a waiting list for our drug treatment and prevention centers.

September is National Alcohol Addiction and Recovery Month, and today Senator MURPHY of Connecticut and I are offering a resolution which honors the significant achievements of those citizens who are now in recovery. The resolution also recognizes the nationwide need for increased access to treatment.

This is an area where there is so much more work to do. We must have the detox beds available and the workforce trained and ready to assist those seeking treatment. We also want to make sure we have a range of treatment options available. This is definitely not a one-size-fits-all problem. Each addict found their way to addiction in a different way, and each must figure their own path out, whether through inpatient rehab, peer-to-peer rehab, medication-assisted therapy, a 12-step program, or, most likely, a combination of these and other options.

It is also essential that we remember that recovery does not end when an addict finishes treatment. Services need to be available to assist with their transition back into society.

We must look at the collateral effects substance abuse has on our communities, whether it is through increased violent crime, child neglect and abuse, or disease, especially hepatitis and HIV, given the rise in heroin use.

Are there immediate solutions for all of these problems? No, we have found there aren't. But, like the city of Huntington, we must continue to come to terms with the extent of the problem in order to know what solutions do make sense, and, like Huntington, progress is going to be incremental and it will take time. We can begin to tackle some of the problems through commonsense changes and policies.

One example is Jesse's Law, a bill named after a West Virginian. She was a daughter, a sister, and an addict in recovery. Following surgery from a running injury, despite her best efforts and those of her family, Jesse was discharged from the hospital—she had told the hospital she had addiction issues—she was discharged from the hospital with a prescription for 50 oxycodone pills and fatally overdosed later that evening. By amending the privacy regulations for persons with substance abuse disorders, we can ensure that those individuals receive the safe, effective, and coordinated care they need to prevent other tragedies

like Jesse's and her family's from occurring.

I recognize that these problems are also going to take additional funding. As a member of the Appropriations Committee, along with the Presiding Officer, I will work to ensure that these resources are going to programs that best meet a State's needs, whether it is HIDTA, the DOD's counterdrug program, or substance abuse grants. In the fiscal year 2017 Labor-HHS appropriations bill, there is a \$126 million increase for programs fighting opioid abuse. In bills passed by the committee, funding to address heroin opioid abuse is more than double last year's levels. However, I also know this problem cannot be solved by simply throwing money at it.

I look forward to working with my colleagues on both sides of the aisle to develop additional policies to tackle these problems. We must consider all options. The outcomes are sad. I mean, I personally know families who have been affected by this. I think everybody does. If you are in a townhall meeting and you ask for a show of hands from those who have a story or know somebody from their church or their children's friends, almost every hand in the meeting will go up.

We need to work with State and local officials to learn what is working and what is not.

I will also keep fighting for an additional issue, a side issue that is just as important, which is veterans who rely on the VA programs to help with their opioid addiction, or that newborn who is born dependent on opioids, or the addict who is willing to seek treatment, and any other person because practically every person in this country is touched by this disease.

I will keep fighting for cities like Huntington that even in their darkest hours continue to move forward and fight every day toward a brighter drug-free future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senator is recognized.

GUN VIOLENCE

Mr. CASEY. Mr. President, I will start today with some numbers. Unfortunately, some of these numbers are all too familiar to Americans concerned about the horror of gun violence. There are 3 numbers: 49, 280, and 99.

Forty-nine, unfortunately, we know maybe more than the other two numbers. That is the number of people killed in Orlando just a couple of months ago in the worst act of gun violence we know of. So many Americans watched that horror and would have guessed that the Senate would have acted with a sense of purpose and urgency and even outrage to begin to take steps to reduce gun violence. Unfortunately, that didn't happen a couple of months ago. There were 49 killed in Orlando. We can recite the other communities in the country over the last not just number of years but even the last several years, and 49 is the Orlando number.

I am not sure we hear enough about the other two numbers, which are the weekly death toll or the weekly toll of violence in cities and communities across the country. Two hundred and eighty is the number just in the last week who were shot across the country and 99 is the number killed. That is just 1 week.

For purposes of my remarks, to set aside numbers for a moment and consider the human trauma, the human tragedy, the toll of that, it is almost incomprehensible, all of the families who have been destroyed by gun violence. For many of us, it is a news event that we watch on television and read about. We are horrified. We pray for the victims. We wish for action to be taken to at least begin—just begin to reduce gun violence, but then we move on. Most of us move on if we are not directly affected, but those families don't move on. Their lives are either destroyed forever or adversely impacted in some way forever, mothers and fathers and brothers and sisters and husbands and wives and friends. It is impossible to in any way describe the adverse impact this problem is having.

There are some who would say there is not much we can do about it other than enforce the law, and that is their point of view. I don't happen to agree with that. I think we need to take the same approach to this issue as we have taken to any issue the American people have faced over many generations. Most of the time we come together with concerted action and begin to tackle a problem. It might take a year, it might take 5 years, it might take 25 years, but, as Americans, in most cases we come together and begin to address the problem. Only in Washington does that not happen anywhere near often enough.

There are a couple of commonsense steps we can take right now—meaning next week or the week after or in the very near term—commonsense steps that have wide support across the country in both parties. One would be to finally say: Why not vote in accordance with not just a national consensus but actually a consensus here in the

Senate on background checks? Why would we allow these gaping holes in our system to remain wide open so that almost anyone can get a gun? No matter how dangerous, no matter how much a threat they are to society, they can get a gun because of these gaping holes in our background check system. No one disputes that there are these holes. No one disputes that they lead to unnecessary death and violence. But we haven't been able to get enough Members in the Senate to come together to support background checks. We should try to do that again. I don't know why we don't have more votes. Let's keep voting until we get enough momentum.

Second, this idea of terrorists whom we made a judgment about—that we either know they are terrorists or we suspect they are terrorists based upon all kinds of evidence—and we say: That category of people will not be able to get on an airplane. Guess what. When we did that after 9/11, that was our policy or part of our larger policy against terrorism. We came together and said that those people can't get on airplanes. Guess what. We haven't had planes fly into buildings in the country since 9/11 because we came together, we made a decision, we acted on it, and we stopped at least that part of the practices terrorists engage in. But when it comes to this issue of reducing—even beginning to reduce gun violence, we haven't had the same consensus.

So we have a circumstance now where suspected terrorists are deemed too dangerous to fly in a plane but not to own a weapon of war. So, virtually, under the policy that is in place now, because the Senate hasn't acted, because we haven't had an act of Congress, there are folks who are either suspected terrorists or terrorists who can't get on an airplane but can buy any gun they want or obtain any gun they want and there is no legal prohibition. That makes no sense to anyone who is serious about this issue of preventing violence and reducing gun violence.

How about individuals who are convicted of violent hate crimes that involve the use of force being allowed to get a gun? Why would we wait until that individual commits a felony with a use of force that in many cases involves the use of force with a firearm? Why would we wait for that violent person to go down that pathway, someone who is convicted of a hate crime that involves domestic abuse or some other act of violence or the use of force?

So I think a number of these strategies are commonsense steps we can take that would have zero impact on the right to bear arms. We are not talking about law-abiding citizens; we are talking about people who pose a demonstrated threat to people in our community and beyond. But so far that

hasn't happened. I hope we will schedule some votes. How can that be harmful, to keep voting on such an important issue until we move forward? So that is something we can work on before we leave here.

There is no rule that says we have to leave at the end of next week. We could work the week after that and the week after that and begin to make progress on a whole range of issues, including gun violence. Of course, I hope that will include finally getting to a conclusion on Zika funding to address this threat to pregnant women and their children. We should finally get that done, and maybe we can get that done with the spending bill next week. That would be great progress. But unless we act, we leave on the table this horror of gun violence where there has been virtually no progress for years—not just months but for years.

PENSIONS FOR MINE WORKERS

Mr. CASEY. Mr. President, I wish to speak about an issue that is—to say it is unfinished business is an understatement. The fact that we are standing here in the fall of 2016 and the Congress of the United States hasn't fulfilled its promise to coal miners is really an insult not only to coal miners who spent a lot of years in the mines in a lot of States, mine and other States, but it is also an insult to the country because their government—our government—made a promise to them more than a generation ago.

Some people may remember the book "The Red Badge of Courage." That was written by Stephen Crane, a great novelist who didn't even make it to the age of 30. He died in his late twenties.

Stephen Crane is known for being a great novelist and known for writing "The Red Badge of Courage," but one of the most compelling accounts he ever wrote or anyone has ever written about the dangers and horrors of a particular line of work was Stephen Crane's essay, just before the turn of the last century, about a coal mine in my hometown of Scranton. The name of the article published in Collier's magazine was "In the Depths of the Coal Mine." I will not of course read all of it and recite major portions of it, but suffice it to say that Stephen Crane, a great novelist, went into a coal mine and reported what he saw there, not as a work of fiction but as a work of the harsh realities in nonfiction of what the miners were facing.

In one part of the essay, he described the mine he was in when he descended all the way down. Of course, you only have to go down a very short distance before it is pitch black. You can't even see your hand in front of your face. He described the mine as a place of "an inscrutable darkness, a soundless place of tangible loneliness. . . ."

Then he went on from there describing what he saw, describing young chil-

dren working in the mines, children the ages of 10, 11, 12, and into their teens, working in the mines; describing the process of how the coal got out of the mines, mules pulling these carts full of coal. He described what my fraternal grandfather saw when he was there as a young boy at the age of 11, who entered a mine not too far away from this particular mine, just as Stephen Crane was writing.

Stephen Crane concluded the essay by talking not only about all of the horrors of the mine but how miners could die in that mine. He described it at one point in summation as the 100 perils or the 100 dangers that those coal miners faced.

Why do I raise that today? I realize coal mining in the present day or even 10 or 15 or 20 years ago, maybe even 30 years ago, was not nearly as dangerous as it was in the 1890s or the early part of the 1900s, but it is still very dangerous work today and has been for all these years. We have seen too many places where miners have been trapped and rescued or trapped and never rescued, killed, in places like Pennsylvania, West Virginia, Kentucky, and other places over more than a generation—in fact, many generations. Those miners worked there for, in many cases, more than 10 years or 20 years. Some of them also served our country in World War II, Korea, Vietnam, or beyond.

They were promised by their government that they would have a pension. A number of us, in a bipartisan fashion, came together to support the Miners Protection Act, which would make sure that at a minimum the now 12,951 miners in Pennsylvania would get that pension they were promised and a smaller number—but a big number, in the thousands, in Pennsylvania—would also get the health care they have a right to expect. This was a promise by the Federal Government. It wasn't a "we will try to" or "we hope to do it" or "we will make every effort to do it," it was a hard-and-fast, irrefutable promise, and it is time the Federal Government has delivered on that promise to those miners and their families.

They went into the darkness and the danger of a coal mine in the 1950s, 1960s, 1970s, and beyond. Some of them were younger than that. Some of them still do it and still engage in that work. They should have a right to expect that just as they kept their promise to their families that they would go to work every day and work hard and bring home a paycheck, just as they made a promise to their employer that they would go into that mine every day and do impossibly difficult work year after year and sometimes decade after decade—and they fulfilled that promise to their employer and to their families. Some of them made a promise to their country that not only would they work

hard, but they would serve their country in war and combat.

The question is, Will we keep our promise to them?

Their promise was much tougher than our promise. All we have to do here to keep the promise is vote the right way, vote in the U.S. Senate to make sure miners get their pensions and health care and vote in the House in the same way. That is not hard to do—to walk into the well of the U.S. Senate or somewhere in this Chamber and put your hand up. That is pretty easy to fulfill the promise we made to them. This isn't a lot of money for these miners. In addition to Social Security, sometimes it is about 530 bucks a month for all of that work they did. So it is not hard to fulfill this promise that our country and our government made to them.

These are people who are not in the newspaper every day, they are not on television. They may not have a lot of power. They may not be connected to people who are powerful or people who are wealthy. They are just hard-working people who did their job and deserve to have that promise fulfilled.

I believe this is a matter of basic justice. It is basic justice whether we are going to fulfill that promise. Saint Augustine said a long time ago, hundreds of years ago: "Without justice, what are kingdoms but great bands of robbers."

If you apply that to today's terminology, a kingdom in some sense is like our government—a governing body for a nation. Without justice, what is a government but a great band of robbers. We owe people that basic justice, that promise.

So let's fulfill our promise as Democrats, Republicans, and Independents in the U.S. Senate. Let's not allow inaction or other circumstances, political or otherwise, to prevent us from doing the right thing. Let's not rob these miners and their families of what they deserve, what they earned. We are not giving them anything. We are just voting the right way so they have a promise fulfilled.

I would hope that before everyone goes home to do whatever folks will do—travel to their States or campaign or whatever they are going to do—I would hope, at a minimum, we would take action on a number of things we talked about today but in particular that we make sure families don't have to worry about the horror and threat of Zika, something we can prevent the spread of if we take action; that families will not be threatened by it in Florida or Puerto Rico or anywhere because beyond that, we don't get to the solution, the action. Of course, we hope we can go home and say we at least said to miners and their families: We have fulfilled the promise the government made to you generations ago. That is the least this body and the

other body should do before we leave Washington.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO TIM MITCHELL

Mr. CASEY. Mr. President, I didn't want to leave today without joining the chorus of commendations for Tim Mitchell. I think technically tomorrow is his 25th anniversary, if I have that right, and I heard some of the comments this morning, but I didn't get to the microphone earlier to say anything, and I should have. I will be brief.

I just want to thank Tim for his remarkable service to the Senate these 25 years, and I know he has more work to do, but it is an important anniversary to highlight.

Some people mentioned his great baseball knowledge, where I am often deficient, despite having two great teams in Pennsylvania, the Pirates and Phillies, but Tim knows just about as much as anyone. In addition to his knowledge of baseball and his great work in the Senate, which often in the Senate goes unrecognized or unheralded, Tim is someone who brings to the job great character, integrity, and a kind of decency that sometimes we all don't exercise every day of the week. Sometimes he is getting seven questions from nine different people and he handles every one. Sometimes you ask him the impossible question which he tries to answer, but he probably shouldn't, which is: When will we finish this week, which is always an open question with an uncertain answer. I have at least kept my faith with him by saying: Tim, I won't quote you, but tell me when we might wrap up this week.

He is a great example of public service in the Senate and a great example of what we all hope to be when we work in a government institution or in a Chamber like the U.S. Senate. I am so grateful to Tim for his ongoing commitment to public service. I wish him 25 more years on top of the 25 years that preceded this anniversary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Pennsylvania.

Several of us came to the floor earlier today to pay tribute to Tim Mitchell in his service to the Senate, which is certainly deserved on this occasion of his 25th anniversary of beginning work here.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 3347 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS LIBERTY

Mr. SASSE. Mr. President, I rise today to address the recently released new report of the U.S. Commission on Civil Rights entitled "Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties."

The Commission on Civil Rights has a glorious and profound history in our Nation. Founded in 1957, the Commission initially had the grand cause of ending the horror and the tragedy of Jim Crow laws in our Nation.

Sadly, however, the Commission's focus has recently strayed, and its new report poses profound threats to the historic American understanding of our First Amendment. In the Commission's just released report, the majority reveals a disturbingly low view of our first freedoms. It actually puts the term "religious liberty" in scare quotes, and it says that religious liberty must now be subservient to other values.

Here is a snapshot of the majority's position from this new report, in their own words:

Progress toward social justice depends upon the enactment of, and vigorous enforcement of, status-based nondiscrimination laws. Limited claims for religious liberty are allowed only when religious liberty comes into direct conflict with nondiscrimination precepts. The central finding which the Commission made in this regard is:

Religious exemptions to the protections of civil rights based upon classifications such as race, color, national origin, sex, disability status, sexual orientation, and gender identity, when they are permissible, significantly infringe upon these civil rights.

Additionally, the Commission's Chair, Martin Castro noted:

The phrases "religious liberty" and "religious freedom" will stand for nothing except hypocrisy so long as they remain code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy or any form of intolerance.

But are the phrases "religious liberty" and "religious freedom" simply hypocritical code words? Are they shields for phobias, intolerances, and power struggles?

Of course, they are not.

Religious liberty is far more beautiful, far more profound, and far more

human than that. Our national identity is actually based on this very premise.

The American founding was unbelievably bold. Our Founders were making the somewhat arrogant claim, almost, that almost everyone in the history of the world had actually been wrong about the nature of government and about the nature of human rights.

Our country's Founders believed that God created people with dignity and that we have our rights via nature. Government is our shared project to secure those rights. Government does not come first. Government is not the author or the source of our rights, and this conviction matters for today's conversations. In fact, this conviction is our Constitution.

No King, no Congress, no Senate, no Commission gives our people their rights, for government is not the author or source of rights. Government is a tool to secure our rights.

We have rights because we are people, created with dignity. Government is that shared project to secure those rights that we have because we are people created with dignity. So we the people are the ones who actually give the government limited authorities. It is not the government that is condescending to grant us some rights.

Gail Heriot, who is a member of the Commission, offered a compelling statement and a healthy rebuttal to the majority's very low view of religious freedom. Thankfully, Ms. Heriot indicated her opposition to the runaway chairman's bizarre dismissal of religious freedom. She considered asking him to withdraw it, but then she decided against it, and here is her reason why. She decided:

It might be better for Christians, people of faith generally, and advocates of limited government to know and understand where they stand with him—

Where they stand with this chairman. Ms. Heriot notes—and I am going to quote her here at length:

The conflicts that can arise between religious conscience and the secular law are many and varied. Some of the nation's best legal minds have written on how the federal and state governments should resolve those conflicts. But no one has ever come up with a systematic framework for doing so—at least not one that all Americans agree on—and perhaps no one ever will. Instead, we have been left to resolve these issues that arise on a more case-by-case basis.

While she does not aim to create that framework in her remarks, she continues by saying:

The bigger and more complex government becomes, the more conflicts between religious conscience and the duty to comply with law we can expect.

Back when the Federal Government didn't heavily subsidize both public and private higher education, when it didn't heavily regulate employment relationships, when it didn't have the leading role in financing and delivering healthcare, we didn't need to worry nearly so much about the ways in

which conflicts with religious conscience and the law arise. Nobody thought about whether the Sisters of Charity should be given a religious exemption from the ObamaCare contraceptive mandate, because there was no ObamaCare contraceptive mandate. The Roman Catholic Church didn't need the so-called Ministerial Exemption to Title VII in order to limit ordinations to men (and to Roman Catholics), because there was no Title VII.

What she is talking about here is about the ways that expanding government tends to crowd out civil society and mediating institutions. She is talking about the ways that power drives out persuasion. She is talking about the ways that law crowds out neighborliness.

She continues:

The second [. . .] comment I will make is this: While the targeted religious accommodations approach may sometimes be a good idea, it is not always the best strategy for people of faith. Targeted religious accommodations make it possible for ever-expanding government bureaucracies to divide and to conquer. They remove the faith-based objections to their expansive ambitions, thus allowing them to ignore objections that are not based on faith. The bureaucratic juggernaut rolls on. People of faith should not allow themselves to become just another special interest group that needs to be appeased before the next government expansion is allowed to proceed.

Here, she is talking people of faith.

They have an interest in ensuring the health of the many institutions of our civil society that act as counterweights to the state—including not just the Church itself, but also the family, the free press, small business and others. They have an interest in ordered liberty in all its manifestations. A nation in which religious liberty is the only protected freedom is a nation that soon will be without religious liberty as well.

Are people of faith simply another special interest group that should be appeased? I suggest—along with Ms. Heriot and, frankly, far more importantly, with all of the Founders of this Nation—they are not. People of faith and people of no faith at all, people of conscience, are simply exercising their humanity, and they do not need the government's permission to do so.

The Commission's report is titled "Peaceful Coexistence." Who wants to disagree with a title like that? But this profession of peaceful coexistence must never quietly euthanize religious liberty just because Washington lawyers and bureaucrats find it convenient and orderly to do so. It must never be used to chip away at our most fundamental freedom, for the First Amendment is a cluster of freedoms: freedom of religion, the press, assembly, and speech. They all must go together. It must never undermine the essence of what it means to be human. It must never erode the American creed, which should be uniting us. We can and we should disagree peaceably. We should argue and debate and seek to persuade. We should jealously together be seeking to defend every right of conscience and self-expression.

In closing, I ask my colleagues from both parties—for this should not be a partisan issue, as the First Amendment is not the domain of any political party—to consider the dangerous implications of this new report.

To my progressive friends, I invite you to become liberals again in your understanding of religious liberty and its merits.

To my conservative friends, let's cheerfully celebrate all Americans' freedoms. Let's work to kindly dismantle the pernicious myth that somehow your freedoms are merely a cover for fear or hate or some other phobia. These freedoms are too important to relinquish. They are the essence of what we share together as Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NORTH KOREA

Mr. GARDNER. Mr. President, I rise today to speak about the threat from North Korea.

Pyongyang has just conducted its fifth nuclear test, which is the regime's fourth test since 2009. This is also the regime's second test this year, and this is the largest weapon they have ever tested, with an estimated explosive yield of 10 kilotons of TNT.

The rapid advancement of North Korea's nuclear and ballistic missile program represents a grave threat to global peace and stability and a direct threat to the U.S. homeland in our immediate future.

This past week, since the detonation of this fifth nuclear test, I have had the opportunity to visit with General Robinson, our combatant commander of NORTHCOM, to visit with Ambassador Ahn of North Korea, to speak with Ambassador Sasae of Japan, to visit with Ambassador Fried of the State Department, to talk to representatives at the Treasury Department—all about what is happening in North Korea and our response to the provocative actions, the dangerous actions of this regime as they continue to attempt to obtain nuclear status. All of them are very worried about what is happening.

In my conversations, it was clear that we can expect and anticipate even more tests coming up, whether that is the launch of rockets against international sanctions, U.S. sanctions, the international community, United Nations security resolutions, or whether that is indeed further attempts to test or actual tests of nuclear weapons. They all recognize this will continue.

They recognize the dangerous position our allies and our homeland are in.

This morning, there was testimony from the U.S. State Department—Tom Countryman, Assistant Secretary—talking about the fact that these activities continue in North Korea with the assistance of outside actors, that North Korea receives material for its nuclear program from illegal operations in China, operations out of Russia.

So in response to this test and the dangerous actions of North Korea and the conversations I have held across all levels of government this past week, I am asking the administration to urgently take the following actions:

No. 1. Take immediate steps to expand U.S. sanctions against North Korea and those entities that assist the regime—most importantly, China-based entities. We know there are entities within China that are assisting the North Korean regime, violating U.S. sanctions, and violating United Nations Security Council resolutions. The administration must take immediate steps to expand these sanctions against them and anyone who is violating the regime of sanctions.

No. 2. We must negotiate a new United Nations Security Council resolution that closes loopholes that have allowed China to skip full-faith enforcement. I will talk more about that in a little bit, but the fact is that China is finding exemptions in existing resolutions to skip full-faith enforcement. Why is that important? Because we know that about 90 percent of North Korea's economy—their hard currency—comes from these types of operations and business with China.

No. 3. We must expedite the deployment of the terminal high altitude area defense—THAAD—system in South Korea. We must expedite the THAAD system to make sure South Korea has the ability to protect itself from these aggressive actions taken by the North Korean regime.

No. 4. Take all feasible steps to facilitate a stronger trilateral alliance between the United States, Japan, and South Korea to more effectively counter the North Korean threat. A strong trilateral alliance between Japan, the United States, and South Korea can be used to help China make sure they are enforcing the regulations, standing up to full-faith execution of the sanctions, and make sure we are pushing peaceful denuclearization of the North Korean regime.

It is unfortunate—this aggression in North Korea isn't new. The aggression we see from North Korea today predates the current administration and goes back multiple administrations. Time and time again since I came to the Senate, I have stood before this great body and I have argued that this administration's policy of so-called strategic patience—which was crafted

under then-Secretary of State Hillary Clinton—was failing to stop the forgotten maniac in Pyongyang. The regime's nuclear stockpile is growing fast. Nuclear experts have reported that North Korea may have as many as 20 nuclear warheads and has the potential to possess as many as 100 warheads within the next 5 years. The administration has admitted that the policy of strategic patience has failed. It is evident in the fact that they have 100 nuclear warheads coming online in the next several years. But we have gone from a strategy of strategic patience to no strategy at all when it comes to dealing with the North Korean regime.

The regime's ballistic missile capability is rapidly advancing. Director of National Intelligence James Clapper has stated in his testimony to Congress that "North Korea has also expanded the size and sophistication of its ballistic missile force—from close-range ballistic missiles to intercontinental ballistic missiles (ICBMs)—and continues to conduct test launches."

Director Clapper also stated that "Pyongyang is also committed to developing a long-range, nuclear-armed missile that is capable of posing a direct threat to the United States."

Assistant Secretary Tom Countryman testified before the Senate Foreign Relations Committee that the activities involved for the construction of this nuclear warhead in North Korea have been indigenized, meaning that it is coming from the industry within North Korea. They are not relying on Pakistan or others to provide it for them; they have the engineering know-how and they have the capabilities to build it on their own, within the country, without turning outside for help. He also said that some material, yes, is coming from China and Russia. And that is exactly what we must stop.

We should never forget that the Kim Jong-un regime has been one of the world's foremost abusers of human rights. The North Korean regime maintains a vast network of political prison camps where as many as 200,000 men, women, and children are confined to atrocious living conditions, where they are tortured, maimed, and killed. This isn't just report language; I have spoken to defectors from North Korea who talk of these political concentration camps where this torture is occurring. On February 7, 2014, the United Nations Human Rights Commission of Inquiry released a groundbreaking report detailing North Korea's horrendous record on human rights. The Commission found that North Korea's actions constituted a "crime against humanity."

We also know that Pyongyang is quickly developing its cyber capabilities as another dangerous tool of intimidation, an asymmetric tool, demonstrated by its attack on Sony Pictures, the hacking incident that oc-

curred in November of 2014, and the repeated attack on the South Korean financial and communication systems. According to a recent report by the Center for Strategic and International Studies, "North Korea is emerging as a significant actor in cyberspace with both its military and clandestine organizations gaining the ability to conduct cyber operations." They are trying and striving to achieve an asymmetric capability so that they can attack South Korea, our allies, such as Japan, and, indeed, the United States.

So given this record of aggression from North Korea and fecklessness from this administration—the fact that we went from a failed policy, a strategy of strategic patience to no strategy—the Congress came together this year to pass the North Korean Sanction and Policy Enhancement Act, legislation I coauthored here in the Senate with my colleague Senator BOB MENENDEZ. This legislation, which President Obama signed into law on February 18, 2016, was a momentous achievement, and for the first time ever, our Congress imposed mandatory sanctions on North Korea. Unfortunately, the administration's implementation of this legislation has been lacking and certainly disappointing. While they have taken some positive steps, such as designating North Korea as a jurisdiction of "primary money laundering concern" and also designating top North Korean officials, including Kim Jong-un, as human rights violators, these actions only scratch the surface of the sanctions authorities provided to the President under the new law.

We know the source of the majority of North Korea's export earnings is the People's Republic of China. Nearly 90 percent of North Korea's trade is with China. Yet, to date, no Chinese entities that are responsible for this 90 percent have been designated for sanctions violations under the new legislation. So while we are trying to keep this regime from continuing to grow a nuclear profile, the entities that are giving them the money and the resources to do it outside of the country haven't faced the sanctions this body authorized earlier this year.

The Wall Street Journal wrote in an editorial on August 18, 2016:

The promise of secondary sanctions is that they can force foreign banks, trading companies and ports to choose between doing business with North Korea and doing business in dollars, which usually is an easy call. . . . But this only works if the U.S. exercises its power and blacklists offending institutions, as Congress required in February's North Korea Sanctions and Policy Enhancement Act. The Obama administration hasn't done so even once.

As the Wall Street Journal further noted, for instance, the administration has not acted on information from the United Nations Panel of Experts Report that the Bank of China "allegedly

helped a North Korea-linked client get \$40 million in deceptive wire transfers through U.S. banks."

Moreover, there is ample evidence of increased North Korean efforts to evade sanctions with help from Chinese-based entities. According to a New York Times report on September 9, 2016, "To evade sanctions, the North's state-run trading companies opened offices in China, hired more capable Chinese middlemen, and paid higher fees to employ more sophisticated brokers."

This isn't a regime that is facing the full wrath of the sanctions of the United States; this is a regime that has figured out how to use its neighboring countries to cheat to evade sanctions. We need those neighboring nations, which I know also agree in the denuclearization of North Korea, to step up, to stand up and agree to stop the provocations of North Korea by ensuring that we can shut down the money flow, ensuring that we can shut down the supplies, the materials they are using in this nuclear production, make sure they stop providing trade opportunities for hard currency going to North Korea that is feeding a nuclear program, not feeding the people of North Korea.

This behavior can't be tolerated, and the administration now has the tools to punish these actions. It is unacceptable that it has not done so already, despite the will of this body. Passage of our legislation 96 to 0—every Republican and Democrat supported our efforts to impose sanctions on this regime. These latest developments in North Korea show that we are now reaping the rewards for our weak policies. The simple fact is that this administration's strategic patience has been a strategic failure, both with North Korea and with China, and has resulted in no strategy.

As Secretary Ash Carter stated immediately following the latest nuclear test, China shares an important responsibility for this development and has an important responsibility to reverse it. It is important that it use its location, its history, and its influence to further the denuclearization of the Korean Peninsula and not the direction that things have been going. We must now send a strong message to Beijing that our patience has run out and exert any and all effort with Beijing to use its critical leverage to stop the madman in Pyongyang. We must not tolerate this behavior.

The four things that I pointed out at the beginning of this talk are important to secure. Tomorrow I will be sending a letter to the President. Over a dozen Members of this body have signed and agreed to participate in this letter, asking a series of questions about our strategy toward North Korea, about the compliance of China and whether they are living up to the

full faith of the United Nations Security Council Resolution 2270.

Are they skirting the resolution? We are encouraging the closure of the livelihood exemption in the Security Council resolution. It talks about Air Koryo and its ability to skirt the sanctions to help secure luxury goods that are banned by the sanctions.

I hope that other colleagues will stand with me as we make sure that we are doing everything we can to stop the actions of a regime that is bent on the destruction of its neighbor South Korea—our great ally. It is bent on the destruction of our allies around the region and certainly intent on finding the capability, the technology to deliver one of those warheads to the U.S. homeland.

This is an important issue for this generation. It is important that this generation act and solve it before the next generation bears the consequences.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

ADDRESSING CRITICAL MATTERS FACING OUR NATION

Mr. REED. Mr. President, today I join many of my colleagues who have come to the floor to implore the leadership and my colleagues on the other side of the aisle to work with us to address critical matters facing our Nation. From failing to provide the necessary funding to combat the Zika virus and our Nation's opioid epidemic to failing to even consider a candidate for the Highest Court in the land, or legislation to curb gun violence and address college costs and the student debt crisis—we must act on all of these measures, and we must do it promptly.

We are entrusted by the American people to find solutions for difficult, hard-to-fix problems, not to ignore them at almost every turn. I have heard from people of all persuasions, reaching out, urging Congress to take action. So I come here today to remind my colleagues across the aisle, and my colleagues within my caucus, that we all must do our job. That message has come through loud and clear from the American public, and we have to put those words into action.

For more than 8 months, we have seen, for example, the harmful effects of the Zika virus. We have seen its heartbreaking impact on newborns, women, and families and deepened our understanding of the suffering this virus causes. Pregnancies have been lost. We have seen children born with permanent birth defects that could have been avoided. And recently, the Centers for Disease Control and Prevention has said that the disease can enter people's eyes, causing serious vision impairment.

It has been over 6 months since the President requested \$1.9 billion in

emergency funding to fight the Zika virus. It has been 4 months since the Senate passed a compromise measure to provide \$1.1 billion for a comprehensive response to Zika and to speed up development of a vaccine by a strong bipartisan vote of 68 to 29.

Instead of the other body passing this measure, the majority in both bodies agreed upon a bill that uses this public health crisis as an opportunity to attack the Environmental Protection Agency and make cuts to the Affordable Care Act, veterans' health care, and other provisions. This approach seeks to drain funds from critical health needs, which have not abated, as a way to pay for the Zika emergency. Indeed, it is an emergency that requires an emergency response.

In light of this failure, the administration shifted all the funds it could to the Zika efforts. As the head of the Centers for Disease Control has noted, these funds are now running out. It is urgent that we pass a measure like the one we already did that gives the public health community the resources it needs to prevent further infections, treat those who have been affected, and develop vaccines to limit future outbreaks.

Unfortunately, Congress has taken a similar approach of delay to the opioid epidemic, severely underfunding efforts to combat this crisis. Like many Americans, I have seen the devastating impact the opioid crisis continues to have on our Nation. Indeed, since 2010, we have lost more than 1,000 Rhode Islanders to accidental drug overdoses, including more than 230 overdose deaths in 2014—an increase of 73 percent since 2009. Nationally, drug overdoses have exceeded car crashes as the number one injury-related death. Two Americans die of drug overdoses every hour.

Action is urgently called for, and I commend my colleague from Rhode Island, Senator WHITEHOUSE, who spearheaded passage in this body of the bipartisan Comprehensive Addiction and Recovery Act, or CARA. However, CARA provides authority only for a response plan to address this complex challenge; it does not adequately fund this effort. For this law to work, we need real dollars to deliver lifesaving prevention and treatment services. It is critical that we provide robust resources to confront this epidemic and ensure that people have access to the treatment they need. Unfortunately, that has not happened. We cannot fight the opioid crisis with words. We need dollars, as well as words.

Those across the aisle have also fallen short on their responsibility by refusing to hold so much as a hearing on President Obama's nomination of Chief Judge Merrick Garland to the Supreme Court. This body has a constitutional obligation to advise and consent on the President's nominees. When we fail in that obligation, we undermine the sta-

bility of our system of justice and endanger Separation of Powers.

Since the stunning announcement by the majority leadership that no hearing would be held on a replacement, the Supreme Court has deadlocked on five major questions of law. These are legal issues that directly impact millions of Americans in terms of labor force protections, business interests, and civil rights. These issues are more important than political gamesmanship, and they need resolution now.

If this obstructionism continues, American families and businesses will face growing legal uncertainty as disputed Federal laws apply differently across States. This damage to our legal system is unprecedented and could take years to undo. I urge my colleagues to do their job and allow a vote on Chief Judge Garland's nomination.

The majority has also thwarted efforts to address the continuing epidemic of gun violence in our country. This year, nearly as many Americans will lose their lives to guns as will be killed in automobile accidents. Sadly, the number of gun deaths continues to grow, fueled by easy access to lethal firearms.

This body could take action to limit the devastation to families in our communities brought about by military-grade firearms that are too easily accessed. It is my hope that through an honest, open dialogue, we can bridge the divide and pass legislation—such as closing the terror gap—in order to keep our families and communities safe from the threat of gun violence.

Another area that I want to emphasize is college affordability, where inaction has exacerbated a crisis in which sending a child to college can often put families hopelessly in the red.

We all understand that education is the engine that pulls this economy forward, fulfills individual aspirations, and makes America what it is. The United States invented modern public education and led the world in access to higher education for generations. It is a great irony that we are falling behind.

Rising college costs and student loan debt are putting America at risk. And too many institutions lack accountability, putting profit before providing a quality education to students. We need to revamp our system for financing college, and we need to help families currently struggling under the weight of student loan debt.

Many of my colleagues, and I have joined them, have put forth commonsense proposals to allow families to refinance student loans at today's low rates; to ensure that all Americans have access to tuition-free community college; to strengthen the Pell grant and reduce the reliance on student loans; and to ensure that States and institutions live up to their shared responsibilities in providing high quality

and affordable higher education. These solutions are badly needed, and the majority needs to work with us to do our job and not leave students and families behind.

It is a great honor to serve the people of Rhode Island, and I know all of my colleagues in the Senate feel the same way about their respective States. Congress has always faced an array of complex and varied challenges. We must come together and find sincere solutions to improve our country.

I say to my colleagues: It is long past time to get to work, to do your job, and to act on these pressing problems. They cannot wait any longer.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL ANTI-POACHING ACT

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 459, H.R. 2494.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2494) to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PURPOSES AND POLICY

Sec. 101. Purposes.

Sec. 102. Statement of United States policy.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

Sec. 201. Report.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

Sec. 301. Presidential Task Force on Wildlife Trafficking.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

Sec. 401. Anti-poaching programs.

Sec. 402. Anti-trafficking programs.

Sec. 403. Engagement of United States diplomatic missions.

Sec. 404. Community conservation.

TITLE V—TRANSITION OF OVERSEAS CONTINGENCY FUNDING TO BASE FUNDING

Sec. 501. Sense of congress on funding.

TITLE VI—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

Sec. 601. Amendments to Fisherman’s Protective Act of 1967.

SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **CO-CHAIRS OF THE TASK FORCE.**—The term “Co-Chairs of the Task Force” means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) **COMMUNITY CONSERVATION.**—The term “community conservation” means an approach to conservation that recognizes the rights of local people to sustainably manage, or benefit directly and indirectly from wildlife and other natural resources and includes—

(A) devolving management and governance to local communities to create positive conditions for sustainable resource use; and

(B) building the capacity of communities for conservation and natural resource management.

(4) **COUNTRY OF CONCERN.**—The term “country of concern” refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 201 as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) **FOCUS COUNTRY.**—The term “focus country” refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) **DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.**—The terms “defense article”, “defense service”, “significant military equipment”, and “training” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) **IMPLEMENTATION PLAN.**—The term “Implementation Plan” means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) **NATIONAL STRATEGY.**—The term “National Strategy” means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) **NATIONAL WILDLIFE SERVICES.**—The term “national wildlife services” refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) **SECURITY FORCE.**—The term “security force” means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) **TASK FORCE.**—The term “Task Force” means the Presidential Task Force on Wildlife

Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) **WILDLIFE TRAFFICKING.**—The term “wildlife trafficking” refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

TITLE I—PURPOSES AND POLICY

SEC. 101. PURPOSES.

The purposes of this Act are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 102. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized

criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 201. REPORT.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this Act.

(b) **SPECIAL DESIGNATION.**—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country listed in the report that also constitutes a country of concern (as defined in section 2(4)).

(c) **SUNSET.**—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 301. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) **RESPONSIBILITIES.**—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 201 and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 201(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this Act; and

(5) coordinate or carry out other functions as are necessary to implement this Act.

(b) **DUPLICATION AND EFFICIENCY.**—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this Act are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and inter-

agency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) **CONSISTENCY WITH AGENCY RESPONSIBILITIES.**—The Task Force shall carry out its responsibilities under this Act in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) **TASK FORCE STRATEGIC REVIEW.**—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this Act, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 201 have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force's experience as of the time of the review.

(e) **TERMINATION OF TASK FORCE.**—The statutory authorization for the Task Force provided by this Act shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 401. ANTI-POACHING PROGRAMS.

(a) **WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 301(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) **AUTHORITY TO PROVIDE SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING.**—

(1) **IN GENERAL.**—The President is authorized to provide defense articles, defense services, and related training to security forces of focus countries for the purpose of countering wildlife trafficking and poaching where appropriate.

(2) **TYPES OF ASSISTANCE.**—

(A) **IN GENERAL.**—Assistance provided under paragraph (1) may include intelligence and surveillance assets, communications and electronic equipment, mobility assets, night vision and thermal imaging devices, and organizational clothing and individual equipment, pursuant to the applicable provision of the Arms Export Control Act (22 U.S.C. 2751 et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(B) **LIMITATION.**—Assistance provided under paragraph (1) may not include significant military equipment.

(3) **SPECIAL RULE.**—Assistance provided under paragraph (1) shall be in addition to any other assistance provided to the countries under any other provision of law.

(4) **PROHIBITION ON ASSISTANCE.**—

(A) **IN GENERAL.**—No assistance may be provided under subsection (b) to a unit of a security force if the President determines that the unit has been found to engage in wildlife trafficking or poaching.

(B) **EXCEPTION.**—The prohibition in subparagraph (A) shall not apply with respect to a unit of a security force of a country if the President determines that the government of the country is taking effective steps to hold the unit accountable and prevent the unit from engaging in trafficking and poaching.

(5) **CERTIFICATION.**—With respect to any assistance provided pursuant to this subsection, the Secretary of State shall certify to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that such assistance is necessary for the purposes of combating wildlife trafficking.

(6) **NOTIFICATION.**—Consistent with the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), the Secretary of State shall notify the appropriate congressional committees regarding defense articles, defense services, and related training provided under paragraph (1).

SEC. 402. ANTI-TRAFFICKING PROGRAMS.

(a) **INVESTIGATIVE CAPACITY BUILDING.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) **TRANSNATIONAL PROGRAMS.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries, may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 403. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under

section 301(a)(2), among other goals, for the country.

SEC. 404. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United States Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources sustainably, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and sustainable agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, sustainable economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support sustainable land use plans to improve the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

TITLE V—TRANSITION OF OVERSEAS CONTINGENCY FUNDING TO BASE FUNDING

SEC. 501. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that the President and Congress should provide for an appropriate and responsible transition for funding designated for overseas contingency operations to traditional and regular annual appropriations, including emergency supplemental funding, as appropriate.

TITLE VI—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 601. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, in consultation with the Secretary of State,” after “Secretary of Commerce”;

(B) in paragraph (2), by inserting “, in consultation with the Secretary of State,” after “Secretary of the Interior”;

(C) in paragraph (3), by inserting “in consultation with the Secretary of State,” after “, as appropriate,”;

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

“(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.”; and

(2) in subsection (d), by inserting “in consultation with the Secretary of State,” after “as the case may be,”.

Mr. COONS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn; the Coons amendment at the desk be agreed to; and the bill, as amended, be read a third time.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 5078) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. COONS. Mr. President, I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2494), as amended, was passed.

Mr. COONS. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I am going to take a few minutes, if I might, to celebrate something that we, frankly, have a chance to celebrate far too rarely—a bipartisan legislative success.

I am thrilled to be here to celebrate the passage of the End Wildlife Trafficking Act, a bill Senator FLAKE and I have been working on for months since it was introduced in December of last year, an idea which we have been working on for well over a year. This bill has been a long time in coming.

I first saw the tragic consequences of poaching and wildlife trafficking decades ago when I was a young man in Kenya, and I first visited Africa with a number of my colleagues on a trip to look at the dramatic increase in wildlife trafficking just a few short years ago.

President Obama issued an Executive order to combat wildlife trafficking back in 2013, and Senator CARDIN and I held a joint hearing on the topic in 2014 when I chaired the African Affairs Subcommittee. Senator FLAKE, now the chair of the African Affairs Subcommittee, and I introduced this bill together last December, and now we

are excited to see it pass this body and be one step closer to becoming law.

Why is this bill important? Why does wildlife trafficking in Africa matter? Because nearly 100 elephants are killed every single day so their ivory tusks can be sold on the black market. Ivory now commands prices higher than heroin or gold, and it has become one of the principal ways of financing transnational networks of terrorists and of criminals.

The tragic consequences for the African elephant were recently noted in a report that showed that the population of elephants across the continent shrank by one-third in the last decade. In 2014, more than 1,000 rhinoceroses were illegally killed in South Africa, a several thousand-percent increase since the decade before. And as rhino horn and elephant tusks command outrageous prices on the world market, the demand has driven both wildlife poaching and trafficking steadily upward. Until today, it has become a multibillion-dollar industry that threatens wildlife, fragile ecosystems, and our national security.

Wildlife poaching and trafficking is one of those problems about which it is tempting to throw up our hands and ask: What could we possibly do about this? It happens on the other side of the world and it affects wildlife most of us will never see in person. But we didn't. And because of that, because of our persistence and determination and because so many people on the committee staff in the Senate and in the executive branch have devoted time and effort to coming up with a strategy and a pathway toward addressing it, we have lots of reasons today to be optimistic.

In President Obama, we have a President engaged in the continent of Africa and committed to combating trafficking and poaching. In Secretary Kerry, we have a former Senator who, when he was chairman of the Foreign Relations Committee, dedicated personal time and effort to highlighting the issue of wildlife trafficking. As I mentioned, in 2013, the President created a task force on wildlife trafficking that produced a national strategy for working together to combat wildlife trafficking. Now, just today, we have a strong bill—the End Wildlife Trafficking Act—that has passed the Senate and is on its way to the House.

Based on a recent conversation, I am optimistic that Chairman ROYCE and Ranking Member ENGEL, of the House Foreign Affairs Committee, will move this forward in the week ahead. Both Chairman ROYCE and Ranking Member ENGEL deserve great credit for passing a complementary bill in the House, and it is because they have already acted on this that I am optimistic we will be able to together reach our end goal.

What exactly does that bill do? Let me briefly say, it requires a strategy,

it authorizes an interagency approach to working with the governments of many countries affected by wildlife trafficking, and it produces recommendations on how to address those threats in coordination with non-governmental organizations. It authorizes the Secretary of State and the Administrator of USAID to support efforts to combat poaching and wildlife trafficking and to encourage community conservation programs—an initiative, a direction, that Senator FLAKE and I have seen in person on the ground in southern Africa.

It also includes strategic regular reviews to monitor progress being made, and it gives prosecutors more tools to go after individuals involved in high-value wildlife crime. Last, but not least, it encourages diplomatic efforts around the world to try and reduce the demand for wildlife trafficking and for the markets that consume so much of this illicit traffic, whether in China, Vietnam, Malaysia, or elsewhere. Finally, it requires an annual report back to us in Congress to let us know how any taxpayer dollars appropriated in this fight against wildlife trafficking are being spent.

This bill isn't just good policy. In a Congress that is all too often paralyzed by division and by dysfunction, the passage of this act is an important example of what it can look like when we put good policy before partisan politics.

I want to briefly thank the staff of Senators CORKER and CARDIN; my own staff, including Lisa Jones, who spent a great deal of time on this; the staff of Senator FLAKE, Colleen Donnelly and Sarah Towles; and three terrific people, all of them AAAS fellows who have helped bring this bill to passage: Rosa Mutiso, Allie Schwier, and Leah Rubin Shen, who has moved from being an AAAS fellow to my office and has done a terrific job getting us to the finish line today.

I am so grateful for all of the work of the dedicated folks in Congress and in the executive branch who have made this possible.

Thank you very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

WRDA

Mr. PETERS. Mr. President, I rise to applaud the Senate for passing earlier today the Water Resources Development Act of 2016, better known as WRDA. It is important to pause for a moment and appreciate the fact that we were able to come together in such a bipartisan way on such an important and substantive matter. Today, WRDA passed by an overwhelming majority of 95 to 3.

Today we took a critical step toward making real investments in our Na-

tion's waterways, ports, harbors, ecosystems, and the infrastructure we rely on for our drinking water. We also made a statement that when a group of people are suffering, our country must pull together to help.

Delivering assistance to Flint, MI, and other communities suffering from poor drinking water quality is, frankly, quite overdue. We should have provided funding to fix Flint's water infrastructure long ago, but today we have taken a meaningful step toward the future, where the people of Flint, as well as communities all across America, can turn on their taps and trust that it is safe to use the water that comes out of them.

We cannot forget that right now the people of Flint are still living in this crisis. People are still depending on bottled water and filters for everyday water needs. The health effects will last for decades to come.

Over the past year, I have regularly heard from Flint families about their ongoing struggles. Just this week, I heard from Flint residents who came to Washington. They came to share their stories and to keep up the fight for the Federal support their community needs. These Americans continue to endure unimaginable circumstances with both grace and dignity.

The breadth and severity of the hardships these families have faced are breathtaking, but I continue to hear news stories that would shock all of us in this Chamber and push Congress to finish our work to get this package signed into law.

This week I heard from one Flint mother who told me a story about her 10-year-old daughter with aching bones and teeth. Lead and calcium compete for the same locations in the body and are stored in bone tissue. This is one of the many reasons lead exposure is especially devastating to growing children.

Try to imagine the horror of seeing your daughter's teeth crumble while biting into a sandwich. This is what the people of Flint are living with. The girl's blood lead levels, even recently, were up and down, and she takes large supplements to improve her bone strength. As these Flint residents continue to tell their stories, we must not let their reality fade from the minds of this Nation. As a nation, we can do better than this. We must take care of our own.

As we pause to recognize the weight of our actions today, we must recognize and remember the people who have been fighting for a very long time.

I would like to recognize Dr. Mona Hanna-Attisha, Dr. Marc Edwards, and Miguel Del Toral for their tireless work to identify and shine a light on the crisis of Flint last year, as well as for all of their advocacy and work since then.

I would also like to recognize the grassroots leaders in Flint who realized

there was a serious problem way before anyone else. LeeAnne Walters, Melissa Mays, the Concerned Pastors of Flint, and many others. Despite being repeatedly dismissed and ignored, they kept talking and marching and battling to let the world know about the injustice.

Senator STABENOW and her team have worked tirelessly with us on this effort and to advance our package helping Flint and other countries across the country. She and I underwent weeks of negotiations to carefully craft a bipartisan agreement, and we have a number of Senators who were willing to work with us and truly wanted to find a solution.

Senator STABENOW's staff, particularly Matt VanKuiken and Aaron Suntag, deserve a lot of credit for late nights drafting legislative language and making calls to negotiate a deal.

Senators INHOFE and BOXER deserve special gratitude for their creative ideas and steadfast determination.

I would also like to thank the Environment and Public Works Committee staff, including Alex Herrgott, Jason Albritton, Bettina Poirier, and Susan Bodine, among others. Your long hours and commitment were critical to the bill's passage.

I should also recognize the cosponsors of our bipartisan legislation, including Senators BROWN, PORTMAN, KIRK, REED, BURR, DURBIN, MIKULSKI, CAPITO, and BALDWIN.

I would like to recognize Senators MURKOWSKI and CANTWELL and their staff who worked for weeks to help us find a path forward on a bipartisan energy bill. While this did not come to fruition, we kept working hard to find a path forward. We didn't let one roadblock stand in the way. We kept on fighting for Flint, just like the families in Flint keep on fighting.

So while I am pleased the Senate finally passed this bipartisan, fully paid-for legislation to provide much needed support for Flint families, we now need to redouble our efforts to get it done and get it over the finish line.

I urge my colleagues in the House to swiftly pass similar assistance to Flint and other communities across the country. This bill is the best way for us to help them make critical investments in their aging water infrastructure.

I thank my colleague Congressman KILDEE, who has been Flint's most steadfast champion in the U.S. House. He has worked with Senator STABENOW and me to secure Federal resources for Flint families, and I know he is working hard with his House colleagues to pass legislation to aid Flint.

Local elected officials, such as State Senator Jim Ananich, State Representative Sheldon Neeley, and Mayor Karen Weaver continue to battle for their constituents, secure resources to fix problems, and shine a light on all of the many positive aspects of the city of Flint.

I know other Members of the Michigan delegation and of other States are committed, but now is the time to step up to the plate and show that we will follow through on our responsibilities as representatives of the people.

Finally, if we are to solve this crisis, the State of Michigan must step up with substantial long-term support for the people of Flint and help them fully recover in the years and decades ahead. This disaster happened on their watch, and it is an immense failure on the part of the State of Michigan to protect the health and safety of its city's residents.

Despite the grim facts of this tragedy, some day in the future I hope we will look back at today and say it was a milestone and a turning point. I am optimistic that we will. This is not the end of our efforts for Flint. This is the beginning of making things right.

We won't stop fighting for what is best for Flint families. I urge all of my colleagues to continue working to invest in critical water infrastructure so that we never, ever see a crisis like this again anywhere in our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUERTO RICAN TASK FORCE'S INTERIM REPORT

Mr. HATCH. Mr. President, pursuant to section 409 of the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA, P.L. 114-187, the bipartisan Congressional Task Force on Economic Growth in Puerto Rico has been charged with compiling a report by December 31, 2016, that identifies impediments to growth and recommends changes to promote long-term economic growth and stability, spur new job creation, reduce child poverty, and attract investment in the territory.

The statute also requires submission of an interim report on the status of the task force's efforts to the House and Senate. As chairman of the task force and after having submitted this report to leadership of both parties in the Senate and the House, I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL TASK FORCE ON ECONOMIC GROWTH IN PUERTO RICO

STATUS UPDATE TO THE HOUSE AND SENATE Background:

On June 30, 2016, the "Puerto Rico Oversight, Management, and Economic Stability

Act," or "PROMESA," was signed into law (Public Law 114-187). Section 409 of PROMESA establishes an eight-member Congressional Task Force on Economic Growth in Puerto Rico (hereafter, "Task Force").

The Task Force has two basic charges:

1. To issue, between September 1, 2016 and September 15, 2016, a status update to the House and Senate that includes—

a. information the Task Force has collected; and

b. a discussion on matters the chairman of the Task Force deems urgent for consideration by Congress.

2. To issue, not later than December 31, 2016, a report of Task Force findings to the House and Senate regarding—

a. impediments in current Federal law and programs to economic growth in Puerto Rico including equitable access to Federal health care programs;

b. recommended changes to Federal law and programs that, if adopted, would serve to spur sustainable long-term economic growth, job creation, reduce child poverty, and attract investment in Puerto Rico;

c. the economic effect of Administrative Order No. 346 of the Department of Health of the Commonwealth of Puerto Rico (relating to natural products, natural supplements, and dietary supplements) or any successor or substantially similar order, rule, or guidance of the Commonwealth of Puerto Rico; and

d. additional information the Task Force deems appropriate.

Further, PROMESA urges the Task Force's final report to reflect the shared views of all eight members "to the greatest extent practicable." PROMESA also directs the Task Force to consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

Task Force Members were selected in July in accordance with specifications in PROMESA, and are as follows: Senator Orrin Hatch, (R-UT); Senator Robert Menendez (D-NJ); Senator Marco Rubio (R-FL); Senator Bill Nelson (D-FL); Representative Tom MacArthur (R-NJ); Resident Commissioner Pedro Pierluisi (PR); Representative Sean Duffy (R-WI); Representative Nydia Velázquez (D-NY).

This report provides the status update pursuant to the Task Force's first basic charge, highlighting information the Task Force has collected and outlining the Task Force's ongoing activities related to information gathering, analysis of policy options, and communication with stakeholders.

Residents of Puerto Rico and their families face numerous challenges to economic growth along many dimensions affected by Federal law and programs, including health care, government finances, economic stagnation, population loss, and sectoral inefficiencies. In addition, Puerto Rico is confronting challenges shared with several states related to the Zika virus and faces the highest number of confirmed cases of any U.S. jurisdiction. Task Force Members are actively working to arrive at a consensus in order to provide Congress with findings and recommendations as called for under PROMESA.

Information the Task Force has collected:

Data

Task Force staff convened a meeting with researchers from the Federal Reserve Bank of New York to discuss sources of data on Puerto Rico's economy and financial activities. The Federal Reserve Bank of New York oversees the Second District of the Federal Reserve System, which includes Puerto Rico.

Researchers and analysts at the Federal Reserve Bank of New York have a long history of monitoring economic and financial developments in Puerto Rico and provided useful information to Task Force staff on available data to assist the Task Force in analyzing the economic and financial environment in the territory.

Task Force staff have also been in contact with entities within Puerto Rico, including the Puerto Rico Institute of Statistics (Instituto de Estadísticas de Puerto Rico), to obtain the best available information about Puerto Rico's economic and fiscal situation.

Like other observers, the Task Force is concerned about the relative lack of reliable data pertaining to certain aspects of the economic, financial, and fiscal situation in Puerto Rico, which are necessary for productive analyses that may lead to sound public policy recommendations.

Therefore, the Task Force intends to analyze the extent to which Federal statistical products that measure economic and financial activity in the states might also provide equivalent information for Puerto Rico and other territories, and the Task Force intends to explore ways in which any such data gaps can be responsibly closed.

Task Force Email Portal

The Task Force established an email portal—prtaskforce@mail.house.gov—and issued press releases calling on stakeholders to submit their input to this portal. These written submissions, from both the public and private sectors, will be useful to the Task Force as it works to arrive at bipartisan recommendations. All submissions will be considered part of the public record and the Task Force intends to publish them prior to or along with its final report. To date, the Task Force has received approximately 335 submissions to the email portal from individuals and organizations representing a wide variety of interests. Task Force staff have begun analyzing these submissions and will continue to do so as the year progresses.

The Task Force initially announced a deadline for submission to the email portal of September 2, 2016. The Task Force has since extended the deadline until October 14, 2016 in order to cast the widest net possible and to ensure that stakeholders have ample opportunity to provide input.

Federal Agencies

As a U.S. jurisdiction, Puerto Rico is affected by Federal laws enacted by Congress and administered by Federal agencies. Accordingly, the Task Force, in order to fulfill its charges under PROMESA, will require input and cooperation from various Federal agencies and offices Task Force staff have begun, and will continue, to contact congressional liaisons from Federal agencies and offices to schedule briefings and facilitate information sharing.

Thus far, Task Force staff have contacted officials at the U.S. Department of Health and Human Services, including the Centers for Medicare and Medicaid Services, to open a dialogue regarding Federal health policy and its impact on Puerto Rico. Task Force staff have also contacted officials at the U.S. Department of Commerce, the U.S. Department of Labor, and the Federal Housing Finance Agency to discuss a range of topics, including the inclusion, or lack thereof, of Puerto Rico in economic measures commonly used to gauge economic and financial activities in states. The U.S. Department of Energy, the U.S. Environmental Protection

Agency, the U.S. Small Business Administration, and the U.S. Department of the Treasury have also been contacted to discuss critical energy, environmental, health, and economic issues. Task Force staff expect to contact officials at additional Federal agencies to obtain pertinent information.

Task Force Members urge all Federal agencies and offices contacted by Task Force staff to recognize the relatively brief time period in which the Task Force is required to operate, and welcome prompt responses to requests for information and willingness to meet with Task Force staff on short notice to provide background and briefing materials. Moreover, Task Force Members emphasize the need for bipartisan cooperation as the Task Force works to arrive at findings and recommendations.

Congressional Support

The Task Force expects to benefit from the support of available congressional support offices, most notably the Joint Committee on Taxation (JCT), the Congressional Budget Office (CBO), and the Library of Congress's Congressional Research Service (CRS).

Task Force staff have contacted JCT, which will provide a briefing in the near term to discuss the application of Federal tax policy in Puerto Rico, as well as individual, corporate, and other tax proposals put forward in recent years by stakeholders in Puerto Rico and in Congress. Staff have reached out to CRS researchers for updates on previously-issued CRS reports related to Puerto Rico and have scheduled briefings on a number of germane issues.

Offices and Agencies in Puerto Rico

As noted above, PROMESA specifically requires the Task Force to consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

Task Force staff have begun outreach to leaders of the Puerto Rico Legislative Assembly, and welcome any input and recommendations that they wish to provide. Task Force staff have also contacted the Secretary of the Puerto Rico Department of Economic Development and Commerce, and welcome input and recommendations from the Secretary and other officials at the agency. Similarly, Task Force staff have contacted the Secretary of the Puerto Rico Department of Health to obtain input with respect to the Department's Administrative Order No. 346. Consultation with entities in the private sector of Puerto Rico has also been ongoing and will continue throughout this process.

TRIBUTE TO THE KENTUCKY BANKERS ASSOCIATION

Mr. McCONNELL. Mr. President, I rise today to extend my thanks and congratulations to a venerable Kentucky business trade association that is celebrating a milestone anniversary of service to its members and its customers. The Kentucky Bankers Association, a nonprofit trade association serving Kentucky's community financial services industry, celebrates its 125th anniversary this October.

Founded in October of 1891, the Kentucky Bankers Association, KBA, represents State and federally chartered banks and thrifts. It has 185 member banks, 167 of which are headquartered

in Kentucky. Not only do KBA's member banks provide high-quality service to the people of the Commonwealth, but they also employ more than 23,000 Kentuckians.

The purpose of the Kentucky Bankers Association is to provide advocacy for the financial services industry both in Kentucky and on the national level. The organization also serves as a fount of information to its members on the banking industry and acts as a catalyst for internal debate and action within the industry and among its members. It also publishes an industry magazine to provide news and information to its members. And by providing loans to Kentucky businesses, they enable future business growth and spur the creation of new jobs.

KBA has served its members for 125 years, and many of KBA's member banks have also been serving their customers for a long time. The oldest bank chartered in Kentucky was established in 1835, making it 181 years old. And the average age of Kentucky chartered banks is 84 years old. Kentuckians who bank with KBA's members have counted on and appreciated their high level of service for generations.

I also want to congratulate my friend Ballard Cassady, the president and CEO of KBA, as he has served in that position for 30 years. His dedication to the KBA is equaled only by KBA member banks' dedication to their customers.

Kentucky community banks are integral parts of the local neighborhoods they serve. And the KBA plays a vital role in representing these community financial institutions. I want to extend my gratitude to the KBA, Mr. Cassady, and KBA leadership for 125 years of service to Kentucky's community financial institutions and their consumers. And I wish to thank KBA's member banks across the Commonwealth for their long-standing commitment to the people of Kentucky.

TRIBUTE TO JOHN BEL EDWARDS

Mr. REID. Mr. President, today I recognize Governor John Bel Edwards, who is celebrating his 50th birthday on September 16, 2016.

Governor Edwards is a committed public servant who has dedicated his career to improving the lives of Louisiana residents. A Louisiana native, Governor Edwards graduated from Amite High School as valedictorian of his class. After graduating from the U.S. Military Academy at West Point 4 years later, he bravely served our country as an airborne ranger in the U.S. Army. Following his service, Governor Edwards attended law school at Louisiana State University, where he graduated Order of the Coif, the prestigious honor society for our Nation's brightest law school graduates.

In 2008, Governor Edwards was elected to the Louisiana House of Rep-

resentatives. Throughout his tenure, he worked diligently to ensure that the needs of Louisiana residents were met. His Democratic colleagues recognized his unwavering commitment to public service and his steadfast leadership ability, and they elected him as chairman of the Louisiana House Democratic Caucus.

It comes as no surprise that Governor Edwards has already achieved a number of accomplishments on behalf of Louisiana since he became the Governor of the State in January 2016. He has led State legislators in addressing Louisiana's most pressing issues, including the State's budget crisis, historic flood events that have damaged more than 100,000 homes throughout the State, and several tornadoes that have impacted many of the State's most vulnerable residents. In addition to managing the response to these crises, Governor Edwards is implementing programs that are critical to the success and well-being of Louisiana residents, such as Medicaid expansion and major infrastructure development projects.

Governor Edwards is married to his high-school sweetheart, Donna Edwards, and they have three beautiful children: Samantha Bel, Sarah Ellen, and John Miller. I join the Governor's family, friends, and the residents of Louisiana in wishing him a very happy 50th birthday. His dedication to Louisiana is commendable, and I look forward learning about his future success on behalf of the residents of Louisiana and all Americans.

WATER RESOURCES DEVELOPMENT ACT OF 2016

Mr. DURBIN. Mr. President, I want to take a few minutes to celebrate the bipartisan passage of this year's Water Resources Development Act. This critically important legislation will help keep our drinking water safe, move goods on Illinois waterways, protect communities from flooding and preserve the precious natural resources that are our rivers, streams, and wetlands.

Our Nation's water infrastructure plays a vital role in protecting our communities from flooding, safeguarding our drinking water from contamination, and advancing commerce through the safe and secure movement of goods. The safety of the American people and the stability of the American economy depend on the reliability of our water infrastructure.

But our water infrastructure in the U.S. is aging and overburdened, and investment is not keeping up with the need. We have locks and dams that are crumbling, in serious need of maintenance and upgrades, and lead water pipes that are long overdue for replacement. What happened in Flint has shown just how vulnerable our water

infrastructure is and why investing in it is so important. That is why I was proud to support the passage of the Water Resource and Development Act of 2016, which makes significant investments in water infrastructure around the country.

I am proud to report that much of the water infrastructure funding in this bill will benefit my home State of Illinois. The bill authorizes a final feasibility report on phase II of the Des Plaines River Project, which will provide flood risk management and environmental restoration on the Upper Des Plaines River and tributaries in Illinois and Wisconsin. The bill also includes language that expedites the completion of the McCook Reservoir in the Chicago region. McCook is a 10-billion-gallon reservoir designed to redirect flood and wastewater from the Chicago region. When completed, the project will benefit Chicago and 36 surrounding suburbs, including 1.5 million structures and over 5 million people. Also included is language that will help pay for work on the Lockport Prairie Nature Preserve and the Prairie Bluff Preserve in Will County. These are important projects for Illinois that will help prevent flooding in our communities and restore our region's ecosystems.

In Illinois, we treasure Lake Michigan, from the drinking water it provides to millions of people, to the commerce and tourism it brings to the Chicago area. That is why protecting and restoring our Great Lakes is so important to Illinois. This bill authorizes \$300 million per year to help protect our Great Lakes through the Great Lakes Restoration Initiative, or GLRI, which provides Illinois with millions in Federal funding to combat invasive species like Asian carp; reduce and remove pollution, waste runoff, and toxic chemicals; and restore wetlands and other lakefront assets. GLRI funds have been used for restoration projects like the removal of toxic chemicals from Waukegan Harbor, green infrastructure like the Millennium Reserve near the Calumet River, and the restoration of 40 acres of land at North-erly Island.

Finally, this bill takes important steps to address the water contamination issues that have been plaguing communities across the country. Lead water contamination is not a new problem. In Illinois, we have been battling this issue for years. The contaminated water crisis in Flint, MI, was a wakeup call to all of us that we must have strong drinking water protections in place and invest the necessary resources to keep our water safe for our children. This bill provides \$220 million in direct emergency assistance to Flint and other communities facing similar drinking water emergencies. It provides \$1.4 billion over 5 years to help small and disadvantaged communities

comply with the Safe Drinking Water Act. The bill modernizes our State Revolving Loan Fund program and provides \$300 million in grants for communities to replace lead service lines. And because we are also seeing high levels of lead in our schools' water, the bill authorizes \$100 million for additional lead testing in schools. This bill also addresses many of the issues that I raised in the Lead-Safe Housing for Kids Act that I introduced with Senator MENENDEZ and the CLEAR Act that I introduced with Senator CARDIN, two bills that would ensure our children are protected from the dangerous effects of lead in our water and our housing.

Congress has a responsibility to protect the safety of our drinking water, defend our communities from flooding, improve our waterways, and fix the Nation's crumbling water infrastructure. I want to congratulate Chairman INHOFE and Ranking Member BOXER for their hard work and dedication to improving our water infrastructure and for getting this bill passed by the Senate. I am proud to support the important investments that this bipartisan bill makes to improve water infrastructure in Illinois and around the country.

U.S. PARTNERSHIP WITH GEORGIA

Mrs. SHAHEEN. Mr. President, Georgia is a trusted friend and steadfast partner of the United States. I firmly support Georgia's sovereignty, security, and prosperity, and I wish to congratulate Georgians on the remarkable democratic and economic progress they have achieved in 25 years of independence since the fall of the Soviet Union.

I would particularly like to call attention to our unwavering security partnership with Georgia, whose Armed Forces participate in international missions worldwide, including the Resolute Support Mission in Afghanistan, where Georgia is contributing more personnel than any other non-NATO member. I know the United States deeply appreciates Georgia's contributions to these missions and honors its sacrifices.

Our important security relationship with Georgia continues to grow. Through ongoing regional efforts like the European Readiness Initiative and expanded bilateral cooperation, as laid out in the new defense agreement signed in July, the United States and Georgia are working ever more closely to boost our mutual security, build Georgia's resilience and self-defense capabilities, and create a safer region and world. In this context, I remain deeply concerned about Russia's continued occupation of Abkhazia and South Ossetia and believe Russia must fulfill its obligations under the 2008 ceasefire agreement. The United States is steadfast in our support for Georgia's sov-

ereignty and remains committed to helping Georgia achieve its goal of NATO and European Union membership and full integration into European institutions.

Georgia is preparing for parliamentary elections in October, an important test of the country's civic institutions and democratic practices. Georgia's continued democratic maturation depends on free and fair elections contested in a pluralistic media environment. I also believe it is critical for Georgia to sustain progress in enacting its reform agenda, particularly in the justice sector, which will both further strengthen our bilateral partnership and prove to Georgians that their government is working for them. Progress has not come without difficulty, but the commitment of the Georgian people has made Georgia a true standout in a difficult region and an important partner of the United States.

Again, I would like to congratulate Georgia on reaching this significant milestone and recognize the importance of our continued close partnership.

GROWTH AWARENESS

Mr. KIRK. Mr. President, today, on behalf of every child who suffers from growth disorders, I ask my colleagues to join me in recognizing this week, September 19 through 23, as Growth Awareness Week.

Tracking a child's growth is critical as it is a major sign of his or her overall health. When their growth is delayed, it is an indicator of potential underlying medical disorders. In fact, more than 600 serious diseases and health conditions, ranging from nutritional disturbances and hormone imbalances to unidentified kidney problems and brain tumors, can cause growth failure. Unfortunately, the two most common causes of growth failures frequently go undiagnosed, even in children who are evaluated.

By failing to diagnose the cause of growth failure, the potential for damage and high costs of care increases. By contrast, early detection and diagnosis can ensure a healthy future for children with growth failures. That is why raising public awareness and education about growth failure is so important.

I commend the MAGIC Foundation for their great work and look forward to working with my colleagues to improve the lives and health of children in Illinois and across the country.

NATIONAL TRUCK DRIVER APPRECIATION WEEK

Mrs. FISCHER. Mr. President, today I wish to recognize America's professional truck drivers who serve our Nation by safely delivering such vital goods as the clothes we wear, the food we eat, and the medicine we rely on.

This week, September 11 through 17, is designated as National Truck Driver Appreciation Week to honor the 3.5 million professional truck drivers in the United States. According to the American Trucking Associations, the trucking industry employs more than 7 million people, making it not only essential to our economy, but also one of our country's largest employers.

In Nebraska, the trucking industry employs nearly 63,000 men and women who safely deliver essential goods from Scottsbluff to Lincoln and everywhere in between.

Trucking is a major driver of our economy, responsible for nearly 70 percent of the total U.S. freight tonnage. More than 80 percent of communities rely solely on the trucking industry for their goods and commodities.

America's truck drivers are dedicated to keeping our highways safe. They follow stringent safety regulations, attend frequent training programs, and educate the motoring public to help them drive safely around tractor-trailers.

America's truck drivers sacrifice precious time with their families while delivering their products to millions more. This week, we pause to say thank you.

I salute these fine professionals and their families for their dedication to delivering life's essentials safely and securely.

20TH ANNIVERSARY OF THE LORING JOB CORPS CENTER IN LIMESTONE, MAINE

Ms. COLLINS. Mr. President, on October 1, 1996, the first students arrived at the new Loring Job Corps Center in Limestone, ME. It is a pleasure to recognize this milestone 20th anniversary of this program, dedicated to helping disadvantaged young people develop the determination, abilities, and character to succeed.

In the two decades since its founding, the Loring Job Corps Center has graduated more than 10,500 students. Whether they go on to the workforce, higher education, or the military, these graduates take with them the skills, self-confidence, and resolve to overcome the setbacks, obstacles, and failures that are part of life. The focus on community service at Loring helps to create the engaged citizens that are so important to Maine's future.

In addition to providing training and education, Loring Job Corps has developed a nationally recognized premilitary program and is one of the highest military placement Job Corps centers in our Nation. This is a fitting tribute to the namesake of the former Air Force base on which the center is located: MAJ Charles Loring, a Maine native who was awarded the Medal of Honor posthumously for heroism in the Korean war. Two years ago, the Loring

Job Corps Center reaffirmed its respect for those who serve our Nation by rededicating its dining center, Dahlgren Hall, in memory of LT Edward Dahlgren, a World War II Medal of Honor recipient from nearby Perham, ME.

Young people today face a great many challenges and threats to their well-being, and Job Corps students at Loring and throughout the Nation are no exception. It is essential that Congress continues to work with the Department of Labor to strengthen policies to better ensure the safety of the young men and women who enter the Job Corps to better their lives.

The national Job Corps program was founded more than a half-century ago on the noble idea that, if given the opportunity, the support, and the training, America's at-risk young people could overcome any obstacles and achieve. For 20 years, Loring Job Corps graduates have turned that idea into reality. I congratulate the faculty, staff, and students for this accomplishment and offer my best wishes for continued success.

Mr. KING. Mr. President, today I join my esteemed colleague, Senator COLLINS, in recognizing the 20th anniversary of Loring Jobs Corps Center in Limestone, ME. This center is a subsidiary of the Department of Labor's national Jobs Corps program, which provides vocational training, education, and opportunity to our Nation's at-risk youth. Over the past two decades, the Loring Jobs Corps has been an important part of that noble effort.

Throughout our great Nation, young people face roadblocks to their personal and vocational success. Recognizing that every member of society has potential if given opportunity, Jobs Corps gives people the skills they need to overcome these problems and create better engaged members of society. Through their efforts, they have inspired self-confidence and a sense of commitment to the community in the lives of their members. Through military service, higher education, or the workforce, graduates of the Jobs Corps have been able to make a difference in the world and been an inspiration for countless others.

Since its opening in 1996, Loring Jobs Corps Center has been at the forefront of the effort to improve the lives of disadvantaged young people and provides them with the skills necessary to thrive in their communities. Through career training and education, Loring Jobs Corps has helped over 10,500 students to a brighter, fuller future and stands poised to help thousands more. A testament to the program's success, the Loring Center has even become one of the highest military placement Job Corps centers in the country.

I like to think of Maine as one big small town. As such, we all have a responsibility to help disenfranchised youth in our communities, and the

Loring Jobs Corps has gone above and beyond in accepting this responsibility. I thank the center for its consistent dedication to at-risk youth, commend them for their long record of service, and wish them the best of success for years to come.

TRIBUTE TO MICHAEL F. BUCHWALD

Mrs. FEINSTEIN. Mr. President, today I wish to pay tribute to Mike Buchwald, a dedicated member of my staff for over 9 years. Mike has served in my personal office, as my counsel, and finally, as deputy staff director for oversight and policy on the Senate Select Committee on Intelligence. Over this time period, Mike has displayed a work ethic like none other. I have come to rely deeply on his attention to detail and exceptional command of the Nation's intelligence analysis.

Before joining the committee, Mike served an associate at the international law firm of O'Melveny & Myers, where he specialized in criminal, congressional, and internal investigations of corporations and nonprofit entities as a member of the white-collar defense and strategic counseling groups. He served as a law clerk for Federal District Judge George P. Schiavelli in California, where he was born and raised. Prior to law school, he worked as a legislative assistant in my personal office for 3 years. Mike earned his J.D. from the University of Virginia School of Law and his B.A. cum laude with distinction in history from Yale University. He is a member of Phi Beta Kappa and has been admitted to practice law in California and the District of Columbia.

Mike's accomplishments on the Intelligence committee were extensive, many of which were completed behind the scenes in furtherance of the committee's oversight mandate. Two important public reports on which Mike was involved were the 2010 report on Attempted Terrorist Attack on Northwest Airlines Flight 253 and the 2013 SSCI Review of Terrorist Attacks on U.S. Facilities in Benghazi. Both reports were critical in helping improve our understanding of these attacks and how the U.S. Government and the intelligence community can prepare for them in the future.

The sheer volume of other committee activities in which Mike was engaged are too numerous to mention. Suffice it to say that he was an integral part of my intelligence team, supporting me and the committee in the enactment of seven consecutive intelligence authorization bills and overseeing the most complex activities undertaken by our government. He has unmatched passion for congressional oversight, for the intelligence community, and for this country's national security. Mike not

only served me well, but was the consummate professional with all members and committee staff on both sides of the aisle.

Mike will continue to further his government career by accepting a position within the U.S. Department of Justice's National Security Division. I am certain the Department will find him to be a shining light, committed to protecting this country and its citizens. It is also important for me to acknowledge the support Mike has received from his fiancée and now wife, Jamie Lynn Poslosky. I thank her for allowing Mike to spend many late nights in the office meeting the oversight demands of the Intelligence Committee.

I am pleased to have this opportunity to publicly thank Mike and to wish him the very best in all his future endeavors. I will miss his insights and his ability to always have the right document at hand for any discussion or deliberations. Thank you, Mike, for your many years of service and dedication both to the country and to me personally.

TRIBUTE TO ANNETTE MARIE GILLIS

Mr. ISAKSON. Mr. President, as chairman of the Select Committee on Ethics, on behalf of the members of the committee and its staff, it is my privilege to give public notice and honorable mention to the outstanding service that Annette Marie Gillis, deputy staff director, has provided to the committee and the Senate for the past 36 years.

Annette, the middle child of Henry Lee and Geneva G. Gillis's seven children, was born and raised in Alexandria, VA. She began her Federal service in 1979, right after high school, with the U.S. House of Representatives, working first for Congressman Herbert E. Harris and then for Congressman Carl D. Purcell.

In September 1980, Annette came to the Senate Select Committee on Ethics as a staff assistant. While working for the committee, she earned an associate of science degree in management from Northern Virginia Community College and then a bachelor of arts in Psychology, magna cum laude, from Marymount University. Because of her intellect, hard work, and professionalism, she advanced to become systems administrator, then chief clerk, and finally, in 2005, deputy staff director. Her contributions to the critical work of the committee have been invaluable. Over the years, serving under 14 different chairmen, including myself and Senator BOXER, Annette has been the constant in the committee's work, expertly managing the operations of the committee and its staff.

I now would like to yield to the Senator from California, whom I have had

the honor of serving with on the Select Committee on Ethics, so that she can say a few words about Annette.

Mrs. BOXER. Mr. President, Annette's contributions go far beyond the committee itself. Through her work on the committee's education and training programs, reporting requirements, and compliance functions, Annette has reached the entire Senate community and, indeed, the Nation. Her contributions, drawn from a reserve of institutional knowledge and experience, have been immeasurable.

The committee commends Annette's unwavering commitment to its work and is honored to have been the beneficiary of her loyal service. Despite the impact of her retirement, we, the committee members and staff, are pleased to see Annette receive the recognition she deserves for her decades of faithful service to the U.S. Senate and the American people.

We ask our colleagues to join us in thanking Annette for her invaluable service to the Select Committee on Ethics, the Senate community, and our Nation.

We thank you, Annette, for your 36 years of dedicated service.

TRIBUTE TO ROB NOEL

Mr. RUBIO. Mr. President, I wanted to take a moment to thank a key member of my office who, after more than 4 years of service to the people of Florida, is leaving us tomorrow to pursue a new career opportunity.

Rob Noel started in our office's communications shop, often rising before the sun to see what was in the news and to make sure my staff and I had the latest info on the issues of the day. Over time, his duties would grow, eventually becoming our speechwriter and deputy communications director.

Rob is a talented writer and has been an invaluable part of our efforts to communicate the causes that are important to us, to shine a spotlight on injustices we see around America and the world, and to rally support for the ideas and solutions that we believe can make a difference for people.

On behalf of myself, your colleagues, and the people of Florida, thank you, Rob, for your service. We wish you the best.

ADDITIONAL STATEMENTS

TEXT TO 9-1-1 IN NEW JERSEY

• Mr. BOOKER. Mr. President, I wish to commend the hardworking men and women in New Jersey who have made significant strides to ensure our State keeps pace with modern technology when it comes to public safety. This month, all 21 counties in our great State will have access to expanded 9-1-1 services, by being able to text to 9-1-1 in case of emergency.

This exciting new development will help save lives across our State and serves as a national model for receiving public safety services. Text to 9-1-1 further empowers persons with disabilities—such as hearing or speech impairments—who may have previously faced barriers to accessing emergency services. Today, 9-1-1 in New Jersey is open and accessible to more residents than ever before, and I commend the hard work and collaboration in New Jersey that resulted in this accomplishment.

Tragically, there are situations that happen every day where victims of crime or domestic violence are not in a position to physically call 9-1-1. With text to 9-1-1, individuals who can't speak on the phone can still access vital services. Further, with text to 9-1-1 enabled, there may soon come a time when victims can send information they never could have before, such as photos which can be instantly shared with first responders on the ground.

In February of this year, the text to 9-1-1 system was rolled out at Rutgers University and showed excellent results. In July, Camden County announced its successful implementation of this new service. And today all counties in our entire State have access to this convenient way of reaching local police. While this service is incredibly important and helps bring our emergency communications into the 21st century, it is important to note that, at this time, a phone call is preferred over a text message. I commend the educational campaign that has accompanied the text to 9-1-1 roll out, sharing the message to "call if you can, text if you can't."

With this month's announcement, New Jersey leads the way as the fifth State to implement text to 9-1-1 in the entire Nation. This major achievement would not have been possible without the commitment and collaboration from cellular providers, Rutgers University, and other host sites across the State, as well as State and local governments and emergency response professionals who came together to advance this goal. I am confident that text to 9-1-1 will have a tremendous impact on the residents of our State, and I hope our successes and lessons learned in New Jersey can help further inform other States seeking to update their 9-1-1 capabilities and better protect their citizens.●

REMEMBERING RONNIE BALDWIN

• Mr. BOOZMAN. Mr. President, today I wish to remember the life of Ronnie Baldwin, who passed away on August 28, 2016.

Ronnie Baldwin led a life dedicated to public service. He joined the Wynne Police Department after graduating from Wynne High School in 1970. He

served with that department for more than 15 years, first as a patrolman, then a lieutenant and a criminal investigator. He continued his commitment to protecting the community as the Brinkley chief of police and served as sheriff of Cross County from 1999–2008.

He remained committed to the law enforcement community, serving as executive director of the Arkansas Sheriff's Association, which he told friends was his dream job.

His commitment to public service extended beyond the borders of Arkansas. He was a board member of the National Sheriffs' Association and also served as a board member of the Arkansas Professional Bail Bond Licensing Board for more than 11 years.

Ronnie once said in a newspaper interview that he believed "actions define character." Those who had the privilege of working with him knew that he lived by those words.

A true family man and dear friend, Ronnie leaves behind many loved ones, including his wife, Martha, children, grandchildren, and many friends. I want to offer my prayers and sincere condolences to his loved ones on their loss. Ronnie was a true hero who led a life committed to protecting public safety. I thank him for his lifelong commitment to Arkansas and law enforcement throughout the Nation.●

100TH ANNIVERSARY OF THE LEGAL AID SOCIETY—EMPLOYMENT LAW CENTER

● Mrs. BOXER. Mr. President, as the Legal Aid Society—Employment Law Center, LAS-ELC, celebrates its 100th anniversary, I want to congratulate the staff, volunteers, and supporters of this extraordinary organization for all they have done for decades to support low-income workers in the San Francisco Bay Area.

Established in 1916 by the State Commission of Immigration and Housing, LAS-ELC has a long history of successfully advocating on behalf of working families. Beginning with its early efforts to assist struggling workers during the Great Depression and WWII veterans as they integrated back into life at home, LAS-ELC has provided critical support for men and women in need of help. Their groundbreaking work includes securing the first-ever Federal grant to provide free legal services to indigent criminal defendants, leading the settlement of a major class action on behalf of women and minorities who were denied jobs and promotions by the San Francisco Fire Department and winning a court ruling establishing AIDS and HIV status as a disability protected by State and Federal employment laws.

Over the years, the organization has won hundreds of individual rulings and settlements for workers discriminated against on the basis of race, gender,

ethnicity, disability, or religious beliefs. Today, LAS-ELC serves thousands of clients annually, provides free information about workers' legal rights, and advocates for policy changes that better support workers and help strengthen families and communities.

A hundred years after its founding, LAS-ELC continues to lead the fight against discrimination, harassment, wage theft, and other workplace injustices. I am pleased to join in honoring this special anniversary and wish LAS-ELC continued success in the years to come.●

TRIBUTE TO BRUCE DUTTON

● Mr. DAINES. Mr. President, this week I have the distinct honor of recognizing Bruce Dutton of Garfield County, who celebrated his 100th birthday in August this year. He is a Montanan and a veteran who served his country during World War II, and he is also a sheep rancher. Montana has a long history of strong work ethic and dedication to service and Mr. Dutton exemplifies these qualities.

When Bruce was born 100 years ago, homesteaders were settling homes and setting up communities across Montana, carving out a living from the land. His parents, Bruce and Margaret, had a family homestead between Mosby and Sand Springs, MT. When Bruce's mother, Margaret, felt it was nearing time for her to give birth, she traveled over 20 miles to Mrs. McDougal's neighboring homestead for help. Mrs. McDougal provided her dugout for Margaret where she gave birth to Bruce, the third of seven children.

Bruce did not lack for education on the homestead. The Dutton family even provided boarding for teachers who traveled from as far as Idaho to serve the local school. When a proper teacher was not available, a local high school graduate would fill in. After eighth grade, he took a break from school to help on the family ranch, but was still able to learn algebra. When he returned to school, Bruce traveled over 200 miles to stay with an aunt and uncle in Great Falls for high school but returned closer to home to finish school while ranching sheep.

On July 25, 1942, Bruce traveled over 300 miles to Butte, Montana to enlist in the Army where he served a variety of duties. While training in Texas, Bruce worked for a local rancher bucking hay on the weekends. As the end of his duty approached, Bruce wrote his father asking if he was needed at home. If he was needed at home, he wanted his father to know he could elect to terminate his service early. His father did, in fact, call him home, and Bruce forfeited \$75.00 of separation pay to terminate his military service early and return to Montana.

With a \$2,000 bank loan to buy sheep, Bruce committed to his own sheep

business with his brother, Joe. His persistence and hard work continued to pay off when—as he says, through pure determination—he convinced Daisy, a teacher in Winnett, to marry him and devoted his life to his family, the community, and the work of lambing, docking, and sheering sheep.

Today his legacy is the present-day Cat Creek Cattle Company Ranch near Cat Creek. Bruce and Daisy raised two children, continued to be involved in the community serving as Garfield County commissioner, working on the Weede State Grazing District Board, and the Sage Hen Grazing District Board, as a Mason and a Shriner.

Now, on his 100th year, Bruce is part of a generation of Montanans who have witnessed incredible advancements in our State and our Nation. From the homestead dugout near Melstone, to his military service, a man on the moon, we owe much to his generation.●

REMEMBERING MARGARET MARIE MCISAAC

● Mr. HELLER. Mr. President, today we honor the life and legacy of an outstanding individual, Margaret Marie McIsaac, whose passing signifies a great loss to the State of Nevada. I send my condolences and prayers to Mrs. McIsaac's family in this time of mourning. She was a woman truly committed to her family, friends, and community. Although she will be sorely missed, her hard work and great influence in Nevada will be felt for years to come.

Margaret was born in Winsor, NC, but moved several different times before establishing herself in Sparks, NV. While in Sparks, Margaret was soon acknowledged throughout Washoe County as a defender of Republican values and principles, as well as a true American patriot. Margaret was also a prominent personality in the Washoe Republican Women, WRW, volunteer group.

In addition to being one of northern Nevada's prized Republican supporters, Margaret dedicated much of her time to American veterans and their families after losing her beloved husband, Don, who was a steadfast Washoe County conservative as well. After her husband's death, many thought Margaret's dedication to her fellow Republicans would simmer, but she continued to fight for her beliefs and truly made a difference in several key elections throughout the Silver State.

Margaret was such an inspiring and kind woman, and I am honored to have known her. She was also an incredibly valuable resource to conservative efforts across our State, and her devout loyalty to me and several other elected officials in Nevada is truly inspiring. Margaret's joyful disposition was infectious, and I was proud to call such a committed supporter my friend.

I extend my deepest gratitude for all of her work on behalf of our State. Margaret's years of service will be remembered for generations to come. Our State is fortunate to have had a public servant of such commitment and unwavering devotion, and I am deeply appreciative of Margaret's invaluable contributions to Nevada.

Today I join citizens across Nevada in celebrating the life of a truly dedicated and inspirational woman, Margaret Marie McIsaac.●

COMMERCIAL REAL ESTATE DEVELOPMENT ASSOCIATION OF NORTHERN NEVADA'S 10TH ANNIVERSARY

● Mr. HELLER. Mr. President, today I wish to recognize the 10th anniversary of an important entity to Nevada, the Commercial Real Estate Development Association, NAIOP, of northern Nevada. I am proud to honor this NAIOP chapter and its contributions that make such a significant impact on the commercial real estate industry in northern Nevada.

NAIOP commissioned a chapter in northern Nevada in October of 2006. Since then, NAIOP of northern Nevada has continuously assisted Nevadans striving to succeed in the commercial real estate business. Specifically, the northern Nevada chapter provides beneficial business and educational resources to its members, as well as a critical networking program that enables NAIOP members to connect with each other all throughout the United States.

The northern Nevada chapter has 15 board of directors, as well as several different committees that consist of a chairperson and other NAIOP members. These committees perform specific tasks that work toward NAIOP's overall vision and are crucially important to the growth and success northern Nevadans experience firsthand.

In light of the chapter's 10th anniversary celebration, I would like to recognize the individuals who will be honored for their hard work and dedication to the chapter, including Scott Shanks, Michael Dermody, Scott Beggs, Bill Miles, Brad Woodring, Marc Markwell, Brandon Page, Dave Howard, Doug Roberts, and Paul Kinne. Our State has truly benefited from these hard-working individuals, and I am thankful for their leadership and the great work they are doing for businesses throughout northern Nevada.

Over the past decade, NAIOP of northern Nevada has demonstrated strong dedication to the great State of Nevada's business and real estate community. Without the determination and persistence of those who established this chapter, northern Nevada would not have seen the excellent growth we see today.

I ask my colleagues and all Nevadans to join me in congratulating NAIOP of

northern Nevada on its 10th anniversary. This institution has advanced Nevada's real estate industry, and I am honored to recognize this important milestone. I wish NAIOP of northern Nevada well in all of its future endeavors and in creating greater opportunities in Nevada.●

MESSAGE FROM THE HOUSE

At 12:34 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5226. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes.

H.R. 5351. An act to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba.

H.R. 5620. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5226. An act to amend chapter 3 of title 5, United States Code, to require the publication of information relating to pending agency regulatory actions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5620. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3326. A bill to give States the authority to provide temporary access to affordable private health insurance options outside of Obamacare exchanges.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3348. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2058. A bill to require the Secretary of Commerce to maintain and operate at least one Doppler weather radar site within 55 miles of each city in the United States that has a population of more than 700,000 individuals, and for other purposes (Rept. No. 114-351).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2616. A bill to modify certain cost-sharing and revenue provisions relating to the Arkansas Valley Conduit, Colorado (Rept. No. 114-352).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2902. A bill to provide for long-term water supplies, optimal use of existing water supply infrastructure, and protection of existing water rights (Rept. No. 114-353).

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 3155. A bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Florence Y. Pan, of the District of Columbia, to be United States District Judge for the District of Columbia.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 3332. A bill to provide appropriate information to Federal law enforcement and intelligence agencies, pursuant to investigating terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 3333. A bill to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. HELLER):

S. 3334. A bill to establish a procedure for resolving claims to certain rights-of-way; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN (for herself and Mr. MCCAIN):

S. 3335. A bill to require reporting regarding certain drug price increases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND):

S. 3336. A bill to provide arsenal installation; to the Committee on Armed Services.

By Mr. LEE (for himself, Mr. CASSIDY, Mr. CARPER, Mr. BOOKER, and Mr. JOHNSON):

S. 3337. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. BENNET):

S. 3338. A bill to amend the Internal Revenue Code of 1986 to encourage small businesses to enroll their employees in retirement savings options, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 3339. A bill to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care; to the Committee on Finance.

By Mr. KIRK:

S. 3340. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with funeral homes to ensure the expeditious and respectful provision of burial and funeral services for indigent, deceased veterans and remains of deceased veterans that are unclaimed, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 3341. A bill to establish and strengthen projects that defray the cost of related instruction associated with pre-apprenticeship and apprenticeship programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 3342. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 3343. A bill to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. BENNET):

S. 3344. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. KIRK):

S. 3345. A bill to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ (for himself, Mr. NELSON, Mr. RUBIO, Mr. PETERS, Mr. WICKER, and Mr. UDALL):

S. 3346. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. REED):

S. 3347. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Com-

mittee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself, Mr. BENNET, Ms. WARREN, Mrs. BOXER, Mr. KAINE, Ms. BALDWIN, Mr. CARDIN, Mr. MURPHY, and Mr. UDALL):

S. 3348. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information; read the first time.

By Mr. REED (for himself and Ms. BALDWIN):

S. 3349. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to improve career and technical education opportunities for adult learners, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COCHRAN (for himself and Mr. TESTER):

S. 3350. A bill to amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ALEXANDER (for himself, Mr. UDALL, Mr. CORKER, Mr. HEINRICH, Mr. MCCONNELL, Mr. REID, Ms. MURKOWSKI, Ms. CANTWELL, Mr. GRAHAM, Mr. BROWN, and Mr. PORTMAN):

S. Res. 560. A resolution designating October 30, 2016, as a national day of remembrance for nuclear weapons program workers; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, Mr. SANDERS, Ms. STABENOW, Mrs. BOXER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. UDALL, Mr. WYDEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. CARDIN, Mr. BLUMENTHAL, Mr. CASEY, Mr. MARKEY, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Ms. WARREN, Mr. PETERS, Mr. SCHATZ, Mr. HEINRICH, Mr. LEAHY, Ms. HIRONO, Ms. MIKULSKI, Mr. REID, and Ms. KLOBUCHAR):

S. Res. 561. A resolution supporting efforts to increase competition and accountability in the health insurance marketplace, and to extend accessible, quality, affordable health care coverage to every American through the choice of a public insurance plan; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself, Mr. ALEXANDER, Ms. CANTWELL, Mrs. CAPITO, Mr. CASSIDY, Ms. HIRONO, Mr. NELSON, Mr. PETERS, Mr. KING, Mr. MARKEY, and Mr. HEINRICH):

S. Res. 562. A resolution expressing support for designation of the week of October 9, 2016, through October 15, 2016, as "Earth Science Week"; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. Res. 563. A resolution calling on the Department of Defense, other elements of the Federal Government, and foreign countries to intensify efforts to investigate, recover, and identify all missing and unaccounted-for

personnel of the United States; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. REED, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. SCHUMER):

S. Res. 564. A resolution condemning North Korea's fifth nuclear test on September 9, 2016; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BENNET, Mr. BOOKER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HELLER, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL, Ms. WARREN, Mr. HATCH, Mr. KAINE, and Mr. HEINRICH):

S. Res. 565. A resolution designating the week beginning September 12, 2016, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR):

S. Res. 566. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month, commending domestic violence victim advocates, domestic violence victim service providers, crisis hotline staff, and first responders serving victims of domestic violence for their compassionate support of victims of domestic violence, and expressing the sense of the Senate that Congress should continue to support efforts to end domestic violence and hold perpetrators of domestic violence accountable; considered and agreed to.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. ENZI, Mr. DONNELLY, and Mr. COCHRAN):

S. Res. 567. A resolution designating the week beginning October 16, 2016, as "National Character Counts Week"; considered and agreed to.

By Mr. CORKER (for himself, Mr. ALEXANDER, and Mr. COONS):

S. Res. 568. A resolution recognizing the invaluable contributions of the towing and recovery industry in the United States, the International Towing & Recovery Hall of Fame & Museum, towing associations around the world, and the members of those towing associations and designating the week of September 9 through 15, 2016, as "National Towing Industry Awareness Week"; considered and agreed to.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. BARRASSO, Mr. PETERS, Mr. PORTMAN, Mr. WARNER, Mr. SCOTT, Mr. DONNELLY, Mr. DAINES, Mr. MARKEY, Mr. BOOZMAN, Mr. TESTER, Mr. RISCH, Ms. HIRONO, Mr. HOEVEN, Mr. UDALL, Mrs. FISCHER, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. KING, Mr. INHOFE, Mr. COONS, Ms. COLLINS, Ms. HEITKAMP, Mr. KIRK, Mr. MANCHIN, Mr. CARDIN, Mrs. BOXER, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BOOKER, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. CASEY, Mr. GARDNER, Mr. ENZI, and Mrs. ERNST):

S. Res. 569. A resolution recognizing November 26, 2016, as "Small Business Saturday" and supporting the efforts of the Small Business Administration to increase awareness of the value of locally owned small businesses; considered and agreed to.

ADDITIONAL COSPONSORS

S. 386

At the request of Mr. THUNE, the name of the Senator from Iowa (Mrs.

ERNST) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 428

At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment under Medicaid and the Children's Health Insurance Program, and for other purposes.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 689

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 979

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1411

At the request of Mrs. ERNST, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1411, a bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1605

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1605, a bill to amend the Millennium Challenge Act of 2003 to authorize concurrent compacts for purposes of regional economic integration and cross-border collaborations, and for other purposes.

S. 1804

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr.

PAUL) was added as a cosponsor of S. 1804, a bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010.

S. 2253

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2612

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2612, a bill to ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.

S. 2615

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2615, a bill to increase competition in the pharmaceutical industry.

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2615, *supra*.

S. 2645

At the request of Mrs. SHAHEEN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2726

At the request of Mr. KIRK, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2726, a bill to hold Iran accountable for its state sponsorship of terrorism and other threatening activities and for its human rights abuses, and for other purposes.

S. 2759

At the request of Mrs. ERNST, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 2763

At the request of Mr. CORNYN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Vermont (Mr. LEAHY) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2803

At the request of Mr. SASSE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2803, a bill to require the Secretary of Health and Human Services to deposit certain funds into the general fund of the Treasury in accordance with provisions of Federal law with regard to the Patient Protection and Affordable Care Act's Transitional Reinsurance Program.

S. 2979

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3073

At the request of Ms. BALDWIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3073, a bill to establish a commission to ensure a suitable observance of the centennial of the passage and ratification of the Nineteenth Amendment to the United States Constitution providing for women's suffrage, and for other purposes.

S. 3124

At the request of Mrs. ERNST, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3124, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3155

At the request of Mr. HATCH, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3245

At the request of Mr. MERKLEY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Illinois (Mr. KIRK) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3245, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 3270

At the request of Mr. GRASSLEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Illinois (Mr. DURBIN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3270, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 3292

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3292, a bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes.

S. 3296

At the request of Mr. HELLER, his name was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage

for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 3311

At the request of Mr. SASSE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3311, a bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

S. CON. RES. 30

At the request of Mr. LEE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Con. Res. 30, a concurrent resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

S. RES. 552

At the request of Mr. COONS, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 552, a resolution commemorating the fifteenth anniversary of NATO's invocation of Article V to defend the United States following the terrorist attacks of September 11, 2001.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. KIRK):

S. 3345. A bill to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3345

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ABNER J. MIKVA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, shall be known and designated as the "Abner J. Mikva Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility re-

ferred to in subsection (a) shall be deemed to be a reference to the "Abner J. Mikva Post Office Building".

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. REED):

S. 3347. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, this has been a big week in Chicago and the Midwest, in fact, across the country, as some 35,000 students who attended ITT Tech have finally come to realize that school is closing and many of them have to assess now what their lives will be from this point forward.

In my hometown of Springfield, IL, there was a large sign in the local shopping mall "ITT Tech," and I used to drive by and look at it, thinking: I know how this story is going to end, and it will not be good.

It turns out some 750 students signed up at this for-profit college in the State of Illinois and, as I mentioned, many outside the State, and many of them were fleeced, literally.

In this situation, they offered them an associate's degree at the ITT Tech campus at the White Oaks Mall in Springfield. There were several courses, one in communications, another one in computers.

The tuition charged at ITT Tech for a 2-year associate's degree was \$47,000. If those same students got in their cars and drove 15 minutes away, they would have been at Lincoln Land Community College. The same course is offered not for \$47,000 for a 2-year career degree but less than \$7,000.

These students did not know better. They thought they were in good hands. They signed up for these loans, and now the school has disappeared. It disappeared after more than a dozen attorneys general around the United States started suing ITT Tech for its practices: recruiting students who were not ready for college, misleading them about the courses that were being offered, and overcharging them on their loans. It is currently being sued by the Consumer Financial Protection Bureau and the Securities and Exchange Commission. This is not the first major for-profit college to go down. Corinthian was an early casualty. I am sorry to say that I think others will follow.

It bears repeating that when we take a look at this industry, the for-profit college industry, we are looking at the most heavily subsidized private for-profit companies in the United States of America. For many of these companies, over 90 percent of their revenue sources come from the Federal Treasury in the form of Pell grants and direct government loans. They take the money from the government through the students. The students end up with

the debt to pay off and many times, if they can stick with the course, a worthless diploma or certificate.

Why are we letting this happen? Why are we letting American families work hard to send their kids to college, only to be exploited by schools that are thinly veiled machines for taking money away from these poor students and saddling them with debt? Why aren't we speaking out? Well, sadly, the for-profit college and university industry in America has friends in high places. When the time comes, they hire some of the most effective lobbyists in Washington on both political sides to push for their agenda and to keep them in business. It is understandable. They take millions of dollars out of these operations. They end up with salaries for CEOs that are higher for their so-called university presidents than any university president in America. We let it happen. The Congress lets it happen. The government lets it happen.

It is time for a new day and some new thinking. The 2016-2017 school year has begun. Millions of students across the country are walking onto college campuses, and they are excited about their opportunities. Many of these students know they are going to have to take out loans to finance their education and will end up owing the government thousands of dollars.

We know that student debt is now larger than credit card debt. It is over \$1 trillion. That means that students and their families across America are deeply indebted for higher education. If you are getting a good education out of it, something that really changes your life for the better and gives you new opportunities, the argument can be made. But, sadly, in many cases students don't receive the education they were promised. And at the end of the day whether these students owe money to the government or to private lenders, makes a big difference.

A lot of students—19, 20 years old—really don't understand the magnitude of the debt they are incurring. We know that two-thirds of students who take out private education loans really don't understand the terms of those loans, the interest rates of those loans, and how they compare with government loans. They don't understand that in many cases, private student loans are significantly more expensive and riskier.

Federal student loans have fixed, affordable interest rates. They have a variety of consumer protections built into them: forbearance in times of economic difficulty; manageable repayment options, such as income-based repayment plans which calculate your monthly student loan payment based on your income.

On the other hand, private student loans don't have these protections and offer interest rates that are some of the highest in the land, up to 18 per-

cent. These private loans also don't include repayment options that Federal loans do. I have heard from many private education loan borrowers that their lender is unwilling to work with them when it comes to alternative repayment plans. They are harassed by collection agencies night and day when they owe these private student loans. In many cases, private lenders are more focused on their own bottom line than the students' welfare.

This past summer, the Consumer Financial Protection Bureau took action against Wells Fargo Bank—one of the largest private student lenders—for illegal student loan servicing practices. Wells Fargo charged borrowers illegal fees, failed to provide borrowers with accurate loan information, and failed to correct inaccurate credit reports. Upon being caught, Wells Fargo was fined \$3.6 million and is required to refund borrowers who were illegally charged.

While I commend the Consumer Financial Protection Bureau for their work to hold private student lenders accountable, there are steps we in Congress should take to make sure students have a fighting chance.

Today, Senators FRANKEN, REED, and I will introduce the Know Before You Owe Private Education Loan Act of 2016. This legislation requires school certification before a student can take out a private loan. There are certain steps the school has to take before certifying a loan. The prospective borrower's school has to confirm the student's enrollment status, cost of attendance, and estimated Federal financial aid assistance before certifying. The school must also notify students of the amount of unused Federal student aid for which they are still eligible. Think about that. Some of these schools are luring students into more expensive, terrible private loans when the students are still eligible for lower interest rates and better terms through the Federal Government. I have heard too many stories of for-profit colleges steering students into these private institutional loans. This bill will help stop that.

The bill will also ensure that students are given information about the differences in terms and repayment options. For students who still decide to get a private student loan, the bill requires private lenders to send the student borrowers quarterly updates on their balance, accrued interest, and capitalized interest.

The bill also requires private lenders to annually report the number of students taking out private loans, the amount of the loans, and the interest rates—all of these to be reported to the Consumer Financial Protection Bureau. Currently, there is little information publicly available about private student loans. Increasing the amount of available information will help pol-

icymakers and enforcement agencies more effectively protect students and their families.

Here are a few of the organizations supporting our bill: the Institute for College Access and Success, National Association for College Admission Counseling, National Consumer Law Center, Consumer Action, National Association of Student Financial Aid Administrators, National Association of Consumer Advocates, Consumers Union, the American Association of University Women, the American Federation of Teachers.

Loan certification for private education loans could keep many students from taking on unnecessary debt or unknowingly giving up the benefits and protections of Federal student loans. It is an important part of making college more affordable. I thank Senators FRANKEN and JACK REED for standing with me in this effort.

I sincerely hope that this Congress, which is now coming to a close before the election, will take up this question of student loans when we return after the election. I know we only have a few weeks, but if you ask working families across America what concerns them greatly, it is the amount of debt kids are incurring to go to college. In some families, mom and dad have never been to college, and sending their son or daughter off to a university is a dream come true. It can turn into a nightmare if they end up at for-profit colleges and universities.

I put on the Record the last time I spoke—and I will put it on again—the basic numbers to know about the for-profit college and university industry. Ten percent of all college students attend these schools, schools such as the University of Phoenix, DeVry, Kaplan, and Rasmussen. You know the names. Ten percent of the students end up in these schools, but when it comes to student loan defaults, 40 percent of the student loan defaults are students from for-profit colleges and universities. Students are dramatically overcharged for tuition. They are put into courses that are worthless, and they end up with maybe a certificate or a diploma that cannot even land them a job.

Another statistic that I think is shameful—and it really should be a reminder to Members of the Senate of our responsibility—the Department of Education analyzed programs at for-profit colleges and found that 72 percent of for-profit college graduates, on average, make less money than high school dropouts—72 percent. After all that time, all that debt, all those promises, they make less money than if they dropped out of high school. How can we continue to subsidize this industry after what we know about their performance? We need to hold them to higher standards.

In the meantime, let's find a way to protect students and working families

who are trying to realize the American dream, make this a better nation, and provide a better life for themselves and their families.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Know Before You Owe Private Education Loan Act of 2016”.

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

(1) by striking paragraph (3) and inserting the following:

“(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution’s certification of—

“(i) the enrollment status of the student;

“(ii) the student’s cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

“(iii) the difference between—

“(I) such cost of attendance; and

“(II) the student’s estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution’s certification if such institution fails to provide within 15 business days of the creditor’s request for such certification—

“(i) the requested certification; or

“(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

“(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Bureau of Consumer Financial Protection.”;

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

“(9) PROVISION OF INFORMATION.—

“(A) PROVISION OF INFORMATION TO STUDENTS.—

“(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months dur-

ing the time that such student is enrolled at an institution of higher education.

“(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

“(I) report the borrower’s total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

“(II) report any debt increases since the last statement; and

“(III) list the current interest rate for each loan.

“(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Bureau.

“(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Bureau containing the required information about private student loans to be determined by the Bureau, in consultation with the Secretary of Education.”.

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking “and” after the semicolon; and

(3) by adding after clause (i) the following:

“(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and”.

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Bureau of Consumer Financial Protection shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

“(28)(A) The institution shall—

“(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

“(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

“(II) of such student’s cost of attendance at the institution as determined under part F of this title; and

“(III) of the difference between—

“(aa) the cost of attendance at the institution; and

“(bb) the student’s estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

“(ii) provide the certification described in clause (i), or notify the creditor that the in-

stitution has received the request for certification and will need additional time to comply with the certification request—

“(I) within 15 business days of receipt of such certification request; and

“(II) only after the institution has completed the activities described in subparagraph (B).

“(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

“(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

“(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

“(I) The amount of additional Federal student assistance for which the borrower is eligible and the potential advantages of Federal loans under this title, including disclosure of the fixed interest rates, deferments, flexible repayment options, loan forgiveness programs, and additional protections, and the higher student loan limits for dependent students whose parents are not eligible for a Federal Direct PLUS Loan.

“(II) The borrower’s ability to select a private educational lender of the borrower’s choice.

“(III) The impact of a proposed private education loan on the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(IV) The borrower’s right to accept or reject a private education loan within the 30-day period following a private educational lender’s approval of a borrower’s application and about a borrower’s 3-day right to cancel period.

“(C) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private education loan’ have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Bureau of Consumer Financial Protection and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

By Mr. REED (for himself and Ms. BALDWIN):

S. 3349. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to improve career and technical education opportunities

for adult learners, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am proud to introduce the Career and Technical Education for Adult Learners or the CTE for All Act with my colleague, Senator BALDWIN.

Our legislation addresses the critical need to expand educational opportunities for working adults with low academic skills. A Department of Education update of the Organisation for Economic Co-operation and Development, OECD, 2013 Survey of Adult Skills confirms that a significant number of working adults in the United States have low literacy, numeracy, and digital problem solving skills. Specifically, 14 percent have low literacy skills; 23 percent have low numeracy skills; and 62 percent have low digital problem solving skills. Moreover, the skills gap has no age barrier as half of low skilled working adults are under the age of 45.

Our ability to accelerate the economic momentum we have seen in the latest income data from the U.S. Census Bureau will depend, in large part, on our commitment to providing education and training opportunities to low-skilled adults. These workers are concentrated in fields such as construction, health care, manufacturing, and hospitality. Expanding career and technical education opportunities to these workers could enhance their career opportunities and strengthen their earning potential, fueling economic productivity and growth for the future. Unfortunately, according to the U.S. Department of Education, roughly half of low-skilled workers are not engaged in formal or non-formal learning opportunities. The CTE for All Act aims to change that by ensuring that there are pathways for adult learners in career and technical education programs.

Specifically, our legislation will ensure that programs funded under the Carl D. Perkins Career and Technical Education Act are aligned with adult education programs and industry sector partnerships authorized under the Workforce Innovation and Opportunity Act. The CTE for All Act will require that the state director for adult education is consulted in the development of the statewide plan for career and technical education. The bill adds low-skilled adults to the special populations to be served in career and technical education programs and will allow states to report separate performance indicators for adult career and technical education students. The legislation would also allow adult education providers that offer integrated education and training programs to receive career and technical education funding. Additionally, the legislation encourages career and technical education programs to include work experiences for their students.

We have worked with the adult education community and other stakeholders in developing this legislation. We are pleased to have the support of the National Council of State Directors of Adult Education, the Commission on Adult Basic Education, the National Skills Coalition, the Center for Law and Social Policy, CLASP, and the National Council of Adult Learning.

We are stronger as a nation when every person—no matter their starting point—has the opportunity to develop their skills and reach their potential. The CTE for All Act will strengthen the ladder of opportunity for low-skilled adults who work hard every day to provide for their families. I urge my colleagues to support this legislation and work with us to include these provisions in the reauthorization of the Carl D. Perkins Career and Technical Education Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 560—DESIGNATING OCTOBER 30, 2016, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. ALEXANDER (for himself, Mr. UDALL, Mr. CORKER, Mr. HEINRICH, Mr. MCCONNELL, Mr. REID, Ms. MURKOWSKI, Ms. CANTWELL, Mr. GRAHAM, Mr. BROWN, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 560

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building nuclear weapons for the defense of the United States;

Whereas dedicated workers paid a high price for developing a nuclear weapons program at the service, and for the benefit of, the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contributions, services, and sacrifices that those patriotic men and women made for the defense of the United States in—

- (1) Senate Resolution 151, 111th Congress, agreed to May 20, 2009;
- (2) Senate Resolution 653, 111th Congress, agreed to September 28, 2010;
- (3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;
- (4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;
- (5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013;
- (6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014; and
- (7) Senate Resolution 213, 114th Congress, agreed to September 25, 2015;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting stories and artifacts of nuclear weapons program workers relating to the nuclear defense era of the United States, and a remembrance quilt has been constructed to memorialize the contribution of those workers;

Whereas the stories and artifacts reflected in the time capsule and the remembrance

quilt reinforce the importance of recognizing nuclear weapons program workers; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2016, as a national day of remembrance for the nuclear weapons program workers of the United States, including the uranium miners, millers, and haulers; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2016, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

SENATE RESOLUTION 561—SUPPORTING EFFORTS TO INCREASE COMPETITION AND ACCOUNTABILITY IN THE HEALTH INSURANCE MARKETPLACE, AND TO EXTEND ACCESSIBLE, QUALITY, AFFORDABLE HEALTH CARE COVERAGE TO EVERY AMERICAN THROUGH THE CHOICE OF A PUBLIC INSURANCE PLAN

Mr. MERKLEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, Mr. SANDERS, Mrs. STABENOW, Mrs. BOXER, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. UDALL, Mr. WYDEN, Mr. BROWN, Mrs. GILLIBRAND, Mr. MURPHY, Mr. MENENDEZ, Mr. REED, Mr. CARDIN, Mr. BLUMENTHAL, Mr. CASEY, Mr. MARKEY, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Ms. WARREN, Mr. PETERS, Mr. SCHATZ, Mr. HEINRICH, Mr. LEAHY, Ms. HIRONO, Ms. MIKULSKI, Mr. REID, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 561

Whereas under the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) (referred to in this preamble as the “Affordable Care Act”), 20,000,000 Americans have gained health insurance coverage, including 11,000,000 Americans that have coverage through the public exchanges created by that Act;

Whereas the uninsured rate is at its lowest point in history, but there is more work to be done to provide access to coverage for Americans that remain uninsured, and to reduce deductibles and out-of-pocket costs for the 31,000,000 Americans who are currently underinsured;

Whereas before the date of enactment of the Affordable Care Act, millions of individuals with preexisting conditions were denied health coverage by insurance companies that controlled who received health care in the United States;

Whereas profound disparities persist in health outcomes based on race, ethnicity, and geography, and nearly 4,000,000 adults, disproportionately people of color, lack coverage as a result of the failure of 19 States to expand the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) under the Affordable Care Act;

Whereas public insurance options for workers’ compensation insurance have resulted in

lower rates for small businesses and more competition in several States;

Whereas giving all Americans the choice of a public, nonprofit health insurance option would—

(1) lead to increased competition and reduced premiums;

(2) cut wasteful spending on administration, marketing, and executive pay; and

(3) ensure that consumers have the affordable choices they deserve;

Whereas establishing a State-based public health insurance plan is possible through the use of State innovation waivers established by the Affordable Care Act, which allow States to promote unique, creative, and innovative approaches to implementing meaningful health care reform, including a public option;

Whereas public programs such as the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) often deliver care more cost-effectively by limiting administrative overhead and securing better prices from providers; and

Whereas the Congressional Budget Office has found that a public health insurance option would save taxpayers billions of dollars: Now, therefore, be it

Resolved, That the Senate supports efforts to build on the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) by ensuring that, in addition to the health coverage options provided by private insurers, every American has access to a public health insurance option, which, when established, will—

(1) strengthen competition;

(2) improve affordability for families by reducing premiums and increasing choices; and

(3) save American taxpayers billions of dollars.

SENATE RESOLUTION 562—EXPRESSING SUPPORT FOR DESIGNATION OF THE WEEK OF OCTOBER 9, 2016, THROUGH OCTOBER 15, 2016, AS “EARTH SCIENCE WEEK”

Ms. MURKOWSKI (for herself, Mr. ALEXANDER, Ms. CANTWELL, Mrs. CAPITO, Mr. CASSIDY, Ms. HIRONO, Mr. NELSON, Mr. PETERS, Mr. KING, Mr. MARKEY, and Mr. HEINRICH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 562

Whereas 2016 marks the 19th annual international Earth Science Week, designated by the American Geosciences Institute to help the public gain a better understanding of and appreciation for the Earth sciences and to encourage stewardship of the Earth;

Whereas the theme of Earth Science Week for 2016, “Our Shared Ge heritage”, promotes better understanding and appreciation of sites or areas with geologic features of significant scientific, educational, cultural, historic, or aesthetic value;

Whereas the study of the Earth sciences leads to an improved understanding of the Earth’s natural systems and the interplay between human society and those systems;

Whereas the Earth sciences enable the discovery, development, and responsible production of the mineral base of the United States, which contributes to the strength of the economy of the United States and raises the standard of living in the United States;

Whereas geologic mapping and remote sensing technologies provide the founda-

tional knowledge of Earth’s natural systems that is integral—

(1) to the discovery, development, and conservation of energy, water, and natural resources; and

(2) to the safe disposal of waste products;

Whereas the geological aspects of resources, hazards, and the environment are vital to land management and land use decisions at the local, State, regional, national, and international levels;

Whereas the Earth sciences provide the basis for locating, assessing, monitoring, and mitigating natural hazards, such as earthquakes, landslides, floods, droughts, wildfires, subsidence, hurricanes, coastal erosion, and volcanic eruptions;

Whereas the Earth sciences are vital in protecting health and human safety during natural hazards events;

Whereas Earth scientists working in marine environments contribute to the understanding of global oceans, enabling advances in food management, national security, energy resources, transportation, economic growth, and recreation;

Whereas the Earth sciences support the ability to manage healthy and productive soils and ocean and river waters and fisheries, the foundations of the food supply of the United States;

Whereas the Earth sciences enhance understanding of current and past global conditions and offer a basis for anticipating future conditions;

Whereas the Earth sciences contribute to understanding Earth as a planet in the solar system and the universe;

Whereas Earth science research leads to the development of innovative new technologies and industries that fuel the economy of the United States and improve quality of life in the United States;

Whereas Earth science researchers and educators drive creativity and passion for the Science, Technology, Engineering, and Mathematics (commonly known as “STEM”) fields among students of all ages through diverse and innovative education and public outreach efforts;

Whereas geoscientists and researchers in the labs, universities, research institutions, and Federal agencies of the United States continually push the frontiers of human knowledge, help develop and incubate the concepts and programs that keep the companies and industries of the United States at the innovative forefront of the world’s economy, and inspire future generations of researchers, scientists, and informed citizens; and

Whereas the Earth sciences make vital contributions to an understanding of and respect for nature and the Earth: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of October 9, 2016, through October 15, 2016, as “Earth Science Week”;

(2) expresses strong support for the goals and ideals of Earth Science Week to increase the understanding of and interest in the Earth sciences at the local, State, national, and international levels;

(3) recognizes the importance of education and public outreach efforts to ensure that the people of the United States gain a better understanding of and appreciation for the impact of the Earth sciences on their daily lives;

(4) encourages K-12 students—

(A) to participate in local, State, and national events in connection with Earth Science Week; and

(B) to get involved in the celebration of Earth Science Week by exploring artistic and academic applications of the Earth sciences; and

(5) encourages the people of the United States to observe Earth Science Week with appropriate activities—

(A) to gain a better understanding of and appreciation for the Earth sciences; and

(B) to encourage stewardship of the Earth.

SENATE RESOLUTION 563—CALLING ON THE DEPARTMENT OF DEFENSE, OTHER ELEMENTS OF THE FEDERAL GOVERNMENT, AND FOREIGN COUNTRIES TO INTENSIFY EFFORTS TO INVESTIGATE, RECOVER, AND IDENTIFY ALL MISSING AND UNACCOUNTED-FOR PERSONNEL OF THE UNITED STATES

Mr. MCCAIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 563

Whereas more than 83,000 personnel of the United States are still unaccounted for around the world from past wars and conflicts;

Whereas, though recognizing that an estimated 50,000 of these World War II personnel, were lost deep at sea and are unlikely ever to be recovered, thousands of families and friends have waited decades for the accounting of their loved ones and comrades in arms;

Whereas the families of these brave Americans deserve our nation’s best efforts to achieve the fullest possible accounting for their missing loved ones;

Whereas the National League of POW/MIA Families, and their iconic POW/MIA flag, pioneered the accounting effort since 1970 and has been joined in this humanitarian quest for answers by the Korean War, Cold War and World War II families, fully supported by the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, Jewish War Veterans, AMVETS, Vietnam Veterans of America, Special Forces Association, Special Operations Association, Rolling Thunder, and other more recently formed groups, and thousands of families are yearning and advocating for answers concerning the fates of their loved ones and comrades in arms;

Whereas the mission of the Defense POW/MIA Accounting Agency of the Department of Defense is to provide the fullest possible accounting for missing members of the Armed Forces of the United States, designated civilians of the Department, and other designated personnel; and

Whereas the recovery and investigation teams of the Department of Defense deploy to countries around the world to account as fully as possible for these missing and otherwise unaccounted-for personnel of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the Defense POW/MIA Accounting Agency and other elements of the Department of Defense, other elements of the Federal Government, and all foreign countries to intensify efforts to investigate, recover, identify and account as fully as possible for all missing and unaccounted-for personnel of the United States around the world; and

(2) calls upon all foreign countries with information on missing personnel of the United States, or with missing personnel of

the United States within their territories, to cooperate fully with the Government of the United States to provide the fullest possible accounting for all missing personnel of the United States.

**SENATE RESOLUTION 564—CON-
DEMNING NORTH KOREA'S FIFTH
NUCLEAR TEST ON SEPTEMBER
9, 2016**

Mr. CARDIN (for himself, Mr. REED, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 564

Whereas the Democratic People's Republic of North Korea (DPRK) conducted its fifth nuclear test on September 9, 2016, in Punggye-ri, North Hamgyong Province;

Whereas North Korea's nuclear test on September 9th, the second nuclear test this year, follows an unprecedented campaign of ballistic missile launches, which the Government of North Korea claims are intended to serve as delivery vehicles for nuclear weapons targeting the United States and United States allies South Korea and Japan;

Whereas North Korea continues to test nuclear weapons and intercontinental and submarine-launched ballistic missiles, which pose a major threat to the United States and United States allies and partners in Asia and around the world;

Whereas the Government of North Korea's belligerent behavior has been in direct defiance of United Nations Security Council Resolutions 1718 (adopted October 14, 2006), 1874 (adopted June 12, 2009), 2087 (adopted January 22, 2013), 2094 (adopted March 7, 2013), and 2270 (adopted March 2, 2016) and the non-proliferation regime;

Whereas the United Nations Security Council strongly condemned North Korea's nuclear test and expressed its willingness to begin to work immediately on appropriate measures under Article 41 in a United Nations Security Council Resolution after its meeting on September 10, 2016;

Whereas President Barack Obama stated in response to the nuclear test that "far from achieving its stated national security and economic development goals, North Korea's provocative and destabilizing actions have instead served to isolate and impoverish its people through its relentless pursuit of nuclear weapons and ballistic missile capabilities";

Whereas Secretary of State John Kerry stated in response to the nuclear test that "the D.P.R.K.'s repeated and willful violations of its obligations under U.N. Security Council Resolutions, its belligerent and erratic threats, and web of illicit activities around the world indicate it has no interest in participating in global affairs as a responsible member of the international community";

Whereas United States Ambassador to the United Nations Samantha Power stated in explanation of the vote on United Nations Security Council Resolution 2270 that "the chronic suffering of the people of North Korea is the direct result of the choices made by the DPRK government, a government that has consistently prioritized its nuclear weapons and ballistic missile programs over providing for the most basic needs of its own people . . . the North Korean government would rather grow its nuclear weapons program than grow its children";

Whereas Republic of Korea President Park Geun-hye stated, in response to the nuclear test, "North Korea's nuclear test, already the second this year, cannot be regarded as anything else but a direct defiance against the international community . . . the nuclear threat posed by North Korea is an urgent and present threat. Accordingly, our and the international community's response too should now be completely different from before.";

Whereas Congress passed the North Korea Sanctions and Policy Enhancement Act (NKSPEA) on February 18, 2016 (Public Law 114-122);

Whereas NKSPEA imposes mandatory sanctions on individuals who contribute to North Korea's nuclear program, proliferation activities, malicious cyberattacks, and human rights abuses;

Whereas, on June 1, 2016, the Department of the Treasury designated North Korea as a "primary money laundering concern" under section 5318A of title 31, United States Code;

Whereas, on July 6, 2016, the Department of the Treasury designated top officials of the North Korean regime, including North Korean leader Kim Jong Un, ten other individuals, and five entities, for their role as perpetrators of human rights abuses in North Korea; and

Whereas additional measures to further curtail North Korea's access to international financial markets, further impede trade that benefits the Government of North Korea, government and party officials, and military entities, and freeze assets of North Korean officials are available both through already authorized unilateral United States policy, including secondary sanctions on entities that facilitate trade with North Korea and designations for actions which undermine cybersecurity, and through the United Nations Security Council: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the North Korean regime for continuing its dangerous provocations, focusing solely on the advancement of its nuclear and missile capabilities while violating the human rights of its people;

(2) calls on the North Korean regime to immediately and unconditionally meet its obligation to abandon its nuclear weapons and missile programs in a complete, verifiable, and irreversible manner;

(3) calls on China to exercise its significant economic and diplomatic leverage over the DPRK, including through the aggressive enforcement of existing United Nations Security Council resolutions, in order to halt North Korea's illegal nuclear and missile programs;

(4) reaffirms the commitment of the United States to defending allies in the region, including through deployment of a Terminal High Altitude Area Defense (THAAD) battery to the Republic of Korea and joint United States-Japan efforts to develop the next generation of missile defense interceptors, including the Standard Missile 3;

(5) reinforces longstanding United States commitments to provide extended deterrence, guaranteed by the full spectrum of United States defense capabilities, to the Republic of Korea and Japan;

(6) supports ongoing efforts to strengthen the United States-Republic of Korea alliance, to protect the 28,500 members of the United States Armed Forces stationed on the Korean Peninsula, and to defend the alliance against any and all provocations committed by the North Korean regime; and

(7) calls on all members of the United Nations Security Council to take immediate

action to pass additional and meaningful new measures under Article 41 of the United Nations Charter, including—

(A) stricter measures to eliminate exceptions in current United Nations Security Council resolution sanctions;

(B) further restrictions on imports and exports of such sectoral commodities as coal, iron, and precious metals and the prohibition on fuel oil exports to North Korea;

(C) elimination of access for entities involved in North Korea's nuclear and ballistic missile programs to international financial markets and banking;

(D) restrictions on the use of North Korean subcontractors in global supply chains, particularly in the textile and apparel industry;

(E) restrictions on the supply of aviation fuel and a ban on civilian aviation;

(F) a ban on bulk cash transfers to and from North Korea;

(G) prevention of the use of North Korean labor in third-country projects and agreements; and

(H) a downgrading of North Korean diplomatic representation.

**SENATE RESOLUTION 565—DESIG-
NATING THE WEEK BEGINNING
SEPTEMBER 12, 2016, AS "NA-
TIONAL HISPANIC-SERVING IN-
STITUTIONS WEEK"**

Mr. MENENDEZ (for himself, Mr. REID, Mr. CORNYN, Mr. BENNET, Mr. BOOKER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HELLER, Mrs. MURRAY, Mr. NELSON, Mr. RUBIO, Mr. SCHUMER, Mr. UDALL, Ms. WARREN, Mr. HATCH, Mr. KAINE, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 565

Whereas Hispanic-Serving Institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of not less than 25 percent Hispanic students;

Whereas Hispanic-Serving Institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas more than 400 Hispanic-Serving Institutions operate in the United States;

Whereas Hispanic-Serving Institutions represent just 13 percent of all non-profit institutions of higher education, yet serve more than 63 percent of all Hispanic undergraduate students, enrolling more than 1,750,000 Hispanic undergraduate students and more than 86,000 Hispanic graduate students in 2014;

Whereas the number of "emerging Hispanic-Serving Institutions", defined as institutions that do not yet meet the threshold of 25 percent Hispanic enrollment but serve a Hispanic student population of between 15 and 24 percent, grew to more than 300 colleges and universities in 2014;

Whereas Hispanic-Serving Institutions are located in 18 States and Puerto Rico and emerging Hispanic-Serving Institutions are located in 33 States and Washington, DC;

Whereas Hispanic-Serving Institutions are actively involved in stabilizing and improving the communities in which the institutions are located;

Whereas celebrating the vast contributions of Hispanic-Serving Institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-Serving Institutions deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-Serving Institutions across the United States;

(2) designates the week beginning September 12, 2016, as “National Hispanic-Serving Institutions Week”; and

(3) calls on the people of the United States and interested groups to observe National Hispanic-Serving Institutions Week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-Serving Institutions.

SENATE RESOLUTION 566—SUPPORTING THE GOALS AND IDEALS OF NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH, COMMENDING DOMESTIC VIOLENCE VICTIM ADVOCATES, DOMESTIC VIOLENCE VICTIM SERVICE PROVIDERS, CRISIS HOTLINE STAFF, AND FIRST RESPONDERS SERVING VICTIMS OF DOMESTIC VIOLENCE FOR THEIR COMPASSIONATE SUPPORT OF VICTIMS OF DOMESTIC VIOLENCE, AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD CONTINUE TO SUPPORT EFFORTS TO END DOMESTIC VIOLENCE AND HOLD PERPETRATORS OF DOMESTIC VIOLENCE ACCOUNTABLE

Mr. GRASSLEY (for himself, Mr. LEAHY, Ms. AYOTTE, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas domestic violence victim advocates, domestic violence service providers, domestic violence first responders, and other individuals in the United States observe the month of October, 2016, as “National Domestic Violence Awareness Month” in order to increase awareness in the United States about the issue of domestic violence;

Whereas it is estimated that each year approximately 12,673,000 individuals in the United States are victims of intimate partner violence, including—

- (1) physical violence;
- (2) rape; or
- (3) stalking;

Whereas more than 1 in 5 women in the United States and up to 1 in 7 men in the United States have experienced severe physical violence by an intimate partner;

Whereas, on average, 3 women are killed by a current or former intimate partner every day in the United States, according to the Bureau of Justice Statistics;

Whereas personal safety and economic security are often inextricably linked for victims of domestic violence, according to the National Network to End Domestic Violence;

Whereas 1 in 11 women and 1 in 21 men who have experienced sexual violence, physical violence, or stalking by an intimate partner missed work or school as a result of the abuse;

Whereas the National Domestic Violence Counts Census found that during 1 day during September 2015, more than 71,828 victims of domestic violence received services, but

12,197 requests for services went unmet due to a lack of funding and resources;

Whereas domestic violence affects women, men, and children of every age and background, but women—

(1) experience more domestic violence than men; and

(2) are significantly more likely than men to be injured during an assault by an intimate partner;

Whereas women aged 18 to 34 typically experience the highest rates of intimate partner violence, according to the Bureau of Justice Statistics;

Whereas most female victims of intimate partner violence have been victimized by the same offender previously;

Whereas domestic violence is cited as a significant factor in homelessness among families;

Whereas research shows that households in which children are abused or neglected are likely to have a higher rate of intimate partner violence;

Whereas millions of children are exposed to domestic violence each year;

Whereas victims of domestic violence experience immediate and long-term negative outcomes, including detrimental effects on mental and physical health;

Whereas crisis hotlines serving domestic violence operate 24 hours per day, 365 days per year, and offer important—

- (1) crisis intervention;
- (2) support;
- (3) information; and
- (4) referrals for victims;

Whereas staff and volunteers of domestic violence shelters and programs in the United States, in cooperation with 56 State and territorial coalitions against domestic violence, serve—

- (1) thousands of adults and children each day; and
- (2) at least 1,000,000 adults and children each year;

Whereas law enforcement officers in the United States put their lives at risk each day by responding to incidents of domestic violence, which can be among the most volatile and deadly disturbance calls;

Whereas Congress first demonstrated a significant commitment to supporting victims of domestic violence through the landmark enactment of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.);

Whereas Congress has remained committed to protecting survivors of all forms of domestic violence and sexual abuse by making Federal funding available to support the activities that are authorized under—

- (1) the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.); and
- (2) the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.);

Whereas there is a need to continue to support programs and activities aimed at domestic violence intervention and domestic violence prevention in the United States; and

Whereas individuals and organizations that are dedicated to preventing and ending domestic violence should be recognized: Now, therefore, be it

Resolved, That—

(1) the Senate supports the goals and ideals of “National Domestic Violence Awareness Month”; and

(2) it is the sense of the Senate that Congress should—

(A) continue to raise awareness of domestic violence in the United States and the corresponding devastating effects of domestic

violence on survivors, families, and communities; and

(B) pledge continued support for programs designed—

- (i) to assist survivors;
- (ii) to hold perpetrators accountable; and
- (iii) to bring an end to domestic violence.

SENATE RESOLUTION 567—DESIGNATING THE WEEK BEGINNING OCTOBER 16, 2016, AS “NATIONAL CHARACTER COUNTS WEEK”

Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. ENZI, Mr. DONNELLY, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 567

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas, more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into teaching activities; and

Whereas the establishment of "National Character Counts Week", during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 16, 2016, as "National Character Counts Week"; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 568—RECOGNIZING THE INVALUABLE CONTRIBUTIONS OF THE TOWING AND RECOVERY INDUSTRY IN THE UNITED STATES, THE INTERNATIONAL TOWING & RECOVERY HALL OF FAME & MUSEUM, TOWING ASSOCIATIONS AROUND THE WORLD, AND THE MEMBERS OF THOSE TOWING ASSOCIATIONS AND DESIGNATING THE WEEK OF SEPTEMBER 9 THROUGH 15, 2016, AS "NATIONAL TOWING INDUSTRY AWARENESS WEEK"

Mr. CORKER (for himself, Mr. ALEXANDER, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas, in 1916, Ernest Holmes built the first twin boom wrecker in Chattanooga, Tennessee, for use in his own garage and later agreed to build and sell the units to others;

Whereas the first production wreckers were known as "680's" because they cost \$680;

Whereas, in service to the United States, the Ernest Holmes Company supplied the W-45 military wrecker for use during World War II;

Whereas, in 1959, the Ernest Holmes Company patented its first tow sling and car dolly;

Whereas, in the early 1970's, Gerald Holmes built the first hydraulic towing equipment, an advancement in the industry;

Whereas, in 1995, the International Towing & Recovery Hall of Fame & Museum (referred to in this preamble as the "Museum") was established in Chattanooga, Tennessee, the birthplace of the tow truck;

Whereas, in 2003, the Museum, having outgrown its original home, moved to 3315 Broad Street in Chattanooga;

Whereas, in 2006, the Museum officially dedicated the Wall of the Fallen, the first monument in the industry to honor towing operators killed in the line of service;

Whereas, in the United States, there are more than 35,000 tow companies and hundreds of thousands of individuals employed in the towing industry, including tow truck operators, dispatchers, safety advisors, and owners;

Whereas more than 1 tow truck operator is killed every 6 days assisting motorists on the roadways of the United States;

Whereas tow truck operators respond to nearly 15,000,000 accidents per year across the United States;

Whereas tow truck operators are an indispensable part of keeping the United States moving by keeping the highways of the United States clear and open for travel;

Whereas most highway crashes require assistance from tow truck operators; and

Whereas the people of the United States have a duty to drive safely and be courteous toward fellow motorists on the roadways as the people of the United States work together toward the common goal of reducing fatal accidents: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the tow truck;

(2) designates the week of September 9 through 15, 2016, as "National Towing Industry Awareness Week", to be held in conjunction with the International Towing & Recovery Hall of Fame & Museum Hall of Fame Induction Ceremony and the Wall of the Fallen ceremony, each of which is held annually at the International Towing & Recovery Hall of Fame & Museum in Chattanooga, Tennessee; and

(3) encourages the people of the United States—

(A) to observe the move over and slow down laws in the United States; and

(B) to join in the worthy observance of National Towing Industry Awareness Week.

SENATE RESOLUTION 569—RECOGNIZING NOVEMBER 26, 2016, AS "SMALL BUSINESS SATURDAY" AND SUPPORTING THE EFFORTS OF THE SMALL BUSINESS ADMINISTRATION TO INCREASE AWARENESS OF THE VALUE OF LOCALLY OWNED SMALL BUSINESSES

Mr. VITTER (for himself, Mrs. SHAHEEN, Ms. AYOTTE, Ms. CANTWELL, Mr. BARRASSO, Mr. PETERS, Mr. PORTMAN, Mr. WARNER, Mr. SCOTT, Mr. DONNELLY, Mr. DAINES, Mr. MARKEY, Mr. BOOZMAN, Mr. TESTER, Mr. RISCH, Mr. HIRONO, Mr. HOEVEN, Mr. UDALL, Mrs. FISCHER, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. KING, Mr. INHOFE, Mr. COONS, Ms. COLLINS, Ms. HEITKAMP, Mr. KIRK, Mr. MANCHIN, Mr. CARDIN, Mrs. BOXER, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BOOKER, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. CASEY, Mr. GARDNER, Mr. ENZI, and Mrs. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 569

Whereas there are 28,773,992 small businesses in the United States;

Whereas small businesses represent 99.7 percent of all businesses with employees in the United States;

Whereas small businesses employ more than 49 percent of the employees in the private sector in the United States;

Whereas small businesses pay more than 42 percent of the total payroll of the employees in the private sector in the United States;

Whereas small businesses constitute 97.7 percent of firms exporting goods;

Whereas small businesses are responsible for more than 46 percent of private sector output;

Whereas small businesses generated 63 percent of net new jobs created during the past 20 years;

Whereas 87 percent of consumers in the United States agree that the success of small businesses is critical to the overall economic health of the United States;

Whereas 89 percent of consumers in the United States agree that small businesses contribute positively to local communities by supplying jobs and generating tax revenue;

Whereas 93 percent of consumers in the United States agree that it is important to support the small businesses in their communities; and

Whereas November 26, 2016, is an appropriate day to recognize "Small Business Saturday": Now, therefore, be it

Resolved, That the Senate joins with the Small Business Administration in—

(1) recognizing and encouraging the observance of "Small Business Saturday" on November 26, 2016; and

(2) supporting efforts—

(A) to encourage consumers to shop locally; and

(B) to increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5074. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SA 5075. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, *supra*.

SA 5076. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, *supra*.

SA 5077. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, *supra*.

SA 5078. Mr. COONS (for himself and Mr. FLAKE) proposed an amendment to the bill H.R. 2494, to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

TEXT OF AMENDMENTS

SA 5074. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848,

to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. BUREAU OF RECLAMATION DAKOTAS AREA OFFICE PERMIT FEES FOR CABINS AND TRAILERS.

During the period ending 5 years after the date of enactment of this Act, the Secretary of the Interior shall not increase the permit fee for a cabin or trailer on land in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation by more than 33 percent of the permit fee that was in effect on January 1, 2016.

SEC. _____. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term “addition” means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term “camper or recreational vehicle” includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term “immediate family” means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term “permit” means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term “permit year” means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term “permittee” means a person holding a permit.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term “trailer area” means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled “Heart Butte Reservoir Resource Management Plan” (March 2008)):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term “trailer home” means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMIT RENEWAL AND PERMITTED USE.—

(1) IN GENERAL.—The Secretary shall use the same permit renewal process for trailer area permits as the Secretary uses for other permit renewals in other reservoirs in the State of North Dakota administered by the Dakotas Area Office of the Bureau of Reclamation.

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) to park the trailer home on the lot;

(B) to use the trailer home on the lot;

(C) to physically move the trailer home on and off the lot; and

(D) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) REMOVAL.—

(1) IN GENERAL.—The Secretary may require removal of a trailer home from a lot in a trailer area if the trailer home is flooded after the date of enactment of this Act.

(2) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (1), on request by the permittee, the Secretary shall authorize the permittee—

(A) to replace the trailer home on the lot with a camper or recreational vehicle in accordance with this section; or

(B) to place a trailer home on the lot from April 1 to October 31.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, under the same terms as the permit applicable on the date of transfer, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—The Secretary shall require compliance with appropriate anchoring requirements for each trailer home (including additions to the trailer home) and other objects on a lot in a trailer area, as determined by the Secretary, after consulting with permittees.

(f) REPLACEMENT, REMOVAL, AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to the personal

property of a permittee or for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the personal property of a permittee shall not be a taking by the United States.

SA 5075. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

() NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term “New Savannah Bluff Lock and Dam” has the meaning given the term in section 348(l)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term “Project” means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(l)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (l); and

(ii) by redesignating subsections (m) and (n) as subsections (l) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock

weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

SA 5076. Mr. COCHRAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

Strike section 6009 and insert the following:

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the “Yazoo Basin, Mississippi, Mississippi Delta Headwater Project, MS”, authorized by title I of Public Law 98-8 (97 Stat. 22), as amended, shall not be limited to watersheds referenced in reports accompanying appropriations bills for previous fiscal years.

SA 5077. Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the end, add the following:

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the “Blackfeet Water Rights Settlement Act”.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) ALLOTTEE.—The term “allottee” means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BIRCH CREEK AGREEMENT.—The term “Birch Creek Agreement” means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) BLACKFEET IRRIGATION PROJECT.—The term “Blackfeet Irrigation Project” means the irrigation project authorized by the matter under the heading “MONTANA” of title II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) COMPACT.—The term “Compact” means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) ENFORCEABILITY DATE.—The term “enforceability date” means the date described in section 9020(f).

(6) LAKE ELWELL.—The term “Lake Elwell” means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(7) MILK RIVER BASIN.—The term “Milk River Basin” means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term “Milk River Project” means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term “Milk River Project” includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(9) MILK RIVER PROJECT WATER RIGHTS.—The term “Milk River Project water rights” means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) MILK RIVER WATER RIGHT.—The term “Milk River water right” means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) MISSOURI RIVER BASIN.—The term “Missouri River Basin” means the hydrologic basin of the Missouri River (including tributaries).

(12) MR&I SYSTEM.—The term “MR&I System” means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled “Blackfeet Regional Water System”, prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) OM&R.—The term “OM&R” means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) RESERVATION.—The term “Reservation” means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) ST. MARY RIVER WATER RIGHT.—The term “St. Mary River water right” means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) ST. MARY UNIT.—

(A) IN GENERAL.—The term “St. Mary Unit” means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term “St. Mary Unit” includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(17) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(18) STATE.—The term “State” means the State of Montana.

(19) SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.—The term “Swiftcurrent Creek Bank Stabilization Project” means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled “Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report”, prepared by DOWL HKM, and dated March 2012.

(20) TRIBAL WATER RIGHTS.—The term “Tribal water rights” means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) TRIBE.—The term “Tribe” means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) RATIFICATION.—

(1) IN GENERAL.—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) all other applicable environmental laws and regulations.

(2) EFFECT OF EXECUTION.—

(A) IN GENERAL.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) COMPLIANCE.—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) IN GENERAL.—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) WATER RIGHTS ARISING UNDER STATE LAW.—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) TRIBAL AGREEMENT.—

(1) IN GENERAL.—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) CONSIDERATIONS.—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) SECRETARIAL DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) APPROVAL.—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) DEADLINE EXTENSION.—The deadline to review the agreement described in paragraph (1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) SECRETARIAL DECISION.—

(1) IN GENERAL.—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the Fort Belknap Indian Community in the Milk River may be exercised.

(2) CONSIDERATION AS FINAL AGENCY ACTION.—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) INCORPORATION INTO DECREES.—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) EFFECTIVE DATE.—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) USE OF FUNDS.—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) TREATMENT.—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St.

Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) TERMS AND CONDITIONS.—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1)

that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) **TREATMENT.**—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) **SUBCONTRACTS.**—

(1) **IN GENERAL.**—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) **COMPLIANCE WITH OTHER LAW.**—All subcontracts described in paragraph (1) shall comply with—

- (A) this title;
- (B) the Compact;
- (C) the tribal water code; and
- (D) other applicable law.

(3) **NO LIABILITY.**—The Secretary shall not be liable to any party, including the Tribe, for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) **EFFECT OF PROVISIONS.**—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) **OTHER RIGHTS.**—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) **MILK RIVER PROJECT PURPOSES.**—The purposes of the Milk River Project shall include—

- (1) irrigation;
- (2) flood control;
- (3) the protection of fish and wildlife;
- (4) recreation;
- (5) the provision of municipal, rural, and industrial water supply; and
- (6) hydroelectric power generation.

(b) **USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.**—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) **ST. MARY RIVER STUDIES.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk

River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) **COOPERATIVE AGREEMENT.**—On request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) **COSTS NONREIMBURSABLE.**—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) **SWIFTCURRENT CREEK BANK STABILIZATION.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

- (A) a review of the final project design; and
- (B) value engineering analyses.

(2) **MODIFICATION OF FINAL DESIGN.**—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) **ADMINISTRATION.**—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) **MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) **AGREEMENT REGARDING EXISTING USES.**—The Tribe and the Secretary shall enter into

an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the “Panel Determination”), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the “Interior Determination”), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) **EFFECT.**—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) **INTERIOR DETERMINATION AS FINAL AGENCY ACTION.**—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) **JUDICIAL REVIEW.**—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) **FUNDING.**—The total amount of obligations incurred by the Secretary shall not exceed—

- (1) \$3,800,000 to carry out subsection (c);
- (2) \$20,700,000 to carry out subsection (d); and
- (3) \$3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) **BUREAU OF RECLAMATION JURISDICTION.**—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydro-power on the St. Mary Unit.

(b) **RIGHTS OF TRIBE.**—

(1) **EXCLUSIVE RIGHT OF TRIBE.**—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) **LIMITATIONS.**—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) **OM&R COSTS.**—Effective beginning on the date that is 10 years after the date on

which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) **BUREAU OF RECLAMATION COOPERATION.**—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) **AGREEMENT.**—Before construction of a hydroelectric power generation project under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) **USE OF HYDROELECTRIC POWER BY TRIBE.**—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) **REVENUES.**—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) **LIABILITY OF UNITED STATES.**—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) **PREFERENCE.**—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) **STORAGE ALLOCATION TO TRIBE.**—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) **REDUCTION.**—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) **TREATMENT.**—

(1) **IN GENERAL.**—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) **PRIORITY DATE.**—The priority date of the allocation to the Tribe under subsection

(a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) **ADMINISTRATION.**—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) **ALLOCATION AGREEMENT.**—

(1) **IN GENERAL.**—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) **INCLUSIONS.**—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) **AGREEMENTS BY TRIBE.**—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) **EFFECTIVE DATE.**—The allocation under subsection (a) takes effect on the enforceability date.

(f) **NO CARRYOVER STORAGE.**—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) **DEVELOPMENT AND DELIVERY COSTS.**—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfeet Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) **LEAD AGENCY.**—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) **SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.**—

(1) **IN GENERAL.**—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled “Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project”, prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled “Four Horns Dam Enlarged Appraisal Evaluation Design Report”, prepared by DOWL HKM, and dated April 2007.

(2) **CONDITIONS.**—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) **SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.**—

(1) **IN GENERAL.**—The scope of the rehabilitation and improvements shall be as generally described in the document entitled “Four Horns Feeder Canal Rehabilitation with Export”, prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) **INCLUSIONS.**—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) **NEGOTIATION WITH TRIBE.**—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure that the final design meets applicable industry standards.

(e) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$54,900,000, of which—

(1) \$40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) \$14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) **NON-FEDERAL CONTRIBUTION.**—No part of the project under subsection (d) shall be commenced until the State has made available \$20,000,000 to carry out the activities described in subsection (d)(2).

(h) **ADMINISTRATION.**—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) **PROJECT EFFICIENCIES.**—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) **OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.**—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) **OWNERSHIP, OPERATION, AND MAINTENANCE.**—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) **LIABILITY OF UNITED STATES.**—The United States shall have no obligation or responsibility with respect to the facilities described in subsection (d)(2)(C).

(m) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more

agreements with the Tribe to carry out this section.

(n) **EFFECT.**—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfeet Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) **LEAD AGENCY.**—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) **SCOPE.**—

(1) **IN GENERAL.**—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Regional Water System”, prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) **NEGOTIATION WITH TRIBE.**—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$76,200,000.

(f) **NON-FEDERAL CONTRIBUTION.**—

(1) **CONSULTATION.**—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) **NEGOTIATIONS.**—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) **OWNERSHIP BY TRIBE.**—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) **ADMINISTRATION.**—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out

by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) **OM&R COSTS.**—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) **PROJECT EFFICIENCIES.**—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) **LEAD AGENCY.**—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) **SCOPE.**—

(1) **IN GENERAL.**—The scope of the design and construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) **MODIFICATION.**—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) **NEGOTIATION WITH TRIBE.**—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$87,300,000.

(f) **OWNERSHIP BY TRIBE.**—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) **ADMINISTRATION.**—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(h) **OM&R COSTS.**—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) **PROJECT EFFICIENCIES.**—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) **APPLICABILITY OF ISDEAA.**—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) **IN GENERAL.**—

(1) **SCOPE.**—The scope of the construction under this section shall be as generally described in the document entitled “Blackfeet Water Storage, Development, and Project Report”, prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) **MODIFICATION.**—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

- (i) similar to the proposed project; and
- (ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) **NONREIMBURSABILITY OF COSTS.**—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) **FUNDING.**—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$91,000,000.

(d) **OM&R COSTS.**—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) **OWNERSHIP BY TRIBE.**—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) **TRIBAL EASEMENTS AND RIGHTS-OF-WAY.**—

(1) **IN GENERAL.**—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and

rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) **JURISDICTION.**—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) **LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.**—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) **LAND ACQUIRED BY UNITED STATES OR TRIBE.**—Any land acquired within the boundaries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) **CONFIRMATION OF TRIBAL WATER RIGHTS.**—

(1) **IN GENERAL.**—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) **USE.**—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) **CONFLICT.**—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) **INTENT OF CONGRESS.**—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) **TRUST STATUS OF TRIBAL WATER RIGHTS.**—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) **ALLOTTEES.**—

(1) **APPLICABILITY OF ACT OF FEBRUARY 8, 1887.**—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) **ENTITLEMENT TO WATER.**—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) **ALLOCATIONS.**—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) **CLAIMS.**—

(A) **EXHAUSTION OF REMEDIES.**—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) **ACTION FOR RELIEF.**—After the exhaustion of all remedies available under the trib-

al water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) **AUTHORITY OF SECRETARY.**—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) **AUTHORITY OF TRIBE.**—

(1) **IN GENERAL.**—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) **OFF-RESERVATION USE.**—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) **LAND LEASES BY ALLOTTEES.**—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the tribal water code.

(f) **TRIBAL WATER CODE.**—

(1) **IN GENERAL.**—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) **INCLUSIONS.**—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) **ACTION BY SECRETARY.**—

(A) **IN GENERAL.**—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) **APPROVAL.**—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) EXTENSION.—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the “Blackfeet Settlement Trust Fund” (referred to in this section as the “Trust Fund”), to be managed, invested, and distributed by the Secretary and to remain available until expended.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (i).

(e) MANAGEMENT.—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(f) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.—Notwithstanding paragraph (1), on approval pursuant to this title and the Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, \$4,800,000 shall be made available to the Tribe for the implementation of this title.

(g) WITHDRAWALS UNDER AIFRMRA.—

(1) IN GENERAL.—The Tribe may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(h) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(1) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) INCLUSIONS.—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) APPROVAL.—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be

necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(i) USES.—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary, \$500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(j) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(k) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(l) DEPOSIT OF FUNDS.—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the “Blackfeet Water Settlement Implementation Fund” (referred to in this section as the “Implementation Fund”), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) DEPOSITS.—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount

made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (e).

(e) USES.—

(1) MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.—The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(f) MANAGEMENT.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), \$28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), \$27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), \$27,800,000;

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), \$91,000,000; and

(E) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Settlement Trust Fund; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), \$163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), \$54,900,000, of which—

(i) \$40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) \$14,000,000 shall be made available for activities and projects under section 9010(d)(2);

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the

Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), \$28,100,000, of which—

(i) \$27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) \$500,000 shall be used to carry out section 9005; and

(D) such sums not to exceed the amount of interest credited to the unexpended amounts of the Blackfeet Water Settlement Implementation Fund.

(b) ADJUSTMENTS.—

(1) IN GENERAL.—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated for an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) TREATMENT.—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled “Stipulation to Address Claims by and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park”, and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled Blackfeet Tribe v. United States, No. 02-127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) WITHDRAWAL OF OBJECTIONS.—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases under subsection (a), the Tribe, acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) **EFFECT OF COMPACT AND ACT.**—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled *Blackfeet Tribe v. United States*, No. 02–127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled *Cobell v. Salazar*, No. 1:96CV01285–JR (D.D.C. 2012).

(f) **ENFORCEABILITY DATE.**—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) **TOLLING OF CLAIMS.**—

(1) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) **EFFECT OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) **EXPIRATION.**—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) **VOIDING OF WAIVERS.**—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the

Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) **TRIBAL CLAIMS.**—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) **ALLOTTEE CLAIMS.**—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) **WAIVER OF SOVEREIGN IMMUNITY.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) **LIMITATION ON LIABILITY OF UNITED STATES.**—

(1) **IN GENERAL.**—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) **INDEMNITY.**—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) **EFFECT ON CURRENT LAW.**—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) **EFFECT ON RECLAMATION LAWS.**—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(g) **IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.**—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) **BIRCH CREEK AGREEMENT APPROVAL.**—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) **LIMITATION ON EFFECT.**—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

SA 5078. Mr. COONS (for himself and Mr. FLAKE) proposed an amendment to the bill H.R. 2494, to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate

major wildlife trafficking countries, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PURPOSES AND POLICY

Sec. 101. Purposes.

Sec. 102. Statement of United States policy.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

Sec. 201. Report.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

Sec. 301. Presidential Task Force on Wildlife Trafficking.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

Sec. 401. Anti-poaching programs.

Sec. 402. Anti-trafficking programs.

Sec. 403. Engagement of United States diplomatic missions.

Sec. 404. Community conservation.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

Sec. 501. Amendments to Fisherman's Protective Act of 1967.

Sec. 502. Wildlife trafficking violations as predicate offenses under money laundering statute.

SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **CO-CHAIRS OF THE TASK FORCE.**—The term “Co-Chairs of the Task Force” means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) **COMMUNITY CONSERVATION.**—The term “community conservation” means an approach to conservation that recognizes the rights of local people to manage, or benefit directly and indirectly from wildlife and other natural resources in a long-term biologically viable manner and includes—

(A) devolving management and governance to local communities to create positive conditions for resource use that takes into account current and future ecological requirements; and

(B) building the capacity of communities for conservation and natural resource management.

(4) **COUNTRY OF CONCERN.**—The term “country of concern” refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 201 as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) **FOCUS COUNTRY.**—The term “focus country” refers to a foreign country determined

by the Secretary of State to be a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) **DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.**—The terms “defense article”, “defense service”, “significant military equipment”, and “training” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) **IMPLEMENTATION PLAN.**—The term “Implementation Plan” means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) **NATIONAL STRATEGY.**—The term “National Strategy” means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) **NATIONAL WILDLIFE SERVICES.**—The term “national wildlife services” refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) **SECURITY FORCE.**—The term “security force” means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) **TASK FORCE.**—The term “Task Force” means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) **WILDLIFE TRAFFICKING.**—The term “wildlife trafficking” refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

TITLE I—PURPOSES AND POLICY

SEC. 101. PURPOSES.

The purposes of this Act are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 102. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife

products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 201. REPORT.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this Act.

(b) **SPECIAL DESIGNATION.**—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country of concern listed in the report the government of which has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(c) **SUNSET.**—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 301. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) **RESPONSIBILITIES.**—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 201 and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services,

or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 201(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180 days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this Act; and

(5) coordinate or carry out other functions as are necessary to implement this Act.

(b) **DUPLICATION AND EFFICIENCY.**—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this Act are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and interagency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) **CONSISTENCY WITH AGENCY RESPONSIBILITIES.**—The Task Force shall carry out its responsibilities under this Act in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) **TASK FORCE STRATEGIC REVIEW.**—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this Act, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 201 have proven to be the most successful partners in

suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in the future, based upon the Task Force's experience as of the time of the review.

(e) **TERMINATION OF TASK FORCE.**—The statutory authorization for the Task Force provided by this Act shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 401. ANTI-POACHING PROGRAMS.

(a) **WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 301(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) **SENSE OF CONGRESS REGARDING SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING IN AFRICA.**—It is the sense of Congress that the United States should continue to provide defense articles (not including significant military equipment), defense services, and related training to appropriate security forces of countries of Africa for the purposes of countering wildlife trafficking and poaching.

SEC. 402. ANTI-TRAFFICKING PROGRAMS.

(a) **INVESTIGATIVE CAPACITY BUILDING.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) **TRANSNATIONAL PROGRAMS.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries,

may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 403. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under section 301(a)(2), among other goals, for the country.

SEC. 404. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United States Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources in a long-term biologically viable manner, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and stewardship-oriented agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, responsible economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support land use stewardship plans to improve the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 501. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, in consultation with the Secretary of State,” after “Secretary of Commerce”;

(B) in paragraph (2), by inserting “, in consultation with the Secretary of State,” after “Secretary of the Interior”;

(C) in paragraph (3), by inserting “in consultation with the Secretary of State,” after “, as appropriate,”;

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

“(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.”; and

(2) in subsection (d), by inserting “in consultation with the Secretary of State,” after “as the case may be.”.

SEC. 502. WILDLIFE TRAFFICKING VIOLATIONS AS PREDICATE OFFENSES UNDER MONEY LAUNDERING STATUTE.

Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking “; or” and inserting a semicolon;

(2) in subparagraph (F), by striking the semicolon and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(G) any act that is a criminal violation of subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (1) of section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species of fish or wildlife, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have nine requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., in room SR-328A of the Russell Senate Office Building.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on September 15, 2016, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on September 15, 2016, at 10

a.m., in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled “Oversight of the Federal Communications Commission.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 15, 2016, at 9:45 a.m., to conduct a hearing entitled “Afghanistan: U.S. Policy and International Commitments.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 15, 2016, at 2:15 p.m., to conduct a hearing entitled “Reviewing the Civil Nuclear Agreement with Norway.”

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., to conduct a hearing entitled “The State of Health Insurance Markets.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on September 15, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on September 15, 2016, at 10:30 a.m., in room SR-428A of the Russell Senate Office Building to conduct a hearing entitled “An Examination of the Federal Response and Resources for Louisiana Flood Victims.”

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 15, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

EXECUTIVE SESSION

TREATY WITH KAZAKHSTAN ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

TREATY WITH ALGERIA ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

TREATY WITH JORDAN ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar en bloc: Nos. 13, 14, 15; I further ask unanimous consent

that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD; further, that each treaty be voted on en bloc but considered voted on individually; that the motions to reconsider be laid upon the table; and that the President be notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The treaties will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 114-11, Treaty with Kazakhstan on Mutual Legal Assistance in Criminal Matters.

Treaty document No. 114-3, Treaty with Algeria on Mutual Legal Assistance in Criminal Matters.

Treaty document No. 114-4, Treaty with Jordan on Mutual Legal Assistance in Criminal Matters.

Mrs. CAPITO. Mr. President, I ask for a division vote on the resolutions of ratification en bloc.

The PRESIDING OFFICER. A division vote has been requested.

On treaty document No. 114-11, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the United States of America and the Republic of Kazakhstan on Mutual Legal Assistance in Criminal Matters, signed at Washington on February 20, 2015 (Treaty Doc. 114-11), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

The PRESIDING OFFICER. On treaty document No. 114-3, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the People's Republic of Algeria on Mutual Legal Assistance in Criminal Matters, signed at Washington on April 7, 2010 (Treaty Doc. 114-3), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

The PRESIDING OFFICER. On treaty document No. 114-4, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 1, 2013 (Treaty Doc. 114-4), subject to the declaration of section 2.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is self-executing.

EXECUTIVE CALENDAR

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 700 through 715 and all nominations on the Secretary's desk; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Timothy M. Ray

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Mark C. Nowland

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10 U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jerry P. Martinez

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Paul M. Nakasone

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Aundree F. Piggee

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Charles A. Richard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Philip G. Howe

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Charles L. Plummer

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Samuel A. Greaves

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Mark D. Kelly

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Joseph F. Jarrard

The following officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Laurel J. Hummel

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Gustave F. Perna

The following named officer for appointment as the Vice Chief of the National Guard Bureau and for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 10505 and 601:

To be lieutenant general

Lt. Gen. Daniel R. Hokanson

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. James G. Foggo, III

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John W. Raymond

NOMINATIONS PLACED ON THE SECRETARY'S
DESK

IN THE AIR FORCE

PN1552 AIR FORCE nominations (1186) beginning NATHAN J. ABEL, and ending BAI LAN ZHU, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1555 AIR FORCE nominations (49) beginning EBON S. ALLEY, and ending KENDRA S. ZBIR, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1556 AIR FORCE nominations (153) beginning OLUJIMISOLA M. ADELANI, and ending KELLIE J. ZENTZ, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1630 AIR FORCE nominations (129) beginning STEVEN S. ALEXANDER, and ending STACEY SCOTT ZDANAVAGE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1674 AIR FORCE nomination of Rebecca L. Powers, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1675 AIR FORCE nomination of William L. White, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1676 AIR FORCE nomination of Anthony B. Mulhare, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1677 AIR FORCE nominations (2) beginning ROBERT M. CLONTZ, II, and ending REBECCA K. KEMMET, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1707 AIR FORCE nomination of Paul K. Clark, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1709 AIR FORCE nomination of Anthony S. Robbins, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

IN THE ARMY

PN1631 ARMY nomination of Andrell J. Hardy, which was received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1632 ARMY nomination of Hector I. Martinezpineiro, which was received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1648 ARMY nominations (3) beginning CHATTIE N. LEVY, and ending LISA G. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1649 ARMY nominations (6) beginning ARTHUR J. BILENKER, and ending INEZ E. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1650 ARMY nominations (14) beginning JOHN J. BRADY, and ending ELIZABETH A. WERNS, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1651 ARMY nominations (11) beginning RICHARD J. BUTALLA, and ending MARK B. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1652 ARMY nominations (9) beginning CHRISTOPHER B. AASGAARD, and ending WILLIAM A. SOCRATES, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1653 ARMY nomination of Paul V. Rahm, which was received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1654 ARMY nominations (5) beginning MICHAEL A. DEAN, and ending MARK O. WORLEY, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1655 ARMY nominations (36) beginning JONNIE L. BAILEY, and ending ILONA L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1656 ARMY nominations (11) beginning GORDON B. CHIU, and ending PAUL A. VIATOR, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1657 ARMY nominations (47) beginning SCOTT B. ARMEN, and ending JON S. YAMAGUCHI, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1658 ARMY nominations (13) beginning THAD J. COLLARD, and ending MICHAEL L. YOST, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1659 ARMY nominations (2) beginning ANN M.B. HALL, and ending DAVID W. ROSE, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1660 ARMY nominations (2) beginning GARRY E. ONEAL, and ending CRISTOPHER A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 14, 2016.

PN1678 ARMY nominations (104) beginning FREDDY L. ADAMS, II, and ending D012362, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1679 ARMY nominations (147) beginning ALISSA R. ACKLEY, and ending D003185, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1680 ARMY nominations (190) beginning GEOFFREY R. ADAMS, and ending D005579, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1681 ARMY nominations (27) beginning BRIAN BICKEL, and ending MELISSA F. TUCKER, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1682 ARMY nominations (164) beginning KYLE D. AEMISEGGER, and ending SARAH M. ZATE, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1683 ARMY nomination of John E. Shemanski, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1684 ARMY nominations (21) beginning CHRISTOPHER D. BAYSA, and ending SARAH A. WILLIAMS BROWN, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1685 ARMY nominations (34) beginning ADRIENNE B. ARI, and ending CHARLES D. ZIMMERMAN, JR., which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1686 ARMY nominations (6) beginning NORMAN W. GILL, III, and ending MICHAEL A. ROBERTSON, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1687 ARMY nominations (7) beginning DERRON A. ALVES, and ending CHAD A. WEDDELL, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1688 ARMY nomination of Chantil A. Alexander, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1690 ARMY nomination of Yevgeny S. Vindman, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1691 ARMY nomination of David G. Ott, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1693 ARMY nomination of Geoffrey J. Cole, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1694 ARMY nomination of Jeffrey D. McCoy, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1695 ARMY nominations (74) beginning JOSEPH T. ALWAN, and ending NICHOLAS D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1696 ARMY nominations (300) beginning DUSTIN M. ALBERT, and ending JENNIFER E. ZUCCARELLI, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1697 ARMY nominations (36) beginning BUSTER D. AKERS, JR., and ending MICHAEL T. ZELL, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1698 ARMY nomination of Richard L. Weaver, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1710 ARMY nomination of Gail E. S. Yoshitani, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1714 ARMY nomination of Richard A. Dorchak, Jr., which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1715 ARMY nomination of Aristidis Katerelos, which was received by the Senate

and appeared in the Congressional Record of September 8, 2016.

PN1716 ARMY nomination of Scott C. Moran, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1717 ARMY nomination of Mona M. McFadden, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1718 ARMY nominations (11) beginning NICOLE R. CLARK, and ending SUSAN R. SINGALEWITCH, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1719 ARMY nomination of Clayton T. Herriford, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1720 ARMY nominations (18) beginning JAMES R. BOULWARE, and ending MATTHEW S. WYSOCKI, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1721 ARMY nomination of David E. Foster, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1722 ARMY nomination of Justin J. Orton, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1723 ARMY nomination of Tina R. Hartley, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1724 ARMY nomination of Melaine A. Williams, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1725 ARMY nomination of Anthony T. Sampson, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

IN THE NAVY

PN1634 NAVY nominations (125) beginning KENRIC T. ABAN, and ending ERIC H. YEUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1635 NAVY nominations (61) beginning BRENT N. ADAMS, and ending EMILY L. ZYWICKE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1636 NAVY nominations (24) beginning TERESITA ALSTON, and ending ERIN K. ZIZAK, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1637 NAVY nominations (29) beginning DYLAN T. BURCH, and ending LUKE A. WHITTEMORE, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1638 NAVY nominations (65) beginning BROOKE M. BASFORD, and ending MALISSA D. WICKERSHAM, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1639 NAVY nominations (53) beginning RYAN P. ANDERSON, and ending SCOTT A. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1640 NAVY nominations (31) beginning JENNIFER D. BOWDEN, and ending ROBERT B. WILLS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1641 NAVY nominations (36) beginning BRADLEY M. BAER, and ending GREGORY

J. WOODS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1699 NAVY nomination of Richard M. Camarena, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1701 NAVY nominations (39) beginning JULIO A. ALARCON, and ending JODI M. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1702 NAVY nominations (3) beginning ROLANDA A. FINDLAY, and ending DAPHNE P. MORRISONPONCE, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1703 NAVY nomination of Russell A. Maynard, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1726 NAVY nomination of William J. Kaiser, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1727 NAVY nominations (246) beginning NICOLE A. AGUIRRE, and ending AMY F. ZUCCHARO, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1728 NAVY nominations (81) beginning ALICE A. T. ALCORN, and ending MALKA ZIPPERSTEIN, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1729 NAVY nominations (119) beginning JULIE M. C. ANDERSON, and ending BRADLEY S. WELLS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1730 NAVY nominations (53) beginning BENJAMIN D. ADAMS, and ending MICHAEL F. WHITICAN, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1731 NAVY nominations (145) beginning STEPHEN K. AFFUL, and ending ALESSANDRA E. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1732 NAVY nominations (86) beginning SCOTT E. ADAMS, and ending CHARMAINE R. YAP, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1733 NAVY nominations (35) beginning RAYMOND B. ADKINS, and ending GALE B. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1734 NAVY nominations (55) beginning PAUL I. AHN, and ending SHANNON L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1735 NAVY nominations (2) beginning DENNIS L. LANG, JR., and ending YASMIRA LEFFAKIS, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1736 NAVY nomination of Karen J. Sankesritland, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1737 NAVY nominations (3) beginning MARK F. BIBEAU, and ending JASON A. LAURION, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1738 NAVY nomination of Randall L. McAtee, which was received by the Senate

and appeared in the Congressional Record of September 8, 2016.

PN1739 NAVY nomination of John F. Capacchione, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1740 NAVY nomination of Stuart T. Kirkby, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

PN1741 NAVY nomination of Carrie M. Mercier, which was received by the Senate and appeared in the Congressional Record of September 8, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

TOM STAGG FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 471, S. 2754.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2754) to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the "Tom Stagg Federal Building and United States Courthouse."

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in *italic*.)

S. 2754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TOM STAGG [FEDERAL BUILDING AND UNITED STATES COURTHOUSE] UNITED STATES COURTHOUSE.

(a) FINDINGS.—Congress finds that—

(1) the Honorable Thomas Eaton Stagg, Jr., served as judge of the United States District Court for the Western District of Louisiana from 1974 until his death in 2015;

(2) Judge Stagg served as Chief Judge of the United States District Court for the Western District of Louisiana from 1984 through 1992;

(3) Judge Stagg served as Senior Judge of the United States District Court for the Western District of Louisiana from 1992 through 2015;

(4) Judge Stagg exemplified all that is respectable and dignified in the judiciary and was a mentor and role model for all attorneys within and beyond the Western District of Louisiana; and

(5) the naming of the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, after Judge Stagg would honor his name and the legacy he left to all citizens of the Western District of Louisiana.

(b) DESIGNATION.—The Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, shall be known and designated as the "Tom

Stagg [Federal Building and United States Courthouse] *United States Court House*".

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (b) shall be deemed to be a reference to the "Tom Stagg [Federal Building and United States Courthouse] *United States Court House*".

Mrs. CAPITO. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The bill (S. 2754), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TOM STAGG UNITED STATES COURT HOUSE.

(a) FINDINGS.—Congress finds that—

(1) the Honorable Thomas Eaton Stagg, Jr., served as judge of the United States District Court for the Western District of Louisiana from 1974 until his death in 2015;

(2) Judge Stagg served as Chief Judge of the United States District Court for the Western District of Louisiana from 1984 through 1992;

(3) Judge Stagg served as Senior Judge of the United States District Court for the Western District of Louisiana from 1992 through 2015;

(4) Judge Stagg exemplified all that is respectable and dignified in the judiciary and was a mentor and role model for all attorneys within and beyond the Western District of Louisiana; and

(5) the naming of the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, after Judge Stagg would honor his name and the legacy he left to all citizens of the Western District of Louisiana.

(b) DESIGNATION.—The Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, shall be known and designated as the "Tom Stagg United States Court House".

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (b) shall be deemed to be a reference to the "Tom Stagg United States Court House".

NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 565, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 565) designating the week beginning September 12, 2016, as "National Hispanic-Serving Institutions Week."

There being no objection, the Senate proceeded to consider the resolution.

Mrs. CAPITO. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 565) was agreed to.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RESOLUTIONS SUBMITTED TODAY

Mrs. CAPITO. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 566, S. Res. 567, S. Res. 568, and S. Res. 569.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 3348

Mrs. CAPITO. Mr. President, I understand that S. 3348, introduced earlier today by Senator WYDEN, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3348) to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

Mrs. CAPITO. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, SEPTEMBER 19, 2016

Mrs. CAPITO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, September 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 5325.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 2016, AT 3 P.M.

Mrs. CAPITO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:28 p.m., adjourned until Monday, September 19, 2016, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 15, 2016:

DEPARTMENT OF DEFENSE

SUSAN S. GIBSON, OF VIRGINIA, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TIMOTHY M. RAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MARK C. NOWLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JERRY P. MARTINEZ

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PAUL M. NAKASONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. AUNDRE F. FIGGEE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. CHARLES A. RICHARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PHILIP G. HOWE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CHARLES L. PLUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SAMUEL A. GREAVES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK D. KELLY

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOSEPH F. JARRARD

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. LAUREL J. HUMMEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. GUSTAVE F. PERNA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 10505 AND 601:

To be lieutenant general

LT. GEN. DANIEL R. HOKANSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAMES G. FOGGO III

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN W. RAYMOND

AIR FORCE NOMINATIONS BEGINNING WITH NATHAN J. ABEL AND ENDING WITH BAI LAN ZHU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH EBON S. ALLEY AND ENDING WITH KENDRA S. ZBIR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH OLUJIMISOLA M. ADELANI AND ENDING WITH KELLIE J. ZENTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH STEVEN S. ALEXANDER AND ENDING WITH STACEY SCOTT ZDANAVAGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

AIR FORCE NOMINATION OF REBECCA L. POWERS, TO BE MAJOR.

AIR FORCE NOMINATION OF WILLIAM L. WHITE, TO BE MAJOR.

AIR FORCE NOMINATION OF ANTHONY B. MULHARE, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT M. CLONTZ II AND ENDING WITH REBECCA K. KEMMET, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

AIR FORCE NOMINATION OF PAUL K. CLARK, TO BE MAJOR.

AIR FORCE NOMINATION OF ANTHONY S. ROBBINS, TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATION OF ANDRELL J. HARDY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF HECTOR I. MARTINEZPINEIRO, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH CHATTIE N. LEVY AND ENDING WITH LISA G. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH ARTHUR J. BILENKER AND ENDING WITH INEZ E. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH JOHN J. BRADY AND ENDING WITH ELIZABETH A. WERNS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH RICHARD J. BUTALLA AND ENDING WITH MARK B. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER B. AASGAARD AND ENDING WITH WILLIAM A. SOCRATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATION OF PAUL V. RAHM, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL A. DEAN AND ENDING WITH MARK O. WORLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH JONNIE L. BAILEY AND ENDING WITH ILONA L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH GORDON B. CHU AND ENDING WITH PAUL A. VIATOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH SCOTT B. ARMEN AND ENDING WITH JON S. YAMAGUCHI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH THAD J. COLLARD AND ENDING WITH MICHAEL L. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH ANN M. B. HALL AND ENDING WITH DAVID W. ROSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH GARRY E. ONEAL AND ENDING WITH CRISTOPHER A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 14, 2016.

ARMY NOMINATIONS BEGINNING WITH FREDDY L. ADAMS II AND ENDING WITH D012362, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH ALISSA R. ACKLEY AND ENDING WITH D003185, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH GEOFFREY R. ADAMS AND ENDING WITH D006579, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH BRIAN BICKEL AND ENDING WITH MELISSA F. TUCKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH KYLE D. AEMISEGGER AND ENDING WITH SARAH M. ZATE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF JOHN E. SHEMANSKI, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER D. BAYSA AND ENDING WITH SARAH A. WILLIAMS BROWN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH ADRIENNE B. ARI AND ENDING WITH CHARLES D. ZIMMERMAN, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH NORMAN W. GILL III AND ENDING WITH MICHAEL A. ROBERTSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH DERRON A. ALVES AND ENDING WITH CHAD A. WEDDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND AP-

PEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF CHANTIL A. ALEXANDER, TO BE MAJOR.

ARMY NOMINATION OF YEVGENY S. VINDMAN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DAVID G. OTT, TO BE COLONEL.

ARMY NOMINATION OF GEOFFREY J. COLE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JEFFREY D. MCCOY, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JOSEPH T. ALWAN AND ENDING WITH NICHOLAS D. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH DUSTIN M. ALBERT AND ENDING WITH JENNIFER E. ZUCCARELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATIONS BEGINNING WITH BUSTER D. AKERS, JR. AND ENDING WITH MICHAEL T. ZELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

ARMY NOMINATION OF RICHARD L. WEAVER, TO BE COLONEL.

ARMY NOMINATION OF GAIL E. S. YOSHITANI, TO BE COLONEL.

ARMY NOMINATION OF RICHARD A. DORCHAK, JR., TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ARISTIDIS KATERELOS, TO BE MAJOR.

ARMY NOMINATION OF SCOTT C. MORAN, TO BE COLONEL.

ARMY NOMINATION OF MONA M. MCFADDEN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH NICOLE N. CLARK AND ENDING WITH SUSAN R. SINGALEWITCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

ARMY NOMINATION OF CLAYTON T. HERRIFORD, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JAMES R. BOULWARE AND ENDING WITH MATTHEW S. WYSOCKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

ARMY NOMINATION OF DAVID E. FOSTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JUSTIN J. ORTON, TO BE MAJOR.

ARMY NOMINATION OF TINA R. HARTLEY, TO BE COLONEL.

ARMY NOMINATION OF MELAINE A. WILLIAMS, TO BE COLONEL.

ARMY NOMINATION OF ANTHONY T. SAMPSON, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH KENRIC T. ABAN AND ENDING WITH ERIC H. YEUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BRENT N. ADAMS AND ENDING WITH EMILY L. ZYWICKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH TERESITA ALSTON AND ENDING WITH ERIN K. ZIZAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH DYLAN T. BURCH AND ENDING WITH LUKE A. WHITTEMORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BROOKE M. BASFORD AND ENDING WITH MALISSA D. WICKERSHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH RYAN P. ANDERSON AND ENDING WITH SCOTT A. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH JENNIFER D. BOWDEN AND ENDING WITH ROBERT B. WILLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATIONS BEGINNING WITH BRADLEY M. BAER AND ENDING WITH GREGORY J. WOODS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

NAVY NOMINATION OF RICHARD M. CAMARENA, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JULIO A. ALARCON AND ENDING WITH JODI M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

NAVY NOMINATIONS BEGINNING WITH ROLANDA A. FINDLAY AND ENDING WITH DAPHNE P. MORRISONPONCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

NAVY NOMINATION OF RUSSELL A. MAYNARD, TO BE CAPTAIN.

NAVY NOMINATION OF WILLIAM J. KAISER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH NICOLE A. AGUIRRE AND ENDING WITH AMY F. ZUCHARO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH ALICE A. T. ALCORN AND ENDING WITH MALKA ZIPPERSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH JULIE M. C. ANDERSON AND ENDING WITH BRADLEY S. WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH BENJAMIN D. ADAMS AND ENDING WITH MICHAEL F. WHITICAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND AP-

PEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH STEPHEN K. AFFUL AND ENDING WITH ALESSANDRA E. ZIEGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH SCOTT E. ADAMS AND ENDING WITH CHARMAINE R. YAP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH RAYMOND B. ADKINS AND ENDING WITH GALE B. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH PAUL I. AHN AND ENDING WITH SHANNON L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATIONS BEGINNING WITH DENNIS L. LANG, JR. AND ENDING WITH YASMIRA LEFFAKIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATION OF KAREN J. SANKESRITLAND, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MARK F. BIBEAU AND ENDING WITH JASON A. LAURION, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2016.

NAVY NOMINATION OF RANDALL L. MCATEE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JOHN F. CAPACCHIONE, TO BE CAPTAIN.

NAVY NOMINATION OF STUART T. KIRKBY, TO BE COMMANDER.

NAVY NOMINATION OF CARRIE M. MERCIER, TO BE LIEUTENANT COMMANDER.

EXTENSIONS OF REMARKS

IN RECOGNITION OF
MICHAEL E. KUNZ

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor the service of Michael E. Kunz to our federal court system. Mr. Kunz retired this past July after more than forty years of service in the Eastern Judicial District of Pennsylvania, including more than 37 years as its chief clerk.

Mr. Kunz was respected and beloved by all who had business before the court—judges, prosecutors, attorneys and others—and he left an indelible mark in the halls of the courthouse in Philadelphia.

During Mr. Kunz's tenure as chief clerk—the longest of any clerk in the history of the Eastern District—he oversaw unprecedented growth, expansion and modernization of the court. On the day of Michael's appointment in 1979, there were just 24 judges and some 50 employees within the Clerk's Office. Today, there are nearly twice as many judges and more than 200 employees facilitating the day-to-day operation of the judicial system.

I had the privilege of serving with Michael during my own tenure as U.S. Attorney for the Eastern District. I was always impressed by his tireless commitment, his ability and his loyalty to the court he served. I'm proud to call him my friend. I wish him the best in his retirement and I commend him for his decades of service.

HONORING BODEGA MARINE
LABORATORY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today with my colleagues, Representatives JOHN GARAMENDI and MIKE THOMPSON, to recognize the University of California, Davis' Bodega Marine Laboratory upon its 50th anniversary. Seated on the 362-acre Bodega Marine Reserve within the University's Natural Reserve System, which supports the highest number of research projects of any reserve in the state and arguably in the nation, the Bodega Marine Laboratory is the primary open-coast research facility along the California coast.

Since its founding in 1966 by the University of California, Berkeley, this instrumental coastal and marine sciences laboratory has educated thousands of students, coordinated hundreds of projects with local and state agencies and has conducted outreach education initiatives in local communities. The Bodega Marine

Laboratory's history of research, education, and outreach has contributed substantially to the strength of California's habitats.

The Bodega Marine Laboratory's interdisciplinary, collaborative approach to addressing California's unique environmental challenges has established California as a prime example of what we can accomplish through coordinated efforts to protect our natural resources.

Mr. Speaker, it is therefore fitting that we congratulate the Bodega Marine Laboratory upon its 50th anniversary, and thank its leadership and staff for their invaluable contributions to our environment and community.

GROWTH AWARENESS WEEK

HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. HECK of Washington. Mr. Speaker, I rise today to recognize this week, September 19–23, as Growth Awareness Week in order to realize the reality of growth disorders and their impact on our children's health.

Monitoring growth is a major sign of a child's overall health and physical development. When a child's growth is delayed, it is an early indicator of potential underlying medical disorders. According to the Pictures of Standard Syndromes and Undiagnosed Malformations (POSSUM) database, more than 600 serious diseases and health conditions cause growth failure. These diseases range from nutritional disturbances and hormone imbalances to serious conditions such as unidentified kidney problems and even brain tumors that can all exhibit early signs by changing how much that child grows. Too many children with serious growth disorders are not receiving the medical attention they need because their condition is not caught at an early age. In fact, 48 percent of children in the U.S. who were evaluated with the two most common causes of growth failure went undiagnosed.

The longer a child with growth failure goes undiagnosed, the greater the potential for damage and higher costs of care. Early detection and diagnosis are crucial in ensuring a healthy future for a child with growth failure. Therefore, raising public awareness of, and educating the public about growth failure is a vital public service.

Growth Awareness Week is a key tool in educating families on their children's health, and I would like to thank the tremendous efforts of the MAGIC Foundation for their incredible work in furthering public awareness and understanding of growth failure. I look forward to working with my colleagues to improve the lives and health of children.

CELEBRATING DOUBLE TEN DAY

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. FARENTHOLD. Mr. Speaker, Monday, October 10 is Taiwan's National Day—also known as Double Ten Day. Since this body will not be in session that day, I would like to offer my early best wishes to the people of Taiwan.

Taiwan is a close trade partner and ally of the US in the Asia-Pacific region. A fine example of the trade relationship between Taiwan and the US is Formosa Plastics Corporation, a Taiwanese company heavily invested in the district I represent. They are a major employer in the region and are actively involved in the community.

Last year, Eva Air, one of the biggest Taiwanese airlines, launched the direct flight route between Houston, Texas and Taipei, Taiwan, and will soon be offering direct flights between Dallas/Ft. Worth and Taipei. These flights shore up the business and cultural ties between Taiwan, Texas and the entire U.S.

I am glad to see closer trade ties between Taiwan and the U.S. It is my belief Taiwan should be included in the International Civil Aviation Organization (I-C-A-O), which works to secure the civil aviation throughout the world. The ICAO's 39th Triennial Assembly will meet in Montreal on September 27. I hope that Taiwan will be invited to attend the Assembly as it was three years ago.

Again, I wish the people of Taiwan a Happy Double Ten Day, and I look forward to working closely with Taiwanese people to further enhance our bilateral relations.

RECOGNIZING ODESSA COLLEGE'S
DESIGN FOR COMPLETION PROGRAM

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate Odessa College for being named a Finalist in Excelencia in Education. This honor was bestowed on Odessa College for their work in raising retention rates through their Design for Completion program.

Starting in 2011, Odessa College created a framework to provide meaningful connections and engagements between their students and faculty. Design for Completion is focused on the student and their success in the classroom and beyond. This initiative places students on a distinct and coherent pathway that provides the necessary support and resources vital to their collegiate careers.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Since implementing Design for Completion, retention and student success rates have dramatically increased across campus, especially among Hispanic students. Through this program, Odessa College has instilled confidence in their students by showing them that they can accomplish any goal that they set out to conquer. Odessa College hopes that this program serves as a model that other higher education institutions can use to help other students succeed in their academic studies.

A strong education system contributes greatly to the success and growth of our country, and is the key to not only our individual achievement, but also to our competitiveness as a nation. Programs like Design for Completion helps our nation achieve these goals and reach our fullest potential. I am honored to have the opportunity to represent Odessa College and wish them continued success.

COMMEMORATING THE 50TH ANNIVERSARY OF BELLEVUE COLLEGE

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Ms. DELBENE. Mr. Speaker, I rise today to commemorate the 50th anniversary of Bellevue College and its great work toward educating students in my home state of Washington.

Bellevue College was founded in 1966 as a small community college with fewer than 500 students. Fifty years later, it has grown into two campuses with an enrollment of nearly 33,000 students each year, becoming Washington's largest community college.

Throughout its tremendous growth, Bellevue College has remained committed to providing all students with access to affordable, quality higher education.

Today, the institution's students are able to take advantage of nearly 100 different professional and technical programs or pursue one of the 10 bachelor degrees offered by the college.

I would like to thank all of the school's faculty, staff and administrators for their hard work and commitment to helping their students and the college succeed.

Bellevue College has done a remarkable job preparing its students for the future, and I look forward to seeing what the next 50 years hold. Happy anniversary to the entire Bellevue College community.

ERITREA: A NEGLECTED REGIONAL THREAT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. SMITH of New Jersey. Mr. Speaker, in 1993, the citizens of Eritrea, then a province of Ethiopia, voted to become an independent nation. Ethiopia had annexed Eritrea in 1962, and its citizens no doubt believed they were

well on their way to controlling their destiny. Unfortunately, their hopes would soon be dashed. Elections have been repeatedly postponed, and opposition political parties are no longer able to organize.

Those same initial hopes for democracy and good government in Eritrea also were held by the international community. In a March 1997 report on the U.S. Agency for International Development program in Eritrea, the American aid agency had high praise for its collaboration with the Eritrean government: "Over the past year, the young state of Eritrea continued its exciting and pace-setting experiment in nation-building, and, similarly, USAID/Eritrea established itself as Eritrea's leading development partner."

Within a few years, the Government of Eritrea ended its relationship with USAID, but this decision was originally taken as a sign that Eritrea was ready to become an example to the rest of the developing world by managing its own humanitarian needs. Yet Eritrea's government instead merely became less open, and when an East African drought occurred in 2011, we knew very little about how Eritreans were faring. Today, we know that two-thirds of Eritreans live on subsistence agriculture, which has had poor yields due to recurring droughts and low productivity.

What we also know is that Eritrea's citizens are living under a regime that does not honor their human rights. In June of this year, the UN Human Rights Council released a report that accused the Government of Eritrea with a variety of violations, including extrajudicial executions, torture, indefinitely prolonged national service and forced labor, and sexual harassment, rape and sexual servitude by state officials.

In its Trafficking in Persons Report from June 2016, the State Department listed Eritrea as 'Tier 3' and stated, "Eritrea is a source country for men, women, and children subjected to forced labor . . . the government did not investigate, prosecute, or convict trafficking offenders during the reporting year . . . the government demonstrated negligible efforts to identify and protect trafficking victims . . . the government maintained minimal efforts to prevent trafficking."

In their most recent International Religious Freedom Report, the State Department listed Eritrea as a Country of Particular Concern. Moreover, the U.S. Commission on International Religious Freedom lists Eritrea as a Tier 1 Country of Particular Concern for its egregious religious freedom violations. Eritrea's government interferes with the internal affairs of registered religious groups and represses the religious liberty of those faith groups it refuses to register, such as Evangelical and Pentecostal Christians, Jehovah's Witnesses and Muslims who do not follow the government-appointed head of the Islamic community. Furthermore, the government has a record of arbitrary arrests of believers and their leaders and reportedly tortures those in prolonged detention.

As a result of the authoritarian government's actions, Eritrea is considered one of the world's fastest emptying nations, with about half a million of the country's citizens having left their homes for often dangerous paths to freedom. An estimated 5,000 Eritreans leave their country each month.

In a July 9, 2015, hearing by our subcommittee on African refugees, John Stauffer, President of the America Team for Displaced Eritreans, told us that Eritrean Government officials operated freely in eastern Sudan, arresting and bringing back to Eritrea those they considered high-value targets among refugees, such as government officials or church leaders. He also testified that refugees moving east may be kidnapped and extorted locally for a few thousand dollars, or taken off to Egypt or Libya where they are abused. That abuse often included organ harvesting.

In the past year, the world has witnessed a flood of Eritrean refugees risking their lives on too-often unseaworthy boats bound for Europe. The prevalence of Eritreans among refugees has been overshadowed by refugees from the Middle East, especially Syria. The United Kingdom, one of the prime destinations for Eritrean refugees, apparently wanted to slow down the flow of Eritreans into the country. Earlier this year, the UK reduced the percentage of Eritrean asylum claims from 95 percent to 28 percent.

Directly addressing the root causes of the flight of Eritreans seems a better policy than trying to determine the final destination of Eritreans who feel forced to leave home. That means an enhanced level of communication between Eritrea's government and the international community. There have been quiet contacts between Eritrea's government, the U.S. Government, and civil society. A hearing I convened yesterday examined how such contacts have developed.

Can the United States form a relationship with a government it has under sanction?

Does the dire situation in which Eritrea's people live require an alteration of U.S. policy?

What would a change in policy mean for the international effort to hold Eritrea's government responsible for blatant human rights violations?

These and other questions must be answered before there is any policy adjustment toward Eritrea.

NATIONAL POW/MIA RECOGNITION DAY

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. ROSS. Mr. Speaker, I rise today to call my colleagues' attention to a very special POW/MIA memorial dedication ceremony taking place in my home town of Lakeland, Florida.

As flags are raised across America this week in honor of National POW/MIA Recognition Day, we must stand united as a nation remembering and honoring those captured and those who have gone missing while serving our great country, as well as their loved ones. Today, as in every day, we shall live by the POW/MIA flag's creed: You Are Not Forgotten.

No other country has devoted as much energy and as many resources to account for its missing or captured like the United States of America. Our debt to American prisoners of

war, those missing in action, and the families of these brave soldiers can never truly be repaid.

America's service members are the backbone of the freedom and prosperity this country has been blessed with for more than two hundred years. The sacrifices made by these courageous and selfless men and women in uniform, on behalf of perfect strangers, embodies the American spirit of patriotism.

Few among us will ever understand the pain and fear associated with knowing a loved one is captured or missing in a warzone across the globe. We as a nation must join together to honor those who have sacrificed so greatly today, and every day. Without their sacrifices, we would not be able to enjoy the liberties we are blessed with today. Let us never take for granted their selfless protection of our great nation and its people.

May God continue to watch over our valiant soldiers, and return them safely home, and may God continue to bless the United States of America.

PRESIDENT OBAMA ENDANGERS U.S. CITIZENS BY CLOSING GITMO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. POE of Texas. Mr. Speaker, sitting in Guantanamo Bay are cold-blooded, calculating terrorists that have either already killed Americans or had planned to do so. The high-security prisoners that remain at GITMO committed some of the most repulsive crimes known to all of us.

Despite this fact, this Administration—since literally day one—has promised to close GITMO all together and release these terrorists back into the world. Mr. Speaker, why would we do that?

Many of the terrorists we have released have re-entered the battlefield. The Administration even admitted earlier this year that at least 12 former detainees were implicated in attacks overseas against Americans and our allies—and those are just the ones we know of. So why would we continue to let terrorists go?

Mr. Speaker, I have been to GITMO. Most Americans would be surprised to know it's actually nicer than most facilities we have here in the states. GITMO has soccer fields, volleyball courts, table tennis, you name it.

It also has new medical facilities and new dental facilities. When I visited GITMO, I ate the same meal the prisoners did, and the food was good.

But the Administration is more concerned with the President's legacy than global safety and the potential victims of these prisoners' attacks. I do not think the White House has its priorities straight.

That's why I'm happy to support Congresswoman WALORSKI's efforts to prohibit the transfer of any detainees from GITMO. Transferring detainees from Guantanamo endangers American citizens, and it endangers our national security. Put simply, it is a bad idea.

And that's just the way it is.

HONORING THE DISTINGUISHED SERVICE OF LTC CHARLES S. KETTLES

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. CONAWAY. Mr. Speaker, I rise today to recognize a recent Medal of Honor recipient, LTC Charles S. Kettles. LTC Kettles will be honored at the Fort Wolters Historical Park's Medal of Honor Day in Mineral Wells, Texas on September 17, 2016. This ceremony recognizes the lives of individuals who were stationed at Fort Wolters at some point in their career and received our nation's highest military commendation.

On May 15, 1967, Charles was serving as the Flight Commander of the 176th Aviation Company in the 14th Combat Aviation Battalion, American Division near Duc Pho, Republic of Vietnam. On that day, an airborne infantry unit came under heavy enemy fire and suffered casualties. Charles immediately volunteered to lead a flight of six UH-1D helicopters to carry reinforcements to the embattled force and evacuate his wounded brothers. Upon arriving at the landing zone, Charles and his crew faced a savage barrage of enemy fire that inflicted heavy damage to their fleet. Despite all of this, Charles refused to depart until all helicopters were loaded to capacity. With his aircraft severely damaged and leaking fuel, Charles skillfully guided his helicopter back to base.

Later that day, the Infantry Battalion Commander requested immediate, emergency extraction of the remaining 40 soldiers that were stranded after their helicopter was downed by enemy fire. Again, Charles volunteered to lead a flight of six evacuation helicopters to return back to the deadly landing zone, making this his third trip that day. During the extraction, Charles was told that all personnel were accounted for and he, along with his team and Army gunships, left the battlefield.

Shortly after departing, Charles was informed that eight troops had been unable to reach the evacuation helicopters due to being pinned down by intense heavy fire. With complete disregard for his safety, Charles passed the lead to another helicopter and reversed course back to the landing zone. Without any artillery and tactical support, enemy forces concentrated all firepower on Charles' helicopter. His aircraft was immediately damaged by a mortar round that shattered his front windshields and the body of the helicopter was riddled with small arms and machine gun bullets. Despite these circumstances, Charles was able to buy enough time to allow the remaining eight soldiers to board the helicopter. Once in the air, Charles was able to safely guide his severely mangled aircraft back to the base.

Without LTC Kettles' heroic deeds that day, the dozens of soldiers he had saved would not have come home to their loved ones. His selfless acts of valor exemplified the values of honor and service that makes our nation's military the finest in the world. It is with great pleasure and honor that I am able to share his story with all of my colleagues in the House.

HONORING SHELLEY KESSLER, RETIRED EXECUTIVE SECRETARY-TREASURER, SAN MATEO COUNTY CENTRAL LABOR COUNCIL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Ms. SPEIER. Mr. Speaker, I rise today to recognize the retirement of an outstanding woman leader in San Mateo County, Ms. Shelley Kessler. She is leaving her position as Executive Secretary-Treasurer of the San Mateo County Central Labor Council, a position that she has held—and honored through her exemplary leadership—for twenty years. I am honored to call Shelley a trusted friend.

She is a remarkable leader in public policy. She is a person who is willing to listen and to compromise, but she is also capable of holding the line when she seeks justice for those whom she serves. No one would ever accuse Shelley Kessler of being a shrinking violet. However, she also seeks progress on behalf of the working men and women of San Mateo County without seeking credit for herself. In short, she is a forceful, thoughtful advocate for fair wages, safe working conditions, and for long-term public policies that benefit all San Mateo County workers.

Shelley has two bachelor's degrees from Sonoma State University and spent a year in law school. She was a trailblazer in the auto manufacturing workforce as she was hired by General Motors in 1977 during a time when the company was under a consent decree requiring it to hire more women. She worked as a spot welder on an assembly line and eventually was elected to a full-time position in the United Auto Workers. She later moved to Westinghouse Electric, working as a mechanic on turbines, generators and marine ordinance. While she was working at Westinghouse, she was also elected to leadership positions in Machinists Union Local 565.

Fortune shined on San Mateo County when Shelley applied for a job at our local labor council. She led a strong and responsive team and built relationships with elected officials at all levels of government. Her intellect, thorough understanding of issues and willingness to negotiate are legendary.

For example, San Francisco International Airport is one of the largest employers in San Mateo County. The 45,000 workers throughout this giant complex have Shelley and her partners at the labor council to thank for the outstanding working conditions that the airport director has informed me contribute to security throughout the facility. Instead of having an ever-rotating list of tens of thousands of persons with access to these critical facilities, people who enter the labor force at the airport—whether through the airport itself or various vendors—are assured a living wage and decent benefits. This directly contributes to a stable workforce that treasures the airport and honors its need for security.

Shelley also led the way in establishing PAlCARE for airport workers and the surrounding community, an innovative child care center that allows working families with unusual work hours to have a safe place for

childcare. She is also a leading advocate for affordable housing and affordable health care. She donates her time to the American Heart Association and to KQED, our local public television and radio affiliate, and she has preserved and strengthened the UC Berkeley Labor Center.

She has served as Vice President of the California Labor Federation, and was once selected as "Woman Labor Leader of the Year" by the federation. She has also been inducted into the San Mateo County Women's Hall of Fame. She gets her greatest joy from her husband Dennis, a retired firefighter who discovered that being with Shelley was a step up from the energy needed to extinguish a massive blaze. The man is as cool as Shelley is hot.

Mr. Speaker, San Mateo County has had many leading citizens over the decades, including such historical figures as the founder of the Bank of America or the CEOs of giant social media sites. Thankfully, we also have had a thoughtful, honorable advocate for working women and men: Shelley Kessler. We are losing a leader but gaining an adventurous retiree. It's doubtful that the county will ever be the same.

PERSONAL EXPLANATION

HON. DARIN LAHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. LAHOOD. Mr. Speaker, on roll call no. 505, on Wednesday, September 14, 2016 I was delayed on my way to the U.S. House of Representatives floor and missed the first vote of the series—Ordering the Previous Question on H. Res. 863. Had I been present, I would have voted Yes.

IN CELEBRATION OF THE IRON MEN HEALTH FAIR

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in recognition of the Iron Men Health Fair being held on Saturday, September 17, 2016 from 10:00 a.m. to 2:00 p.m. at Central Georgia Technical College in Macon, Georgia. Hosted by Macon-Bibb County, the Macon Chapter of the Georgia Prostate Cancer Coalition, and their partners, the Iron Men Health Fair is the manifestation of Middle Georgia's mission to improve health and wellness for men. Throughout the duration of the fair, the men of Middle Georgia will have access to a plethora of health and wellness resources, including screenings for glucose, hypertension, cholesterol, vision, hearing, body mass index, HIV, and prostate cancer.

In recognition of Prostate Cancer Awareness Month, the Iron Men Health Fair will help in the fight to defeat prostate cancer—the second leading cause of cancer death among men in the United States. Prostate cancer is

a complex disease that can take several forms. Some forms of this cancer are non-life-threatening, but other forms can be extremely aggressive and lethal. These subtypes of prostate cancer take more than 29,000 lives each year. In Georgia alone, 5,000 men will be diagnosed with prostate cancer this year and approximately 1,000 of those men will die from the disease. For African-American men, prostate cancer is 1.6 times more common and 2.4 times more deadly than for Caucasian men.

Although prostate cancer has been a story of heartbreak and tragedy for so many, it can also be one of great hope. If diagnosed early, men with prostate cancer have a 100 percent survival rate five years out. And at ten years after diagnosis, 98 percent of men who were diagnosed early remain alive and have the opportunity to lead healthy, happy lives for years to come.

This year, President Barack Obama has again declared September to be National Prostate Cancer Awareness Month. This month is meant to be a time dedicated to being aware, staying informed, and making proactive decisions in the fight against this all-too-common disease. According to the Prostate Cancer Foundation, early detection is the key to defeating this disease, especially for men over the age of 40. The Iron Men Health Fair embodies that mission. No cancer, especially prostate cancer, should be considered as a death sentence. With early detection, prostate cancer can be a curable and treatable disease. Getting tested regularly for prostate cancer and taking one's health seriously should not be taboo for any man. Every American deserves the chance to lead a happy, healthy life.

During the month of September, we want to honor the lives we have lost to prostate cancer, highlight how far we have come, and redouble our efforts in beating prostate cancer once and for all through continued awareness and breakthrough research. The Iron Men Health Fair collaborators' commitment to ending prostate cancer is a worthwhile one as they had over 300 men attend and participate in the fair last year. The fair may very well play an important role in saving the lives of many men this year.

Mr. Speaker, I ask my colleagues to join me today in recognizing the Iron Men Health Fair, Macon-Bibb County, the Macon Chapter of the Georgia Prostate Cancer Coalition, and their partners for their commitment to promoting prostate cancer awareness as well as the general health and wellbeing for the men of Middle Georgia.

NATIONAL POW/MIA RECOGNITION DAY

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. JOLLY. Mr. Speaker, I rise today to remember those who were prisoners of war and those who are still missing in action, as well as their families, who continue to grieve their loss.

Mr. Speaker, as you know, Friday, September 16, is National POW/MIA Recognition Day. According to the Defense POW/MIA Accounting Agency, at present there are more than 82,000 Americans missing from World War II, the Korean War, the Vietnam War, the Cold War, the Gulf Wars and other conflicts.

In fact, from Pinellas County, Florida alone, there are five Americans still unaccounted for from the Vietnam War: Christos Bogiages of Clearwater, Jack DeCaire of St. Petersburg, Carl Laker of Clearwater, Dennis Neal of Tarpon Springs, and Jan Nelson of Clearwater.

As a nation, let us never forget those who were left behind, and let us continue to pursue every available effort to bring home all of our men and women who have served this great country.

I urge my colleagues to join me in remembering those who have not yet returned from the battlefield, and let us, as a nation, always recognize their great sacrifice.

RECOGNITION OF THE NEWLY UNVEILED NATIONAL SHRINE OF OUR LADY OF CZESTOCHOWA

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. FITZPATRICK. Mr. Speaker, it is an honor to pay tribute to the memory of the armed soldiers who resisted communism in Poland during the period between 1944 and 1963, men and women who are referred to as the "Doomed Soldiers." The monument at the National Shrine of Our Lady of Czestochowa in Doylestown, Bucks County, Pennsylvania, was unveiled on September 18, 2016 and respectfully dedicated to those who fought and defended Poland against the aggressive occupation by Nazi Germany and the Soviet Union. The monument honoring these patriots was erected by the Smolensk Disaster Commemoration Committee with the help of many Polish Americans. Historically, the fight for freedom began in 1939. The brave Polish people continued to struggle for independence, underground, also opposing the communist regime in the post-World War II era. The monument at the National Shrine of Our Lady of Czestochowa is a way to preserve their place in Poland's history. On behalf of the constituents of Pennsylvania's 8th Congressional District, I extend a warm welcome to His Excellency Andrzej Duda, president of the Republic of Poland. I offer my sincerest gratitude for his presence at the dedication on September 18, 2016 and for representing today's Polish citizens who steadfastly honor the memory of those who sacrificed their lives for the cause of freedom they enjoy today.

IN RECOGNITION OF JIM O'DONNELL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Ms. SPEIER. Mr. Speaker, I rise to honor Dr. Jim O'Donnell who has been a pediatrician

with Kaiser Permanente for 35 years. For the last 16 years he served in a vital leadership role as Physician-in-Chief at the Redwood City Medical Center. Jim is everything a patient can hope for in a physician. He is brilliant, warm, funny, and up to date on the latest research and technology. In addition to his pediatric caseload, Dr. O'Donnell cared for my parents and I could not have imagined a more skilled physician to offer care to them.

Dr. O'Donnell is a visionary. He led the negotiations and planning for the new Redwood City hospital that opened in December 2014. At the ribbon cutting, Kaiser CEO Bernard Tyson noted that he was initially skeptical of the proposal for a new hospital. Now I ask everyone to imagine a poker game between Jim O'Donnell and Bernard Tyson. Let me assure you that it was never an even match. Jim bluffed many times, and eventually Bernard Tyson was forced to fold. South County Kaiser patients won the pot, and it was quite lucrative—perhaps a bit costly for Mr. Tyson—but the hospital is truly amazing.

In addition to its ultra-modern equipment, the hospital offers green architecture and a soothing environment filled with warm colors and beautiful artwork. The hospital is also a designated stroke center. The American Heart Association and American Stroke Association have awarded it the "Get With The Guidelines Stroke Gold Plus Quality Achievement Award" for providing patients with the best possible care. U.S. News & World Report named it a high performing hospital for neuroscience.

Planning a new hospital and seeing patients wasn't enough, and thus Jim was also instrumental in opening the San Mateo Medical Offices in 2011. He is always looking for new and creative ways to improve care for patients. Jim O'Donnell is Kaiser's Johnny Appleseed of clinic and hospital construction. I suspect that his name is well known by Kaiser's capital allocation committee, and most likely because Jim is as prudent with Kaiser's construction dollars as he is with the health of his patients.

Dr. O'Donnell grew up in a small farming community in Iowa. His interest in public service and his honing of great people skills began early when he worked in his father's general store. He developed a deep fascination with science. Combining those three ingredients naturally led him to medicine. He received his medical degree from the University of Iowa, College of Medicine in Iowa City. He completed his medical internship and residency at the University of Michigan Hospitals in Ann Arbor, Michigan. He is also a 1998 graduate of the Kenan Flagler School of Business Advanced Leadership Program at the University of North Carolina, Chapel Hill.

The reason he chose pediatrics is obvious. He loves children. His awe watching young children grow up and his passion to help them develop into productive and healthy adolescents are palpable.

After he finished his residency in 1980, Jim moved to the Bay Area. He chose Kaiser Permanente because he liked its preventative focus and its integrated model of care. We are immensely fortunate that Jim settled here and made Redwood City his home with his husband, Michael, and he says his most joyful experience in life is time with his two daughters, Emma and Audie.

For 15 years, Jim O'Donnell has served on Redwood City 2020, a partnership among the City of Redwood City, the elementary and high school districts, San Mateo County, Stanford University, the Sequoia Healthcare District and Kaiser Permanente designed to support the success of all youth and families and to engage and strengthen the community. Jim's strategic thinking, problem-solving ability and passion have benefited everyone in that partnership and our community at large. In his well-deserved retirement, Jim will enjoy more time with his family and finally have more time to read, hike, cook and take advantage of our great Bay Area restaurants.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Dr. Jim O'Donnell, a top-notch doctor, devoted family man, and extraordinary human being who I am very fortunate to call my good friend. While he is leaving Kaiser Permanente, he leaves behind a first-class hospital with a world-class medical team. His vision for a healthy Redwood City has come alive under his stewardship. His child—the hospital—and the staff that animate the child will now say farewell to their father, but the lessons learned from Jim's instruction will save lives for decades yet to come.

HONORING EL CONCILIO

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. DENHAM. Mr. Speaker, today I rise to acknowledge and honor El Concilio, the Council for the Spanish Speaking, for their participation in the Sixteenth Annual Binational Health Week, taking place this October.

Since October 2001, El Concilio has led the Binational Health Week of Stanislaus County in a collaborative effort with a number of partner organizations, including the Tzu Chi Foundation and the Health Initiative of the Americas. This unprecedented effort is overseen by multi-agency taskforces, and conducts health promotion and education activities for the Latino population in the United States. To date, over 1,000,000 people in our country have benefited from the health care activities provided during the Binational Health Week.

Binational Health Week represents an international effort between the United States, Mexico, Canada, Guatemala, Honduras, Colombia, Ecuador, Bolivia, Nicaragua, Venezuela, Uruguay and Peru to improve the quality of life for members of underserved populations by expanding their access to health care, increasing their health insurance coverage, and addressing their unmet health needs.

The Health Initiative of the Americas, and the consular network here in the United States, are coordinating the Sixteenth Annual Binational Health Week. Activities throughout the country will be centered on the communities that have a high level of need for accessible health care.

Mr. Speaker, please join me in honoring and commending El Concilio upon their efforts to improve public health for the Latino community

by participating in the Sixteenth Annual Binational Health Week.

COMMEMORATING THE 275TH ANNIVERSARY OF UPPER HANOVER TOWNSHIP

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize the residents, businesses and Board of Supervisors of Upper Hanover Township as they celebrate 275 years as a municipality in Montgomery County, Pennsylvania.

Settled by German-speaking immigrants seeking religious tolerance and economic opportunity, Upper Hanover Township was formally incorporated in 1741. During the Township's early years, agriculture thrived thanks to the rich soil and skilled German farmers. The building construction industry blossomed as a result of an abundance of granite boulders mined from the Hosensack Hills and easily-accessible water from the Perkiomen Creek, which powered five gristmills and four sawmills.

Today, more than 7,100 people call Upper Hanover Township home. At just over 21 square miles, Upper Hanover is geographically the fourth-largest Township in Montgomery County. And the Township ranks second in Montgomery County with just more than 1,500 acres of permanently preserved farmland. The major employers in the Township include Blommer Chocolate, the largest cocoa processor and ingredient chocolate supplier in North America, and Knoll Inc., a modern home and office furniture manufacturer.

The community will commemorate the Township's 275th anniversary on Saturday, September 17, 2016 during a day of activities in Camelot Park. Mr. Speaker, I ask that my colleagues join me in congratulating the residents, business owners and community leaders as Upper Hanover marks this memorable milestone.

IN MEMORY OF MARK VALENTE III

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. WILSON of South Carolina. Mr. Speaker, when I was first elected in 2001, I am grateful Mark and Claudia Valente were among the first to give me and Roxanne counsel on service to the public. The following obituary is a fitting tribute to his service for American families. I especially appreciate his affection for Italian-American heritage with my son recently completing a three year tour in Italy with my three Italian-speaking grandchildren:

Former Grosse Pointe Park resident Mark Valente III passed away in his home in Springfield, VA on August 3, 2016. Mark was born

July 27, 1956, in Detroit, MI. He graduated in 1974 from University Liggett School, earned an accounting degree from his beloved Villanova University, class of 1978, then went on to earn a Law Degree from the University of Detroit School of Law.

Mark left Grosse Pointe in 1984 to work in the Office of Public Liaison at the White House under President Ronald Reagan. In 1986, he became the Director, Coalition Development Department at the Republican National Committee. In 1989 Mark worked as Director, in the Office of Congressional Relations, at the US Office of Personnel Management for President George H.W. Bush.

After leaving government service, Mark formed a Washington, DC based government relations firm, Valente & Associates, providing legislative analysis and government relations advice. He worked there until his death. Mark was elected to the Grosse Pointe Park city council at age 24, the youngest in the city's history and was the president of the Detroit Young Republicans during that time.

Most recently Mark, a proud grandson of Italian immigrants who emigrated from Abruzzo, Italy, served on the national board of the National Italian American Foundation where he held the leadership role as chairman of the Public Policy and Government Relations Committee and was a board member of the U.S. Capitol Historical Society. Also, he chaired the Board of the Center for Marketing and Public Policy Research at Villanova University School of Business.

Mark was a long-time supporter of the Baseball Hall of Fame (HOF) and a member of its Champions Program. He was a frequent host of and participant in the HOF events in Washington, DC and other baseball cities. A member of the Detroit Athletic Club, Capitol Hill Club in Washington, DC, and Springfield Golf and Country Club in VA. Mark was a devoted Detroit Tigers fan and loved to play golf with his friends. He also was a coach and umpire for Little League and Grosse Pointe Park Babe Ruth league.

Mark is survived by his wife Claudia (Barker), mother Maria (Ballerini), father Marco Jr., brothers: JB, Richard, Dean, and brother-in-law Craig Barker, nieces and nephew and twelve godchildren. Mark was predeceased by his grandparents Ballerini and Valente.

A memorial service is planned at St. Clair of Montefalco Catholic Church, located at the corner of Mack Avenue and Outer Drive in Grosse Pointe Park on August 25th at 10:30 am. Visitation at 10 am. A second memorial service will be held on Wednesday, September 14th at 2:00 pm at St. Peter's Catholic Church, 313 2nd Street SE, Washington, DC. Followed by a reception at the Capitol Hill Club. In lieu of flowers, contributions can be directed to the scholarship being established in the name of Mark Valente III at Villanova University School of Business, ATTN: Clay Center at VSB, 800 E. Lancaster Avenue, Villanova, PA 19085.

THE RETIREMENT OF AIRPORT DIRECTOR JOHN MARTIN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Ms. SPEIER. Mr. Speaker, I rise to honor Mr. John Martin upon his retirement as the Airport Director of San Francisco International Airport. Mr. Martin is leaving his position after 21 years at the helm, and after 36 years working in various capacities for the airport commission.

SFO is a rapidly expanding enterprise, directly or indirectly employing 45,000 people. John Martin is therefore in charge of a small city and one that links this nation with nations around the globe. His accomplishments reflect this global reach.

John piloted the airport through a \$2.4 billion expansion including the construction of a beautiful international terminal, the extension of the Bay Area's major rapid transit line—BART—into the terminal, and the creation of a self-guided tram line. He was instrumental in recruiting Virgin America to establish its headquarters in San Mateo County, bringing jobs at a time when the economy desperately needed an injection of investment. John Martin has also worked closely with my office to prove that a third-party contractor operating airport screening services can, if the contract is structured and supervised well, provide superior service to passengers.

All airport directors have dreams but when their construction projects go awry, some have nightmares as well. In contrast, John successfully undertook the largest public works project of the era. Terminal 2 was rebuilt and now serves as the launching point for Virgin America and American Airlines. The FAA has a new and beautiful tower at SFO, designed by John's staff and built, as is true of all work at the airport, using highly skilled union labor that proves its value with every weld, hammer blow or polished surface.

As he explained to me a few weeks ago during a security tour of the airport, fair wages and working conditions materially contribute to airport security. Instead of a revolving door of disgruntled employees, SFO is notable for trying to create a healthy atmosphere where people may earn their livings safely and with dignity. Indeed, there's an ordinance to assure a livable wage.

SFO will soon undertake \$4.3 billion in construction leading to a new four star hotel, the redevelopment of Terminal 1 and the boarding area of Terminal 3, and an extension of the AirTrain system. This 10 year capital improvement program will bring more than 36,000 construction jobs to San Mateo County.

The airport's finances are in excellent shape, in part because of John's dedication to earning extra money from passengers shopping at the airport's various shops. It is rumored that his retail managers have their own version of a biblical admonition: "It is easier for a rich man to pass through the eye of a needle than it is for an airport visitor to pass by a See's candy store."

John is a gifted public policy leader in the Bay Area, supporting California's high speed

rail system to relieve pressure on his airport, advocating for mass transit throughout the Bay Area, and encouraging coordination between his airport and the other two major airports in our region. He was the founding president of the California Airports Council and served on the executive board of the Bay Area Council, a major public policy advocacy organization.

I was once walking through a terminal with him and he paused momentarily to pick up a piece of trash and tossed it into the wastebasket. A few steps later he noticed that a door wasn't working and phoned airport staff to have it dealt with immediately. Farmers are often noted for the pride that they take in tilling their own fields. John is an excellent farmer and rightfully proud of the field called San Francisco International Airport.

Mr. Speaker, we wish John Martin well in his next phase in life. Hopefully he will now have the time to travel and to reflect upon his public service. I feel privileged to have served with him and I submit, given all his outstanding contributions, that one of the terminals should be named after him. He deserves to be acknowledged and remembered for the accomplishments of his career that will endure beyond his own era at San Francisco International Airport.

HONORING MS. MARGARET "MAGGIE" OWEN POOLE

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. GRIFFITH. Mr. Speaker, I submit these remarks to honor the life of Ms. Margaret "Maggie" Owen Poole, of Max Meadows, Virginia, who passed away on September 7, 2016. She was born November 22, 1932, daughter of the late William N. and Lula Metcalf Owen.

I was always impressed with Maggie's work ethic and energy. Elected in 2007 to the Wythe County Board of Supervisors, she spent her life dedicating time and effort to her community. Maggie was the first to offer a helping hand to someone in need, and she put forth astounding effort in every task she undertook. In remarks at her funeral, it was said that folks "felt certain that she is up in Heaven reorganizing things." This is a true reflection of how Maggie lived her life. She will be remembered for her generosity and hard work.

Maggie will also be remembered for her strong opinions, which she shared confidently without reservation. With Maggie, you never had to wonder where you stood. She was a woman of many interests; a member of St. Paul United Methodist Church, an avid bridge player, and a substitute teacher at George Wythe High School for many years. Maggie was a strong advocate for Wythe County. From her efforts to pave dirt roads, to her devotion to the development of the industrial site Progress Park, she tirelessly supported creation of local jobs and the betterment of her community. In addition to her position on the Board of Supervisors, Maggie was active in the Wythe County Republican Party, a Wythe County Extension Volunteer, and the recipient of the Honorary FFA State Farmer Degree.

Maggie was preceded in death by her husband, Jack Stuart Poole and her grandson, Tom Poole. She is survived by two sons and daughters-in-law, Jay and Shelly Poole of Richmond, VA, Owen Poole and Liz Verhalen of Kingsport, TN; daughter and son-in-law, Billie Jean and Kurt Elmer of Bedford, VA; four grandchildren, Mary Elmer of Raleigh, NC, Kate and Brandon Turner of Christiansburg, VA, Morgan Poole of Minneapolis, MN and Adele Poole of Kingsport, TN; two brothers, James E. Owen of Rural Retreat, VA, Calvin and Diane Owen of Wilmington, NC; brother-in-law, Charles R. Poole of Birmingham, AL; sister-in-law, Faye Poole of Moneta, VA; several nieces and nephews.

Maggie will be missed deeply by her family and loved ones. I know the Wythe County community will miss her hard work and numerous contributions. However, she will be remembered for the efforts she made to improve her community.

On behalf of those who had the pleasure of knowing her, we thank her for her tireless service.

HONORING JACOB WETTERLING

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. POE of Texas. Mr. Speaker, twenty-seven years ago, every parent's nightmare became a painful reality for Jerry and Patty Wetterling. On October 22, 1989, Jacob Erwin Wetterling was kidnapped while riding his bike in St. Joseph, Minnesota, and his abduction remained unsolved until last week.

I was a judge in Houston, Texas where many of my cases involved horrific abuse of children. I clearly remember the day of Jacob's abduction, and I also recall and honor the work of his parents, Patty and Jerry, that literally changed how we view child protection in America.

Patty Wetterling became a fierce advocate for child safety, and her heroic efforts led to the creation of sex offender registries in all 50 states and here in DC. Patty and Jerry founded the Jacob Wetterling Resource Center to educate and assist families and communities to address and prevent the exploitation of children.

When Jacob's remains were found earlier this month, the shock to America—and to countless advocates who work to help child victims and survivors—was profound. Our hearts ached for Jacob's family. And then our hearts were truly inspired by their response, and their challenge, to us all.

Patty Wetterling has said of Jacob, "He's taught us all how to live, how to love, how to be fair and how to be kind." Last week, she encouraged us all to emulate Jacob Wetterling's too-brief life by simply doing #11forJacob:

1. Be fair
2. Be kind
3. Be understanding
4. Be honest
5. Be thankful
6. Be a good sport

7. Be a good friend
8. Be joyful
9. Be generous
10. Be gentle with others
11. Be positive

If we ALL practiced #11forJacob on a daily basis, our Nation—and our communities and homes and schools—would be a much better place to live. Jacob and his family inspire us to just do and be better.

As the Co-Founder and Chair of the U.S. Congressional Victims' Rights Caucus, I honor Jacob Wetterling by encouraging you to honor the legacy of his life. And that's just the way it is.

HONORING DIMITRIS "JD" FOTPOULOS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mrs. BLACKBURN. Mr. Speaker, I would like to acknowledge and honor the life of Franklin Firefighter, Dimitris "JD" Fotopoulos, who passed away while serving as a missionary in Honduras.

Dimitris was a Michigan native who transferred to Tennessee. He began working with the Franklin Fire Department in 2007. During his time with the department, Fotopoulos was awarded a Unit Citation for Valorous Conduct in 2010 after the heroic rescue of a woman from a home engulfed in flames. He also earned three Phoenix Awards for saving the lives of three individuals in cardiac arrest. Dimitris will forever be remembered as a hero to those he served and worked with.

We are thankful to Dimitris "JD" Fotopoulos for his service to the City of Franklin and the Seventh District of Tennessee. His life and legacy will serve as testament to many and will bring inspiration to all who decide to become public servants.

HONORING THE DAUGHTERS OF CHARITY AT SETON HOSPITAL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Ms. SPEIER. Mr. Speaker, I rise today to honor the Daughters of Charity Health System as it turns over ownership of Seton Hospital in Daly City to Integrity Healthcare and Blue Mountain Capital Management. The Daughters leave Seton having contributed mightily to the health care of 1.5 million residents in San Francisco and San Mateo counties. Hundreds of thousands of patients have come through the doors of Seton since 1986, when the Daughters assumed responsibility for the hospital.

Seton Hospital Daly City began its existence as Mary's Help Hospital in San Francisco in 1912. As of 2011, with 357 licensed beds, 1,500 staff, over 400 physicians, 4,800 surgical cases and 28,000 emergency visits annually, Seton Hospital was mission central for

medical care in northern San Mateo County. During this time, the Daughters of Charity worked aggressively to meet their mission of providing care for the poor, as evidenced by the annual \$30 million of community benefit that the hospital offered. Nearly \$50 million of care was offered to the elderly.

Mr. Speaker, the hospital is a Gold Certified Stroke Center and in 2013 received awards from the Hospital Council of Northern and Central California for reducing deaths from sepsis. Among its key services are cardiovascular, oncology, and orthopedics. Its coastal hospital, Seton Coastside, provides 116 skilled nursing facility beds for our elderly. Even as the recession took its toll on the finances of Seton and the Daughters, the institution persevered. Children were born, broken bones were set, cancer went into remission, blood clots were cleared so that hearts began to beat normally again, and hope was reborn each day at Seton Hospital in Daly City. The physicians and staff of this wonderful institution are beloved, and justifiably so.

It is not easy to operate a modern American hospital. Our Medicare rates impose strict financial discipline and our Medicaid program offers reimbursements that are an insult to our nation's conscience. We hope that health insurance for more persons will improve access to health care and ultimately boost health outcomes.

Mr. Speaker, after many decades of service in the north county and on the coast, the Daughters of Charity have decided to transition the administration to a different organization. In our community, the Daughters have acted with integrity and been resourceful despite the odds. Now, as the Daughters of Charity transition from ownership of Seton they will leave the community knowing that they served us exceptionally well. We thank the Daughters of Charity for seeing a purpose for their organization in serving San Francisco and San Mateo counties. Their hilltop temple to modern medicine will now be operated by someone else, but their dedication to our lives and to our families will be remembered and honored for years to come.

HONORING THE LIFE OF JOHN J. AREIAS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. COSTA. Mr. Speaker, I rise today to honor the life and achievements of John J. Areias who recently passed away at age 95. John was a wonderful father, grandfather, husband, dairyman, and friend, whose commitment to improving the San Joaquin Valley can be matched only by his depth of love toward those close to him.

Born on April 27, 1921 to Jess and Genevieve, John was a first generation Portuguese-American from Volta, California. His family moved from Portugal's Azores Islands to California to start their dairy operation. John's father put \$10 down on 640 acres of land in western Merced County, where John spent much of his youth learning how to be a dairyman alongside his eight siblings. He was the

vaedictorian of Volta elementary and graduated from Los Banos High School in 1940.

John had an insatiable hunger for community involvement, which began with his high school's student government and the Future Farmers of America (FFA). His leadership position in the FFA granted him many opportunities early on, one of which called on him to present cattle at the California State Fair. This is also where he would meet the love of his life, Mary, whom he married shortly thereafter. John and his brother Jess then moved on to begin their own dairy, which quickly became the first grade-A dairy in the Los Banos Dairy-men's Association. Eventually their dairy became one of the biggest and most successful in California, but they never lost sight of the role family should play in their business. John's children played the same part that he did when he was younger, lending a hand in day-to-day dairy operations to support the family business.

John was also very politically active in Central California Democratic circles. Because he understood that coming from an immigrant family, as a first generation American, that as a part of citizenship it was important to be involved. He served as Chairman of the Merced County Democratic Central Committee and was a delegate to the Democratic National Convention in 1960, where then Senator John F. Kennedy earned the nomination of his party as candidate for President of the United States. John was also a devout Catholic, serving as the Grand Knight for the Knights of Columbus.

John is survived by his four children, Marcia, Lucia, Kathleen, and Rusty, all of whom left John immensely proud of their success. He is also succeeded by his five grandchildren, Evan, Nick, Bianca, Alexis and Austin.

Mr. Speaker, I urge my colleges to join me in memorializing the life of John J. Areias. His outstanding character as an entrepreneur, family man, and friend will be remembered fondly by those who knew him. He was a leader in California's agricultural community and a role model for the people of the San Joaquin Valley. His life is a testament to the immigrant's story, which is the strength of the American dream. I join John's family in honoring his life, love for our community, and our country.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. REED. Mr. Speaker, on Tuesday September 13, 2016, I was unable to vote on roll call vote No. 502: Passage of H.R. 3590, the Halt Tax Increases on the Middle Class and Seniors Act. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, on September 13, 2016, I was unavoidably detained. Had I been present, I would have voted as follows:

On roll call numbers 502, 501, 500, 499, and 498, I would have voted NO.

On roll call numbers 504 and 503, I would have voted YES.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2016

Mr. BECERRA. Mr. Speaker, on Tuesday, September 13, 2016, I was unable to cast my floor vote on roll call vote number 496. Had I been present for the vote, I would have voted "yes" on roll call vote number 496.

Mr. Speaker, on Wednesday, September 14, 2016, I was unable to cast my floor vote on roll call vote number 508 (Rep. Boustany amendment). Had I been present for the vote, I would have voted "no" on roll call vote number 508.

SENATE—Monday, September 19, 2016

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, help us to so live that the generations to come will know about Your mighty acts. Today give our lawmakers the singularity of heart to seek, find, and follow Your will so that their legacy will be exemplary.

Lord, guide them in the path You have created, inspiring them with the potency of Your powerful presence. May they trust You in times of adversity and prosperity, knowing that they will reap a productive harvest if they persevere. Keep them from underestimating the power of Your great Name as You make them instruments of Your peace.

Help us to not pray primarily in our distress and need but rather also in joy's fullness and in our gratitude for abundant living.

Lord, we ask for Your healing for the victims of the New York City and New Jersey explosions and the Minnesota stabbing attacks.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COATS). The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 3348

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3348) to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

ATTACKS IN NEW YORK, NEW JERSEY, AND MINNESOTA

Mr. MCCONNELL. Mr. President, over the weekend, several incidents that appear to be acts of terrorism left dozens injured and many across the country shaken. While we are thankful that no loss of life has been reported, we also know that the injured will face a difficult road to recovery and healing. Our prayers are with each of them and all of those affected in this trying time.

Authorities acted expeditiously to uncover the facts, and just hours ago they captured a suspect in connection to the New York and New Jersey bombings. We thank them for their swift actions and continued efforts to keep Americans safe. Although an arrest has now been made, there is still much we do not know about these incidents, including whether there was involvement of a terrorist organization overseas. Investigators are continuing their work even as we speak, and we are monitoring that situation closely as it unfolds.

No matter the motive behind these incidents, it is clear that we must do everything we can to bolster security measures and counter the threats facing our homeland. These acts are very real reminders of the national security threats and challenges that we face both from beyond our borders and from within. Ensuring the safety of all Americans remains our top priority, so we will continue to do our part in working with our intelligence community, military leaders, and our law enforcement personnel in their efforts to protect the American people.

CONTINUING RESOLUTION

Mr. MCCONNELL. Mr. President, Members have been working toward an agreement on a continuing resolution that will fund the government and pro-

vide critical resources to support veterans and combat Zika. Senate Republicans stand ready to move forward with this important measure now.

I encourage our colleagues across the aisle to work with us to complete the negotiations so we can advance this important measure.

HONORING OUR ARMED FORCES

CAPTAIN MATTHEW D. ROLAND

Mr. MCCONNELL. Mr. President, today I rise in honor of Kentucky's bravest young men, one of whom, Capt. Matthew D. Roland, of Lexington, KY, gave his life in service to our country on August 26, 2015.

Captain Roland was a proud airman and member of the 23rd Special Tactics Squadron in Hurlburt Field, FL. He was 27 years old.

Captain Roland was killed in combat at Camp Antonik in Helmand Province, Afghanistan. He was driving the lead vehicle in a convoy when that convoy was attacked by enemy combatants dressed as friendly Afghan forces.

It was a complex attack. The first warning that something was wrong came when an enemy combatant approached Captain Roland's vehicle. When he was within 5 feet of the vehicle, he began to raise his weapon. Without hesitation, Captain Roland's first thoughts were for the safety of his fellow servicemembers. He yelled "Insider attack" while radioing a warning to all vehicles in the convoy. Simultaneously, he drove in reverse, away from the gunmen, to protect his passengers.

Tragically, a split second later, the lead gunman who had approached the vehicle, shot Captain Roland, instantly killing him, but the message he had conveyed over the radio gave the other personnel in his convoy the opportunity to take cover and ready their weapons. Because of his warning, American casualties were fewer and the enemy combatants were neutralized, including the one who killed Captain Roland.

For his actions, Captain Roland was posthumously awarded the Silver Star for Valor. The citation accompanying the award read:

Captain Roland's actions are in keeping with the finest traditions of military heroism and reflect distinct credit upon himself, the NATO Special Operations Component Command . . . and the United States Air Force.

Over the course of his military career, Captain Roland received several other awards, medals, and declarations, including the Bronze Star, Purple Heart, Meritorious Service Medal, Air

Force Achievement Medal, Air Force Organizational Excellence Award, National Defense Service Medal, and NATO Medal.

Captain Roland was born at Ellsworth Air Force Base in Rapid City, SD. His father, retired U.S. Air Force Col. Mark Roland, moved frequently for assignments, and Matthew grew up in Abilene, TX, and Albuquerque, NM, before the family settled in Lexington, KY, where Matthew attended Lexington Catholic High School.

In high school, it was clear to many that Matthew was a driven young man who knew what he wanted out of life. Tim Wiesenbahn, his cross-country coach at Lexington Catholic, remembered that. Tim said:

He really wanted to be successful. I like to say he was driven to succeed. You just kind of knew he was going to be a leader. . . . The best runners really work at it, and Matt really wanted to be successful, and he put in the work.

A friend of Matthew's from high school, Clint Roberts, saw the same determination in the future airman. He said:

I don't remember a time when Matt didn't know what he wanted to do with his life. From the time we met at cross-country practice in high school until the last time I talked to him, Matt always seemed like he controlled his life and path in a way that everyone strives to.

Matthew attained the Eagle Scout rank in Boy Scouting and graduated from Lexington Catholic in 2006. He entered the U.S. Air Force Academy in Colorado Springs, CO, where he graduated in 2010 with a bachelor of science degree in aeronautical engineering. Matthew then completed the rigorous special tactics program in 2012 to become a special tactics officer. As an STO, he was a team leader who supervised combat preparedness training for a 35-member team. He was a military static line and free-fall parachutist, Air Force combat scuba diver, and a joint terminal attack controller. He led reconnaissance, strike, and recovery missions. He was deployed three times over his 5 years of service in the Air Force, twice to Afghanistan and once to Africa, and wherever he served, he gained a reputation as a rock during stressful times, always cool under pressure yet always easy to befriend.

Capt. Ben Self, a fellow special tactics officer, said:

The attribute that stood out to me most was his unflinching stoic presence when we needed it most. I relied on Matt when times were toughest, and I will continue to do so as his memory lives on through all of us.

"Matt was anything but typical," says Col. Paul Brister, his commander. "On the battlefield, he was a lion—lethal, precise, humble and compassionate. He was always flawless. I'm convinced I learned more from him than he could ever learn from me."

Another airman said of Matthew: "He was unquestionably our leader . . .

not just by the [regulations] or rank, but through his ability to command our respect and trust as men."

A letter written to Matthew's parents after his death revealed what Matthew did when off duty. "Besides Matt's great qualities as a teammate, air commando and USAF officer, Matt has two memorable habits," wrote LTC John Sannes and CSM Dwight Utley.

The letter continued:

He loved to walk around in his American flag shorts, and he loved his mom's chocolate chip cookies. As a testimony to Matt's generous heart, he burned his legs helping a contractor weld a gate while wearing his flag shorts, and he always shared his cookies with the guys on his team.

Matthew's loved ones are foremost in our thoughts as I share his story with my Senate colleagues and the entire Nation today. They include his parents, Colonel Mark and Barbara Roland; his sister, Erica Roland; his niece, Willamina Roland; his grandparents, Dr. and Mrs. Earl Roland; his grandmother, Rita Thomas; and many other beloved family members and friends.

Matthew's final resting place is Arlington National Cemetery, not far from where we stand. He was buried with full military honors.

One of Matthew's fellow airmen said this about hearing of his death:

[Matthew] brought America to the tent flaps and mud walls of our enemies on two continents. . . . He did not compromise on what he believed, and the nation is lucky he spent his time and energy protecting her.

I couldn't agree more. I am sure my colleagues agree that America is indeed lucky to have had Capt. Matthew D. Roland fighting for our freedoms. I would like his family to know that the Members of the Senate honor his service and his sacrifice and will be forever grateful.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

CONTINUING RESOLUTION

Mr. REID. Mr. President, I have been asked a number of times walking into my office this morning if there has been an agreement on the Zika funding and the continuing resolution, which is to keep our government open and funded. No, we have not is the answer. We have made progress. I am encouraged by the headway we have made. But as I said before, as Democrats, we are going to be cautious. There is still work to be done before we can say there has been an agreement made.

TERROR ATTACKS IN NEW JERSEY, NEW YORK, AND MINNESOTA

Mr. REID. Mr. President, many Americans are taking the news about

this weekend's terror attacks in New Jersey, New York, and even Minnesota very seriously. As a country, we are always stunned when these violent acts occur, and we are absolutely sickened by the acts of violence of this terrorist activity. We grieve with the victims, their families, and their loved ones.

I had a long, thorough briefing today by the FBI. I appreciate their good work always. They have a difficult job doing everything they can to make sure we are safe.

I am aware of the many people injured in these cowardly attacks, including police officers. I wish them all a full and complete recovery. Despite the many injured, we are very grateful that no one was killed in these attacks. It is a credit to both law enforcement and America's terrific, good, brave first responders.

Earlier today, the suspect wanted in connection with these cowardly attacks was shot and apprehended by police officers, but, of course, not before he wounded two of these police officers. These officers' quick response most likely kept Americans safe.

These events remind us of these brave men and women who risk their lives every day to protect the American people. First responders in New York, New Jersey, and Minnesota rushed into danger this weekend to protect innocent people. They certainly saved lives. Now we must do everything we can to ensure justice is served and law enforcement gets the support needed to conduct their investigation.

It is not enough to simply offer help after these heinous attacks take place. Congress must do more to prevent these acts of terrorism altogether. There are things we can do, and some of them are really easy. Right now, as we speak, there is a loophole in our law that allows potential FBI terror suspects to legally purchase guns and explosives. Stop and think about that for just a moment. A person with suspected ties to terrorism can walk into a store now and buy all of the explosives, all the guns, and all the ammunition they want.

In Nevada, a man who has been so charitable has set up a camp for children every summer. It costs him lots of money. It is in a beautiful part of the mountain area right outside of Las Vegas. We have, within 10 minutes of Las Vegas, a 12,000-foot mountain. At the foot of those mountains, he has a beautiful camp.

Here is what they are doing now. You can go to a gun store in Las Vegas, and you can buy explosives. They put them up in the trees. We don't have that many trees in Nevada. They will put explosives up in a tree, and they shoot at it, and it blows up. It blows up the tree and anything around it. That is for sport.

Anyone can walk into a gun store and buy explosives. It doesn't matter

who it is. You can also be a terrorist and do the same thing. Again, I ask everyone to think about that. A person with suspected ties to terrorism can walk into a store now and buy all of the explosives they want. They can buy all the guns they want.

The so-called terror gap is outrageous and terribly reckless. How can something like this go unaddressed in modern-day America?

Democrats have tried repeatedly for the past year to close that loophole, but we have been prevented from doing that by the Republicans. We can argue from now on about whether this bill could have prevented this weekend's attacks, but one thing is for sure: It could prevent the next attack.

But we know this loophole shouldn't exist. We know terror suspects shouldn't be given a free pass to buy all the guns and all the explosives they want, and we know the American people want this loophole closed. Eighty-five percent of the people in Indiana, in Nevada, in Kentucky—85 percent of the people in America—support legislation keeping explosives and guns out of the hands of suspected terrorists. If you can't fly, why should you be able to buy a gun? If you can't fly, why should you be able to buy explosives? The only reason the FBI terror suspects are allowed to buy guns and explosives is simply because of Republican opposition. That is the reason.

This state of affairs defies belief. It is hard to believe that in America today an FBI terror suspect who cannot fly on an airplane can walk into a gun store in Las Vegas, New York City, or anyplace and legally purchase explosives and assault weapons. But it is true because Republicans refuse to close the terror gap loophole.

In the aftermath of these attacks, our constituents are looking for us to help. They want to feel safe. They want to be safe. We can help provide that safety by closing the terror loophole, but Democrats can't do it alone. We need help from the Republicans.

Mr. President, I see no one seeking recognition, so I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5325, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the

Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS FUNDING

Mr. NELSON. Mr. President, we have a bit of good news because earlier today the CDC, or the Centers for Disease Control, announced that it had lifted its travel advisory to not go into a section north of downtown Miami called Wynwood. It is the neighborhood where the first locally transmitted Zika virus was found. So the fact that they said today that this area is no longer considered an area of active transmission is certainly good news, not only for those who live there but for those businesses that are dependent on those who are planning to visit there. That is just one area of Florida.

There are now 835 active cases of Zika-infected people in the State of Florida. If you compare that to the number for the total United States, talking about infections, in 49 of the 50 States, it is 3,132. If you add our brothers and sisters in Puerto Rico and the territories, fellow American citizens, 17,315 are infected with the Zika virus. In Florida, 86 pregnant women are infected with the Zika virus. The total in the Nation is 731. In Puerto Rico—primarily there, although bringing in all the territories, it is 1,156. Combining Puerto Rico, the territories, and the United States, we are talking about close to 2,000 pregnant women infected with the Zika virus.

We know that the CDC has said that there is anywhere from a 1-percent to 12-percent chance—if a woman is infected in the first trimester of pregnancy, there is a 1- to 12-percent chance that her baby will be born with defects. If you do the math on the nearly 2,000 pregnant women, we are talking about a substantial number of birth defects, including the possibility of what we have heard about and seen—microcephaly, babies with a deformed brain and shrunken head. In Puerto Rico they already had one live birth of microcephaly and they had one who did not live after birth.

We can expect to see huge numbers coming on down the line. That is all the more reason for us—since we started our request for funding last spring—to get at this by doing a Zika vaccine. It is now ready to go into the FDA first trials. A vaccine is at least 2 years away, but we have to get started, and that costs money.

The administration has been robbing Peter to pay Paul, finding every little

pot of money that it can borrow from since last spring in order to try to fund the preventive measures of a vaccine, mosquito control, and all the attendant health expenditures through our health care centers that are sponsored and paid for by the government, and particularly for the very poor. As a matter of fact, the government raided the Ebola fund of \$576 million to advance it to Zika. Well, we need to pay back all of those funds that were raided, and that is incumbent upon us now here at the last minute before we adjourn to go home to campaign before the election. You know, those words are suddenly similar to the words we used in early July, trying to get that done before the summer recess for the political conventions. Yet we did not.

The good news is that it looks as though there is now an agreement on Zika. As a result, we can come up with a funding bill to keep the government open until we can pass a permanent funding bill for this fiscal year starting October 1. We will pass a temporary one until sometime in early December. That will give us a chance to try to do the permanent one. In the meantime, the government has to stay open. We have to fund the functions of government, including national security and the U.S. Department of Defense.

So one would think that this bill would be all done, but, unrelated to Zika, there are other issues that are threatening the funding bill. At the end of the day, we will get it done. Some of the issues are over as arcane a subject as who is going to administer the issuance of domain names on the Internet. There seems to be some controversy over that. As a result, we are here at the last minute, at the last hour, having to act on a funding bill, and now we have issues that are now all wound around the axle again.

I want to say very positively that I appreciate the progress that is being made on the Zika funding. It is not as if we haven't tried this before. Last May we had a bill that passed in a bipartisan fashion for \$1.1 billion that did not have the attached political riders. It passed in the Senate by 89 votes out of 100 Senators. Then, of course, the bill in the House of Representatives got all wound up with all kinds of political messaging. I want to state very positively that I am very happy that it seems as if those issues have been put aside and there has been an agreement reached. Now let's get through the rest of this on the funding bill and go ahead and execute our responsibilities that we have to the United States of America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

TRIBUTE TO EMOGENE STEGALL

Mr. NELSON. Mr. President, I want to praise the work of a local elected official in Florida who has admirably

served as supervisor of elections in Lake County, FL. This is an elected position in which she has now served for 44 years, and she is going to retire from her position as the chief elections officer after this upcoming election in November. That is an incredible tenure of public service, and Emogene Stegall should be commended for being the longtime supervisor of elections.

“Emogene” is a name that is almost synonymous with “Lake County” because she has been an elected official for nearly half a century. What is so special about her is not only how many years she has held the office but how she embodied the details and the ideals of public service.

Since she was first elected in 1972, a lot has changed about the way elections are conducted, but through all of those decades, the same fundamental principles have guided Emogene Stegall's work: a dedication to treating all voters fairly without any regard for party affiliation and safeguarding taxpayer dollars—no partisan politics, no attention-grabbing headlines, just humble public service.

Before being elected supervisor, Emogene had already worked 14 years as the supervisor's deputy, starting in 1958. At that time there were only about 17,000 registered voters in Lake County and a handful of voting machines. Most of it was done by paper ballot. Her office used typewriters and carbon paper to function, and voting results were announced on the radio.

Fast-forward to today. Emogene has been reelected many times over since winning her first election in 1972, and the number of registered voters in the county has gone from 17,000 to over 200,000. Now the supervisor's office is filled with computers, and computer programs tally the votes on election day before publishing them on the Internet so the voters receive almost instant results.

Even with all these changes, Emogene is still there, opening her office to constituents of all political stripes and working long hours to make sure election day runs smoothly and that all citizens in Lake County can exercise their constitutional right to vote. Her principled approach to fulfilling her responsibilities explains why she has continued to be reelected to her post time and time again even though she is a registered Democrat in a county that shifted to Republican control long ago.

The changes Emogene has witnessed run deeper than the office equipment and the party politics. When she was first elected, Lake County, along with much of the South of the United States, was still suffering from the scourge of Jim Crowe. African Americans in particular were often denied the right to vote. Even after the civil rights legislation was passed in the 1960s, the country still needed public

servants to implement the law without prejudice in order to usher in change and combat racism. Emogene's steadfast commitment to ensuring the people's right to vote helped achieve that transformation and in a way brings our Nation closer to realizing the ideal of equality that we have reached and have tried to reach since our founding.

It is also notable that Emogene Stegall served as the first woman elected official and community leader at a time when women's educational and professional opportunities were much more limited than today.

After so many decades of public service, Emogene will oversee her last election day this November. But her legacy for being a committed and tireless public servant will continue to be remembered. She has used her position to benefit the community she was elected to serve. She never was elected, nor used it, for herself or her own interests.

Emogene Stegall is an example for all of us in public service. So I am honored to share her story and acknowledge her accomplishments on this occasion today on the floor of the Senate as Emogene Stegall will conduct and is preparing for her last election as Supervisor of Elections.

What a great public service. What a great public servant whom we can honor today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, over the weekend, we were reminded once again of the threat that terrorism poses to our communities all across this country. I know we are all grateful the explosions that occurred in New Jersey and Manhattan and the knife attack in Minnesota did not hurt more people.

I am thankful for the authorities, the law enforcement officials, the emergency medical officials and others who have responded so heroically. I am grateful there has already been a suspect detained in the New York and New Jersey incident before he could attempt additional attacks.

This is just another reminder, as if we needed more reminders, of the importance of remaining vigilant to the threat of terrorism in the United States. Our values and our way of life seem to be under near constant attack, certainly under constant threat. We have a responsibility to do everything we can within our power to support and protect those affected by the evil of terrorism within our borders.

Last week, the Senate sent a piece of legislation, an important piece of legis-

lation from my perspective, called the Justice Against Sponsors of Terrorism Act to President Obama for his signature. He has until Friday to act on it.

I want to clarify for my colleagues exactly what is contained in this legislation because I have heard from some stories that make me think they are being misled by some but also maybe there is just some confusion I can help clear up. This legislation, the Justice Against Sponsors of Terrorism Act, or sometimes called the 9/11 families bill, makes some narrow amendments to a longstanding Federal statute, the Foreign Sovereign Immunities Act, and the anti-terrorism act. What it does provide is for Americans to be able to seek recourse in a court of law from governments or people who sponsor terrorist attacks on American soil.

You would think that would not be particularly controversial. Put another way, this bill does not allow a lawsuit to proceed against a foreign nation unless they are alleged to have been behind a terror attack on American soil. As I said, this is pretty straightforward, which is why it passed the Senate and the House unanimously.

I want to be clear what the bill does and does not do. First of all, the legislation does not single out any particular country for some kind of unfair treatment. It stands for the simple proposition that Americans should have recourse against those involved in terrorist attacks on our homeland, just as they do against others who commit other wrongs.

I have had some of my colleagues say: Yes, but perception is reality. Well, misperception is not reality. The fact is, there is no country mentioned in the legislation, this extension of existing law. To the extent it singles out anybody, it only singles out countries, without naming any, that fund terrorists who commit terrorism on our soil.

Some have suggested this could hurt our relationship with the Kingdom of Saudi Arabia, in particular. This bill has nothing to do, on its face, with our strong partnership with Saudi Arabia, which is based on mutual interests. The reality is, the nuclear deal struck by President Obama involving the country of Iran has done far more to damage our relationship with our allies in the Middle East, including the Kingdom of Saudi Arabia.

It has caused many of our allies, not just the Saudis but others in the Middle East, to question whether we are a reliable ally in the areas where we do share a common interest.

We know many of our Gulf State allies, including the Saudis, believe the President has not done enough to achieve his own stated goal of defeating the terrorist army of ISIS, which threatens Saudi Arabia from Iraq, just across its northern border. Quite to the contrary, we know President Obama ignored the advice of his own military

advisers and unwisely withdrew all combat forces from Iraq in a precipitous way before that country was ready and able to defend itself, only to see ISIS rush in and fill the vacuum left after the departure of American leadership and ground forces.

The bottom line is that this legislation should not upset our relationships with any country with which we share common interests, including the Saudis. They should not take passage of this legislation as a reason to somehow question our commitment to an alliance based on shared values or shared interests.

This bill targets those who fund terrorist activity against us—plain and simple. I should also add that all this bill does is to give victims an opportunity to have their case heard in court. It doesn't decide the merits of the case. It simply gives them an avenue for justice.

Second, I want to debunk this idea that somehow the Justice Against Sponsors of Terrorism Act will suddenly result in lawsuits being filed against Americans by foreign governments. The reality is this already happens. We have an entire office at the Justice Department—the Office of Foreign Litigation—that defends the United States in foreign courts.

As its Web site explains, that litigation includes “litigation arising from U.S. agency or military activities in foreign countries,” which is one reason why, before we pulled out all of our troops from Iraq, President Obama and his administration should have done a better job pursuing a status of forces agreement with the country of Iraq. But because they did not negotiate that, they decided to pull out, and we have reaped the whirlwind as a result.

While likely a minority, there are cases, in fact, brought abroad that implicate our own overseas activity. For example, in 2010, CBS News reported on a case in Pakistan in which the CIA was sued for an alleged drone strike. This is a matter of public record that CBS News reported. The point is that today foreign governments allow suits against the United States from time to time, and they are defended based on international law and based on the merits of the case. That is because of their legal systems and domestic politics. Our laws are simply not consulted as a determining factor. Why would a foreign country apply American law or precedent or procedure?

But let me also make clear: The Justice Against Sponsors of Terrorism Act makes only modest changes to current foreign sovereign immunity laws—laws that have already been passed by the U.S. Congress—and it has been written in a narrow manner to prevent such suits should any reciprocal law be passed.

Finally, I remind my colleagues that this legislation was crafted and created

through consensus. Before the Senate passed it several months ago, my colleagues and I took great care to address concerns from Members on both sides of the aisle, as you would expect. Working with other Members, we made changes to the legislation they requested so we could keep support for this legislation and support for the families of victims strong. It then unanimously passed the Senate in May.

Over in the House, it passed without dissent. I have to say that it is hard to find any piece of legislation that can pass unanimously in the Senate and in the House of Representatives. It just doesn't happen very often.

But even with so much bipartisan, bicameral support, President Obama still says he intends to veto the legislation. As I have said before, that is his prerogative, but I hope he does so soon so that Congress has the opportunity to vote to override his veto. Once he does veto it, I hope Congress will quickly act.

I have been reminded of a passage in Henry Kissinger's book called “World Order,” where he talks about how the West, in particular, often views the world as an orderly rules-based system. Of course, the problem with that is reality. The world does not all acknowledge a rules-based system, no matter who imagines it. Other countries will take actions based on what they perceive to advance their own interests, not because they just want to follow a certain set of rules that somebody else wrote up. That will remain true for the Kingdom of Saudi Arabia even after the Justice Against Sponsors of Terrorism Act becomes law. That is why our relationship with the Kingdom of Saudi Arabia will continue, because they have been fighting terrorism on their own soil and we know that we share other interests as well.

But at the end of the day, we need to do what is right for the American people, just as other countries would do right for their own citizens. We should not change our domestic laws because of our concerns about other countries perhaps being offended or because they have other interests other than what we are trying to vindicate here, which are the rights of the families who lost loved ones on 9/11 due to a terrorist attack on American soil. They should have the opportunity to make their case if they can, and nothing in this judges the merits of the case or makes any conclusion about whether they will be successful or not. But, certainly, they represent part of the American people who we work for, and they are entitled to get access to the courts for the purpose of making the case if they can.

This bill sends a clear signal to every country that the United States is not afraid to stand and ensure that our countrymen and countrywomen have the ability to pursue justice here in our courts. That is nonnegotiable.

I hope the President will act quickly. The President can string this out into next week if he wants, but he has already said he is going to veto it. So why put the families through any more delay, anguish, and uncertainty? The President should go ahead and veto the legislation. Then the Senate and the House of Representatives should take up a veto override vote. I am confident of what the outcome of that would be, based on the unanimous consent to the bill in the Senate and the unanimous vote in the House of Representatives.

Madam President, I don't see any other Senator interested in speaking.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 5985

Mr. McCONNELL. Madam President, I ask unanimous consent that at 5 p.m. today, the Senate proceed to the immediate consideration of H.R. 5985; further, that there be 30 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the bill be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. Madam President, I ask unanimous consent that notwithstanding rule XXII, the cloture motion on the motion to proceed to H.R. 5325 ripen at 2:15 p.m. on Tuesday, September 20.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GARDNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE UNITED STATES AIR FORCE

Mr. GARDNER. Madam President, I rise to recognize the U.S. Air Force on the occasion of its 69th birthday.

On September 18, 1947, President Truman signed the National Security Act, which established the U.S. Air Force as an independent service equal to the U.S. Army and U.S. Navy. The mission of the U.S. Air Force is to fly, fight, and win in airspace and cyberspace, and Colorado is proud to call itself home to units that play a vital role in executing all aspects of the Air Force mission.

Although it is the youngest of the armed services, the Air Force has accomplished a tremendous amount—a tremendous amount—in those 69 years. With a combined force strength of more than 660,000 Active, Reserve, National Guard, and civilian personnel within the U.S. Air Force, it is a force to be reckoned with. The U.S. Air Force's ability to maintain air superiority is evidenced by the fact that the last time an American ground troop was killed by ordnance delivered from an enemy aircraft was in 1953.

On any given day, there are more than 21,000 Air Force personnel deployed to 179 worldwide locations, 16,000 airmen deployed to the CENTCOM area of operations, and more than 1,000 airmen working directly with partner nations. While American airmen serve all over the world, there are thousands of airmen in my State of Colorado protecting our Nation's interests.

Colorado is home to five major Air Force installations that include Buckley Air Force Base, Schriever Air Force Base, Peterson Air Force Base, Cheyenne Mountain Air Force Station, and the United States Air Force Academy.

Buckley Air Force Base is home to the 460th Space Wing and has air operations, space-based missile warning capabilities, space surveillance operations, space communications operations, and support functions. If North Korea, Iran, or any adversary fires a missile at the U.S. homeland, Buckley would be the first to see it. Buckley is also one of 18 bases nationwide being considered by the Air Force to host the next-generation F-35 jet, and it is my firm belief it fully merits that designation as well.

Peterson Air Force Base, named after 1st Lt. Edward J. Peterson, a Colorado native, has been in operation since 1926. Over its 90-plus years, Peterson Air Force Base has served a variety of operational and training missions and is currently home to the 21st Space Wing and Air Force Space Command as well. Peterson is also home to the U.S. Northern Command—NORTHCOM—and the North American Aerospace Defense Command, or NORAD. NORAD and NORTHCOM is responsible for protecting the U.S. homeland from the myriad of threats we face in today's complex global security environment. On a day like today, when we reflect on what happened in Minnesota, when we reflect on what happened in New Jersey, and when we reflect on what happened in New York, we know that efforts to protect our homeland are critically important.

In a recent letter to the President, several colleagues and I expressed grave concerns about the rapid advancement of North Korea's nuclear ballistic missile program. That regime represents a grave threat to global peace and stability and is a direct

threat to the U.S. homeland—and that is what our bases in Colorado are responsible for. While we in Congress urge the President to take actions to counter the North Korean threat, the American people rely on the hard-working men and women at NORAD and NORTHCOM to protect us from this rogue regime.

Just down the road from Peterson Air Force Base is Schriever Air Force Base, which is home to the 50th Space Wing of the Air Force Space Command. Schriever provides command and control for over 170 Department of Defense warning, navigational, and communications satellites. The global positioning satellite, or GPS, is operated by the 2nd Space Operations Squadron at Schriever. If you successfully use your Google Maps today, it is because of the good work by the satellite operators at Schriever.

Schriever is home to the Joint Interagency Space Operations Center, or JICSpOC. Established in 2015, the JICSpOC consolidates efforts between the DOD, U.S. Strategic Command, and the intelligence community to create unity of effort and facilitate U.S. information-sharing across the national security space enterprise. JICSpOC will enhance U.S. space operations, contribute to operational command and control within the Department of Defense, and improve the Nation's ability to protect and defend critical infrastructure in an increasingly contested space environment.

Since 1966, Cheyenne Mountain Air Force, stationed in Colorado Springs, has been a synergistic hub for tracking security threats worldwide and serves as an essential component to the defense of North America and global security. Cheyenne Mountain is an engineering marvel that provides an electromagnetic pulse-hardened facility to protect our Nation's most vital interests. Many of the people around the country may know Cheyenne Mountain Air Force Station as the site of Matthew Broderick in the movie "WarGames."

Last but not least of the major Air Force installations in Colorado is the U.S. Air Force Academy. Since the 1955 swearing-in of its first class of cadets, the Air Force Academy has been developing leaders of character to lead the world's best Air Force. The Air Force Academy educates, trains, and inspires men and women to become officers of character, motivated to lead the U.S. Air Force in service to our Nation.

In addition to celebrating the Air Force's 69th birthday, I would also like to recognize that this year, 2016, is the 40th anniversary of women cadets enrolling in the U.S. Air Force Academy. Just as the Air Force leads the way as the preeminent global air power, the Air Force Academy has been leading the way with the integration of women cadets into the Cadet Wing.

In 1972, the Air Force Academy issued Operational Plan 36-72, which laid the groundwork for the arrival of its first 156 female cadets in the summer of 1976. In the proceeding 40 years, women cadets and graduates have made extraordinary contributions to both the academy and to the Air Force. These contributions are exemplified by women such as Michelle Johnson, who in 1980 became the first woman cadet wing commander, which is the highest ranking cadet in the academy, and then in 1981 she became the first woman cadet to become a Rhodes scholar. In 2013, Lt. Gen. Michelle Johnson became the first female superintendent of any military service academy when she became the superintendent of the U.S. Air Force Academy. Heather Wilson was the first female veteran to serve in Congress. Lt. Gen. Susan J. Helms was the first woman graduate of the Air Force Academy to go into space. Lieutenant Roslyn Schulte became the first female graduate killed by enemy action in 2009. These women and countless others are why the State of Colorado is proud, honored, and humbled to host the U.S. Air Force Academy.

On behalf of all Coloradoans and a grateful nation, I wish the U.S. Air Force a happy 69th birthday. Aim high, fly, fight, and win.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

Mr. BLUMENTHAL. Thank you, Mr. President.

The PRESIDING OFFICER. Will the Senator withhold.

DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 5985, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5985) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

The PRESIDING OFFICER. There will now be 30 minutes of debate equally divided in the usual form.

The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, I see my friend and colleague, the chairman of the VA Committee, here. I will happily yield to him to speak first, or

I can proceed and then yield to him afterwards.

Mr. ISAKSON. I appreciate that. I yield to the Senator from Connecticut to begin.

Mr. BLUMENTHAL. Mr. President, I am pleased and honored to be here today to speak in support of H.R. 5985, the Department of Veterans Affairs Expiring Authorities Act. We will vote on it shortly. I thank my colleagues for what I expect to be an overwhelmingly positive vote to affirm our commitment to the veterans of America and that neither dysfunction nor distraction of what is happening during this season of elections will prevent us from keeping the lights on in the Veterans Affairs Department.

As its name implies, this measure would maintain 27 vital ongoing programs and services that the VA provides through the next year. I commend Chairman MILLER and Ranking Member TAKANO in the House for drafting this bipartisan measure that is so important and necessary. We have worked collaboratively with them. Chairman ISAKSON and I have met with them numerous times, and it has truly been a cooperative and collaborative effort.

This legislation authorizes an increase in the existing VA caregivers program of \$10 million, going from \$724 million to \$734 million, as well as a grants program that assists homeless veterans and provides them with support services.

The bill we will vote on this evening will also give the Secretary of the VA the exact same power as the Secretary of Education has with respect to title IV in the event of a university's sudden loss of accreditation. It is critically important. As we have seen with ITT and Corinthian, for-profit colleges have abruptly closed, leaving veterans stranded. This bill will empower the VA Secretary to provisionally approve programs for use with the GI bill so that veterans may transition to another course of study. Without this provision becoming law now, veterans who attended those schools like ITT may find themselves in a similar untenable, unacceptable, unfair situation. They lose education benefits and, equally troubling, benefits for their housing and food allowance, which they so critically need.

I am pleased we can vote on this measure tonight and send it to the President's desk for his signature. But the simple, stark fact is that this bill is simply a small down payment—a small step in the direction that we must move and that the Senate must accomplish in the days that remain in this session to honor all who have served. It is just one of a series of congressional actions that are needed before we recess to ensure that for-profit schools that put their profits before veterans' rights to an education do not

hurt our veterans as their business model collapses.

The Senate should also pass the Veterans Education Relief and Reinstatement Act that Senator TILLIS of North Carolina and I have introduced. This bill is bipartisan, as is this bill, and would grant an emergency housing stipend to those students who are adversely affected by destabilizing permanent school closures. Corinthian College and, more recently, ITT give a voice and face to this staggeringly real problem for so many veterans who are the victims of the exploitation by these for-profit schools.

Our mission of ensuring that no veteran is left behind will not be completed by the vote we take this evening. It is just a down payment. I urge my colleagues to join with me in supporting H.R. 5985 and beginning and concluding the hard work of passing other bills that have been reported out of the Senate Veterans' Affairs Committee, with the strong bipartisan work, collaboration, and partnership among the chairman, Senator ISAKSON, and myself.

I thank Senator ISAKSON for being here this evening, and I will be honored to yield to him now.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I am honored to join the ranking member, Senator BLUMENTHAL from Connecticut, on this important day.

This morning when I woke up, I began preparing for a speech I made at Oglethorpe University at 11 o'clock this morning on Constitution Day, and it reminded me of what an important September day today is.

Senator Robert Byrd, the distinguished Democrat, majority leader, and President pro tempore of the Senate for many years and who served here for many decades, amended an appropriations act on September 19, 2004, to designate today as Constitution Day. So it is a great honor for me to speak on the floor to honor our veterans on the day we honor our Constitution because, without our veterans, there would be no Constitution. Without those who fight to defend our freedom and our liberty around the world, there would be no Constitution. So it is a great day to do this.

I wish to express my agreement with exactly what Senator BLUMENTHAL said. This is a mere down payment. It is an acknowledgment. There is lots of work to be done. Critically, though, this extender bill addresses any number of programs in the VA that will expire at the end of the fiscal year unless they are extended. Most importantly are homeless programs, which are critically important, and adaptive sports programs, which are critically important as well.

So by adopting this bill, our homeless programs will stay in place and

our adaptive sports programs will stay in place. As Senator BLUMENTHAL said, should the Secretary of Education shut down an institution midterm, this provides help to that student who is a veteran to see to it that they don't lose their benefit and they can continue their education.

Again, this is a small down payment. We have other things yet to be done. Hopefully, they will be done after we come back for the lameduck session after the election. But tonight, all Members of the Senate from both parties—Republicans and Democrats—can help us make a down payment on Constitution Day to those who make our freedom and liberty possible—our veterans of the United States of America.

I urge an "aye" vote from each Member of the Senate.

I yield back the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. HATCH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from South Carolina (Mr. SCOTT), the Senator from Alabama (Mr. SESSIONS), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea" and the Senator from South Carolina (Mr. SCOTT) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Virginia (Mr. Kaine), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote yea.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—89

Alexander	Ernst	Murphy
Ayotte	Feinstein	Murray
Baldwin	Fischer	Nelson
Barrasso	Flake	Paul
Bennet	Franken	Perdue
Blumenthal	Gardner	Peters
Blunt	Gillibrand	Portman
Booker	Graham	Reed
Boozman	Grassley	Reid
Boxer	Hatch	Risch
Brown	Heinrich	Roberts
Burr	Heitkamp	Rounds
Cantwell	Heller	Rubio
Capito	Hirono	Sasse
Cardin	Hoehen	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Shaheen
Cassidy	King	Shelby
Coats	Klobuchar	Stabenow
Cochran	Lankford	Tester
Collins	Leahy	Thune
Corker	Lee	Tillis
Cornyn	Manchin	Toomey
Cotton	Markey	Udall
Crapo	McCain	Vitter
Cruz	McCaskey	Warren
Daines	McConnell	Whitehouse
Donnelly	Menendez	Wicker
Durbin	Merkley	Wyden
Enzi	Moran	

NOT VOTING—11

Coons	Mikulski	Sessions
Johnson	Murkowski	Sullivan
Kaine	Sanders	Warner
Kirk	Scott	

The bill (H.R. 5985) was passed.

The PRESIDING OFFICER. The Senator from Wyoming.

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS

Mr. BROWN. Mr. President, last year our country celebrated the 50th anniversary of the Voting Rights Act of 1965, one of the most important pieces of legislation that was passed in the 20th century. It opened the door for millions of Americans to exercise their constitutional right to vote. But this year will mark the first Presidential election in half a century without the full protections guaranteed by that landmark law. One of the worst decisions this corporate-dominated Supreme Court made was *Shelby County v. Holder*, which struck down a key part of the law, taking the teeth out of provisions that protect voters from suppression laws.

Since that misguided decision, States across the country have passed new voting restrictions that would disenfranchise hundreds of thousands of Americans. At least 17 States have passed new voting restrictions since the *Shelby County* restriction. We know who is hurt most by these laws—African Americans, Latinos, young people, and seniors.

In North Carolina, before enacting one of these laws, the State legislature specifically asked for data on voting patterns by race. Once they had this data, they decided to eliminate or limit the voting methods used by African-American voters. Thankfully, the Fourth Circuit Court struck down this blatant attempt to disenfranchise one group of voters, writing: “The new provisions target African Americans with almost surgical precision.”

In my State of Ohio, the courts have shamefully allowed laws such as these to stay on the books. Last week we were dealt multiple blows.

First, the Supreme Court refused to hear an appeal on the Sixth Circuit’s decision ending “Golden Week”—created by a Republican legislature a decade ago—when voters can register and vote on the same day during the 1 week early-voting period. In May, Judge Watson—a George W. Bush appointee in the Southern District in Columbus—found that the laws limiting early voting and registration would disproportionately impact African Americans. Judge Watson did the right thing, but the ultraconservative Sixth Circuit ruled to overturn that ruling, ending “Golden Week.” Last week the Supreme Court nodded 4 to 4 because the Republican majority leader won’t let the Senate do its job to have hearings and confirmation on Judge Garland. The Supreme Court declined to intervene.

Then the Sixth Circuit overturned a lower court ruling that had thrown out new Ohio laws imposing stricter requirements on absentee and provisional voters. Judge Damon Keith’s dissent in this case captured what these restrictions are really all about. He notes that during the committee debate over the law, one legislator asked: “Should we really be making it easier for those people who take the bus after church on Sunday to vote?”—making it crystal clear exactly what they were targeting and whom they were targeting.

Judge Keith continues:

Democracies die behind closed doors.

Voting is the ultimate expression of self-government. Instead of making it easier for all persons, unrestrained and unfettered, to exercise this fundamental right to vote, legislators are making it harder.

States are audaciously nullifying a right for which our ancestors relentlessly fought and—in some instances—even tragically died.

I would point out that only about a decade ago, this body and the House overwhelmingly, bipartisanly renewed

the Voting Rights Act that the Court struck down. Now one political party is digging in in opposition to that. It is no secret what these laws are about. State legislators have made it perfectly clear.

In 2008, African Americans voted early in person at a rate more than 20 times greater than White voters. We all remember the scenes from Cuyahoga County, Cleveland, in 2004 when some voters waited as long as 7 hours to vote. For hourly workers, college students who work a third shift, parents who have to drop their children off at school, and many others, early voting ensures that their voices will be heard. In 2012, 10 percent of the electorate—600,000 people—voted early in my State. That is 600,000 voices that might not have been heard were it not for early voting. But some judges who dress in suits and lead very privileged lives with generous benefits from taxpayers have decided these voices aren’t worth hearing. As Judge Keith said, democracies die behind closed doors. This body refuses to hold a hearing on the nominee who would have allowed the Supreme Court to hear the appeal on the “Golden Week” issue and issue a real decision.

This body refuses to bring to the floor the bipartisan Voting Rights Advancement Act.

In 1981, when signing an extension to the Voting Rights Act, President Reagan called the right to vote “the crown jewel of American liberties.” Ronald Reagan would have seen his political party today going in exactly the opposite direction, and that is sad.

HONORING OUR ARMED FORCES

SEAMAN 1ST CLASS WILLIAM WELCH

Mr. BROWN. Mr. President, I rise to honor Seaman 1st Class William W. Welch, a native of Springfield, OH—an American hero who laid down his life for our country during the attack on Pearl Harbor.

Seaman Welch was known to his family as Billy. He enlisted in the Navy, as so many did in those days, at 17. He left during his senior year at Springfield Catholic Central High School, so determined was he to serve his country. On December 7, 1941, Welch was stationed on the USS *Oklahoma*, docked at the U.S. Naval Base at Pearl Harbor. The *Oklahoma* was the first to be hit that fateful morning by the Japanese.

Of the more than 1,300 crew aboard, 429 perished that day—a loss of life second only to the better known USS *Ari-zona*. The ship capsized, and Billy Welch was among the first of so many Americans to make the ultimate sacrifice for our Nation during World War II. Billy’s grieving family was dealt an additional blow when their son’s remains were not returned to them, and they were unable to give him a burial befitting his sacrifice.

It wasn't until 1943 that the Navy was able to right the *Oklahoma* and began trying to identify the remains. By then, with the technology available in the 1940s, it was too late for most sailors. Billy and his fellow sailors were buried as "unknowns," and they had rested in the National Memorial Cemetery of the Pacific in Honolulu until last year.

In 2014, Billy Welch's nephew, Michael, contacted my office. He was fighting—for want of a better term—with the Department of Defense, begging them to try to identify his uncle's remains with the new technology available in 2014. He was part of a movement of families and veterans trying to piece together where their loved ones were buried and get them returned home.

In 2015, the Pentagon announced plans to exhume and attempt to identify the fallen sailors and soldiers buried in the Pacific. DOD began removing caskets and using dental records and DNA to identify the remains and return those fallen heroes to their families.

Billy Welch was identified. Now, with the help of dedicated staff in my office, next month he will finally be returned to Springfield and buried with full military honors in his hometown. It will be my honor to stand with Seaman Welch's family at Saint Joseph Catholic Church in Springfield and witness this hero be shown the honor and appreciation he deserves and his family has been denied for so long.

Billy and his fellow sailors may not have known the contribution they were making that day on the USS *Oklahoma* to future generations at home and around the world as the first to sacrifice their lives fighting tyranny during the Second World War. That makes their actions all the more heroic. There is a reason we call them the "greatest generation."

We are losing more and more of that generation with each passing day. Less than 700,000 World War II veterans remain with us. We lose some 430 of those heroes each day. My father, a World War II veteran stationed in New Zealand and Iran—what he always called Persia World War II—passed away back in the year 2000.

Projects like this one are all the more important and more timely. We need to identify these sailors and soldiers now, while their loved ones are still with us and still able to pay their proper respects. We owe William Welch and all those who gave their lives for our country a burial and, equally important, a tribute that befits their service and their sacrifice. I will be honored to take part in that tribute for Seaman Welch next month.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ROY SCHOTT

Mr. McCONNELL. Mr. President, I rise to pay tribute to a hard-working businessowner, veteran, and respected Kentuckian, Mr. Roy Schott. Mr. Schott recently celebrated 61 years of work as a mechanic and service station owner and 55 years as a U-Haul outlet. His dedication to his work is something to be admired by us all.

Mr. Schott's journey began at the age of 15 when he discovered his interest and aptitude in mechanics. This led him to his first job in a garage, where he repaired motor vehicles. In 1951, he left his job and home to serve our country in the Korean war as a motor sergeant.

Upon returning to London, KY, from his time in the military, he and a friend opened a service station. Mr. Schott made an addition to his business in 1961 after seeing a U-Haul ad in the paper. The service station became Schott Marathon and U-Haul Dealership. At that time, U-Haul charged only \$3 a day to rent a trailer, later adding a \$1 fee for hitch rentals.

Mr. Schott's secrets to U-Haul success are good help, good customer service, and a good field manager. To this day, he has remained active in his business, coming every day to work alongside his loyal employees and interacting with his customers. After the loss of his wife in 2002, Mr. Schott considered retiring, but ultimately decided that he loves his job too much to ever stop.

I am very honored to represent Mr. Schott here in the U.S. Senate and want to wish him congratulations on his many years of service not only to the people of London, KY, but also to this nation. I am sure my U.S. Senate colleagues join me in expressing gratitude and admiration for his service as well. He truly represents the finest of Kentucky.

Mr. President, an area publication, the *Sentinel-Echo*, published a compelling article on Roy Schott's life. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *Sentinel-Echo*, Aug. 22, 2016]

STILL GOING STRONG: ROY SCHOTT CELEBRATES 61 YEARS OF KEEPING VEHICLES ON THE ROAD

(By Nita Johnson)

London businessman Roy Schott has many memories.

He will share some of those, but often says they are not important.

But after 61 years of operating Schott's Service Station on Main Street, he has a lot

of memories and a lot of knowledge to go with it.

"Be sure to find out what kind of oil it needs," he said to a customer who called his business on Thursday afternoon, before going into the service section and assisting an employee with loosening bolts on a car part.

Schott said he got involved in the mechanic business because it paid better than some other vocations available in 1943.

"I started working at a garage that is where the *Sentinel-Echo* is now," he said. "I got \$1.50 a day. Other places only paid \$1 a day, except the railroad and it paid \$1 an hour."

Schott learned to weld as part of his job, recalling that parts weren't manufactured then as they are today.

"If a bus came in with a broken window, you had to fix it with a piece of tin," he said.

Schott left the business in 1951 with many other Laurel Countians who went to serve their country in the Korean War. He served two years during that conflict "when all hell was going on." War is no good memory for Schott, who still tears up when he thinks about the end of World War II.

"When World War II ended, the bell at the courthouse rang all day," he said. "There would be four or five bodies of boys come in every day."

Schott served as combat engineer in Korea, where he was a motor sergeant and oversaw 23 trucks. He remembers those trying times through a book presented to Korean veterans by the Korean government. The book shows pictures of the devastation during and following the war there, but highlights the achievements made over the years as the country rebuilt.

Once safely back home after the Korean War, Schott opened his service station on South Main Street near the former Ormsby Hardware. While also operating his service station, Schott became an authorized U-Haul rental facility. He credits Bill Ormsby for that venture—one that earned him recognition from U-Haul last year for 55 years as an authorized dealer.

"I'm the oldest one in the state, probably the oldest one in the country," he laughed.

But in 1955, Schott got a loan to start his own business. He remembers that day when his loan was approved.

"It was August 28, 1955," he said. "When you borrow money you know the date you got it."

He moved the business to its current spot on North Main Street across from London Elementary School in 1960. Now, 56 years later, he continues the tradition he began, still working performing his magic on brakes, tires and air conditioning units. The business has served him well, providing for his four children over the years. He also has grandchildren, of whom he cannot hide his pride.

"Let me tell you about my grandchildren. No, that would take too long," he said with a laugh.

Schott plans to continue to work until he is no longer able, refusing to retire. When asked if he still works on vehicles himself, he holds out his hands as proof.

"I guess I do," he said.

He once considered retirement following the death of his wife 14 years ago. But his son-in-law quickly talked him out of it.

"He said, 'What are you going to do, climb the walls?' so I decided to stay open," he said.

He believes working and staying busy is why he continues to be able to serve residents in the London and Laurel areas.

"A friend who retired told me to work all I could," he said. "He said the walls would close in on you after a little while. So when people ask me if I'm going to stay here until they have to carry me out, I tell them I guess they will."

GEAR UP HAWAII

Mr. SCHATZ. Mr. President, today, September 19, marks the beginning of National Gaining Early Awareness and Readiness for Undergraduate Programs, GEAR UP, Week, and I would like to recognize the meaningful work of GEAR UP in Hawaii.

Since 1998, GEAR UP has provided support and resources to low-income students across the country to inform them about, prepare for, and succeed in college. GEAR UP helps these students, many who are first-generation college students, overcome the challenges they face in their communities.

GEAR UP Hawaii serves over 16,000 students each year from low-income and underserved communities throughout the State in grades 7 through 12 and in their first year in college. The program equips students with the tools they need to succeed in college and their careers. GEAR UP delivers a number of services to students, including supporting early college-level academic preparation in high school, providing opportunities for early college options, increasing college access and financial aid information to students and families, and advising students during their first year of college to increase first-year completion. GEAR UP Hawaii has gained national recognition for its success in closing the achievement gap among groups traditionally underrepresented in higher education and helping low-income students prepare for college.

Through its collaborative partnerships between Hawaii's State Department of Education, K-12 schools, the University of Hawaii, local businesses, and community organizations, GEAR UP Hawaii inspires students to see postsecondary education as something they can achieve. The early outreach GEAR UP Hawaii performs is key to improving access to postsecondary education for students from low-income families in our State.

The program's results demonstrate that GEAR UP Hawaii is making significant strides towards increasing the number of low-income students who are prepared for and enroll in college. For example, 20 percent of Step Up Scholars, a GEAR UP Hawaii program, graduated from high school in June 2015 with the Board of Education Recognition Diploma, BOERD, compared to 14 percent of students statewide. The BOERD is an honors diploma that requires students to earn a minimum cumulative grade point average of 3.0 and complete a senior project. Additionally, GEAR UP has increased the availability of High School Based Run-

ning Start, HBRS, courses, which allow high school students to attend University of Hawaii classes to earn both high school and college credits. For the Hawaii class of 2014, 83 percent of students who took at least one HBRS course enrolled in college the semester after graduation compared to the statewide average of 56 percent. Thanks to these programs, thousands of Hawaii's students graduate from high school every year better prepared for college and for their futures.

A college education is a path of opportunity for our students. GEAR UP Hawaii has been and will continue to be critical in supporting the State's goal of having 55 percent of working-age adults in the State earn a college degree by 2025. I commend GEAR UP Hawaii for the vital role it plays in helping Hawaii's students access and excel in their higher education.

ADDITIONAL STATEMENTS

REMEMBERING BEN CRAIG

• Mr. MORAN. Mr. President, all who knew Ben Craig know that his passing marks the loss of an exceptional family man, local leader, and community banker. Ben was a great neighbor and a shining example of a Kansan who improved the lives of all he knew.

The youngest of five children, Ben was born in 1929 to Benjamin D. Craig, Sr., and Orpha (Cox) Craig. He grew up and went to school in Baxter Springs, where he was an avid baseball player and sports fan. During high school, he was the pitcher for the Baxter Whiz Kids, the local regional team.

He attended the University of Kansas, and during his college years, he pursued his minor league baseball dreams playing with the New York Yankees and the St. Louis Browns.

After the Korean war began in 1950, Ben enlisted in the Air Force and spent 18 months stationed in Tripoli, Libya. Following his deployment, he returned to the States and was stationed at Sewart Air Force Base near Nashville, TN. He was joined by his new bride, Evadean Talbot, who he married after returning home from Tripoli. In 1954, he was honorably discharged from the service as an E-5 tech sergeant.

Ben's long career in business began after leaving the Air Force when he took a job with the Cassville, MO, chamber of commerce. He later worked with the Kansas City, KS, chamber before beginning a banking career that would span decades. Ben served as president of Metcalf Bank in Kansas City for 35 years and then as chairman of the board until 2007. When the bank was sold in 2007, Ben remained on the board of directors and served as chairman emeritus until his death.

In addition to strengthening the Kansas City economy with his work in the

banking community, where small businesses and families alike could depend on Ben for solid financial assistance and advice, Ben served in leadership positions in a number of local charities and service organizations. For 52 years, he had perfect attendance in the Overland Park Rotary Club, which is where I first met him. He also played a key role in establishing many of the Kansas City institutions we know today, such as Johnson County Community College, Shawnee Mission Medical Center, and the Overland Park Chamber of Commerce.

Ben was preceded in death by his wife of 52 years, Evadean. He leaves behind his friend and companion of the last 10 years, Vivian Sirratt, along with his daughters, Denise Koonse (Charles), Kellee Hearst (Rex), granddaughters, Amanda Lubiewski (Michael), Kelsey Houchen (Andrew), and great-granddaughters, Abigail and Emily Lubiewski.

Ben's dedication to public service and constant desire to find ways he could help others will benefit generations of Kansans to come. He had a kind heart and giving nature. Ben was a natural leader who freely gave his time to all he knew. I am thankful for my friendship with him. May he rest in peace.●

REMEMBERING RODGER MCCONNELL

• Mr. TESTER. Mr. President, on July 21, 2016, shortly before his 72nd birthday, the United States lost a great man, an outstanding soldier, and an unparalleled advocate for his fellow veterans—and I lost a great friend. Rodger McConnell's legacy will be forever remembered as one of perseverance, passion, a humbling work ethic, and an enduring love of Starbucks coffee.

Born in August 1944, Rodger graduated high school in 1962 and found employment with a local gas company for several years.

Answering the call of duty, Rodger enlisted in the U.S. Army in 1966. He saw combat in Vietnam as a cavalry troop forward observer for mortars and artillery with the 9th Infantry Division and the 11th Armored Cavalry Regiment before his honorable discharge a year later.

In his postwar years, Rodger overcame several personal hardships, including homelessness and post-traumatic stress disorder, but he remained undaunted and undefeated. It was these struggles that created an empathetic man, who became a tireless and fearless advocate for other struggling veterans.

Eventually receiving a liberal arts degree from Carroll College and a master's degree in K-12 education from Montana State University-Northern, Rodger spent several years as an educator before he retired in 2003 and

launched into his unwavering service for veterans in Cascade County.

Working with State District Judge Greg Pinski, Rodger helped create a veterans court to help veterans navigate the justice system and get the help and treatment they need to get back on their feet. Rodger also played a pivotal role in constructing the Montana Veterans Memorial, which serves as a landmark in Great Falls to honor those who have served.

Most notably, Rodger spearheaded the “Stand Down” event in Great Falls, providing veterans with clothing and access to job training and health services. Through this important event, Rodger made a difference in the lives of hundreds of veterans.

Rodger was also an extremely active volunteer, contributing to the Great Falls community by registering voters, hosting a radio show on a local Great Falls station, and volunteering with the local Optimist Club.

In Rodger’s eyes, the community was his family, and he was theirs.

Let us now take a moment to recognize the exceptional life of Rodger McConnell and the legacy he left behind. It is a legacy I hope each of us can aspire towards.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3348. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6862. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “*Aspergillus flavus* strains TC16F,

TC35C, TC38B, and TC46G; Temporary Exemption from the Requirement of a Tolerance” (FRL No. 9951-44) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6863. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “*Ammonium persulfate*; Exemption from the Requirement of a Tolerance” (FRL No. 9951-08) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6864. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “*Thiabendazole*; Pesticide Tolerances” (FRL No. 9950-05) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6865. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “*Releasing Information*; Availability of Records of the Farm Credit System Insurance Corporation; Fees for Provision of Information” (RIN3055-AA12) received in the Office of the President of the Senate; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6866. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on politically motivated act of boycott of, divestment from, and sanctions against Israel; to the Committees on Appropriations; and Foreign Relations.

EC-6867. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on politically motivated act of boycott of, divestment from, and sanctions against Israel; to the Committees on Appropriations; and Foreign Relations.

EC-6868. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “*Civil Monetary Penalty Inflation Adjustment*” (RIN0790-AJ42) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Armed Services.

EC-6869. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “*TRICARE*; Mental Health and Substance Use Disorder Treatment” (RIN0720-AB65) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Armed Services.

EC-6870. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “*Professional U.S. Scouting Organization Operations at U.S. Military Installations Overseas*; Technical Amendment” (RIN0790-AI98) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Armed Services.

EC-6871. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6872. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “*Revisions to the Entity List*” (RIN0694-AH00) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6873. A communication from the Chair, Securities and Exchange Commission, transmitting, pursuant to law, the 2015 Annual Report of the Securities Investor Protection Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC-6874. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “*Russian Sanctions*; Addition of Certain Entities to the Entity List” (RIN0694-AH02) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6875. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “*Amendments to Existing Validated End-User Authorization in the People’s Republic of China*; Boeing Tianjin Composites Co. Ltd.” (RIN0694-AH05) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6876. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “*Wassenaar Arrangement 2015 Plenary Agreements Implementation*, Removal of Foreign National Review Requirements, and Information Security Updates” (RIN0694-AG85) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6877. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for monthly basic pay increases for members of the uniformed services for 2017; to the Committee on Armed Services.

EC-6878. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “*Defense Federal Acquisition Regulation Supplement*; New Designated Country—Moldova” ((RIN0750-AJ07) (DFARS Case 2016-D028)) received in the Office of the President of the Senate on September 15, 2016; to the Committee on Armed Services.

EC-6879. A communication from the Acting Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to the Department’s anti-personnel landmine (APL) policy; to the Committee on Armed Services.

EC-6880. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “*Sexual Assault Prevention and Response (SAPR) Program*” (RIN0790-AJ40) received in the Office of the President of the Senate on September 15, 2016; to the Committee on Armed Services.

EC-6881. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of

Energy, transmitting, pursuant to law, the report of a rule entitled "Department of Energy Property Management Regulations" (RIN1991-AB73) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Energy and Natural Resources.

EC-6882. A communication from the Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Oil and Gas and Production Safety Systems" (RIN1014-AA10) received in the Office of the President of the Senate on September 7, 2016; to the Committee on Energy and Natural Resources.

EC-6883. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Revision to Chapter 7, 'Instrumentation and Controls' of NUREG-0800, 'Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition'" (NUREG-0800) received in the Office of the President of the Senate on September 15, 2016; to the Committee on Environment and Public Works.

EC-6884. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Steam Generator Materials and Design" (NUREG-0800) received in the Office of the President of the Senate on September 15, 2016; to the Committee on Environment and Public Works.

EC-6885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Department of Pesticide Regulations" (FRL No. 9951-19-Region 9) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6886. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Air Quality Implementation Plans; NJ; Infrastructure SIP Requirements for 2008 Lead, 2008 Ozone, 2010 Nitrogen Dioxide, 2010 Sulfur Dioxide, and 2012 PM2.5, 2006 PM10 and 2011 Carbon Monoxide NAAQS: Interstate Transport Provisions" (FRL No. 9952-41-Region 2) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6887. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Iowa's Air Quality Implementation Plans; Correction" (FRL No. 9952-44-Region 7) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6888. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds

Emissions from Fiberglass Boat Manufacturing Materials; Withdrawal of Direct Final Rule" (FRL No. 9952-47-Region 3) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6889. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Tennessee; Revision and Removal of Stage I and II Gasoline Vapor Recovery Program" (FRL No. 9952-50-Region 4) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6890. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; SC Infrastructure Requirements for the 2010 1-hour NO2 NAAQS" (FRL No. 9952-28-Region 4) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6891. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS" (FRL No. 9952-42-Region 5) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alabama; Volatile Organic Compounds" (FRL No. 9952-30-Region 4) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6893. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval/Disapproval; MS Infrastructure Requirements for the 2010 NO2 NAAQS" (FRL No. 9952-33-Region 4) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Environment and Public Works.

EC-6894. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Infrastructure or Requirements for the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards" (FRL No. 9950-77-Region 6) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6895. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second Ten-Year PM10 Maintenance Plan for Lamar" (FRL No. 9952-09-Region 8) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6896. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Air Plan Approval; VT; Prevention of Significant Deterioration, PM2.5" (FRL No. 9952-11-Region 1) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6897. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; GA; Infrastructure Requirements for the 2010 1-hour NO2 NAAQS" (FRL No. 9952-32-Region 4) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6898. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Disapproval; North Carolina: New Source Review for Fine Particulate Matter (PM2.5)" (FRL No. 9952-31-Region 4) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6899. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Materials Reliability Program: Primary Water Stress Corrosion Cracking Mitigation by Surface Stress Improvement (MRP-335 Revision 3)" (TAC No. MF2429) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6900. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Removal of Environmental Considerations Regulations" ((RIN1660-AA87) (Docket No. FEMA-2016-0018)) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Environment and Public Works.

EC-6901. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to the General Definitions for Texas New Source Review and the Minor NSR Qualified Facilities Program" (FRL No. 9950-32-Region 6) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Environment and Public Works.

EC-6902. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief for Victims of Louisiana Storms" (Announcement 2016-30) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6903. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Waiver of 60-Day Rollover Requirement" (Rev. Proc. 2016-47) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6904. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled "Examinations of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Tax Liability" (Rev. Proc. 2016-46) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6905. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definition of Real Estate Investment Trust Real Property" (RIN1545-BM05) (TD 9784) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6906. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definition of Terms Relating to Marital Status" (RIN1545-BM10) (TD 9785) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6907. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Management Contracts Safe Harbors" (Rev. Proc. 2016-44) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6908. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Eliminating Business Purpose and Device as No-Rules under Section 355" (Rev. Proc. 2016-45) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Finance.

EC-6909. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers" (RIN0938-AO91) (CMS-3178-F) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Finance.

EC-6910. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-6911. A communication from the Assistant Secretary of State, Bureau of Legislative Affairs, transmitting, pursuant to law, a report relative to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Relations.

EC-6912. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-008); to the Committee on Foreign Relations.

EC-6913. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-010); to the Committee on Foreign Relations.

EC-6914. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-026); to the Committee on Foreign Relations.

EC-6915. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-034); to the Committee on Foreign Relations.

EC-6916. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-054); to the Committee on Foreign Relations.

EC-6917. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-061); to the Committee on Foreign Relations.

EC-6918. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a section of the Arms Export Control Act (RSAT 16-5068); to the Committee on Foreign Relations.

EC-6919. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0105 - 2016-0116); to the Committee on Foreign Relations.

EC-6920. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms: Revisions to Definition of Export and Related Definitions" (RIN1400-AD70) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Foreign Relations.

EC-6921. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities—Enhanced Assessment Instruments" (CFDA No. 84.368A.) (Docket No. ED-2016-OESE-0004) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6922. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Maximum Civil Money Penalty Amounts; Technical Amendment" (Docket No. FDA-2016-N-1745) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6923. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Civil Monetary Penalties for Inflation" (RIN0970-AC0) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6924. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting,

pursuant to law, a report on the Developmental Disabilities Programs for fiscal years 2011-2012; to the Committee on Health, Education, Labor, and Pensions.

EC-6925. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Pre-market Approval of Pediatric Uses of Devices—Fiscal Year 2014"; to the Committee on Health, Education, Labor, and Pensions.

EC-6926. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins—Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins" (RIN0920-AA64) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6927. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the semi-annual reports of the Attorney General relative to enforcement actions taken by the Department of Justice under the Lobbying Disclosure Act for the period from July 1, 2015, through December 31, 2015; to the Committees on Homeland Security and Governmental Affairs; and the Judiciary.

EC-6928. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2017, received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6929. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Interpretation, Exemptions and Waiver Guidance Concerning 18 U.S.C. 208 (Acts Affecting A Personal Financial Interest); Amendment to Definition of 'Employee'" (RIN3209-AA09) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6930. A communication from the Deputy Secretary of Labor, transmitting, pursuant to law, the report of a rule entitled "Guidance for Executive Order 13673, 'Fair Pay and Safe Workplaces'" (RIN1290-ZA02) received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6931. A communication from the Principal Deputy Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, a report relative to an order that would cancel debts assessed against the Yakama Nation; to the Committee on Indian Affairs.

EC-6932. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to settlements and consent decrees and orders; to the Committee on the Judiciary.

EC-6933. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to

settlements and consent decrees and orders; to the Committee on the Judiciary.

EC-6934. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of PB-22, 5F-PB-22, AB-FUBINACA and ADB-PINACA into Schedule I" (Docket No. DEA-433) received in the Office of the President of the Senate on September 6, 2016; to the Committee on the Judiciary.

EC-6935. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Premerger Notification; Reporting and Waiting Period Requirements" (16 CFR Part 803) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on the Judiciary.

EC-6936. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Coming Into Focus: The Future of Juvenile Justice Reform, 2014 Annual Report"; to the Committee on the Judiciary.

EC-6937. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections Relating to Issuance of Notices to Appear, Warrants of Removal, Exercise of Power by Immigration Officers, and Standards for Enforcement Activities" (CBP Dec. 16-14) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on the Judiciary.

EC-6938. A communication from the Deputy General Counsel, Office of Government Contracting, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties Inflation Adjustments" (RIN3245-AG80) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Small Business and Entrepreneurship.

EC-6939. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the recommendations and underlying objectives offered by the Commission on Care, received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Veterans' Affairs.

EC-6940. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Telephone Enrollment in the VA Healthcare System" (RIN2900-AP68) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Veterans' Affairs.

EC-6941. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3696)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6942. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-4226)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6943. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8463)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6944. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5460)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6945. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5467)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6946. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3990)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6947. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3986)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6948. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6414)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6949. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1075)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6950. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6415)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6951. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3989)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6952. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8846)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6953. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-4221)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6954. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-0463)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6955. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3702)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6956. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8133)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6957. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9047)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6958. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8843)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6959. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7026)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6960. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7048)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6961. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; All Hot Air Balloons" ((RIN2120-AA64) (Docket No. FAA-2016-8989)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6962. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; All Hot Air Balloons" ((RIN2120-AA64) (Docket No. FAA-2016-8989)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6963. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Turboshaft Engines" ((RIN2120-AA64) (Docket No. FAA-2015-8257)) received in the Office of the President of the Senate on September 7, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6964. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines AG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-4123)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6965. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; RUAG Aerospace Services GmbH Airplanes" ((RIN2120-AA64) (Docket

No. FAA-2016-6983)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6966. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Textron Aviation, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8992)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6967. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2006-25513)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6968. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Great Egg Harbor Bay, Marmora, NJ" ((RIN1625-AA00) (Docket No. USCG-2016-0665)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6969. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dredging, Shark River, NJ" ((RIN1625-AA00) (Docket No. USCG-2016-0824)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6970. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Caribbean Fantasy, Vessel on Fire; Punta Salinas, Toa Baja, Puerto Rico" ((RIN1625-AA00) (Docket No. USCG-2016-0832)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6971. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Kailua Bay, Oahu, HI" ((RIN1625-AA87) (Docket No. USCG-2015-1030)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6972. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; U.S. Navy/U.S. Coast Guard Assets Demonstration in Conjunction with Fleet Week San Diego, San Diego Bay; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0756)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6973. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, St.

Louis, MO" ((RIN1625-AA00) (Docket No. USCG-2016-0689)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6974. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port Huron Float-Down, St. Clair River, Port Huron, MI" ((RIN1625-AA00) (Docket No. USCG-2016-0751)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6975. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ" ((RIN1625-AA09) (Docket No. USCG-2016-0173)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6976. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Portsmouth Naval Shipyard, Kittery, ME and Portsmouth, NH" ((RIN1625-AA09) (Docket No. USCG-2016-0513)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6977. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure on Purse Seine Fishery in the ELAPS in 2016" (RIN0648-XE741) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6978. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE725) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6979. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction" (RIN0648-XE824) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6980. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XE782) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6981. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska" (RIN0648-XE772) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6982. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE833) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6983. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Slaton, TX" ((RIN2120-AA66) (Docket No. FAA-2016-3785)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6984. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Dupree, SD" ((RIN2120-AA66) (Docket No. FAA-2015-3599)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6985. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (76); Amdt. No. 3709" (RIN2120-AA65) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6986. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (15); Amdt. No. 3708" (RIN2120-AA65) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6987. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (112); Amdt. No. 3707" (RIN2120-AA65) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6988. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-

off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (86); Amdt. No. 3710" (RIN2120-AA65) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6989. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 528" (RIN2120-AA63) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6990. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Energy Labeling Rule" (RIN3084-AB15) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6991. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Rules, Regulations, Statements of General Policy or Interpretation and Exemptions Under the Fair Packaging and Labeling Act" (RIN3084-AB33) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6992. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Public Transportation Safety Program" (RIN2132-AB22) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6993. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Reciprocal Waivers of Claims for Licensed or Permitted Launch and Reentry Activities" ((RIN2120-AK44) (Docket No. FAA-2014-1012)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6994. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "System Safety Program" (RIN2130-AC31) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6995. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "MU-2B Series Airplane Training Requirements Update" ((RIN2120-AK63) (Docket No. FAA-2006-24981)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6996. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reclassi-

fication of Specially Denatured Spirits and Completely Denatured Alcohol Formulas and Related Amendments" (RIN1513-AB59) received in the Office of the President of the Senate on September 8, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6997. A communication from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rates for Interstate Inmate Calling Services" ((FCC 16-102) (WC Docket No. 12-375)) received in the Office of the President of the Senate on September 13, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6998. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Year 2016" ((FCC 16-121) (MD Docket No. 16-166)) received in the Office of the President of the Senate on September 12, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6999. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chesapeake Bay, Hampton, VA" ((RIN1625-AA00) (Docket No. USCG-2016-0371)) received in the Office of the President of the Senate on September 14, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-205. A petition from a citizen of the Commonwealth of Kentucky relative to veterans' benefits; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, with an amendment in the nature of a substitute:

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 3351. A bill to prohibit certain transfers of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to prohibit funds from being made available for the closure of that Naval Station, and for other purposes; to the Committee on Armed Services.

By Mr. RUBIO:

S. 3352. A bill to amend the Higher Education Act of 1965 to provide student loan deferment for victims of terrorist attacks; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURPHY (for himself, Mrs. CAPITO, Mrs. MURRAY, and Mr. ALEXANDER):

S. Res. 570. A resolution recognizing the importance of substance abuse disorder treatment and recovery in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN:

S. Res. 571. A resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who had been captured near Wereth, Belgium, during the Battle of the Bulge on December 17, 1944; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 241

At the request of Mr. TESTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 241, a bill to amend title 38, United States Code, to provide for the payment of temporary compensation to a surviving spouse of a veteran upon the death of the veteran, and for other purposes.

S. 391

At the request of Mr. PAUL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1604

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1604, a bill to establish the Transition to Independence Medicaid Buy-In Option demonstration program.

S. 1651

At the request of Mr. BROWN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1651, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1679

At the request of Mr. HELLER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1679, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 1766

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1858

At the request of Mr. MERKLEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1858, a bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes.

S. 2253

At the request of Mr. BLUMENTHAL, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2268

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2268, a bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2541

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2541, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act to further the conservation of prohibited wildlife species.

S. 2748

At the request of Ms. BALDWIN, the names of the Senator from Maine (Mr. KING) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2748, a bill to amend the Public Health Service Act to increase the number of permanent faculty in

palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2799

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2799, a bill to require the Secretary of Health and Human Services to develop a voluntary patient registry to collect data on cancer incidence among firefighters.

S. 2895

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. MARKEY), the Senator from Washington (Mrs. MURRAY) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 2895, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2953

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2953, a bill to promote patient-centered care and accountability at the Indian Health Service, and for other purposes.

S. 2999

At the request of Mr. DAINES, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2999, a bill to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba.

S. 3065

At the request of Mr. WYDEN, the names of the Senator from Virginia (Mr. WARNER), the Senator from Michigan (Mr. PETERS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3183

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3183, a bill to prohibit the circumvention of control measures

used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

S. 3188

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 3188, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for biodiesel.

S. 3198

At the request of Mr. HATCH, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3217

At the request of Mr. INHOFE, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 3217, a bill to amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers.

S. 3296

At the request of Mr. MCCAIN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3330

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3330, a bill to reduce the benefits of employees of the Department of Veterans Affairs who are medical professionals and were convicted of violent crimes against veterans, and for other purposes.

S. 3335

At the request of Ms. BALDWIN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3335, a bill to require reporting regarding certain drug price increases, and for other purposes.

S. 3346

At the request of Mr. CRUZ, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 3346, a bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

S. RES. 432

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cospon-

sor of S. Res. 432, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 527

At the request of Mr. UDALL, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Massachusetts (Ms. WARREN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Mississippi (Mr. COCHRAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 527, a resolution recognizing the 75th anniversary of the opening of the National Gallery of Art.

S. RES. 564

At the request of Mr. CARDIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 564, a resolution condemning North Korea's fifth nuclear test on September 9, 2016.

S. RES. 565

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 565, a resolution designating the week beginning September 12, 2016, as "National Hispanic-Serving Institutions Week".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 570—RECOGNIZING THE IMPORTANCE OF SUBSTANCE ABUSE DISORDER TREATMENT AND RECOVERY IN THE UNITED STATES

Mr. MURPHY (for himself, Mrs. CAPITO, Mrs. MURRAY, and Mr. ALEXANDER) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 570

Whereas National Alcohol and Drug Addiction Recovery Month is observed in September of 2016;

Whereas, in 2015, an estimated 17,000,000 individuals in the United States were dependent on, or abused, alcohol;

Whereas substance use disorders are a serious public health threat in the United States, and are associated with—

- (1) mental and physical health conditions;
- (2) lower educational attainment;
- (3) underemployment or unemployment;
- (4) involvement with the criminal justice system;
- (5) victimization and perpetration of violence; and
- (6) homelessness;

Whereas, in 2014, 9.4 percent of adolescents in the United States used illicit drugs during the month before being surveyed;

Whereas young adults between the ages of 18 and 25 have higher rates of alcohol dependence and abuse and illicit substance dependence and abuse as compared to other age groups;

Whereas the rates of alcohol dependence or abuse and illicit substance dependence or abuse are higher among individuals—

(1) without health insurance;

(2) living in households with incomes less than 100 percent of the Federal poverty level; and

(3) living in metropolitan areas;

Whereas 90 percent of individuals with alcohol dependence or abuse do not receive, or perceive a need for, treatment for their alcohol use;

Whereas the most recent epidemic of substance use disorders relates to prescription opioids and heroin, and approximately 600 individuals begin using heroin each day;

Whereas overdose deaths from opioids have nearly quadrupled since 1999;

Whereas drug-related suicide attempts leading to emergency department visits have increased by 51 percent since 2005;

Whereas 23,500,000 individuals in the United States are in recovery from substance use disorders;

Whereas the stigma associated with substance use disorders is an additional barrier to people of the United States who strive toward recovery every day;

Whereas substance use treatment has been shown to be effective in reducing substance use, and can produce positive outcomes for individuals; and

Whereas there is a nationwide need for—

(1) increased education regarding substance use;

(2) increased access to substance use treatment; and

(3) increased attention to reducing substance use stigma; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of National Alcohol and Drug Addiction Recovery Month;

(2) affirms the continued need of the United States to provide resources for substance use education, treatment, and research; and

(3) honors the significant achievements of people of the United States who are in recovery from substance use disorders.

SENATE RESOLUTION 571—PROVIDING OFFICIAL RECOGNITION OF THE MASSACRE OF 11 AFRICAN-AMERICAN SOLDIERS OF THE 333RD FIELD ARTILLERY BATTALION OF THE UNITED STATES ARMY WHO HAD BEEN CAPTURED NEAR WERETH, BELGIUM, DURING THE BATTLE OF THE BULGE ON DECEMBER 17, 1944

Mr. MANCHIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 571

Whereas, during the Battle of the Bulge in Belgium in December 1944, elements of the 333rd Field Artillery Battalion, an African-American unit, were among the units of the United States Army overrun in the initial German attack;

Whereas 11 soldiers from different batteries of the 333rd Field Artillery Battalion attempted to escape capture and return to the lines of the United States;

Whereas the 11 soldiers were Curtis Adams of South Carolina, Mager Bradley of Mississippi, George Davis, Jr. of Alabama, Thomas Forte of Mississippi, Robert Green of Georgia, James Leatherwood of Mississippi, Nathaniel Moss of Texas, George

Motten of Texas, William Pritchett of Alabama, James Stewart of West Virginia, and Due Turner of Arkansas;

Whereas the 11 soldiers were captured by a German patrol composed of SS soldiers, who, after dark, marched the unarmed soldiers to a nearby field and massacred them;

Whereas the massacre of the 11 African-American soldiers of the 333rd Field Artillery Battalion in Wereth remains unknown to the vast majority of the people of the United States; and

Whereas, in 2004, a permanent monument was dedicated in Wereth to the 11 African-American soldiers of the 333rd Field Artillery Battalion who lost their lives in Wereth during the Battle of the Bulge in an effort to defeat fascism and defend freedom: Now, therefore, be it

Resolved, That the Senate officially recognizes the dedicated service and ultimate sacrifice on behalf of the United States of the 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who were massacred in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ISAKSON. Mr. President, I have one request for a committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 19, 2016, at 5 p.m., to hold a classified briefing entitled "Assessing the Recent North Korea Nuclear Event, Missile Tests and Regional Dynamics."

WEST LOS ANGELES LEASING ACT OF 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5936, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5936) to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

The Chair hears none.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5936) was passed.

Mr. McCONNELL. I further ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

KOREAN WAR VETERANS MEMORIAL WALL OF REMEMBRANCE ACT OF 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 572, H.R. 1475.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1475) to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Korean War Veterans Memorial Wall of Remembrance Act".

SEC. 2. WALL OF REMEMBRANCE.

(a) AUTHORIZATION.—

(1) *IN GENERAL.*—Notwithstanding section 8908(c) of title 40, United States Code, the Korean War Veterans Memorial Foundation, Inc., may construct a Wall of Remembrance at the site of the Korean War Veterans Memorial.

(2) REQUIREMENT.—

(A) *IN GENERAL.*—The Wall of Remembrance shall include a list of names of members of the Armed Forces of the United States who died in the Korean War, as determined by the Secretary of Defense, in accordance with subparagraph (B).

(B) *CRITERIA; SUBMISSION TO THE SECRETARY OF THE INTERIOR.*—The Secretary of Defense shall—

(i) establish eligibility criteria for the inclusion of names on the Wall of Remembrance under subparagraph (A); and

(ii) provide to the Secretary of the Interior a final list of names for inclusion on the Wall of Remembrance under subparagraph (A) that meet the criteria established under clause (i).

(3) *ADDITIONAL INFORMATION.*—The Wall of Remembrance may include other information about the Korean War, including the number of members of the Armed Forces of the United States, the Korean Augmentation to the United States Army, the Republic of Korea Armed Forces, and the other nations of the United Nations Command who, in regards to the Korean War—

(A) were killed in action;

(B) were wounded in action;

(C) are listed as missing in action; or

(D) were prisoners of war.

(b) *COMMEMORATIVE WORKS ACT.*—Except as provided in subsection (a)(1), chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act"), shall apply.

(c) *NO FEDERAL FUNDS.*—No Federal funds may be used to construct the Wall of Remembrance.

Mr. McCONNELL. I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1475), as amended, was passed.

Mr. CARDIN. Mr. President, I want to applaud Senate passage of H.R. 1475, the Korean War Veterans Memorial Act, which is the House companion to the bill I introduced with Senator BOOZMAN, S. 1982. This legislation honors Americans who died during the Korean war by adding a wall of remembrance to the Korean War Veterans Memorial without the use of public funds.

The Korean war, often referred to as the Forgotten War, began on June 25, 1950, when the Democratic People's Republic of Korea launched a surprise attack on the neighboring Republic of Korea. Against the expectations of the North Koreans and the Soviet Union, the United States immediately provided military support to South Korea, and the United Nations Security Council passed a resolution, UNSC resolution 82, demanding a North Korean withdrawal to the 38th Parallel. The conflict ended with the signing of an armistice on July 27, 1953. By the time this armistice was signed, 36,575 Americans had sacrificed their lives, 103,284 were wounded, 7,140 were captured, and 664 were missing.

To honor the Americans who served during the Korean war, Congress passed a law on October 28, 1986, authorizing the construction of a Korean War Veterans Memorial. This Korean War Veterans Memorial, however, does not honor the Americans who died during the war by displaying the names of the fallen.

The wall of remembrance H.R. 1475 authorizes will list the names of members of the Armed Forces of the United States who died in theater in the Korean war, as well as the number of servicemembers who were wounded in action, are listed as missing in action, or who were prisoners of war during the Korean war. The wall may also list the number of members of the Korean Augmentation to the U.S. Army, the Republic of Korea Armed Forces, and other nations of the United Nations Command who were killed in action, wounded in action, are listed as missing in action, or were prisoners of war.

Building a wall of remembrance to honor the 36,575 Americans who died in the Korean war would not deviate from the norm: many countries who fought in the war also honor their fallen, and the Vietnam Veterans Memorial Wall contains the name of Americans who died during that war. Korean war veterans' memorials that display the names of a nation's fallen soldiers can be found across the globe in the 22 UN coalition countries. The Republic of Korea even displays the personal names of the 36,575 Americans who died during the war. These names are etched on bronze tablets and listed by home State. The Vietnam Veterans Memorial's wall also lists the names of those who died in the theater of its respective war. It has also been augmented with the additions of the three-soldier sculpture and Nurse Memorial.

The addition of the wall of remembrance would also not cost any taxpayer dollars. Korean war veterans who have campaigned for this wall have also been raising money for the wall's construction. This legislation would not allow any Federal funds to be used for the construction of this wall. Construction, therefore, would be privately financed.

I want to thank Senator BOOZMAN and the other Senators who cosponsored S. 1982 and have helped me to pass this legislation. I also want to thank my colleagues in the House of Representatives—especially Representatives SAM JOHNSON, CHARLIE RANGEL, and JOHN CONYERS—for their service to our Nation during the Korean war and for their tireless efforts to honor their fellow servicemen and women. And finally, I want to thank the Korean War Veterans Memorial Foundation, Inc., for its support, on behalf of all Korean

war veterans, to build this wall. Authorizing the construction of a wall of remembrance is just one way we can help ensure that those who died while serving our country in the "Forgotten War" are no longer forgotten.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 114-215, the appointment of the following individual to serve as a member of the John F. Kennedy Centennial Commission: the Honorable EDWARD J. MARKEY of Massachusetts.

ORDERS FOR TUESDAY, SEPTEMBER 20, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 20; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 5325; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come be-

fore the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:29 p.m., adjourned until Tuesday, September 20, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

MARKOS KOUNALAKIS, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2017, VICE LYNDON L. OLSON, JR., TERM EXPIRED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

GAIL O'CONNOR MELLOW, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE ALBERT J. BEVERIDGE III, TERM EXPIRED.

DANA A. WILLIAMS, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE JOHN UNSWORTH, TERM EXPIRED.

EXPORT-IMPORT BANK OF THE UNITED STATES

CLAUDIA SLACIK, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2019, VICE PATRICIA M. LOUI, TERM EXPIRED.

DEPARTMENT OF STATE

TINA S. KAIDANOW, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS), VICE PUNEET TALWAR, RESIGNED.

JUSTIN H. SIBERELL, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE COORDINATOR FOR COUNTERTERRORISM, WITH THE RANK AND STATUS OF AMBASSADOR AT LARGE, VICE TINA S. KAIDANOW, RESIGNED.

OFFICE OF PERSONNEL MANAGEMENT

ELIZABETH A. FIELD, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT, VICE PATRICK E. MCFARLAND, RESIGNED.

HOUSE OF REPRESENTATIVES—Monday, September 19, 2016

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HOLDING).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 19, 2016.

I hereby appoint the Honorable GEORGE HOLDING to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Michael Wilker, Church of the Reformation, Washington, D.C., offered the following prayer:

God of earth and air, water and fire, height and depth, we pray for those who work in danger, who rush in to bring hope and help and comfort when others flee to safety, whose mission is to seek and save, serve and protect, and whose presence embodies the protection of the Good Shepherd.

Thank you for the first responders in each community including the United States Capitol Police. Give them caution and concern for one another, so that in safety they may do what must be done under Your watchful eye.

Support them in their courage and dedication that they may continue to save lives, ease pain, and mend the torn fabric of lives and social order.

In the spirit of justice, love, and humility we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 14, 2016.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: On September 14, 2016, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider 20 resolutions included in the General Services Administration's Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. Of the 20 resolutions considered, the four construction projects include federal court-houses consistent with existing funding, and the 16 lease prospectuses include significant reductions of leased space. In total, these resolutions represent \$154 million in avoided lease costs and offsets.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 14, 2016.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

LEASE—INTERNAL REVENUE SERVICE, AUSTIN, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 219,000 rentable square feet of space for the Department of the Treasury, Internal Revenue Service National Office currently located at 1821 Director's Boulevard in Austin, Texas at a proposed total annual cost of \$8,103,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 190 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 190 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
AUSTIN, TX**

Prospectus Number: PTX-01-AU17
Congressional District: 35

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 219,000 rentable square feet (RSF) of space for the Department of the Treasury - Internal Revenue Service (IRS) National Office, currently located in leased space at 1821 Director's Boulevard in Austin, TX.

The lease will provide continued housing for IRS and will improve office and overall space utilization rates (UR) from 129 to 125 usable square feet (USF) per person and from 197 to 190 USF per person, respectively.

Description

Occupant:	Internal Revenue Service
Current Rentable Square Feet (RSF)	206,000 (Current RSF/USF = 1.08)
Estimated Maximum RSF:	219,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	197
Estimated Usable Square Feet/Person:	190
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	4/30/18
Delineated Area:	Delineated area bounded by: North - E. Ben White Blvd South - E. William Cannon Dr. to McKinney Falls Pkwy to State Hwy 183 East - Hwy 183 West - I-35
Number of Official Parking Spaces:	0
Scoring:	Operating lease
Estimated Rental Rate ¹ :	\$37.00/RSF
Estimated Total Annual Cost ² :	\$8,103,000

¹ This estimate is for fiscal year 2017 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
AUSTIN, TX**

Prospectus Number: PTX-01-AU17
Congressional District: 35

Current Total Annual Cost:	\$4,422,000 (Lease effective 5/01/2008)
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Acquisition Strategy

In order to maximize the flexibility in acquiring space to house IRS, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

The IRS has a long-term need for space in southeast Austin to meet the agency mission of providing toll-free tax assistance, collection services, and post-processing compliance examinations of individual tax returns, and has a need to remain near the main IRS Submission Processing Campus and other nearby IRS facilities located in Austin.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
AUSTIN, TX**

Prospectus Number: PTX-01-AU17

Congressional District: 35

Interim Leasing


GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

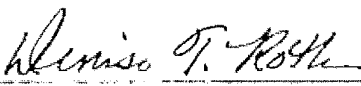
The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 25, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—INTERNAL REVENUE SERVICE, FRESNO,
CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 196,000 rentable square feet of space, including 800 parking spaces, for the Department of the Treasury, Internal Revenue Service currently located at 855 M Street and 1325 Broadway Street in Fresno, California at a proposed total annual cost of \$6,860,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 129 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included the prospectus that would result in an overall utilization rate of 129 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA**PBS**

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
FRESNO, CA**

Prospectus Number: PCA-01-FR17
Congressional District: 16

Executive Summary

The U.S. General Services Administration (GSA) proposes a lease for approximately 196,000 rentable square feet (RSF) of space to house support activities for the Department of the Treasury - Internal Revenue Service (IRS), Compliance Services and Identity Theft Divisions, currently located at 855 M Street and 1325 Broadway Street in Fresno, CA.

The proposed lease will enable the IRS to provide continued housing, as well as provide more modern, streamlined, and efficient operations for these divisions. It will improve space utilization, as the office utilization rate will improve from 89 to 70 usable square feet (USF) per person, and the overall utilization rate from 164 to 129 USF per person, resulting in the IRS being housed in approximately 34,422 RSF less space than it has at the current locations to be replaced. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be \$8,064,770 per year.

Description

Occupant:	Internal Revenue Service
Current Rentable Square Feet (RSF)	230,422 (Current RSF/USF = 1.06)
Estimated Maximum RSF:	196,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	34,422 (Reduction)
Current Usable Square Feet/Person:	164
Estimated Usable Square Feet/Person:	129
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Lease:	11/30/2018 and 10/03/2018
Delineated Area:	City of Fresno CBA – North: Divisadero Street South: Highway CA-41 East: R Street West: H Street to Stanislaus Street to Highway CA-99
Number of Parking Spaces ¹ :	800
Scoring:	Operating lease
Estimated Rental Rate ² :	\$35.00 / RSF

¹The parking requirement includes 799 parking spaces for IRS employees due to shift work at this location.

²This estimate is for fiscal year 2017 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement

GSAPBS

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
FRESNO, CA**

Prospectus Number: PCA-01-FR17
Congressional District: 16

Estimated Total Annual Cost ³ :	\$6,860,000
Current Total Annual Cost:	\$8,372,946 (Leases effective 12/01/2003 and 10/04/2003)

Justification

The proposed lease will house the Compliance Services Division and the recently created Identity Theft Division whose functions include Automated Underreporting and the Automated Collection System (ACS) Call Site. The new Identity Theft Division will benefit from the co-location of meeting, training and support services used to support the IRS's critical annual processing and enforcement efforts. Consistent with the goals of IRS's Fresno Campus Master Plan, this consolidation allows the IRS to operate efficiently, have space flexibility that will accommodate its changing operational needs, optimize use of space, and reduce the overall cost of operations.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
INTERNAL REVENUE SERVICE
FRESNO, CA**

Prospectus Number: PCA-01-FR17
Congressional District: 16

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 29, 2016

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

November 2015

**Housing Plan
Internal Revenue Service**

PCA-01-FR17
Fresno, CA

Leased Locations	CURRENT						ESTIMATED/PROPOSED					
	Personnel		Usable Square Feet (USF) ¹				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1325 Broadway	1,078	1,078	118,868	-	52,340	171,208						
855 M Street	393	393	31,925		14,246	46,171						
Estimated/Proposed Lease							1,326	1,326		118,239	-	52,761
Total	1,326	1,326	150,793	-	66,586	217,379	1,326	1,326	118,239	-	52,761	171,000

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	89	70

UR=average amount of office space per person
Current UR³ excludes 33,174 sq ft of office support space
Proposed UR excludes 26,013 sq ft of office support space

Overall UR ⁴		
Rate	Current	Proposed
	164	129

R/U Factor ⁵			
	Total USF	RSF/USF	Max RSF
Current	217,379	1.06	230,422
Estimated/Proposed	171,060	1.15	196,000

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

This facility houses employees that work in two or more shifts. The current and proposed population reflects the maximum employees in any one shift. A total of 1471 employees are currently assigned to this location.

Special Space		USF
Break Rooms		3,200
Storage		10,240
File Room		11,760
Conference / Training Rooms		18,977
Health Unit		766
Cafeteria		4,218
Telephone Closets/Room		3,600
Total		52,761

COMMITTEE RESOLUTION

LEASE—U.S. INTERNATIONAL TRADE
COMMISSION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 207,000 rentable square feet of space, including 2 official parking spaces, for the U.S. International Trade Commission currently located at 500 E Street, SW in Washington, D.C. at a proposed total annual cost of \$9,315,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 343 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 343 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – LEASE
U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

Prospectus Number PDC-03-WA16

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 207,000 rentable square feet (rsf) for the U.S. International Trade Commission (ITC), currently located at 500 E Street, SW, Washington, DC.

The lease will provide continued housing for ITC and will maintain its existing office utilization rate of 157 usable square feet per person and an overall utilization rate of 343 square feet per person.

Description

Occupant:	U.S. International Trade Commission
Current Rentable Square Feet (RSF)	207,000 (Current RSF/USF = 1.17)
Estimated Maximum RSF:	207,000 (Proposed RSF/USF = 1.17)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	343
Estimated Usable Square Feet/Person:	343
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	8/10/2017
Delineated Area:	Washington, DC bounded by - North: L Street, NW over to Massachusetts Avenue, NW over to North Capitol Street South: Southwest Freeway East: North and South Capitol Streets West: 15 th Street, SW/NW
Number of Official Parking Spaces:	2
Scoring:	Operating lease
Estimated Rental Rate ¹ :	\$45.00/ RSF
Estimated Total Annual Cost ² :	\$9,315,000
Current Total Annual Cost:	\$8,750,447 (Lease effective 8/09/1997)

¹This estimate is for fiscal year 2017 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

Prospectus Number PDC-03-WA16

Background

ITC is an independent, quasi-judicial Federal agency with broad investigative responsibilities on matters of trade. The agency investigates the effects of dumped and subsidized imports on domestic industries and conducts global safeguard investigations. The Commission also adjudicates cases involving imports that infringe on intellectual property rights. Through such proceedings, the agency facilitates a rules-based international trading system. ITC also serves as a Federal resource where trade data and other trade policy-related information is gathered and analyzed. The information and analysis is provided to the President, the Office of the United States Trade Representative (USTR) and Congress to facilitate the development of sound and informed U.S. trade policy. ITC makes most of its information and analysis available to the public to promote understanding of international trade issues.

Justification

ITC is currently housed at 500 E Street, SW, in Washington, DC. The current lease expires on August 10, 2017, and ITC requires continued housing for 517 personnel currently working in this location to carry out its mission. The current lease includes a Public Courtroom Complex including a Main Hearing Room and three courtrooms. This Complex provides the necessary space for hearing claims of unfair trade from domestic industries and adjudicating patent infringement and intellectual property claims brought by intellectual property owners.

GSA will consider whether ITC's continued housing needs should be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, a cost-benefit analysis will be conducted to determine whether the Government can expect to recover the relocation and duplication costs of the real and personal property needed for ITC to accomplish its mission. The future lease will maintain ITC's existing office and overall utilization rates.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

GSAPBS

**PROSPECTUS – LEASE
U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

Prospectus Number PDC-03-WA16

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 20, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

PDC-03-WA16
Washington, DC

Housing Plan
International Trade Commission

February 2016

Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Storage	Special
500 E Street, SW	517	517	104,318	2,911		177,544		
Estimated/Proposed Lease					517	517	104,318	70,315
Total	517	517	104,318	2,911	517	517	104,318	70,315
								177,544

Special Space		USF
Active Record Management		3,177
ADP/Computer Room		3,734
Training Rooms		1,008
Conference Rooms		10,929
Public Courtrooms		23,288
Food Service		1,648
Law Libraries		12,670
Locker Room		746
Mail Room		1,056
SCIF		3,931
Coat Closet		220
Lactation Room		150
Union Office		753
Print Shop/Copy Room		7,005
Total		70,315

Office Utilization Rate (UR) ²			
Rate	Current		Proposed
	157		157

UR = average amount of office space per person
Current UR excludes 22,392 usf of office support space
Proposed UR excludes 18,260 usf of office support space

Overall UR ³			
Rate	Current		Proposed
	343		343

R/U Factor ⁴			
Total USF	RSF/USF		Max. RSF
	177,544	1.17	207,000
Estimated/Proposed	177,544	1.17	207,000

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

² Calculation excludes Judiciary, Congress and agencies with less than 10 people

³ USF/Person = Excludes 23,288 usf Courtroom Complex

⁴ R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

NEW U.S. COURTHOUSE, DES MOINES, IOWA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of a new courthouse of approximately 229,000 gross square feet, including approximately 42 parking spaces, in Des Moines, Iowa at a site cost of \$6,000,000, a design cost of \$9,571,000, a total estimated con-

struction cost of \$114,969,000, and total management and inspection cost of \$6,062,000 at a total estimated project cost of \$136,602,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than nine courtrooms, including three for District Judges, two for Senior District Judges, two for Magistrate Judges and two for Bankruptcy Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16

Congressional District: 03

FY 2016 Project Summary

The U.S. General Services Administration (GSA) proposes the acquisition of a site and the design and construction of a new U.S. Courthouse of approximately 229,000 gross square feet (GSF), including 42 inside parking spaces, in Des Moines, IA. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies and the site will accommodate the anticipated 30-year needs of the court. The Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Des Moines, IA.

FY 2016 House and Senate Committee Approval Requested

(Site, Design, Construction, Management & Inspection).....\$136,602,000

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Site, Design, Construction, Management & Inspection).....\$136,602,000

Overview of Project

The courts and related agencies currently occupy space in the existing historic U.S. Courthouse in downtown Des Moines and in an adjacent leased Courthouse Annex. The new courthouse will consolidate all of the district court and court-related space into one facility, with the exception of the U.S. Department of Justice—Office of the U.S. Attorney, which will remain in leased space. The new courthouse will provide 9 courtrooms and 13 chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. The site for the new courthouse is still to be determined.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16

Congressional District: 03

Site Information

To Be Acquired.....3-5 acres

Building Area¹

Gross square feet (excluding inside parking)..... 210,000 GSF

Gross square feet (including inside parking) 229,000 GSF

Inside parking spaces42

Estimated Project Budget

Estimated Site\$6,000,000

Estimated Design\$9,571,000

Estimated Construction Cost (ECC) (\$502/GSF, including inside parking) ..\$114,969,000

Estimated Management and Inspection (M&I).....\$6,062,000

Estimated Total Project Cost (ETPC)*.....\$136,602,000²

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule**Start****End**

Design and Construction

FY 2016

FY 2022

Tenant Agencies

U.S. District Court, U.S. Court of Appeals, U.S. Probation Office, U.S. Pretrial Services, U.S. Bankruptcy Court, U.S. Department of Justice—Marshals Service, trial preparation space for both the Federal Public Defender and the Office of the U.S. Attorney, and GSA.

¹ Square footages and number of parking spaces are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

² As noted in the estimated project budget above, GSA identified sub-totals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ from what is represented in this prospectus by the various subcomponents.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16

Congressional District: 03

Justification

The existing U.S. Courthouse, constructed in 1929, does not meet the U.S. Courts Design Guide standards, does not provide for future expansion, and lacks adequate security. The existing prisoner sallyport and secured elevator provide access to only half of the courtrooms. Due to lack of available space in the U.S. Courthouse, several court functions and court-related agencies currently occupy space in the leased Courthouse Annex. The District court and Bankruptcy court operations are split between the two buildings, also causing a split of U.S. Marshals Service operations. In addition, secured parking is only available in the leased Courthouse Annex, across a parking lot from the U.S. Courthouse.

The new courthouse will allow for co-location of court operations, separate circulation for the public, judges, and prisoners, thereby improving security as well as efficiency of court operations. Relocation of agencies from leased space to the new courthouse will result in savings of approximately \$1,795,000 in future annual lease payments to the private sector.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	3	3	3	3
- Senior	1	5	2	4
- Visiting				1
Bankruptcy	2*	2*	2	2
Magistrate	2	2**	2	2**
Court of Appeals	0	1*	0	1
Total:	8	13	9	13

*The Court of Appeals and Bankruptcy judges are currently in the leased Courthouse Annex.

**In addition to the active Magistrate judges, a recalled Magistrate judge shares a courtroom and chambers.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16
Congressional District: 03

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Future of Existing Federal Building³

The Federal tenancy in Des Moines does not support the need for two courthouses; therefore, GSA will explore alternatives associated with the disposal of the existing courthouse. Some of these alternatives include donation or exchange.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
114-113*	2016	\$136,602,000	Site, Design, ECC, M&I
Appropriations to Date		\$136,602,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, Des Moines is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Des Moines is \$136,602,000.

Prior Committee Approvals

Prior Committee Approvals			
NONE			

³ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses (GAO-14-48).

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16

Congressional District: 03

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
114-113*	2016	\$136,602,000	Site, Design, ECC, M&I
Appropriations to Date		\$136,602,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, Des Moines is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Des Moines is \$136,602,000.

Prior Committee Approvals

Prior Committee Approvals			
NONE			

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
DES MOINES, IOWA**

Prospectus Number: PIA-CTC-DM16

Congressional District: 03

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on JUN 16 2016Recommended: 

Commissioner, Public Buildings Service

Approved: 

Administrator, General Services Administration

PIA-CTC-DM16
Des Moines, Iowa

Housing Plan
New U.S. Courthouse

May 2016

Locations	CURRENT			PROPOSED		
	Personnel		Usable Square Feet (USF) ¹	Personnel		Usable Square Feet (USF)
	Office	Total		Office	Total	
Government Owned Locations						
New U.S. Courthouse						
U.S. District Court (courtrooms/chambers)	-	-	-	21	21	3,174
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	8	8	482
U.S. Bankruptcy - Clerk	-	-	-	26	26	5,831
Circuit Libraries	-	-	-	2	2	663
U.S. District Court - Grand Jury	-	-	-	-	-	961
U.S. District Court - Magistrate	-	-	-	8	8	891
U.S. District Court - Clerk	-	-	-	39	39	12,478
U.S. Probation Office / U.S. Pretrial Services Office	-	-	-	53	53	11,262
DOJ - U.S. Marshals Service	-	-	-	46	46	5,789
U.S. Court of Appeals	-	-	-	6	6	121
Court of Appeals - Central Legal Staff	-	-	-	1	1	759
GSA Public Buildings Service, Field Offices	-	-	-	2	2	220
Federal Public Defender	-	-	-	-	-	430
DOJ - Office of the U.S. Attorney	-	-	-	-	-	1,500
Joint Use	-	-	-	-	-	880
Subtotal	-	-	-	212	212	44,460
Des Moines U.S. Courthouse, 121 East Walnut						
U.S. District Court (courtrooms/chambers)	19	19	20,623	-	-	-
U.S. District Court - Clerk	34	34	1,644	-	-	-
U.S. District Court - Magistrate	8	8	4,389	-	-	-
DOJ - U.S. Marshals Service	19	19	5,849	-	-	-
DOJ - Office of the U.S. Attorney	-	-	-	-	-	-
Federal Public Defender	-	-	-	-	-	-
Subtotal	80	80	32,505	-	-	-
Lease Locations						
New Lease						
DOJ - Office of the U.S. Attorney	-	-	-	53	53	25,159
Subtotal	-	-	-	53	53	25,159
Courthouse Annex						
DOJ - Office of the U.S. Attorney	53	53	25,159	-	-	-
U.S. Bankruptcy Court (courtrooms/chambers)	8	8	11,780	-	-	-
U.S. Bankruptcy - Clerk	26	26	15,520	-	-	-
Circuit Libraries	2	2	7,940	-	-	-
U.S. Court of Appeals	6	6	3,605	-	-	-
U.S. Probation Office / U.S. Pretrial Services	49	49	9,766	-	-	-
U.S. District Court - Clerk	2	2	866	-	-	-
DOJ - U.S. Marshals Service	22	22	8,548	-	-	-
Subtotal	168	168	83,184	-	-	-
Total	248	248	137,774	265	265	69,619
						165,693

Special Space	USF
Holding Cells	5,040
Sallyport	2,535
Physical Fitness	1,560
Restrooms	3,144
Conference Rooms	7,687
ADP	1,050
Courtrooms	31,674
Judicial Chambers	22,927
Food Service	2,225
Mail Room	1,012
Library	4,332
Total	83,186

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

COMMITTEE RESOLUTION

NEW U.S. COURTHOUSE, HARRISBURG, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of a new courthouse of approximately 243,000 gross square feet, including approximately 43 parking spaces, in Harrisburg, Pennsylvania at an additional design cost of \$5,336,000, a total estimated construction cost of \$155,353,000, and total esti-

mated management and inspection cost of \$7,755,000 at a total additional authorization of \$168,444,000 for a total estimated project cost, including prior authorizations, of \$194,444,000, for which a prospectus is attached to and included in this resolution. This resolution amends prior authorizations of July 24, 2002 and July 23, 2003.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements

adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than eight courtrooms, including three for District Judges, two for Senior District Judges, two for Magistrate Judges and one for Bankruptcy Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

Prospectus Number: PPA-CTC-HA16
Congressional District: 04

FY 2016 Project Summary

The General Services Administration (GSA) requests additional design funds in advance of construction of a new U.S. Courthouse of approximately 243,000 gross square feet (gsf), including 43 inside parking spaces, in Harrisburg, PA. The courthouse project that GSA proposes will construct a courthouse to meet the 10-year space needs of the court and court-related agencies, and the site will accommodate the anticipated 30-year needs of the court. The Judiciary’s Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Harrisburg, PA.

FY 2016 House and Senate Committee Approval Requested

(Additional Design, Management and Inspection, Construction).....\$168,444,000¹

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Additional Design, Construction).....\$29,510,000

Overview of Project

The courts and related agencies currently occupy space in the existing Ronald Reagan Federal Building in downtown Harrisburg. The new courthouse will provide 8 courtrooms and 11 chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. The site for the new courthouse is at Sixth and Reily Streets in the Midtown section of Harrisburg. Several parcels of the proposed site have already been purchased with prior funding.

¹ The estimated total project cost of \$194,444,000 includes \$26,000,000 funded in FY 2004 and additional design = \$5,336,000; a portion of the necessary construction = \$24,174,000 funded in FY 2016. The balance of the construction funding and management and inspection will be requested in a future fiscal year.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

Prospectus Number: PPA-CTC-HA16
Congressional District: 04

Site Information

Acquired..... Approximately 2.15 acres
To Be Acquired Approximately 1.85 acres

Building Area²

Gross square feet (excluding inside parking)..... 224,000 gsf
Gross square feet (including inside parking) 243,000 gsf
Inside parking spaces43

Estimated Project Budget

Site (FY 2004).....\$20,000,000
Design (FY 2004)\$6,000,000
Additional Design (FY 2016)\$5,336,000
Estimated Construction Cost (ECC) (\$502/gsf including inside parking)\$155,353,000
Estimated Management and Inspection (M&I).....\$7,755,000
Estimated Total Project Cost (ETPC)*.....\$194,444,000³

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

² Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

³ GSA requests approval for an estimated total project cost. The subtotals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ than what is represented in this prospectus by the various subcomponents.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

Prospectus Number: PPA-CTC-HA16

Congressional District: 04

<u>Schedule</u>	<u>Start*</u>	<u>End</u>
Design	FY 2016	FY 2018
Construction	TBD	TBD

*Design began in 2010 and proceeded to concepts. Design will restart upon approval of this prospectus.

Tenant Agencies

District Court, Court of Appeals, Probation Office, Bankruptcy Court, Department of Justice – Marshals Service, Department of Justice – Office of the U.S. Attorney, trial preparation space for the Federal Public Defender, and GSA.

Justification

The existing U.S. Courthouse, constructed in 1966, does not meet the United States Courts Design Guide standards, and lacks adequate security. The existing building configuration cannot provide secure travel for judges without traveling into common hallways. Due to lack of suitable expansion space in the Federal building, several courtrooms have been constructed with columns within the courtrooms, which blocks views of portions of some courtrooms.

The new courthouse will provide for a single location of court operations and separate circulation for the public, judges, and prisoners, thereby improving security as well as efficiency of court operations.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

Prospectus Number: PPA-CTC-HA16

Congressional District: 04

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
-Active	2	3	3	3
-Visiting	0	0	0	1
-Senior	2	2	2	4
Magistrate	1	2	2	2
Bankruptcy	1	1	1	1
Total:	6	8	8	11

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Future of Existing Federal Building⁴

The existing Ronald Reagan Federal Building will be transferred out of the federally owned inventory upon occupancy of the new courthouse. GSA intends to proceed with established disposal processes to transfer the property after the remaining Federal tenants are relocated from the building into leased space.

⁴ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses (GAO-14-48).

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

Prospectus Number: PPA-CTC-HA16
Congressional District: 04

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
108-199	2004	\$26,000,000	Site, Design
114-113*	2016	\$29,510,000	Additional Design, Construction
Appropriations to Date		\$55,510,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities (CPP) list, of which partial funding for Harrisburg is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 allocation for Harrisburg is \$29,510,000.

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
House T&I	7/24/2002	\$18,677,000	Site and Design for 227,136 gsf; 35 inside parking spaces
Senate EPW	9/26/2002	\$18,677,000	Site and Design for 227,136 gsf; 35 inside parking spaces
House T&I	7/23/2003	\$7,005,000	Additional Site and Design for 262,970 gsf; 40 inside parking spaces
Senate EPW	6/23/2004	\$7,005,000	Additional Site and Design for 262,970 gsf; 40 inside parking spaces
House Approvals to Date		\$25,682,000	
Senate Approvals to Date		\$25,682,000	

GSAPBS


**PROSPECTUS
NEW U.S. COURTHOUSE
HARRISBURG, PA**

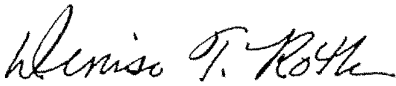
Prospectus Number: PPA-CTC-HA16

Congressional District: 04

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016Recommended: 

Commissioner, Public Buildings ServiceApproved: 

Administrator, General Services Administration

PPA-CTC-HA16
Harrisburg, PA

Housing Plan
New U.S. Courthouse

August 2016

Locations	CURRENT			PROPOSED		
	Personnel	Usable Square Feet (USF)		Personnel	Usable Square Feet (USF)	
	Office	Total	Office	Office	Storage	Total
New U.S. Courthouse						
U.S. District Court (courtrooms/chambers)	-	-	-	13	3,773	42,374
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	2	422	4,831
U.S. Bankruptcy - Clerk	-	-	-	16	7,426	7,426
Circuit Libraries	-	-	-	2	-	5,503
U.S. District Court - Grand Jury	-	-	-	-	-	1,433
U.S. District Court - Magistrate	-	-	-	4	2,168	11,831
U.S. District Court - Clerk	-	-	-	24	17,622	17,622
U.S. Probation Office	-	-	-	25	7,468	7,468
DOJ - U.S. Marshals Service	-	-	-	52	10,205	5,809
GSA Public Buildings Service, Field Offices	-	-	-	10	2,624	16,014
DOJ - Office of the U.S. Attorney	-	-	-	50	17,100	2,624
Federal Public Defender	-	-	-	-	450	17,100
DOJ - Office of U.S. Trustees	-	-	-	10	5,869	450
Joint Use	-	-	-	-	-	5,869
Subtotal	-	-	-	208	75,127	5,002
						149,742
Ronald Reagan Federal Building						
U.S. District Court (courtrooms/chambers)	13	13	4,001	-	-	-
U.S. Bankruptcy Court (courtrooms/chambers)	2	2	585	-	-	-
U.S. Bankruptcy - Clerk	15	15	5,800	-	-	-
Circuit Libraries	2	2	3,639	-	-	-
U.S. District Court - Grand Jury	-	-	817	-	-	-
U.S. District Court - Magistrate	4	4	654	-	-	-
U.S. District Court - Clerk	24	24	7,972	-	-	-
U.S. Probation Office	25	25	7,984	-	-	-
DOJ - U.S. Marshals Service	50	50	8,292	-	-	-
GSA Public Buildings Service, Field Offices	10	10	2,345	-	-	-
DOJ - Office of the U.S. Attorney	50	50	15,064	-	-	-
DOJ - Office of U.S. Trustees	10	10	5,278	-	-	-
Other Federal Executive Agencies*	117	117	40,620	-	-	-
Joint Use	-	-	335	-	-	-
Vacant	-	-	334	-	-	-
Subtotal	322	322	103,920	117	52,425	161,948
New Lease*	-	-	-	-	-	-
Total	322	322	103,920	208	75,127	149,742

* GSA to work with Federal Executive agencies to define requirements

Special Space	USF
Holding Cells	2,415
Sallyport/Elevator	1,050
Restrooms	480
Mailroom	1,853
Detention/Interview	2,344
Courrooms	26,553
Judicial Chambers	31,068
Food Service/Vending	3,349
Library	5,503
Total	74,615

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

COMMITTEE RESOLUTION

NEW U.S. COURTHOUSE ANNEX ALTERATION—
TOMOCHICHI FEDERAL BUILDING & COURT-
HOUSE, SAVANNAH, GA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of an annex of approximately 46,000 gross square feet, including approximately 25 parking spaces, in Savannah, Georgia at a site and design cost of \$3,907,000, a total estimated construction cost of \$21,502,000, and total management and inspection cost of \$2,418,000 (minus prior authorizations of \$8,026,000) at a total addi-

tional authorization of \$19,801,000 for a total estimated project cost, including prior authorizations, of \$27,827,000 and the repair and alteration of the Tomochichi Federal Building and Courthouse located at 125 Bull Street in Savannah, Georgia, at a design cost of \$4,380,000, a total estimated construction cost of \$68,700,000, and total management and inspection cost of \$2,619,000 at a total estimated project cost of \$75,699,000, for which a prospectus is attached to and included in this resolution. This resolution amends prior authorizations of May 17, 1994, July 23, 2003, and November 5, 2009 and rescinds prior authorizations in the amount of \$51,254,000.

Provided, that the Administrator of General Services shall ensure that construction

of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse annex and renovation of the existing courthouse, combined, contain no more than four courtrooms, including one for District Judges, one for Senior District Judges, one for Magistrate Judges and one for Bankruptcy Judges.

Provided further, that the design of the new courthouse annex shall not deviate from the U.S. Courts Design Guide.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16
Congressional District: 1

FY 2016 Project Summary

The General Services Administration (GSA) proposes design and construction of an annex of approximately 46,000 gross square feet, including 25 inside parking spaces, and repair and alteration of the Tomochichi Federal Building and Courthouse (FB-CT) at 125 Bull Street in Savannah, GA. The project will meet the 10-year space needs of the court and court-related agencies, and the structure/site will allow for expansion to meet the anticipated 30-year needs of the court. The Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Savannah, GA.

Through Public Law 111-117 (FY 2010), Congress appropriated \$7,900,000 for re-design of a new courthouse in Savannah to house the long-term needs of the U.S. District Court. GSA, in collaboration with the court, has determined that alteration of the Tomochichi FB-CT, in conjunction with the construction of a new courthouse annex, can meet the space requirements of the district and bankruptcy courts with the application of the Judiciary's courtroom sharing policies and allowing for the continued occupation of the historic Tomochichi FB-CT.

FY 2016 Committee Approval Requested

(Annex – Design, Construction, Management & Inspection)	\$19,801,000
(Tomochichi FB-CT- Design, Construction, Management & Inspection)	<u>\$75,699,000</u>
(Design, Construction, Management & Inspection)	<u>\$95,500,000¹</u>

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Design, Construction, Management & Inspection)	\$95,500,000
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¹ Previous approvals for a courthouse project in Savannah included a different scope. Approval requested in this prospectus is for the new scope and funding including both construction of a new annex and renovation of the Tomochichi FB-CT.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16
Congressional District: 1

Overview of Project

The 1899 Tomochichi FB-CT building is listed in the National Register of Historic Places. The building consists of four courtrooms (two district, one magistrate, and one bankruptcy). The major tenants in the building are the U.S. District and Bankruptcy Courts. GSA will modernize the Tomochichi FB-CT in conjunction with the construction of a new courthouse annex to meet the Judiciary's current and anticipated long-term needs in Savannah.

The proposed project includes demolishing two federally owned buildings in GSA's portfolio (Juliette Gordon Low Federal Buildings A & B), which are located on a site adjacent to the Tomochichi FB-CT, and new construction of the courthouse annex on the site of the demolished buildings. The new courthouse annex will include space for one bankruptcy courtroom and chambers, a Bankruptcy Clerk, and the U.S. Probation Office.

Renovation of the Tomochichi FB-CT will include interior construction for buildout of tenant space for court and related agencies, and common area finishes. In addition, the renovation will address several critical building needs, focusing on replacement or refurbishment of the building's major systems, including: plumbing; electrical; heating, ventilating, and air conditioning (HVAC); elevator; and fire protection systems, which all require extensive replacement or refurbishment due to their age and lack of energy efficiency. The project will also offer the opportunity to prepare vacant space for backfill with agencies currently in leased locations.

The new courthouse annex and renovated Tomochichi FB-CT will together provide four courtrooms and five chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. When complete, the new annex and renovation of the Tomochichi FB-CT will provide for the 10-year space requirements, and the structures/site will allow for expansion to meet the anticipated 30-year needs of the U.S. District and Bankruptcy Courts in Savannah.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16

Congressional District: 1

Site Information

Government-Owned.....Approximately 1.4 acres

Annex Building Area²

Gross square footage (excluding inside parking) 35,000

Gross square footage (including inside parking) 46,000

Inside parking spaces.....25

Tomochichi FB-CT Building Area

Gross square footage128,061

Estimated Project Budget**Site Funding to Date**

Site (FY 1995 & FY 1996)\$3,211,000

Reprogram (FY 2000).....(~~\$800,000~~)

Total Site Balance Remaining.....\$2,411,000

Design Funding to Date

Design (FY 1995 & FY 2010)\$10,286,000

Expended Design(~~\$4,671,000~~)

Total Design Balance Remaining\$5,615,000

Total Site and Design Balance Remaining.....\$8,026,000**Tomochichi FB-CT Estimated Project Cost**

Estimated Design\$4,380,000

Estimated Construction Cost\$68,700,000

Estimated Management and Inspection\$2,619,000

Estimated Total Project Cost (Tomochichi FB-CT).....\$75,699,000

New Annex Estimated Project Cost

Estimated Site\$1,500,000

² Square footages and number of parking space are approximate. The actual project may contain a variance in gross square footage from that listed in this prospectus

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16
Congressional District: 1

Estimated Design	\$2,407,000
Estimated Construction Cost (\$467/gsf, including inside parking).....	\$21,502,000
Estimated Management and Inspection	\$2,418,000
Estimated Total Project Cost (New Annex)	\$27,827,000
Total Site and Design Funding Balance Remaining	(\$8,026,000)
FY 2016 Need (Annex).....	\$19,801,000

Estimated Total Project Cost (ETPC)* \$108,197,000³

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design and Construction (Annex/R&A)	FY 2016	FY 2022

Tenant Agencies

U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office, U.S. Department of Justice – Marshals Service, trial preparation space for the U.S. Department of Justice – Office of the U.S. Attorney, and GSA.

Estimated Major Work Items (Tomochichi FB-CT)

Interior Construction	\$23,651,000
Superstructure/Exterior Construction	\$19,620,000
Plumbing Replacement	\$6,142,000
Electrical Replacement	\$5,545,000
HVAC Replacement	\$5,375,000
Elevator Replacement	\$4,065,000
Life Safety Upgrades	\$3,162,000
Site work	\$440,000
Demolition	\$550,000
Roof Replacement	\$150,000
Total ECC	\$68,700,000

³ ETPC = \$75,699,000 (Tomochichi FB-CT) + \$27,827,000 (Annex) + \$4,671,000 (Spent to Date). As noted in the estimated project budget above, GSA identified sub-totals comprising the estimated project budget that are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ from what is represented in this prospectus by the various subcomponents.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16

Congressional District: 1

Justification

The existing Tomochichi FB-CT is unable to meet the current and future requirements of the Judiciary. The current space and building infrastructure do not meet today's standards for security, operational functionality, accessibility, or environmental efficiency. The courthouse does not have secure circulation for judges or separate circulation for the public and prisoners. In addition, the building's systems are beyond their useful lives, do not comply with fire/life safety standards, and do not meet the Architectural Barriers Act Accessibility Standards.

Due to the age of the Tomochichi FB-CT, upgrades or replacement of major building systems, including plumbing, HVAC, electrical, and life safety, are needed to enable continued operation for the courts and to address energy efficiency. The addition of the annex will meet the long-term space needs of the courts, while also addressing the current security and circulation deficiencies.

Previously approved prospectuses for Savannah included construction of a larger new courthouse. Application of the Judiciary's courtroom sharing policies, limitation on the provision of space for projected judgeships, and continued use of the historic Tomochichi FB-CT, determined that the court's housing requirements can be accomplished in a smaller project. Together, the new annex and renovation of the Tomochichi FB-CT will improve security, create discrete circulation patterns, provide for future growth, and co-locate the court operations.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	2	1	1	1
- Senior	0	0	1	1
- Visiting	0	1	0	1
Magistrate	1	1	1	1
Bankruptcy	1*	1*	1*	1*
Total:	4	4	4	5

*In addition to the active Bankruptcy judge, a recalled Bankruptcy judge shares a courtroom and chambers.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16

Congressional District: 1

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
103-329	1995	\$3,000,000	Site
104-52	1996	\$2,597,000	Additional site and design
Reprogram	2000	(\$800,000)	Site
111-117	2010	\$7,900,000	Additional design
114-113*	2016	\$95,500,000	Design, ECC, M&I
Appropriations to Date		\$108,197,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, Savannah is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Savannah is \$95,500,000.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION – TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16

Congressional District: 1

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
Senate EPW	10/30/1992	\$3,200,000	Site acquisition
House T&I	5/17/1994	\$5,315,000	Site acquisition & Design for 186,567 gsf; 100 inside parking spaces
Senate EPW	5/26/1994	\$5,315,000	Site acquisition & Design for 233,626 gsf; 100 inside parking spaces
Senate EPW	9/23/1998	\$46,462,000	Additional Design, construction, M&I for 168,306 gsf
House T&I	7/23/2003	\$50,736,000	Additional Design, construction, M&I for 166,955 gsf
Senate EPW	9/13/2006	\$1,299,000	Additional Design for 166,955 gsf
House T&I	11/5/2009	\$7,900,000	Additional Design for 184,955 gsf
House Approvals to Date		\$63,951,000	
Senate Approvals to Date		\$56,276,000	

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - TOMOCHICHI FEDERAL BUILDING & COURTHOUSE
SAVANNAH, GA**

Prospectus Number: PGA-CTC-SA16
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

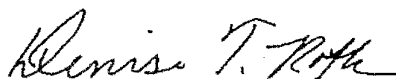
Submitted at Washington, DC, on June 16, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

PGA-CTC-SA16
Savannah, GA

Housing Plan
Tomochichi Federal Building and U.S. Courthouse
New U.S. Courthouse Annex

May 2016

Locations	CURRENT						PROPOSED					
	Personnel			Usable Square Feet (USF)			Personnel			Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Tomochichi Federal Building and U.S. Courthouse, 125 Bull Street												
U.S. Bankruptcy Judge (courtrooms/chambers)	6	6	759	-	3,675	4,434	-	-	-	-	-	-
U.S. Bankruptcy - Clerk	20	20	5,832	260	392	6,484	-	-	-	-	-	-
U.S. Probation / Pretrial Office	25	25	8,409	-	345	8,754	-	-	-	-	-	-
U.S. District Court (courtrooms & chambers)	8	8	11,569	517	6,934	19,020	8	8	-	-	16,211	16,211
U.S. District Court - Magistrate (courtrooms & chambers)	3	3	1,534	20	1,614	3,168	3	3	-	-	5,916	5,916
U.S. District Court - Clerk	24	24	10,303	441	955	11,699	30	30	11,626	-	1,319	12,945
Grand Jury	-	-	389	-	1,313	1,702	-	-	1,433	-	-	1,433
DOJ - Office of the U.S. Attorney	-	-	637	-	-	637	-	-	1,500	-	-	1,500
DOJ - U.S. Marshals Service	36	36	6,903	2,269	1,232	10,404	36	36	7,253	-	6,508	13,761
Potential Leases for Backfill	-	-	-	-	-	-	105	105	19,606	-	-	19,606
Joint Use	-	-	28	-	-	2,886	-	-	815	-	-	815
Vacant	-	-	-	2,999	-	2,999	-	-	-	-	-	-
Subtotal	122	122	46,363	6,506	19,318	72,187	182	182	42,233	-	29,954	72,187
New Stand-Alone Annex												
U.S. Bankruptcy Court (courtrooms & chambers)	-	-	-	-	-	-	6	6	-	-	5,253	5,253
U.S. Bankruptcy Court - Clerk	-	-	-	-	-	-	24	24	7,369	-	1,537	8,906
U.S. Probation Office/Pretrial Office	-	-	-	-	-	-	31	31	6,170	-	1,374	7,544
DOJ - U.S. Marshals Service (CSO)	-	-	-	-	-	-	2	2	250	-	-	250
GSA-Public Buildings Service	-	-	-	-	-	-	1	1	150	-	100	250
Joint Use	-	-	-	-	-	-	-	-	-	-	880	880
Subtotal	-	-	-	-	-	-	64	64	13,939	-	9,144	23,083
Potential Leases for Backfill	105	105	19,606	-	-	19,606	-	-	-	-	-	-
Total	227	227	65,969	6,506	19,318	91,793	246	246	56,172	-	39,098	95,270

Special Space	USF
Courtrooms	3,539
Judicial Chambers	1,664
Vault / Secure Storage	1,302
Mail Room	880
Conference / Training	700
ADP	609
Food Service	200
Restrooms	250
Total	9,144

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

COMMITTEE RESOLUTION
NEW U.S. COURTHOUSE, GREENVILLE,
MISSISSIPPI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for site acquisition and design and construction of a new courthouse of approximately 62,000 gross square feet, including approximately 17 parking spaces, in Greenville, Mississippi at

an estimated site cost of \$2,500,000, an estimated design cost of \$3,363,000, an estimated construction cost of \$31,164,000, an estimated management and inspection cost of \$3,075,000 for a total estimated project cost of \$40,102,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements

adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than two courtrooms, including one for District Judges and one for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, MISSISSIPPI**

Prospectus Number: PMS-CTC-GR16
Congressional District: 02

FY 2016 Project Summary

The General Services Administration (GSA) proposes the acquisition of a site, and the design and construction of a new U.S. Courthouse of approximately 62,000 gross square feet, including 17 inside parking spaces, in Greenville, MS. GSA will design and construct the courthouse to meet the 10-year space needs of the court and court-related agencies, and the site will also accommodate the anticipated 30-year needs of the court, which indicate no anticipated growth.

FY 2016 House and Senate Committee Approval Requested

(Site, Design, Construction, Management & Inspection).....\$40,102,000

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Site, Design, Construction, Management & Inspection).....\$40,102,000

Overview of Project

The courts and related agencies currently occupy space in the historic Federal Building – United States Post Office Courthouse (FB-PO-CT) in downtown Greenville. The existing building, built in 1959, is shared by the Judiciary, Department of Justice, Postal Service, and Social Security Administration. The new courthouse will provide two courtrooms and three chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. The site for the new courthouse is still to be determined.

Site Information

To Be Acquired 2-4 acres

Building Area¹

Gross square feet (excluding inside parking)..... 55,000 gsf
Gross square feet (including inside parking) 62,000 gsf
Inside parking spaces 17

¹ Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, MISSISSIPPI**

Prospectus Number: PMS-CTC-GR16
Congressional District: 02

Estimated Project Budget

Estimated Site	\$2,500,000 ²
Estimated Design	\$3,363,000
Estimated Construction Cost (ECC) (\$503/gsf including inside parking)	\$31,164,000
Estimated Management and Inspection (M&I)	\$3,075,000
Estimated Total Project Cost (ETPC)*	\$40,102,000³

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2016	FY 2022

Tenant Agencies

District Court, Probation Office, Department of Justice – Marshals Service, trial preparation space for both the Federal Public Defender and Department of Justice – Office of the U.S. Attorney, and GSA.

Justification

The existing FB-PO-CT, constructed in 1959, does not meet the United States Courts Design Guide standards and lacks adequate security. Although building technology and security have evolved significantly since the building's original design and construction, only minimal upgrades have been made to the building. Most of the building's systems are at the end of their useful lives, and need complete replacement to operate efficiently and meet existing life safety and building codes. Security vulnerabilities also exist due to circulation system deficiencies and unsecured parking. The existing courthouse does not

² Potential site funds needed for site acquisition, relocation, unknown sub-surface conditions, environmental, and archaeological risk mitigation.

³ GSA requests approval for a total project cost. As noted in the estimated project budget above, sub-totals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ from what is represented in this prospectus by the various subcomponents.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, MISSISSIPPI**

Prospectus Number: PMS-CTC-GR16
Congressional District: 02

have a sallyport, separate prisoner elevator, or any courtroom holding cells. The new courthouse will provide for separate circulation for the public, judges, and prisoners, thereby improving security as well as efficiency of court operations.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	1	1	1	1
- Visiting	0	0	0	1
Magistrate	1	1	1	1
Total:	2	2	2	3

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, MISSISSIPPI**

Prospectus Number: PMS-CTC-GR16
Congressional District: 02

Future of Existing Federal Building⁴

The Federal tenancy in Greenville does not support the need for two courthouses; therefore, GSA will explore alternatives associated with the disposal of the existing courthouse, and is working with the Social Security Administration and the Postal Service to define the best solution for meeting their long-term space needs in Greenville.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
114-113*	2016	\$40,102,000	Site, Design, ECC, M&I
Appropriations to Date		\$40,102,000	

*Public Law 114-113 funded \$52,733,000 for new construction and acquisition projects that are joint United States Courthouses and Federal Buildings, including U.S. Post Offices, on the "FY 2015–FY 2019 Five Year Capital Investment Plan" submitted by GSA with the agency's Fiscal Year 2016 Congressional Justification. GSA's Spend Plan describes each project to be undertaken with this funding. Original Spend Plan numbers indicated a higher cost for the project, but further refinement of customer requirements and scope have resulted in an FY 2016 need for Greenville of \$40,102,000.

Prior Committee Approvals

Prior Committee Approvals			
NONE			

⁴ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses (GAO-14-48).

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, MISSISSIPPI**


Prospectus Number: PMS-CTC-GR16
Congressional District: 02

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

August 2016

**Housing Plan
New U.S. Courthouse**

PMS-CTC-GR16
Greenville, Mississippi

Locations	CURRENT					PROPOSED						
	Personnel		Usable Square Feet (USF) ¹			Personnel		Usable Square Feet (USF)				
	Office	Total	Office	Storage	Special	Total	Office	Storage	Special	Total		
New U.S. Courthouse, Greenville, MS												
U.S. District Court (courtrooms/chambers)	-	-	-	-	-	-	7	7	3,138	409	5,868	9,415
U.S. District Court - Clerk	-	-	-	-	-	-	8	8	2,486	356	2,073	4,917
U.S. District Court - Magistrate	-	-	-	-	-	-	6	6	1,855	409	4,013	6,277
Grand Jury	-	-	-	-	-	-	-	-	-	40	1,393	1,433
U.S. Probation Office	-	-	-	-	-	-	8	8	2,075	370	617	3,062
DOJ - U.S. Marshals Service	-	-	-	-	-	-	20	20	1,378	455	7,340	9,173
DOJ - Office of the U.S. Attorney	-	-	-	-	-	-	-	-	-	500	-	500
Federal Public Defender	-	-	-	-	-	-	2	2	450	-	-	450
GSA Public Buildings Service, Field Office	-	-	-	-	-	-	1	1	250	-	-	250
Joint Use	-	-	-	-	-	-	-	-	-	-	880	880
Subtotal	-	-	-	-	-	-	52	52	12,132	2,039	22,186	36,357
Greenville FBI-PO-CT												
U.S. District Court (courtrooms/chambers)	6	6	1,922	-	6,560	8,482	-	-	-	-	-	-
U.S. District Court - Clerk	7	7	2,391	-	1,109	3,500	-	-	-	-	-	-
U.S. District Court - Magistrate	6	6	2,031	-	6,782	6,985	-	-	-	-	-	-
U.S. Probation Office	6	6	2,156	-	341	2,497	-	-	-	-	-	-
DOJ - U.S. Marshals Service	20	20	1,525	-	209	1,734	-	-	-	-	-	-
DOJ - Office of the U.S. Attorney	-	-	607	-	-	607	-	-	-	-	-	-
HHS - Social Security Administration	23	23	7,926	-	1,843	9,769	23	23	7,926	-	1,843	9,769
U.S. Postal Service	20	20	3,007	15,442	603	19,052	20	20	3,007	15,442	603	19,052
GSA Public Buildings Service, Field Office	1	1	202	-	-	202	-	-	-	-	-	-
Joint Use	-	-	70	-	582	652	-	-	-	-	-	-
Vacant	-	-	5,787	218	97	6,102	-	-	-	-	-	-
Subtotal	89	89	25,796	15,660	18,126	59,582	43	43	10,933	15,442	2,446	28,821
</												

Special Space	USF
Holding Cells	1,580
Sallyport/Elevator	1,195
Physical Fitness	1,300
Restrooms	1,263
Conference Rooms	1,371
Detention/Interview	1,164
ADP	2,095
Courrooms	5,253
Judicial Chambers	1,734
Food Service	248
Judicial Hearing Room	1,280
Mail Room	880
Secured storage	814
Jury Room	2,009
Total	22,186

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

COMMITTEE RESOLUTION

LEASE—PEACE CORPS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 173,000 rentable square feet of space, including 5 official parking spaces, for the Peace Corps currently located at 1111 20th Street, NW in Washington, D.C. at a proposed total annual cost of \$8,650,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply

an overall utilization rate of 152 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 152 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
PEACE CORPS
WASHINGTON, DC**

Prospectus Number: PDC-08-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 173,000 rentable square feet (RSF) for the Peace Corps, currently located at 1111 20th Street, NW in Washington, DC.

The lease will provide continued housing for Peace Corps and will slightly improve the office and overall space utilization from 99 to 98 and 156 to 152 per person, respectively.

Description

Occupant:	Peace Corps
Current Rentable Square Feet (RSF)	161,725 (Current RSF/USF = 1.13)
Estimated Maximum RSF ¹ :	173,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	156
Estimated Usable Square Feet/Person:	152
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	05/31/2018
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	5
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$50.00 / RSF

¹ The RSF/USF at the current location is approximately 1.13; however, to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2018 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSA**PBS**

**PROSPECTUS – LEASE
PEACE CORPS
WASHINGTON, DC**

Prospectus Number: PDC-08-WA17

Estimated Total Annual Cost ³ :	\$8,650,000
Current Total Annual Cost:	\$4,947,167 (leases effective 06/1/1998)

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for the Peace Corps, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The Peace Corps' mission is to promote world peace and friendship by fulfilling three goals: helping the people of interested countries in meeting their need for trained men and women; promoting a better understanding of Americans on the part of the peoples served; and facilitating a better understanding of other peoples on the part of Americans.

Justification

Since 1961, the Peace Corps has been strengthening the United States of America by building bridges with nations around the world through community-based development and cross-cultural understanding. Effective support of its volunteers and staff in 141 countries is crucial to advancing the mission and goals of the agency. The current lease at 1111 20th Street, NW expires May 31, 2018. Peace Corps requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
PEACE CORPS
WASHINGTON, DC**

Prospectus Number: PDC-08-WA17

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on

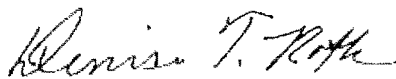
JUN 08 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

October 2015

Housing Plan
Peace CorpsPDC-08-WA17
Washington, DC

Leased Locations	CURRENT					ESTIMATED/PROPOSED				
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
1111 20th Street NW Washington DC	920	920	116,597	5,028	21,584		143,209			
Estimated/Proposed Lease										
total	920	920	116,597	5,028	21,584	950	143,209	950	4,500	19,905

Office Utilization Rate (UR) ¹		
Rate	Current	Proposed
	99	98

UR = average amount of office space per person
 Current UR excludes 25,651 usf of office support space
 Proposed UR excludes 26,311 usf of office support space

Overall UR ²		
Rate	Current	Proposed
	156	152

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	143,209	1.13	161,725
Estimated/Proposed	144,000	1.20	173,000

Special Space		USF
Mailroom		2,500
Conference/Auditorium		9,000
Library & RPCV Center		1,200
Training Room		1,200
Data Center		1,800
IT Equipment Storage		580
OCIO Operations Center		950
Medical Records Storage		775
Records Storage		1,900
Total		19,905

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

² Calculation excludes Judiciary, Congress and agencies with less than 10 people

³ USF/Person = housing plan total USF divided by total personnel.

⁴ R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—ENVIRONMENTAL PROTECTION AGENCY,
PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 222,000 rentable square feet of space, including 15 official parking spaces, for the U.S. Environmental Protection Agency currently located at 1650 Arch Street in Philadelphia, Pennsylvania at a proposed total annual cost of \$8,436,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA**PBS**

**PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
PHILADELPHIA, PA**

Prospectus Number: PPA-01-PH17

Congressional District: 1, 2

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 222,000 rentable square feet (RSF) of space for the U.S. Environmental Protection Agency (EPA), currently located in leased space at 1650 Arch Street, Philadelphia, PA.

The proposed lease will enable EPA to provide continued housing as well as more modern, streamlined, and efficient operations. It will significantly improve space utilization, as the office utilization rate will be improved from 170 to 120 usable square feet (USF) per person, and the overall utilization rate from 278 to 200 USF per person, and reduce EPA's footprint at this location by 86,000 RSF.

Description

Occupant:	Environmental Protection Agency
Current Rentable Square Feet (RSF):	307,847 (Current RSF/USF = 1.15)
Estimated Maximum RSF:	222,000 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	85,847 (Reduction)
Current Usable Square Feet/Person:	278
Estimated Usable Square Feet/Person:	200
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	05/31/2018
Delineated Area:	The Philadelphia Central Business District bounded by: North – Girard Ave South – Washington Ave to Rail Line crossing the Schuylkill River East – Delaware River to Columbia Ave West – Schuylkill River to Spring Garden Street to 40 th Street to Woodland Ave to University Ave
Number of Official Parking Spaces:	15
Scoring:	Operating lease
Estimated Rental Rate ¹ :	\$38.00 / RSF
Estimated Total Annual Cost ² :	\$8,436,000

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government.

GSAPBS

**PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
PHILADELPHIA, PA**

Prospectus Number: PPA-01-PH17
Congressional District: 1, 2

Current Total Annual Cost: \$6,820,937 (Lease effective 06/01/1998)

Background

The Environmental Protection Agency (EPA) is currently located in an approximately 308,000 RSF leased location at 1650 Arch Street, Philadelphia, PA. This primarily office space serves as a Regional office for the EPA. The lease expires May 31, 2018, and a long-term housing solution is needed for the agency. This prospectus request seeks authority to procure a long-term leasing solution for this requirement.

Acquisition Strategy

GSA is planning to satisfy this requirement through a single award solicitation. All offers must provide space consistent with the delineated area defined by this prospectus.

Justification

EPA has developed a program of requirements for replacement space to house its Region 3 Regional Headquarters in Philadelphia, PA. The proposed requirements utilize new space standards developed to improve space efficiency and employee productivity and will reduce EPA's footprint by 85,847 RSF. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be \$11,698,186 per year.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
ENVIRONMENTAL PROTECTION AGENCY
PHILADELPHIA, PA**

Prospectus Number: PPA-01-PH17

Congressional District: 1, 2

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on JUN 06 2016

Recommended: 

Commissioner, Public Buildings Service

Approved: 

Administrator, General Services Administration

October 2015

**Housing Plan
Environmental Protection Agency**

**PPA-01-PH17
Philadelphia, PA**

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Total	Office	Total	Office	Total
1650 Arch Street	913	962	198,411	267,696	913	962	139,960	192,830
Estimated/Proposed Lease							4,000	48,870
Total	913	962	198,411	267,696	913	962	139,960	192,830

Office Utilization Rate (UR) ²	
Current	170
Proposed	120

UR=average amount of office space per person
 Current UR excludes 43,650 usf of office support space
 Proposed UR excludes 30,791 usf of office support space

Overall UR ³	
Current	278
Proposed	200

R/U Factor ⁴		Total USF	RSF/USF	Max RSF
Current		267,696	1.15	307,847
Estimated/Proposed		192,830	1.15	222,000

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

Special Space	USF
Conference/Training	11,420
Computer/Server	2,900
High Density Filing	9,340
Mail Room	2,100
Regional Response Center	3,000
Library	2,500
Security	1,000
Gym	6,220
Pub. Information Center	1,340
Distributed Copy/Recycling	2,200
Break Room/Employee Activities	4,750
Evidence Rooms	1,450
Credit Union	250
Secure Work Rooms	400
Total	48,870

COMMITTEE RESOLUTION

LEASE—PENSION BENEFIT GUARANTY
CORPORATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 431,800 rentable square feet of space, including 9 official parking spaces, for the Pension Benefit Guaranty Corporation currently located at 1200 K Street, 1225 I Street, and 1275 K Street, NW in Washington, D.C. at a proposed total annual cost of \$21,590,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 199 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 199 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include

in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA**PBS**

**PROSPECTUS – LEASE
PENSION BENEFIT GUARANTY CORPORATION
WASHINGTON, DC**

Prospectus Number: PDC-10-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 431,800 rentable square feet (RSF) of space for the Pension Benefit Guaranty Corporation (PBGC), currently located in three leases at 1200 K Street, 1225 I Street, and 1275 K Street in Washington, DC.

The lease will provide continued housing for PBGC and will improve PBGC's office and overall utilization rate from 125 to 111 usable square feet (USF) per person, and 216 to 199 USF per person, respectively, while housing current personnel in 35,360 RSF less than the total of its current occupancies.

Description

Occupant:	Pension Benefit Guaranty Corporation
Current Rentable Square Feet (RSF)	467,160 (Current RSF USF = 1.20)
Estimated Maximum RSF:	431,800 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	35,360 (Reduction)
Current Usable Square Feet/Person:	216
Estimated Usable Square Feet/Person:	199
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	12/10/18
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	9
Scoring:	Operating lease
Estimated Rental Rate ¹ :	\$50.00 / RSF
Estimated Total Annual Cost ² :	\$21,590,000
Current Total Annual Cost:	\$25,210,054 (Leases effective 12/11/2008, and 10/01/2014)

¹This estimate is for fiscal year 2018 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
PENSION BENEFIT GUARANTY CORPORATION
WASHINGTON, DC**

Prospectus Number: PDC-10-WA17

Background

The PBGC mission is to protect the retirement incomes of more than 40 million American workers in more than 26,000 private-sector defined benefit pension plans. PBGC was created by the Employee Retirement Income Security Act (ERISA) of 1974 to encourage the continuation and maintenance of private-sector defined benefit pension plans, provide timely and uninterrupted payment of pension benefits, and keep pension insurance premiums at a minimum.

Justification

PBGC maintains three headquarter leases located at 1200 K Street NW, 1275 K Street NW, and 1225 I Street NW, in Washington, DC. These leases are coterminous, expiring December 2018. The PBGC has a continuing need for headquarters office and support space to fulfill its mission. Consolidating the three existing leases will streamline operations and improve PBGC's footprint by 35,360 RSF. Without this reduction, the status-quo cost of continued occupancy would be \$23,358,000.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE
PENSION BENEFIT GUARANTY CORPORATION
WASHINGTON, DC**

Prospectus Number: PDC-10-WA17

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 9, 2016

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

December 2015

Housing Plan
Pension Benefit Guaranty Corporation

PDC-10-WA17
Washington DC

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF)		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Office	Storage
1200 K St. NW	1,383	1,383	240,286	9,911		320,181		
1225 I St. NW	47	47	6,838	634		10,166		
1275 K St. NW	374	374	41,999	1,080		58,692		
Estimated/Proposed Lease					1,804	1,804	257,721	14,461
Total	1,804	1,804	289,123	11,625	1,804	389,039	87,651	359,833

Office Utilization Rate (UR) ¹		
Rate	Current	Proposed
	125	111

UR=average amount of office space per person
Current UR excludes 63,607 usf of office support space
Proposed UR excludes 56,699 usf of office support space

Overall UR ²		
Rate	Current	Proposed
	216	199

R/U Factor ⁴			
Current	Total USF	RSF/USF	RSF
	389,039	1.20	467,160
Estimated/Proposed	359,833	1.20	431,800

Special Space		USF
Conference and Training		50,186
Security Lobby		2,335
Cafe		7,824
Library/High Density File Room		3,424
Specialty Rooms		2,012
Mail Room		870
Open Work Areas		512
Copy Room		6,912
Back-up Generator		1,834
IT/Telecom		8,318
OIG Server Room		352
Phone Booth		3,072
Total		87,651

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF DEFENSE, OFFICE OF
THE SECRETARY OF DEFENSE JOINT STAFF,
SUFFOLK, VA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 403,737 rentable square feet of space for the Department of Defense, Office of the Secretary of Defense, Joint Staff currently located at 116-116B Lake View Parkway in Suffolk, Virginia at a proposed total annual cost of \$8,882,214 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 264 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 264 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
OFFICE OF THE SECRETARY OF DEFENSE JOINT STAFF
SUFFOLK, VA**

Prospectus Number: PVA-01-SU17
Congressional District: 4

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 403,737 rentable square feet (RSF) for the Department of Defense, Office of the Secretary of Defense, Joint Staff (DOD-JS). DOD-JS is currently housed at 116-116B Lake View Parkway, Suffolk, VA under a lease that expires May 9, 2018.

The proposed lease will enable DOD-JS to provide continued housing for its mission in Suffolk, VA. DOD-JS is uniquely responsible for ensuring the coordination between all branches of the U.S. military and foreign entities. The proposed lease will provide continued housing for the primary training facility for this mission. 116-116B Lake View Parkway is one of five buildings within a secure campus leased for DOD's exclusive use.

Description

Occupant:	DOD Office of the Secretary of Defense Joint Staff
Current Rentable Square Feet (RSF)	403,737 (RSF/USF = 1.08)
Estimated Maximum RSF:	403,737 (RSF/USF = 1.08)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	240
Estimated Usable Square Feet/Person:	264
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	05/09/2018
Delineated Area:	North: James River South: Kings Hwy (Rt.125) to Nansemond Pkwy (Rt. 337) East: City limit of Suffolk West: Nansemond River
Number of Official Parking Spaces:	0
Scoring:	Operating lease
Estimated Proposed Rental Rate ¹ :	\$22.00/ RSF
Estimated Total Annual Cost ² :	\$8,882,214

¹ This estimate is for fiscal year 2018 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
OFFICE OF THE SECRETARY OF DEFENSE JOINT STAFF
SUFFOLK, VA**

Prospectus Number: PVA-01-SU17
Congressional District: 4

Current Total Annual Cost:	\$6,791,189 (Leases effective 05/10/1993 and 06/15/2004)
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Background

The original 320,825 RSF building, 116 Lake View, was constructed in 1993 to meet the space requirements of the Department of the Navy, and it was used as a warehouse and torpedo testing facility. In 2004, the United States Joint Forces Command (USJFCOM) was the sole tenant when it expanded the facility by 82,912 RSF with the construction of 116B Lake View, which is connected to 116 Lake View as one structure. Upon the disestablishment of USJFCOM in August 2011, DOD-JS became the sole occupant and has a continuing need for housing to carry out its mission.

GSA will consider whether DOD-JS's continued housing needs should be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, a cost-benefit analysis will be conducted to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for DOD-JS to accomplish its mission.

Justification

The Joint Staff is currently housed at 116 & 116B Lake View Parkway. GSA executed the original lease in 1993 and a five-year renewal option effective on May 9, 2013. There are no remaining lease renewal or purchase options. A purchase option will be solicited in the proposed lease procurement. The existing building functions as a training center and DOD-JS has a continuing need for space to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
OFFICE OF THE SECRETARY OF DEFENSE JOINT STAFF
SUFFOLK, VA**

Prospectus Number: PVA-01-SU17
Congressional District: 4

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on

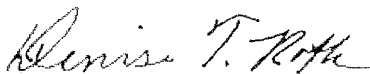
SEP 06 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

October 2015

**Housing Plan
Department of Defense**

PVA-01-SU17
Suffolk, VA

Leased Locations	CURRENT						ESTIMATED/PROPOSED					
	Personnel		Usable Square Feet (USF) ¹				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage ⁵	Special	Total	Office	Total	Office	Storage ⁵	Special	Total
116 Lake View Parkway (Incl. 114)	1,045	1,236	136,530	725	160,665	297,920						-
116B Lake View Parkway	306	325	46,793	135	29,301	76,229						-
Estimated/Proposed Lease												
Total	1,351	1,561	183,322	860	189,967	374,149	1,238	1,415	178,228	2,730	193,191	374,149

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	106	112

UR=average amount of office space per person
 Current UR excludes 40,331 usf of office support space
 Proposed UR excludes 39,210 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	240	264

RU Factor ⁴		
Current	Total USF	RSF/USF
	374,149	1.08
Estimated/Proposed	374,149	1.08

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building

²Office UR = office total * .78 divided by total office personnel

³Overall UR = housing plan total USF divided by total personnel

⁴R/U Factor = Max RSF divided by total USF

⁵Storage excludes warehouse, which is part of Special

Special Space		USF
Security		1,365
SC/IF		15,989
Lactation Room		155
Restroom		1,545
Physical Fitness		3,150
Locker/Shower Room/Barber		1,475
Food Service		10,245
IT / Telecom		17,970
Mechanical		625
Laboratory		26,286
Test Bay		30,585
Conference/Training		31,365
TV Studio		1,165
Library		1,175
Warehouse		28,645
Circulation/Lobby		21,451
Total		193,191

AMENDED COMMITTEE RESOLUTION
LEASE—EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND IMMIGRATION AND CUSTOMS ENFORCEMENT, SAN FRANCISCO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 91,100 rentable square feet of space, including 25 official parking spaces, for the Department of Justice, Executive Office of Immigration Review and the Department of Homeland Security, Immigration and Customs Enforcement, Office for Principle Legal Advisors currently located at 100 Montgomery Street in San Francisco, California at a proposed total annual cost of \$6,832,500 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution. This resolution amends the prior authorization of prospectus PCA-01-SF16 on March 2, 2016.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 556 square feet or less per person for the Executive Office of Immigration Review and 210 square feet or less per person for the Office of Principle Legal Advisors, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 556 square feet or higher per person for the Executive Office

of Immigration Review or 210 square feet or higher per person for the Office of Principle Legal Advisors.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA**PBS**

**AMENDED PROSPECTUS – LEASE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA**

Prospectus Number: PCA-01-SF17
Congressional District: 12

Executive Summary

The General Services Administration (GSA) proposes to amend prospectus PCA-01-SF16 which proposed a lease of up to 85,000 rentable square feet for the Department of Justice, Executive Office of Immigration Review and Department of Homeland Security, Immigration and Customs Enforcement, Office for Principle Legal Advisors (OPLA), for a term of 10 years at a maximum cost of \$76.00 per rentable square foot. The Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure approved the original prospectus on January 20, 2016 and March 2, 2016. This amended prospectus seeks authority to continue leasing 6,800 rentable square feet, previously removed from the OPLA housing requirement in PCA-01-SF16, in order to house an increase in attorneys and staff.

Description

Occupant:	Executive Office of Immigration Review and Immigration and Customs Enforcement
Current Rentable Square Feet (RSF)	91,100 (Current RSF/USF = 1.18)
Previously Awarded Lease RSF:	84,300 (RSF/USF = 1.18)
Estimated Maximum RSF:	91,100 (Proposed RSF/USF = 1.18)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	556/239
Estimated Usable Square Feet/Person:	556/210
Proposed Maximum Lease Term:	10 Years
Expiration Dates of Current Leases:	10/12/2016
Delineated Area:	100 Montgomery Street, San Francisco, CA
Number of Official Parking Spaces:	25
Scoring:	Operating lease
Estimated Proposed Rental Rate ¹ :	\$75.00 / RSF
Estimated Total Annual Cost ² :	\$6,832,500

¹ This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA**PBS**

**AMENDED PROSPECTUS – LEASE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA**

Prospectus Number: PCA-01-SF17
Congressional District: 12

Current Total Annual Cost: \$3,220,858 (leases effective
10/13/2006 and 08/18/2008)

Justification

EOIR and OPLA are currently co-located at 100 Montgomery Street in San Francisco, CA under a lease that expires on October 12, 2016. In conjunction with approximately 9,000 RSF in a nearby Federal building, this location acts as one of the 59 EOIR Courts around the country. The judges and staff administer and interpret Federal immigration law and regulations through immigration court proceedings, appellate reviews, and administrative hearings.

On March 16, 2016, GSA awarded a 10 year lease for approximately 84,300 rentable square feet which will become effective immediately following the existing lease expirations on October 12, 2016. The original prospectus proposed to decrease OPLA's requirement by approximately 6,800 rentable square feet. OPLA is in the process of hiring 37 additional personnel not anticipated in the original prospectus to support the growing docket in the San Francisco EOIR Court and these personnel are anticipated to be onboard by July 2016. The existing space, removed from the previous prospectus is needed to meet this requirement. This prospectus decreases the requested approved rental rate per rentable square foot from \$76.00 to \$75.00, increases the estimated maximum rentable square feet from 85,000 to 91,100, and improves OPLA's overall utilization rate from 239 usable square feet (USF) per person to 210 USF per person.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**AMENDED PROSPECTUS – LEASE
EXECUTIVE OFFICE OF IMMIGRATION REVIEW AND
IMMIGRATION AND CUSTOMS ENFORCEMENT
SAN FRANCISCO, CA**

Prospectus Number: PCA-01-SF17
Congressional District: 12

Interim Leasing


GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 16, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

April 2016

Housing Plan
Executive Office of Immigration Review (EOIR) and
Office of Principle Legal Advisors (OPLA)

PCA-01SF17
San Francisco, CA

Locations	EFFECTIVE OCTOBER 13, 2016					ESTIMATED/PROPOSED				
	Personnel		Usable Square Feet (USF) ¹			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
100 Montgomery Street, SF (EOIR)	98	98	12,805		41,653		54,458			
100 Montgomery Street, SF (OPLA)	71	71	5,023		11,954		16,977			
Estimated/Proposed Lease EOIR						98		12,805		41,653
Estimated/Proposed Lease OPLA						108		10,726		11,954
Total	169	169	17,828	-	53,607	206	71,435	23,531	-	53,607

Office Utilization Rates (UR) ²		
	Current	Proposed
EOIR	102	102
OPLA	55	77

UR=average amount of office space per person
Current URs excludes 5,258 usf of office support space
Proposed URs excludes 6,513 usf of office support space

Overall UR ³		
	Current	Proposed
EOIR	556	556
OPLA	239	210

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

R/U Factor ⁴	Total USF	RSF/USF	Max RSF
Current	71,435	1.18	84,300
Estimated/Proposed	77,138	1.18	91,100

Agency	Special Space	USF
OPLA	Secure Files/Bulk Storage	2,578
OPLA	Break Room	480
OPLA	Secure Waiting Area	240
OPLA	Telecom Suite	1,639
OPLA	Conference/Training Rooms	2,030
OPLA	Office Support Centers	666
OPLA	Administration File Room	3,601
OPLA	Law Library	720
EOIR	Courtroom	22,440
EOIR	Judges Secure corridor	1,560
EOIR	Reception/Waiting Area	2,128
EOIR	Interpreter Waiting Room	195
EOIR	ProBono Rooms	312
EOIR	ADP	156
EOIR	Conference/Training Room	710
EOIR	Printer/Copy/Mail Room	748
EOIR	File Room	11,913
EOIR	File Archive Room	390
EOIR	Supply Rooms	420
EOIR	Break Rooms	390
EOIR	Staff Rest Rooms	291
	Total	53,607

COMMITTEE RESOLUTION

LEASE—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, JACKSON AND CLAY COUNTIES, MISSOURI, AND JOHNSON COUNTY, KANSAS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 806,794 rentable square feet of space, including 142 official parking spaces, for the National Archives and Records Administration, Federal Records Center currently located at 200 NW Space Center in Lee's Summit, Missouri at a proposed total annual cost of \$5,647,558 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 129 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 129 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

PROSPECTUS – LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
JACKSON AND CLAY COUNTIES, MISSOURI, AND JOHNSON
COUNTY, KANSAS

Prospectus Number: PMO-01-LS17
Congressional District: MO 05, 06, KS 03

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 806,794 rentable square feet (RSF) for the National Archives and Records Administration – Federal Records Center (NARA-FRC), currently located at 200 NW Space Center, Lee's Summit, MO.

The lease will provide continued housing for NARA-FRC, will maintain its current office utilization rate of 129 usable square feet (USF) per person, and allow for continued temporary and permanent record storage capabilities for Federal agencies.

Description

Occupant:	National Archives and Records Administration
Current Rentable Square Feet (RSF)	806,794 (Current RSF/USF = 1.00)
Estimated Maximum RSF:	806,794 (Proposed RSF/USF = 1.00)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	129
Estimated Usable Square Feet/Person:	129
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	8/14/2017
Delineated Area:	Jackson and Clay Counties, Missouri, and Johnson County, Kansas
Number of Official Parking Spaces:	142
Scoring:	Operating lease
Estimated Rental Rate ¹ :	\$7.00 / RSF

¹This estimate is for fiscal year 2017 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSAPBS

**PROSPECTUS – LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
JACKSON AND CLAY COUNTIES, MISSOURI, AND JOHNSON
COUNTY, KANSAS**

Prospectus Number: PMO-01-LS17
Congressional District: MO 05, 06, KS 03

Estimated Total Annual Cost ² :	\$5,647,558
Current Total Annual Cost:	\$3,211,969 (Lease effective 8/15/1997)

Acquisition Strategy

The NARA-FRC is currently located in subterranean space. In order to maximize competition, GSA will consider aboveground and subterranean space for this procurement and will relocate the agency if economically advantageous to the Federal Government.

Justification

NARA-FRC is one of 18 Federal Records Centers across the nation used by Federal agencies for records-related services. The FRCs work together to provide temporary and permanent record storage services. The facility storage services are full at this location and any new incoming client boxes are accommodated by moving existing records to other Federal Records Centers or by the disposal of eligible records. The current location provides storage conditions that meet permanent or archival requirements, which accounts for 57 percent of permanent record storage.

NARA-FRC requires space to accommodate the movement, processing, and retrieving of large quantities of client record boxes into its computer systems, along with the ability to store client records in an environment that meets regulations for Federal Records Storage (36 CFR 1234). The movement of client record boxes is accommodated using eight-foot carts, which require ample circulation space for maneuvering. Although Federal agencies are attempting to convert to electronic storage, the demand for paper record storage still remains and since 2000 has grown by 2.38 percent per year.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
JACKSON AND CLAY COUNTIES, MISSOURI, AND JOHNSON
COUNTY, KANSAS**

Prospectus Number: PMO-01-LS17
Congressional District: MO 05, 06, KS 03

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
JACKSON AND CLAY COUNTIES, MISSOURI, AND JOHNSON
COUNTY, KANSAS**

Prospectus Number: PMO-01-LS17
Congressional District: MO 05, 06, KS 03

Certification of Need

The proposed project is the best solution to meet a validated Government need.

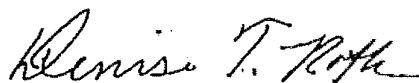
Submitted at Washington, DC, on August 9, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—SMALL BUSINESS ADMINISTRATION,
FORT WORTH, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 163,000 rentable square feet of space, including 3 official parking spaces, for the Small Business Administration, Office of Disaster Assistance currently located at 14951 and 14925 Kingsport Drive in Dallas, Texas at a proposed total annual cost of \$4,727,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 292 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 292 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
SMALL BUSINESS ADMINISTRATION
FORT WORTH, TX**

Prospectus Number: PTX-01-FW17
Congressional District: 6, 12, 24, 26, 30, 33

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 163,000 rentable square feet (RSF) of space for the Small Business Administration (SBA), Office of Disaster Assistance (ODA), currently located in leased space at 14951 and 14925 Kingsport Drive in Dallas, TX.

The proposed lease will provide continued housing and allow SBA to rapidly respond to disasters. Space utilization will vary, depending on staffing levels during an emergency response. The office utilization will range from 164 to 47 usable square feet (USF) per person, and the overall utilization rate will range from 292 to 83 USF per person, resulting in SBA being housed in approximately 17,000 RSF less space than it has at the current locations. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be \$5,220,000 per year.

Description

Occupant:	Small Business Administration
Current Rentable Square Feet (RSF)	180,000 (RSF/USF = 1.01)
Estimated Maximum RSF:	163,000 (RSF/USF = 1.15)
Expansion/Reduction RSF:	17,000 (Reduction)
Current Usable Square Feet/Person:	392
Estimated Usable Square Feet/Person:	292
Proposed Maximum Lease Term:	15 Years
Expiration Dates of Current Leases:	9/03/2017 and 7/23/2018
Delineated Area:	North: Southlake Blvd to Highway 114 to Highway 635 South: Highway 303 East: Interstate 25 to Highway 12 West: Loop 820 to Davis Boulevard
Number of Official Parking Spaces:	3
Scoring:	Operating lease
Estimated Proposed Rental Rate ¹ :	\$29.00/ RSF
Estimated Total Annual Cost ² :	\$4,727,000

¹This estimate is for fiscal year 2018 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

GSA**PBS**

**PROSPECTUS – LEASE
SMALL BUSINESS ADMINISTRATION
FORT WORTH, TX**

Prospectus Number: PTX-01-FW17
Congressional District: 6, 12, 24, 26, 30, 33

Current Total Annual Cost:	\$4,264,000 (Leases effective 7/24/2003 and 09/04/2007)
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Justification

SBA ODA has been housed under three leases at 14951 and 14925 Kingsport Drive in Fort Worth, TX since July 2003 and September 2007, respectively and has an ongoing need to house its Disaster Assistance Processing and Disbursement Center (PDC).

Working with other SBA and Department of Homeland Security - Federal Emergency Management Agency offices, the PDC is one of six disaster assistance offices nationwide. Each disaster assistance office serves a unique function and the PDC is responsible for processing all disaster loan applications, including application entry, scanning, and processing. The PDC is also responsible for all loan approvals, loan document generation, loan closing, and disbursement of loan proceeds. The PDC requires adequate space for periods of "surge" when as many as 1700 employees offer assistance in support of disaster recovery efforts.

The other SBA disaster assistance offices include the Disaster Assistance Customer Service Center, Disaster Assistance Field Operations Centers East and West, Office of Disaster Personnel, Administrative Services Center, Disaster Credit Management System Operations Center, and the Damage Verification Center.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
SMALL BUSINESS ADMINISTRATION
FORT WORTH, TX**

Prospectus Number: PTX-01-FW17
Congressional District: 6, 12, 24, 26, 30, 33

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on 8/17/2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

October 2015

**Housing Plan
Small Business Administration**

**PTX-01-FW17
Fort Worth, TX**

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Storage	Special
14925 Kingsport Drive, Ft. Worth, TX			54,822	24,300		79,122		
14951 Kingsport Drive, Ft. Worth, TX			98,640			98,640		
Estimated/Proposed Lease							6,000	33,600
Total	454	454	153,462	24,300	485	177,762	6,000	33,600

Office Utilization Rate (UR) ²			Special Space	USF
Rate				
Current	Proposed			
264	164			
UR=average amount of office space per person				
Current UR excludes 33,762 usf of office support space				
Proposed UR excludes 24,982 usf of office support space				

UR=average amount of office space per person
Current UR excludes 33,762 usf of office support space
Proposed UR excludes 24,982 usf of office support space

Overall UR ³			R/U Factor ⁴		
Rate			Total USF		
			RSF/USF		
			Max RSF		
Current	392	292	177,762	1.01	180,000
Estimated/Proposed	141,454	1.15			163,000

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel. The overall utilization will range from 292 to 83 USF/person during an employee surge of up to 1707 for disaster response.

⁴R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 170,000 rentable square feet of space, including 10 official parking spaces, for the Equal Employment Opportunity Commission currently located at 131 M Street NE in Washington, D.C. at a proposed total annual cost of \$8,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 215 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 215 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, DC**

Prospectus Number: PDC-09-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 170,000 rentable square feet (RSF) for the Equal Employment Opportunity Commission (EEOC), currently located at 131 M Street NE in Washington, DC.

The lease will provide continued housing for EEOC, and will improve EEOC office and overall utilization rates from 146 to 130 usable square feet (USF) per person and 240 to 215 USF per person, respectively.

Description

Occupant:	Equal Employment Opportunity Commission
Current Rentable Square Feet (RSF)	160,995 (Current RSF/USF = 1.15)
Estimated Maximum RSF ¹ :	170,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	240
Estimated Usable Square Feet/Person:	215
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	10/08/2018
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	10
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$50.00/RSF
Estimated Total Annual Cost ³ :	\$8,500,000
Current Total Annual Cost:	\$6,825,841 (leases effective 10/9/2008)

¹ The RSF/USF at the current location is approximately 1.15; however, to maximize competition a RSF/USF ratio of 1.20 is used for the proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2018 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, DC**

Prospectus Number: PDC-09-WA17

Background

The EEOC is a bipartisan commission comprised of five presidentially appointed members, including the Chair, Vice Chair, and three Commissioners. The EEOC is responsible for enforcing Federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The EEOC has the authority to investigate charges of discrimination against employers that are covered by the law. Additionally, the EEOC provides leadership and guidance to Federal agencies on all aspects of the Federal Government's equal employment opportunity program.

Justification

The current lease at 131 M Street NE expires on October 8, 2018. The EEOC is projecting a staffing increase of new hires to address Federal and private sector case backlog. The EEOC requires continued housing for the personnel currently working in this location, as well as those additional personnel anticipated to be hired.

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space to the EEOC, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA

PBS

**PROSPECTUS – LEASE
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, DC**

Prospectus Number: PDC-09-WA17

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

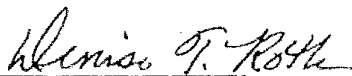
Submitted at Washington, DC, on August 17, 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

May 2016

**Housing Plan
Equal Employment Opportunity Commission**

**PDC-09-WA17
Washington, DC**

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Office	Special
131 M Street, NE, Washington, DC	581	581	108,815	2,045	659	659	109,970	29,608
Estimated/Proposed Lease								
Total	581	581	108,815	2,045	659	659	109,970	29,608

Office Utilization Rate (UR) ²	
Rate	
Current	146
Proposed	130

UR = average amount of office space per person
 Current UR excludes 23,939 usf of office support space
 Proposed UR excludes 24,193 usf of office support space

Overall UR ³	
Rate	
Current	240
Proposed	215

R/U Factor ⁴			
Total USF		RSF/USF	Max RSF
Current	139,500	1.15	160,995
Estimated/Proposed	141,453	1.20	170,000

Special Space		USF
Health Unit		651
X-Ray		200
Conference		21,476
File/Records		3,805
LAN		1,660
Mail		712
Library		1,104
Total		29,608

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

² Calculation excludes Judiciary, Congress and agencies with less than 10 people

³ USF/Person = housing plan total USF divided by total personnel.

⁴ R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE, DEPARTMENT OF HOMELAND SECURITY,
FEDERAL EMERGENCY MANAGEMENT AGENCY,
WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 116,675 rentable square feet of space, including 6 official parking spaces, for a portion of the Department of Homeland Security, Federal Emergency Management Agency headquarters functions currently located at 400 C Street SW and 800 K Street NW in Washington, D.C., and 1800 South Bell Street in Arlington, Virginia at a proposed total annual cost of \$5,483,725 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 108 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 108 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-01-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 116,675 rentable square feet (RSF) for a portion of the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) headquarters functions currently located in four leases at 400 C Street SW and 800 K Street NW in Washington, DC, and 1800 South Bell Street in Arlington, VA. GSA proposes to consolidate the FEMA components, currently dispersed across three locations, under one lease and improve overall and office utilization rates from 219 to 108 usable square feet (USF) per person and from 156 to 69 USF per person, respectively. The lease will provide continued housing for FEMA prior to its planned move to the St. Elizabeths campus in accordance with the Enhanced Plan for the DHS headquarters consolidation.

Description

Occupant:	Federal Emergency Management Agency
Lease Type	Extension
Current Rentable Square Feet (RSF)	233,198 (Current RSF/USF = 1.19)
Estimated Maximum RSF:	116,675 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	116,523 (Reduction)
Current Usable Square Feet/Person:	219
Estimated Usable Square Feet/Person:	108
Proposed Maximum Leasing Authority:	up to 3 years
Expiration Dates of Current Leases:	11/30/2016, 01/02/2018, 09/30/2019, 10/01/2020
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces ¹ :	6
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$47.00/RSF
Estimated Total Annual Cost ³ :	\$5,483,725
Current Total Annual Cost:	\$9,550,150

¹ FEMA security requirements necessitate control of the parking at a leased location. This control is accomplished as a separate operating agreement with the lessor.

² This estimate is for fiscal year 2018 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-01-WA17

Background

FEMA's mission is to support Americans and first responders to ensure that as a Nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 100-707, signed into law November 23, 1988, amended the Disaster Relief Act of 1974, Public Law 93-288. It created the system in place today by which a Presidential Disaster Declaration of an emergency triggers financial and physical assistance through FEMA. The Act gives FEMA the responsibility for coordinating government-wide relief efforts.

Justification

The lease at 400 C Street expires prior to FEMA's planned move to St. Elizabeths campus under the Enhanced Plan. GSA currently pays approximately \$5.5 million in annual rent for the leases that are proposed to be housed in this extension, a cost to the Government and taxpayer that will no longer be incurred once the Enhanced Plan is fully executed. Therefore, authorization is needed to extend the lease for a short term to align with the move to St. Elizabeths. As the leases at 800 K Street, NW, expire in 2016 and 2019, personnel will relocate to 400 C Street, SW. The personnel in the lease at 1800 South Bell Street will backfill the lease at 400 C Street, SW, by the end of the 2016. The balance of the leased space, not necessary under the extension, will be returned to the lessor.

The President's Fiscal Year (FY) 2017 budget proposed the funding necessary to complete the design and construction of a new facility to house FEMA at the St. Elizabeth's campus. As presented in the FY 2017 capital program prospectus in support of the DHS consolidation at the St. Elizabeths campus, GSA anticipates that construction completion of the new FEMA facility will occur in FY 2019.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-01-WA17

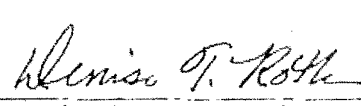
Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016

Recommended: _____
Commissioner, Public Buildings ServiceApproved: _____
Administrator, General Services Administration

September 2015

Housing Plan
Department of Homeland Security
Federal Emergency Management Agency

PDC-01-WA17
 Washington, DC

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Storage	Office	Total	Storage	Special
400 C Street, SW, Washington, DC	65	65	17,353	-		19,067		
800 K Street, NW, Washington, DC	317	317	85,622	-		94,095		
1800 South Bell Street, Arlington, VA	515	515	75,938	-		83,456		
Estimated/Proposed Lease								
Total	897	897	178,913	-	897	196,618	-	17,705

Office Utilization Rate (UR)²	
Rate	Proposed
	69

UR = average amount of office space per person
 Current UR excludes 39,361 usf of office support space
 Proposed UR excludes 17,495 usf of office support space

Overall UR³	
Rate	Proposed
	108

R/U Factor⁴			
Total USF	RSF/USF	Max RSF	
Current	196,618	1.19	233,198
Estimated/Proposed	97,228	1.20	116,675

Special Space		USF
Conference Center		5,424
Conference / Training		5,468
Pantry / Break		3,598
Locker Room / Showers		636
Lactation Room		130
Accountable Property Storage		987
Print / Copy / Mail Room		1,006
Inter. Dist. Frame		456
Total		17,705

NOTES:¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel. 1.20 RSF/USF is GSA standard for new leases to expand competitive market.⁴ R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE, DEPARTMENT OF HOMELAND SECURITY,
FEDERAL EMERGENCY MANAGEMENT AGENCY,
WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 303,546 rentable square feet of space, including 17 official parking spaces, for the Department of Homeland Security, Federal Emergency Management Agency headquarters currently located in Federal Center Plaza I at 500 C Street SW in Washington, D.C. at a proposed total annual cost of \$14,266,662 for a lease term of up to 1 year, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 134 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 134 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-02-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 303,546 rentable square feet (RSF) for the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) headquarters currently located in Federal Center Plaza I at 500 C Street SW in Washington, DC. The lease will provide housing for the agency prior to its planned move to the St. Elizabeths campus in accordance with the Enhanced Plan for the DHS headquarters consolidation.

Description

Occupant:	Federal Emergency Management Agency
Lease Type	Extension
Current Rentable Square Feet (RSF)	303,546 (Current RSF/USF = 1.10)
Estimated Maximum RSF:	303,546 (Proposed RSF/USF = 1.10)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	134
Estimated Usable Square Feet/Person:	134
Proposed Maximum Leasing Authority:	Up to 1 year from date of expiration
Expiration Dates of Current Leases:	08/16/2019
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces ¹ :	17
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$47.00/RSF
Estimated Total Annual Cost ³ :	\$14,266,662
Current Total Annual Cost:	\$11,894,682

¹ FEMA security requirements necessitate control of the parking at a leased location. This control is accomplished as a separate operating agreement with the lessor.

² This estimate is for fiscal year 2019 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-02-WA17

Background

FEMA's mission is to support Americans and first responders to ensure that as a Nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 100-707, signed into law November 23, 1988, amended the Disaster Relief Act of 1974, Public Law 93-288. It created the system in place today by which a Presidential Disaster Declaration of an emergency triggers financial and physical assistance through FEMA. The Act gives FEMA the responsibility for coordinating government-wide relief efforts.

Justification

The lease at Federal Center Plaza I at 500 C Street SW in Washington, DC, expires prior to FEMA's planned move to St. Elizabeths campus under the Enhanced Plan. GSA currently pays approximately \$11.9 million in annual rent for the leases that are proposed to be housed in this extension, a cost to the Government and taxpayer that will no longer be incurred once the Enhanced Plan is fully executed. Therefore, authorization is needed to extend the lease for a short term to align with the move to St. Elizabeths. FEMA will realize a smaller footprint and an improved utilization rate once the agency moves to St. Elizabeths.

The President's Fiscal Year (FY) 2017 budget proposed the funding necessary to complete the design and construction of a new facility to house FEMA at the St. Elizabeths campus. As presented in the FY 2017 capital program prospectus in support of the DHS consolidation at St. Elizabeths, GSA anticipates that construction completion of the new FEMA facility will occur in FY 2019.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
WASHINGTON, DC**

Prospectus Number: PDC-02-WA17

Interim Leasing


GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

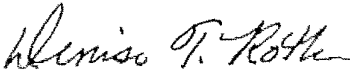
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOMELAND SECURITY,
IMMIGRATION AND CUSTOMS ENFORCEMENT,
WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 104,934 rentable square feet of space, including 6 official parking spaces, for the Department of Homeland Security, Immigration and Customs Enforcement currently located at 801 Eye Street, NW in Washington, D.C. at a proposed total annual cost of \$4,722,000 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 174 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 174 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not. delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

Prospectus Number: PDC-03-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 104,934 rentable square feet for the Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE), currently located at 801 Eye Street NW, Washington, DC. ICE has occupied space in the building since January 15, 2009, under a lease that expires December 31, 2018.

The lease will enable ICE to provide continued housing for current personnel and meet its current mission requirements. Improvement to ICE's utilization rate will be achieved upon the agency's move to the St. Elizabeths campus under the Enhanced Plan for the Consolidated DHS Headquarters.

Description

Occupant:	Immigration and Customs Enforcement
Lease Type	Extension
Current Rentable Square Feet (RSF)	104,934 (Current RSF/USF = 1.09)
Estimated Maximum RSF:	104,934 (Proposed RSF/USF = 1.09)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	174
Estimated Usable Square Feet/Person:	174
Proposed Maximum Leasing Authority:	Up to 3 years from date of expiration
Expiration Dates of Current Leases:	12/31/2018
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	6
Scoring:	Operating Lease
Estimated Rental Rate ¹ :	\$45.00/RSF
Estimated Total Annual Cost ² :	\$4,722,000
Current Total Annual Cost:	\$5,106,000 (1/15/2009)

¹ This estimate is for fiscal year 2018 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

² Any new lease may contain escalation clauses to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

Prospectus Number: PDC-03-WA17

Justification

The current lease at 801 Eye Street NW, Washington, DC, expires December 31, 2018, and will expire prior to ICE's move to the St. Elizabeths campus under the Enhanced Plan. GSA pays approximately \$5.1 million in annual rent, a cost to the Government and taxpayer that will no longer be incurred once the Enhanced Plan is fully executed. Therefore, authorization is needed to extend the lease for a short term to align with the move to St. Elizabeths. ICE will attain a reduced footprint upon the move to the St. Elizabeths campus. Retrofit of ICE space to achieve a reduction in square footage is not cost beneficial under this short-term extension

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

Prospectus Number: PDC-03-WA17

Certification of Need

The proposed project is the best solution to meet a validated Government need.

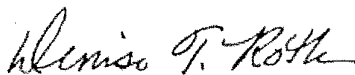
Submitted at Washington, DC, on August 19, 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOMELAND SECURITY,
IMMIGRATION AND CUSTOMS ENFORCEMENT,
WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 502,997 rentable square feet of space for the Department of Homeland Security, Immigration and Customs Enforcement currently located at 500 12th Street SW in Washington, D.C. at a proposed total annual cost of \$22,635,000 for a lease term of up to 4 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 238 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 238 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

Prospectus Number: PDC-04-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 502,997 rentable square feet for the Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE), currently located at 500 12th Street SW, Washington, DC. ICE has occupied space in the building since January 17, 2008, under two leases that expire January 16, 2018.

The lease will enable ICE to provide continued housing for the current personnel and meet its current mission requirements. Improvement to ICE's utilization rate will be achieved upon the agency's move to the St. Elizabeths campus under the Enhanced Plan for DHS headquarters consolidation.

Description

Occupant:	Immigration and Customs Enforcement
Lease Type	Extension
Current Rentable Square Feet (RSF)	502,997 (Current RSF/USF = 1.10)
Estimated Maximum RSF:	502,997 (Proposed RSF/USF = 1.10)
Expansion/Reduction RSF:	None
Current Usable Square Feet/Person:	238
Estimated Usable Square Feet/Person:	238
Proposed Maximum Leasing Authority:	Up to 4 years from current expiration
Expiration Dates of Current Leases:	01/16/2018
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces ¹ :	0
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$45.00/RSF
Estimated Total Annual Cost ³ :	\$22,635,000

¹ DHS security requirements may necessitate control of parking at the leased location. This control may be accomplished as a lessor furnished service, an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s). Any parking included in the Government's leasehold interest may result in a total proposed annual cost in excess of the amounts indicated above.

² This estimate is for fiscal year 2018 and may be escalated by 2.1 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for negotiating this lease to ensure that lease award is made in the best interest of the Government.

³ Any new lease may contain escalation clauses to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

Prospectus Number: PDC-04-WA17

Current Total Annual Cost:	\$20,578,200 (1/17/2008)
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Justification

The current leases at 500 12th Street SW, Washington, DC, expire January 16, 2018, and prior to ICE's move to the St. Elizabeths campus under the Enhanced Plan for the DHS headquarters consolidation. GSA currently pays approximately \$20.6 million in annual rent for the leases that are proposed to be housed in this extension, a cost to the Government and taxpayer that will no longer be incurred once the Enhanced Plan is fully executed. Therefore, authorization is needed to extend the lease for a short term to align with the move to St. Elizabeths. ICE will attain a reduced footprint upon the move to St. Elizabeths. Retrofit of the existing ICE space to achieve a reduction in square footage is not cost beneficial under this short-term extension.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT
WASHINGTON, DC**

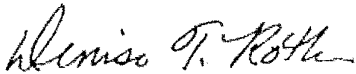
Prospectus Number: PDC-04-WA17

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016

Recommended: 

Commissioner, Public Buildings ServiceApproved: 

Administrator, General Services Administration

October 2015

Housing Plan
Department of Homeland Security
Immigration and Customs Enforcement

PDC-04-WA17
Washington, DC

Leased Locations	CURRENT			ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF)		Total	Usable Square Feet (USF)	
	Office	Total	Office	Special		Storage	Special
500 12th St SW - Potomac Center North	1,923	1,923	342,649	16,861	458,599	16,861	99,089
Estimated/Proposed Lease							
Total	1,923	1,923	342,649	16,861	458,599	16,861	99,089

Office Utilization Rate (UR) ¹		
Rate	Current	Proposed
	139	139

UR=average amount of office space per person

Current UR excludes 75,383 usf of office support space

Proposed UR excludes 75,383 usf of office support space

Overall UR ²		
Rate	Current	Proposed
	238	238

R/U Factor ³			
	Total USF	RSF/USF	Max RSF
Current	458,599	1.10	502,997
Estimated/Proposed	458,599	1.10	502,997

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.²Calculation excludes Judiciary, Congress and agencies with less than 10 people³USF/Person = housing plan total USF divided by total personnel.⁴R/U Factor = Max RSF divided by total USF

Special Space		USF
IT Infrastructure/Local Servers		8,513
Receiving and Storage		8,871
Food Service		9,312
Media and Training Center		9,677
Fitness Room/Lockers/Shower		4,380
Copy/Printing Services		1,200
Mail Services		1,563
Security		5,797
Credit Union		697
Nurse's Clinic		2,309
Access to multiple special spaces		2,420
Vault		875
Secure Cold Storage		325
Interview Rooms		1,483
SCIF Incl. Operations Center		8,800
HSDN (Open)		30,990
Tactical Equipment Storage		77
Secure File Rooms		1,800
Total		99,089

COMMITTEE RESOLUTION

LEASE—AGENCY FOR INTERNATIONAL
DEVELOPMENT, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 355,000 rentable square feet of space, including 15 official parking spaces, for the Agency for International Development currently located at 400 C Street SW in Washington, D.C., 2100 Crystal Drive and 2733 Crystal Drive in Arlington, Virginia at a proposed total annual cost of \$17,750,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 153 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 153 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON DC**

Prospectus Number: PDC-12-WA17

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 355,000 rentable square feet (RSF) for the Agency for International Development (USAID). The lease will consolidate staff who are currently located at 400 C Street SW, Washington, DC; 2100 Crystal Drive, Arlington, VA; and 2733 Crystal Drive, Arlington, VA.

The lease will provide continued housing for USAID, and improve USAID office and overall utilization rates from 85 to 77 usable square feet (USF) per person and 158 to 153 USF per person, respectively.

Description

Occupant:	Agency for International Development
Current Rentable Square Feet:	355,617 (Current RSF/USF = 1.13)
Estimated Maximum RSF ¹ :	355,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	617 (Reduction)
Current Usable Square Feet/Person:	158
Proposed Usable Square Feet/Person:	153
Proposed Maximum Leasing Authority:	20 years
Expiration Dates of Current Lease(s):	01/02/2018, 03/22/2017, 11/07/2020
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	15
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$50.00 / RSF
Estimated Total Annual Cost ³ :	\$17,750,000
Current Total Annual Cost:	\$14,597,288 (leases effective 01/03/2013, 03/23/2007, 11/08/2010)

¹ The RSF/USF at the current locations is approximately 1.13; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2017 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON DC**

Prospectus Number: PDC-12-WA17

Justification

On December 21, 2010, GSA submitted to Congress prospectus PDC-12-WA11 for the Department of State and USAID located at 400 C Street, SW, Washington, DC. Resolutions of approval were adopted by the Senate Committee on Environment and Public Works, and the House Committee on Transportation and Infrastructure on July 13, 2011, and March 9, 2012, respectively. USAID is now consolidating staff at three locations, including the staff at 400 C Street, SW. The existing leases expire on January 2, 2018, March 22, 2017, and November 7, 2020. USAID requires continued housing for 1,930 personnel currently working in these locations to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS – LEASE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON DC**


Prospectus Number: PDC-12-WA17

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 19, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

May 2016

**Housing Plan
Agency for International Development**

**PDC-12-WA17
Washington, DC**

Locations	CURRENT					ESTIMATED/PROPOSED				
	Personnel		Usable Square Feet (USF) ¹			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
400 C St. SW, Washington, DC	802	802	124,547	8,555	37,990		171,092			
2100 Crystal Drive, Arlington, VA	661	661	51,048	3,729	19,807		74,584			
2733 Crystal Drive, Arlington, VA	536	536	41,272	3,531	25,825		70,628			
Estimated/Proposed Lease										
Total	1,999	1,999	216,867	15,815	83,622	1,930	316,304	1,930	14,146	89,914
										295,117

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
UR = average amount of office space per person	85	77
Current UR excludes 47,711 usf of office support space		
Proposed UR excludes 42,033 usf of office support space		
Overall UR ³		
Rate	Current	Proposed
	158	153

Special Space		USF
Quiet Room		1,091
Conference/Collaborative		68,128
Copy Center		1,364
Food Service		1,636
LAN		7,677
File Room		2,727
Business Centers		2,928
Mail Room		727
Loading Dock		3,636
Total		89,914

R/U Factor ⁴			
Total USF	RSF/USF	Max. RSF	
Current	316,304	1.13	355,617
Estimated/Proposed	295,117	1.20	355,000

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress, and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel.⁴ R/U Factor = Max RSF divided by total USF

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 15, 2016 at 2:21 p.m.:

Appointment:
Public Safety Officer Medal of Valor Review Board.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 19, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 19, 2016 at 10:06 a.m.:

That the Senate passed with an amendment H.R. 2494.

That the Senate passed S. 2754.

That the Senate passed S. 2848.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 14, 2016, she presented to the President of the United States, for his approval, the following bill:

H.R. 3969. To designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic"

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 2 o'clock and 5 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Tuesday, September 20, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6881. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Rights in Technical Data (DFARS Case 2016-D008) [Docket: DARS-2016-0010] (RIN: 0750-AI91) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6882. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Prohibition on Use of any Cost-Plus System of Contracting for Military Construction and Military Family Housing Projects (DFARS Case 2015-D040) [Docket: DARS-2016-0006] (RIN: 0750-AI87) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6883. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's interim final rule — Sexual Assault Prevention and Response (SAPR) Program Procedures [DOD-2008-OS-0100; 0790-AI36] received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6884. A letter from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2016 [MD Docket No.: 16-166] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6885. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Final revision to Chapter 7 "Instrumentation and Controls", of NUREG-0800, "Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition." received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6886. A letter from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Section 5.4.2.1 Steam Generator Materials and Design [NUREG-0800] received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6887. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination that Colombia meets the statutory requirements relating to interdiction of aircraft reasonably suspected to be engaged in illicit drug trafficking, pursuant to 22 U.S.C. 2291-4(a)(2); Public Law 103-337, Sec. 1012(a)(2); (108 Stat. 2837); to the Committee on Foreign Affairs.

6888. A letter from the Secretary, Department of the Treasury, transmitting a semi-annual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses during the period from January 1 through June 30, 2016, pursuant to 22 U.S.C. 6004(e)(6); Public Law 102-484, Sec. 1705(e)(6) (as amended by Public Law 104-114, Sec. 102)(g)); (110 Stat. 794); to the Committee on Foreign Affairs.

6889. A communication from the President of the United States, transmitting a notification that the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, declared in Executive Order 13224 of September 23, 2001, is to continue in effect beyond September 23, 2016, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 114—165); to the Committee on Foreign Affairs and ordered to be printed.

6890. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a proposed Letter of Offer and Acceptance to the Kingdom of Saudi Arabia, Transmittal No. 16-32, pursuant to Sec. 36(b)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6891. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-034, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6892. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-054, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6893. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-010, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6894. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-008, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6895. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-026, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6896. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-061, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6897. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on politically motivated "boycotts of, divestment from, and sanctions against Israel", pursuant to Sec. 909(d) of the Trade Facilitation and Trade Enforcement Act of 2015; to the Committee on Foreign Affairs.

6898. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Maximum Civil Money Penalty Amounts; Technical Amendment [Docket No.: FDA-2016-N-1745] received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6899. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Premerger Notification; Reporting and Waiting Period Requirements received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6900. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Regulated Navigation Area; Portsmouth Naval Shipyard, Kittery, ME and Portsmouth, NH [Docket No.: USCG-2016-0513] (RIN: 1625-AA11) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6901. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ [Docket No.: USCG-2016-0173] (RIN: 1625-AA09) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6902. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Port Huron Float-Down, St. Clair River, Port Huron, MI [Docket No.: USCG-2016-0751] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6903. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Great Egg Harbor Bay, Marmora, NJ [Docket No.: USCG-2016-0665] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6904. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Caribbean Fantasy, Vessel on Fire; Punta Salinas, Toa Baja, Puerto Rico [Docket No.: USCG-2016-0832] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6905. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Dredging, Shark River, NJ [Docket No.: USCG-2016-0824] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6906. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Chesapeake Bay, Hampton, VA [Docket No.: USCG-2016-0371] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6907. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zone; Upper Mississippi River, St. Louis, MO [Docket No.: USCG-2016-0689] (RIN: 1625-AA00) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6908. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; U.S. Navy/U.S. Coast Guard Assets Demonstration in Conjunction with Fleet Week San Diego, San Diego Bay; San Diego, CA [Docket No.: USCG-2016-0756] (RIN: 1625-AA87) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6909. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Kailua Bay, Oahu, HI [Docket No.: USCG-2015-1030] (RIN: 1625-AA87) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6910. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turboprop Engines [Docket No.: FAA-2006-25513; Directorate Identifier 99-NE-61-AD; Amendment 39-18614; AD 2016-17-01] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6911. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; All Hot Air Balloons [Docket No.: FAA-2016-8989; Directorate Identifier 2016-CE-025-AD; Amendment 39-18641; AD 2016-17-04 R1] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6912. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Reciprocal Waivers of Claims for Licensed or Permitted Launch and Reentry Activities [Docket No.: FAA-2014-1012; Amdt. No.: 440-4] (RIN: 2120-AK44) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6913. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — MU-2B Series Airplane Training Requirements Update [Docket No.: FAA-2006-24981; Amdt. Nos.: 61-138, 91-344, and 135-134] (RIN: 2120-AK63) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6914. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31091; Amdt. No.: 3709] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6915. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31092; Amdt. No.: 3710] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6916. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31090; Amdt. No.: 3708] received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6917. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2016-8843; Directorate Identifier 2016-NM-113-AD; Amendment 39-18615; AD 2016-17-02] (RIN: 2120-AA64) received September 12, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following actions occurred on September 16, 2016]

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5719. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of certain equity grants; with an amendment (Rept. 114-748). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3957. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; with an amendment (Rept. 114-749). Referred to the Committee of the Whole House on the state of the Union.

[Submitted September 19, 2016]

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 2285. A bill to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes; with an amendment (Rept. 114-380, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4564. A bill to redesignate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302 as "Robert Emmet Park", and for other purposes (Rept. 114-750). Referred to the House Calendar.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5659. A bill to amend title XVIII of the Social Security Act with respect to expanding Medicare Advantage coverage for individuals with end-stage renal disease (ESRD); with an amendment (Rept. 114-751, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1309. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes (Rept. 114-752). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5977. A bill to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes (Rept. 114-753). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5859. A bill to amend the Homeland Security Act of 2002 to establish the major metropolitan area counterterrorism training and exercise grant program, and for other purposes; with an amendment (Rept. 114-754). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5346. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; with an amendment (Rept. 114-755, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5459. A bill to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes; with an amendment (Rept. 114-756). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 2319. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes (Rept. 114-757). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5690. A bill to ensure the Government Accountability Office has adequate access to information (Rept. 114-758). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5709. A bill to improve Federal employee compliance with Federal and Presidential recordkeeping requirements, and for other purposes (Rept. 114-759). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5687. A bill to eliminate or modify certain mandates of the Government Accountability Office (Rept. 114-760, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged

from further consideration. H.R. 2285 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce and Agriculture discharged from further consideration. H.R. 5346 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 5659 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Transportation and Infrastructure, Financial Services, Energy and Commerce, Ways and Means, and Homeland Security discharged from further consideration. H.R. 5687 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ABRAHAM (for himself and Mr. SMITH of Texas):

H.R. 6066. A bill to enforce Federal cybersecurity responsibility and accountability; to the Committee on Oversight and Government Reform, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Ms. MCSALLY):

H.R. 6067. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from the individual mandate for certain individuals without access to Exchange coverage; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ABRAHAM:

H.R. 6066.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with Indian tribes.

and

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mrs. BLACK:

H.R. 6067.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Miss RICE of New York.
 H.R. 347: Mr. HILL.
 H.R. 605: Mr. MCKINLEY.
 H.R. 932: Mr. MCNERNEY.
 H.R. 969: Mr. ISSA.
 H.R. 1061: Mr. DEUTCH and Ms. LINDA T. SANCHEZ of California.
 H.R. 1427: Mr. CASTRO of Texas, Ms. SPEIER, and Mr. PASCRELL.
 H.R. 1441: Mr. POCAN.
 H.R. 1457: Mr. COOPER.
 H.R. 1706: Mr. TONKO.
 H.R. 1865: Mr. SCHIFF.
 H.R. 2076: Mr. AGUILAR.
 H.R. 2277: Mr. COOPER.
 H.R. 2315: Mr. SHERMAN and Mr. ROUZER.
 H.R. 2368: Ms. KUSTER.
 H.R. 2660: Mr. LANGEVIN and Mr. LEVIN.
 H.R. 2680: Mr. AGUILAR.
 H.R. 2715: Mr. LANGEVIN.
 H.R. 2737: Mr. DONOVAN, Mr. NORCROSS, Mr. WELCH, Ms. CASTOR of Florida, Mr. CULBERSON, Mrs. BROOKS of Indiana, Mr. CURBELO of Florida, Mr. MULVANEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCKINLEY, Mr. COLLINS of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JENKINS of Kansas, Mr. BEYER, Mr. LOEBSACK, Mr. DUNCAN of Tennessee, Mr. LAMALFA, Mr. ABRAHAM, Mr. COURTNEY, Ms. ESTY, Mrs. BUSTOS, Mr. SCHRADER, Mr. YODER, Mrs. NOEM, Mr. RUSSELL, Mr. RODNEY DAVIS of Illinois, Mr. ASHFORD, Mr. POLIS, Mr. HUDSON, Mr. MURPHY of Pennsylvania, and Mr. NOLAN.
 H.R. 2799: Mr. RICE of South Carolina and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 2962: Mr. CUMMINGS.
 H.R. 2972: Mr. MCNERNEY.
 H.R. 3119: Mr. ELLISON and Mr. MARINO.
 H.R. 3297: Mr. PALAZZO.
 H.R. 3397: Mr. SMITH of Missouri.
 H.R. 3512: Mr. YARMUTH and Ms. DUCKWORTH.
 H.R. 3779: Mrs. BUSTOS.
 H.R. 3991: Mr. BEN RAY LUJAN of New Mexico.
 H.R. 4365: Miss RICE of New York.
 H.R. 4514: Mr. JORDAN and Mr. GUTHRIE.
 H.R. 4784: Mr. MOULTON and Mr. COOPER.
 H.R. 4927: Ms. MCCOLLUM and Mr. GARAMENDI.
 H.R. 5015: Mr. FLORES, Mr. LAMALFA, Mr. POSEY, and Mr. CHABOT.
 H.R. 5083: Ms. BONAMICI, Mr. NORCROSS, Mrs. BEATTY, Mr. VAN HOLLEN, and Mr. FOSTER.
 H.R. 5127: Mr. STEWART.
 H.R. 5143: Mr. HARRIS.
 H.R. 5177: Mr. PALAZZO.
 H.R. 5232: Ms. PINGREE, Ms. NORTON, and Mr. DEUTCH.
 H.R. 5262: Mr. FRANKS of Arizona.
 H.R. 5560: Mr. QUIGLEY.
 H.R. 5632: Mr. ISSA.
 H.R. 5732: Mr. BILIRAKIS and Mr. LIPINSKI.
 H.R. 5801: Mr. CALVERT.

H.R. 5883: Mr. JONES, Mr. GOODLATTE, and Mr. PALAZZO.

H.R. 5904: Mr. GOSAR.

H.R. 5931: Mr. SMITH of Texas, Mr. MURPHY of Pennsylvania, and Mr. GOSAR.

H.R. 5940: Mr. BRIDENSTINE.

H.R. 5946: Mr. YOUNG of Alaska.

H.R. 5951: Mr. PETERSON, Mr. MASSIE, Mr. ROGERS of Alabama, Mr. LOEBSACK, and Mr. FLEISCHMANN.

H.R. 5965: Ms. MCCOLLUM and Ms. JUDY CHU of California.

H.R. 5980: Mr. CASTRO of Texas, Mr. CROWLEY, Mr. HASTINGS, Ms. LEE, Mr. BEYER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MACARTHUR, Ms. MATSUI, Mr. MASSIE, Mr. STIVERS, Mr. PETERSON, Ms. MOORE, Ms. STEFANIK, Mr. SWALWELL of California, Mrs. NAPOLITANO, Mr. HANNA, and Ms. ADAMS.

H. Con. Res. 140: Mr. PASCRELL, Mr. NEWHOUSE, Ms. HERRERA BEUTLER, Mr. CHAFFETZ, Mr. MEEKS, Mr. WALKER, and Mr. BURGESS.

H. Con. Res. 155: Ms. STEFANIK, Mr. PALAZZO, Mr. GUTHRIE, Mr. GOSAR, Mr. VIS-CLOSKY, Mr. YARMUTH, and Mr. MCGOVERN.

H. Res. 848: Mr. JOYCE and Mr. WILSON of South Carolina.

EXTENSIONS OF REMARKS

RECOGNIZING HISPANIC HERITAGE MONTH

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with deep respect and sincere admiration that I rise to celebrate National Hispanic Heritage Month and its 2016 theme, Hispanic Americans: Embracing, Enriching, and Enabling America. From September 15, 2016, through October 15, 2016, in honor of Hispanic Heritage Month, the people of the United States will once again celebrate the cultures and traditions and honor the many outstanding contributions of our Hispanic American brothers and sisters.

Hispanic Heritage Month, which begins each year on September 15, recognizes the anniversaries of the independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. Mexico and Chile observe their independence days on September 16 and September 18. Since its inception as National Hispanic Heritage Week in 1968, which later became National Hispanic Heritage Month in 1988, Americans have taken this time to not only honor the rich culture and traditions of Hispanic Americans, but also to reflect on the tremendous impact Hispanic Americans have had within their communities and throughout our nation. The tireless efforts of generations of Hispanic Americans have resulted in a better America.

America's success is reliant upon the rich heritage and cultural diversity of its people. Hispanic Heritage Month celebrates the many Hispanic leaders and members of our communities who have added to the prosperity of the United States in every facet of our society.

Mr. Speaker, at this time, I ask you and my other distinguished colleagues to once again join me in recognizing Hispanic Heritage Month. Throughout America's history, present, and future, the Hispanic community has played and will continue to play a major role in enriching the quality of life for the people of the United States, and for their outstanding contributions they are worthy of our respect and gratitude.

IN RECOGNITION OF GAM GRAPHICS AND MARKETING'S 40TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to congratulate GAM Graphics and Marketing in Sterling, Virginia who celebrated their 40th

anniversary this July. Opened by Charles Grant in 1976, GAM Graphics and Marketing provides quality printing and commercial services to countless citizens throughout our great Commonwealth.

GAM was founded in the 1970s with the mission of teaching marketable job skills to students. Originally the printing was done by the students, mainly serving churches and mission groups; however commercial requests started in 1976. Within five years GAM was producing print products ranging from business cards to full-bound books and bulk mailings. GAM is a company run with compassion and a focus on providing excellent quality and service to their clients. In 1985, Nathaniel Grant took the reins at GAM and with his leadership the company continued to grow. Nathaniel and his sister Faith purchased the company from their parents in 1996. Under the guidance of Nathaniel and Faith, GAM modernized and the company continued to grow without any adverse effect on their excellent quality and service.

In closing Mr. Speaker, I ask that my colleagues join me in sending our most sincere appreciation to a company that has given so much to their neighbors. The Grant Family and the staff of GAM Graphics and Marketing serve as an example to all. On behalf of Virginia's 10th Congressional District I wish them continued success in the future.

IN RECOGNITION OF 90 YEARS OF TOLEDO BLADE OWNERSHIP BY THE BLOCK FAMILY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. LATTA. Mr. Speaker, ninety years ago, Paul Block, Sr. took charge of the Toledo Blade and the Block family has led the esteemed daily ever since. The Blade has been an institution of Northwest Ohio since 1835, but the steady guiding hand of the Blocks has led the newspaper to new heights over the past nine decades.

The Toledo Blade has resided at the same location since shortly after Block Sr. purchased the downtown Toledo site in 1927 for \$4.5 million. The day the building opened, Calvin Coolidge pressed a gold key from Washington to start the new presses. Throughout the ups and downs in the city and region, the Blade has been there to report the news and keep its readers informed.

The success of the Blade would not be possible without the support and vision of the Block family. They have led the paper through revolutionary advancements in how the news is reported and distributed. That includes using technology like the Internet and social media to spread the stories of the day.

The current leadership of John Robinson Block as Publisher and Editor-in-Chief of the Blade and Allan Block as Chairman of Block Communications has served the paper well into the 21st century as the daily still boasts a circulation of 120,000 readers. Along with print editions, readership is at an all-time high with countless others consuming the news through the website, apps, and on other platforms.

Mr. Speaker, ninety years of media leadership from one family is very admirable, and it should be celebrated. I'd like to recognize the Block family for their leadership of a great Ohio institution, the Toledo Blade.

IN RECOGNITION OF BLUEMONT CONCERT SERIES' 40TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the Bluemont Concert Series as it proudly celebrates 40 years of providing high-quality concerts and cultural events in localities throughout northwestern and central Virginia. Originally, the organization received its name from its hometown of Bluemont in Loudoun County, Virginia. Since 1976, Bluemont has presented over 9,300 events fostering a sense of community in the Commonwealth through its presentations of art and culture. This extraordinary concert series has entertained audiences of over three million people including schools, health care facilities, assisted living centers, and nursing homes. This is an important milestone for this wonderful organization.

Cultivating a cultural and artistic presence in Virginia's 10th Congressional District is important to the overall health of our community. It is organizations such as the Bluemont Concert Series that allow us to enjoy a broad range of diverse experiences that would be otherwise inaccessible. The mission of Bluemont, providing family-oriented and affordable events, has given residents in Virginia the opportunity to enjoy music, song, poetry, and storytelling. The concert series has presented a wide range of musical genres including bluegrass, Hawaiian swing, folk, jazz, rock and roll, classical flute and Caribbean steel bands; which has helped to strengthen the cultural spirit within our community.

Over the years, Bluemont has reached lives, not only through its concert series, but also through its school programs and its Artists-in-Education initiative. Bluemont's Outreach Program offers quality entertainment at no charge to appreciative audiences in nursing homes and assisted living facilities. Its outstanding work has earned Bluemont many accolades

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and awards, including the Distinguished Service Award from the Virginia Alliance for Arts Education. The Bluemont Concert Series has provided a valuable service to community and their families.

Mr. Speaker, I ask that my colleagues join me in congratulating the Bluemont Concert Series on 40 years of serving the great Commonwealth of Virginia. I wish Bluemont all the best in its future endeavors.

A RECENT ADOPTED RESOLUTION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. DUNCAN of Tennessee. Mr. Speaker, on August 9, 2016 I had a conversation with my good friend and Knoxville Attorney James M. Crain.

Mr. Crain and I had the opportunity to discuss the federal edict announcing that every public school in America is to allow students to use whichever bathroom they choose.

During our conversation Mr. Crain discussed a resolution adopted by the West Knoxville/Knox County Republican Club offered by Mr. Crain.

Newscom published an opinion editorial titled, "A Bathroom of One's Own," that is consistent with the adopted resolution.

This article is well reasoned and is consistent with the views of many of the people from my District in East Tennessee.

I think most people are tired of all the publicity on this issue and wish we could get back to a time when sexual preference was kept purely private.

I also believe that the Federal government should have very limited power over the decisions State and local governments make about their schools. This has long been my position.

Mr. Speaker, I would like to call to the attention of my Colleagues and other readers of the RECORD the resolution adopted by the West Knoxville/Knox County Republican Club and the article that ran in The Weekly Standard on June 7, 2016.

A BATHROOM OF ONE'S OWN—NEWSCOM

Two weeks ago the Obama administration issued a federal edict decreeing that every public school in America allow students to use whichever bathroom they choose, under pain of lawsuit and/or loss of federal funding.

Less than a week after that, New York City's Commission on Human Rights issued its own edict, declaring that anyone under the city's rule who refused to use the preferred gender pronouns in dealing with transgender individuals—he, she, "xe," or "hir"—would be guilty of harassment and subject to penalties up to \$125,000 for the first infraction and \$250,000 "for violations that are the result of willful, wanton, or malicious conduct." As law professor Eugene Volokh noted, the use of the term "harassment" is important, because it means that employers and businesses are responsible not just for their own behavior but for the behavior of their employees and customers.

And New York is, if you can imagine it, behind the times. Out in Oregon, Leo Soell, a fifth-grade teacher in the Gresham-Barlow

school district, decided she was transgender. (Soell made this decision public only after receiving tenure.) Soell's transition took the form of insisting that she was neither male nor female and demanding that her colleagues refer to her as "they." When other teachers continued to call Soell "she" and "her" and "Miss Soell," Soell filed a harassment complaint. The school district settled with them for \$60,000 and promised to initiate a sweeping set of transgender reforms. To hammer home the power dynamic, the school district claimed, in the statement accompanying the payout, that it was quite "pleased" with the outcome.

If you think that's depressing, it could always be worse. In Canada, the minister of justice recently introduced legislation banning discrimination based on "gender identity" and "gender expression," which could join previous legislation criminalizing anti-trans "hate propaganda." Should the bill pass, you could do up to two years, hard time, if you think the wrong thoughts or say the wrong words.

If this all seems like an inordinate amount of heavy artillery for an infinitesimally tiny issue, that's actually the point. Much as fights in academia are so bitter because the stakes are so small, transgender activists are crushingly authoritarian because the justice of their cause is so uncertain. What the trans project lacks in moral and logical clarity, it hopes to overcome with vehemence and intimidation.

The confusion is abundant. If you tell a transgender activist that gender is determined biologically, through chromosomal composition, they reply, Well, what about people with Klinefelter (XXY) syndrome? But even with Klinefelter's chromosomal anomalies, only a very small proportion of persons will fall into a category of "intersex." As National Review's Celina Durgin points out, arguments about the tiny, tiny sliver of the population who are biologically considered "intersex" actually run counter to transgender ideology, which places "gender identity"—a self-discovered concept—on a separate plane above mere biology. In other words, if being biologically XX is irrelevant to whether or not you are a girl, then why should it matter if you're XXY? Resorting to arguments about the intersexed is actually an admission of the primacy of biology.

Or consider "gender fluidity," another pillar of the transgender project. According to this precept, some people may be one gender on Monday and another on Tuesday. Who can say which is which, or who is when? Not you. The individual is what he/she/they/xe/hir says at any given moment.

And once you've divorced gender from biology and agreed that someone who is chromosomally XY can be a woman, you have no valid reason to object if, the next day, she says she is a man again. If you sign on for transgenderism, you're signing on for gender fluidity, too.

It doesn't stop there, of course. Once you shoot past gender fluidity and the nongendered "theys" like Leo Soell and "pangenders" (who claim to be everything rolled into one), there's a whole other universe of gender identities out there. For instance, "otherkin."

What are "otherkin"? Otherkin is the gender identity of people who believe that they are nonhuman. Last summer Vice.com profiled a fellow who identifies as a fox. Some identify as dogs. Some as lions. Some as dragons. Some otherkin even go through body-modifications to make their physical

selves look more like their otherkin identity.

The otherkin aren't officially part of the LGBTTTQQIAAP alliance yet. But just wait. They're coming. Because to deny them their place at the table—to deny that a human person can be not just an animal, but a creature that does not even exist in the real world—is to put the entire transgender project in jeopardy. Because transgender theory, which posits that the self is infinitely plastic, cannot survive a single limiting precept.

Fortunately, we are not yet fighting over the rights of otherkin unicorns. In the here-and-now, we merely have wars over public bathroom and school locker room accommodations. This may seem like a small-scale concern. The Census Bureau and the New York Times tried to estimate the number of transgendered persons in the United States last year and came up with a figure somewhere between 21,000 and 90,000. Or, to put it another way, transgenderers probably make up between 0.007 percent and 0.029 percent of the American population. When you're dealing with fractions this small, it's hard to be precise.

But because virtue-signaling is the highest form of morality in modern America, the full force of the federal government is being brought to bear on transgender bathroom rights, not only through Obama's federal edict, but through the Obama Justice Department's fight against the state of North Carolina.

In March, the elected officials of North Carolina voted on and passed a piece of legislation, HB-2, which was designed to stop the forced march toward mandating that people must be free to use whatever bathroom they desire. (It is instructive to note that the initiatives pushing the transgender agenda are almost never enacted legislatively; they are often rammed through bureaucracies and commissions or accomplished by executive fiat.)

HB-2 was not a perfect piece of legislation. But the reaction to it was illuminating. The Charlotte Observer's editorial board proclaimed, "Yes, the thought of male genitalia in girls' locker rooms—and vice versa—might be distressing to some. But the battle for equality has always been in part about overcoming discomfort . . ."

Which brings us to the final bit of confusion in the transgender project. At the heart of the bathroom issue is a simple question: Is there a valid reason for separate facilities for men and women? Is there any rational justification for having separate bathrooms, or locker rooms, or changing rooms, for men and boys on the one hand, and women and girls on the other?

The trans argument, per the Charlotte Observer, is essentially "no." By their logic, if women just need to get over their discomfort at seeing naked men next to them, then there's no reasonable explanation for why women could want their own facilities.

Except that this would mean there is no reasonable explanation for why someone who is transgender should prefer one set of facilities over another. If biologically born women need to "overcome discomfort" about having naked men around them, why shouldn't a biological man who identifies as a woman not similarly have to overcome his discomfort at being around other naked men?

The logical paradox of the transgender bathroom war is that it insists that the type of gender and genitalia in a public facility is completely irrelevant—except to the transgendered, for whom it is of supreme importance.

At the end of the day, if you're not in favor of unisex facilities for all—one bathroom for everyone to use—then the transgender case falls apart. Because the transgender project tacitly admits that there are reasons of privacy, modesty, and prudence for segregating the sexes. It merely wishes to trump these concerns from the vast majority for the special pleading of a small, powerful, and illiberal group.

It is the very definition of the tyranny of the minority.

RESOLUTION
THE WEST KNOXVILLE/KNOX COUNTY
REPUBLICAN CLUB

Whereas, Persons who assert a “gender identity” other than their sex are claiming a right to utilize rest room facilities, locker rooms and associated showers with persons of the opposite sex; and

Whereas, No such right has existed in the history of mankind; and

Whereas, Persons—and particularly females—are made extremely uncomfortable by the presence of persons of the opposite sex in such facilities; and

Whereas, There is no way to determine the legitimacy of a claim of “gender identity,” thus opening the door to false claims made to gain entrance to such facilities for immoral and illegal purposes; and

Whereas, Agencies of the Federal Government have exceeded their lawful authority by construing various Acts of Congress as conferring a right to utilize such facilities designated for persons of the opposite sex upon persons claiming a “gender identity” different from their biological sex, to wit:

a. On January 7, 2015, the Department of Energy Office for Civil Rights issued a letter construing 34 C.F.R. 106.33 (implementing 20 USC 1681(a)) as requiring that transgender students in schools that receive Federal funds must “generally” be allowed to utilize bathrooms and locker rooms assigned to the gender with which they identify. The Court of Appeals for the 4th Circuit, citing deference to administrative construction, has reinstated a suit by a transgender “male” to require her Virginia high school to allow her to use the boys rest room, and

b. The Department of Justice has sent a letter to the Governor of North Carolina, asserting that the provisions of North Carolina H.B. 2 violates the Civil Rights Act of 1964 because it treats Transgender persons differently than non-transgender persons by denying all persons the right to use multi-person facilities assigned to persons of the opposite sex, and

Whereas, the expanded interpretations set out above will require schools, in particular, to require that schoolchildren share toilet, locker and shower facilities with any person of the opposite sex that claims a different “gender identity,” and

Whereas, with particular reference to 20 USC 1681(a), this expanded interpretation of “sex” will have the effect of mandating that transgendered “females” be allowed to try out for and compete in women’s sports and, because of the greater strength and speed potential of biological males, will largely destroy the very women’s sports programs that the provision was designed to foster, and which it has fostered with great success; Now, therefore, be it

Resolved as follows:

1. That the foregoing expansions of these Acts of Congress to create rights never intended or contemplated at the time they were enacted is an unconstitutional exercise of legislative power by the Executive Branch, and must be addressed IMMEDIATELY!

2. That the United States Code must be amended to clarify the erroneous “interpretation” placed on it by the Executive Branch by enacting a statute worded substantially as follows:

As used in this Code, the word “sex” refers only to biological sex unless expressly stated to the contrary. No such reference in this Code either requires or prohibits any particular treatment of transgender individuals unless some particular treatment is expressly stated therein.

3. That since such legislation is certain to be vetoed by our President, the foregoing bill MUST BE PASSED AND PRESENTED TO HIM in a timely manner, so that upon returning it to Congress, ample time for votes to override that veto can be held BEFORE THE ELECTION IN NOVEMBER.

4. That this resolution be forwarded to our Representative and to both of our Senators, with the notation that failure to vigorously pursue the passage of the above statute will be construed by the Club as your agreement with these unconstitutional actions by the Executive Branch.

5. The undersigned officers of the West Knoxville/Knox County Republican Club execute this resolution in their capacities as officers only, and that the undersigned represent that this Resolution was passed without opposition by the voting members present at the June 13, 2016 meeting of the club.

Resolved by the Club this the 13th day of June, 2016

GARY LOE,
Vice President.

PAUL E. WEHMEIER,
President.

CONGRATULATING THE LCHS ATHLETIC HALL OF FAME CLASS OF 2016

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the following coaches, contributors, and athletes for being selected to the Loudoun County High School Athletic Hall of Fame Class of 2016. Pat McManus, Alan Smith, Dr. Robert K. Belote, James M. “Jimmy” Kidwell, Reginal “Reggie” Evans, Susan Moxley, David DiMillio, Kristen DiMillio, Kevin Grigsby, Joanna Penn, Shari Mayr, Derrick Ellison, and Marie Bolton were all named to the LCHS Hall of Fame. These individuals have earned this honor through their passion and commitment to athletics.

These outstanding men and women’s hard work, perseverance, and athletic excellence are exemplified in their receipt of this honor. Coming from a family of educators, I understand not only how important a strong education is to the future of our country, but also the need for athletic competition to form a well-rounded member of society. We need to encourage more people to imitate these individuals who have worked so hard to accomplishing this incredible goal.

Mr. Speaker, it is my honor to highlight the importance of this achievement and what it represents for these men and women. I ask that my colleagues join me in congratulating them on being inducted into the Loudoun

County High School Athletic Hall of Fame Class of 2016. I wish them all the best in their future endeavors.

CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE FOR H.R. 4487

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. SHUSTER. Mr. Speaker, in accordance with House Report 114–589, Part 1, I submit the following Congressional Budget Cost Estimate for H.R. 4487.

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, July 5, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4487, the Public Buildings Reform and Savings Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford. Sincerely,

KEITH HALL.

Enclosure.

H.R. 4487—Public Buildings Reform and Savings Act of 2016

H.R. 4487 would amend federal law to provide new authorities to the General Services Administration (GSA) and the Department of Homeland Security’s Federal Protective Service (FPS) to manage federal real estate assets and security at those facilities. The act also would require GSA to prepare a number of reports for the Congress and the Government Accountability Office (GAO) to complete an audit of GSA’s national broker contract. Finally, the legislation would require that lactation rooms be available in all federal buildings that are open to the public.

Based on information from GSA and the FPS, CBO estimates that implementing H.R. 4487 would cost \$3 million over the 2017–2021 period, mostly for GSA to prepare reports on a variety of subjects, including a comparison of the cost of owning or leasing space, an explanation of why the costs of construction projects exceed their initial estimates, a review of current rental rates, and an analysis of the use of refrigerants in equipment installed in federal buildings. CBO also estimates that it would cost GAO less than \$500,000 annually to prepare the required audit. Based on information from GSA, CBO estimates that the act’s requirements to establish lactation rooms in federal buildings would have an insignificant cost because it would apply only to federal buildings that are open to the public and that have lactation rooms designated for use by federal employees. Finally, CBO estimates that providing the FPS with additional law enforcement authorities would not have a significant cost.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 4487 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

CBO also reviewed provisions of the legislation that would require GSA to build a new

headquarters for the Department of Energy (DOE), to be financed by exchanging or selling DOE's current headquarters in the Forrestal Building Complex in Washington, D.C. Based on information from GSA and property developers, CBO expects that constructing a new DOE headquarters could not be accomplished solely through a sale or exchange of the current facility, and would require the expenditure of additional appropriated funds, which are not authorized by this act. Under H.R. 4487, if a new headquarters facility could not be built, GSA would be directed to sell any underutilized or vacant property in the Forrestal Complex. Based on information from GSA, CBO does not expect that enacting the bill would result in more sales than would otherwise occur under current law.

H.R. 4487 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

IN RECOGNITION OF LOUDOUN
INTERFAITH RELIEF'S 25TH AN-
NIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge the 25th anniversary of Loudoun Interfaith Relief, Loudoun County, Virginia's largest food pantry, and their steadfast service to the good citizens of the Loudoun community. I would like to personally commend the volunteers who so selflessly dedicate themselves to providing support to those less fortunate without asking anything in return. These notable citizens truly embody the very best of our nation's values through their service to the community and commitment to the betterment of others' lives.

Loudoun Interfaith Relief has increased their service exponentially since it began. In 1991, LIR provided 50,000 pounds of food over 4,800 pantry visits. In 2016, LIR served 11,000 individuals in 73,000 visits with 1.2 million pounds of food. The pantry is now open six days a week and has over 320 volunteers working to provide services to those in need. This growth is a clear testament to the outstanding dedication to service conducted by the staff and volunteers at Loudoun Interfaith Relief.

Mr. Speaker, it brings me immense pride to recognize such a fine organization, and I sincerely hope that we all can live up to their tremendous example. I ask my colleagues to join me in congratulating Loudoun Interfaith Relief. I wish them all the best and hope that they continue to be a positive example of service to the community.

TRIBUTE TO THE KOCH FAMILY
FARM IN PUEBLO COUNTY, COL-
ORADO

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. TIPTON. Mr. Speaker, I rise today to honor the Koch Farm, located in Pueblo County, Colorado. Last month, the Koch Farm was honored by the Colorado Department of Agriculture and History for its 102 years of contributions to Colorado's agriculture economy, and its deep family roots in the community.

The Koch Farm was founded in 1914 at the beginning of World War I. It survived the dust bowl of the 1930s, fluctuating crop prices, and many other harsh conditions that have devastated other Colorado farms over the past decade. As a family, the Kochs were able to persevere, keeping their family's traditions and the farm alive. It's through the hard work and determination of family members like John and Conrad Wyss, the founders of the farm; Mark Koch, the current operator of the farm, and his siblings; and their father, John Koch, who passed away earlier this year, that this farm continues to thrive today.

Mr. Speaker, I am immensely proud of the family tradition and determination that the Koch Family Farm embodies. I congratulate the Koch Family Farm for receiving the distinct honor of being designated as a part of the Colorado Department of Agriculture and History homestead collection. The Koch family truly deserves this honor.

HONORING THE LIFE OF OFFICER
MIKE BRUNSON

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor the life of my constituent, Officer Michael "Mike" Todd Brunson, a master police officer in the Winchester Police Department. Officer Brunson passed away on September 11th, 2016 at the age of 48. He will be sorely missed by his family, his fellow officers, and his entire community.

Mike Brunson was sworn into the Winchester Police Department on February 10, 1995 and was promoted to the position of Master Police Officer in September of 2006. Officer Brunson was a respected and well known member of our community. In addition to protecting his neighbors, Mike helped found his department's community policing unit, and even served as a counselor at the Kids and Cops Camp. Officer Brunson was a member of the SWAT Team, a firearms instructor and field training officer. He also received a Meritorious Action Award and a Valor Award in 2014 for risking his life to enter a burning home in search for a 2 year old boy.

Winchester Police Chief Kevin Sanzenbacher in his statement said that Mike "was a great person, a great father, grandfather, husband, son and friend. He will be

truly missed." Lt. J. Cornwell of the Frederick County Sheriffs Office had Officer Brunson as his first field training officer and said "he was a very courteous and nice man who was always willing to pass on information that he had" and that it was a "shame to lose him, especially at that young age." Officer Mike Brunson is survived by his mother, Carol D. Rockwell, his wife, Kimberly Brunson; his daughter Elizabeth Thurman and her husband Jesse, his daughter Katherine Brunson; a step-daughter, Eve Neal, and step-son, Stephen Neal-Crowe; as well as his two grandchildren Ryleigh Grace and Oliver James Thurman.

Mr. Speaker, I ask that my colleagues join me in celebrating the life of Officer Michael "Mike" Todd Brunson. May he rest in peace, and his family be comforted.

HONORING BOB MCFADDEN IN THE
DALLES, OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. WALDEN. Mr. Speaker, I rise today to recognize my good friend Bob McFadden for his many years of dedicated public service to the Port of The Dalles. Bob has retired after serving 11 years as commissioner and the last two years as President for the Port of The Dalles, and I would like to pay tribute to his leadership for the people of The Dalles.

Bob was born near Mollala, Oregon and graduated from Portland's Parkrose High School. Following graduation, Bob studied culinary arts and the hospitality industry at the Horst Mager Culinary Institute before beginning a career in culinary work and hotel management for Holiday Inn in the Portland area. During his tenure with the hotel industry, he met a fellow Parkrose High graduate, Kris, who would become his wife of 42 years. They would go on together to work in the Houston, Texas area before receiving an offer to manage a hotel in The Dalles and so the two moved their new family to The Dalles in 1982.

After arriving in The Dalles, Bob began his real estate career as well as his time as an Oregon athletics official for high school football and basketball. His career as a referee in the Mid-Columbia region also included service as basketball and football commissioner and the peer awarded State Football Referee of the Year.

Being a family man with a business to operate is a difficult and time consuming role in itself. In addition to being a great father, successful realtor, and a reliable referee for the region's student athletes, Bob found even more time to give to his community in a number of roles including membership and presidency of The Dalles Rotary and Lions Clubs, serving on the Mid-Columbia Fire and Rescue Board, North Wasco County School District Budget Committee, and a term on The Dalles City Council. Bob and Kris also helped establish the long time sister city program with Miyoshi City, Japan that regularly sends citizens abroad and brings citizens of Miyoshi City to The Dalles to better promote understanding and exchange in the global community.

Bob's service with The Port of The Dalles began in 2003, where he served as commissioner until 2014 when he was elected President, a position he held until his retirement at the end of June. During his term, he has been an integral part of the economic driver that is The Port of The Dalles. Despite the progressive loss of major job creators over the years, The Port commission has managed to work with the community to create fruitful ideas to bring new jobs into the area. As a member of the Port's Community Outreach Team, I knew I could count on Bob to provide valuable insight in crafting solutions to the issues facing The Dalles and Wasco County.

As Bob begins his transition into retirement, I know he and Kris will look forward to more time together.

Mr. Speaker and my colleagues, please join me in recognizing and thanking my good friend, Bob McFadden for his many years of leadership and service to The Dalles.

IN RECOGNITION OF THE 2016
BREAST FRIENDS EVENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to recognize the important work done by Ms. Nicole Clark for hosting the 2016 Breast Friends event at Harmony Middle School in Virginia's Tenth Congressional District. Nicole has worked on hosting these events since 2013, when she first started them with her "breast friend" Michelle Batt. The success of these events has helped raise awareness and spread knowledge on the subject of breast cancer. Their hard work exemplifies the caring attitude of Loudoun County's residents.

The 2016 Breast Friend event will entail discussion with a panel of doctors who are working in fields related to breast cancer, as well as Ms. Clark's own story about her experience with breast cancer. The overall mission of Ms. Clark and the Breast Friends team is to provide support to a community of women suffering from breast cancer.

I believe that it is important to continue working to help defeat breast cancer; while also supporting those organizations and programs such as Breast Friends that do so much for those already suffering from this disease. These events serve a vital role in the continued education of our community about diseases such as breast cancer, and in the creation of support networks for those affected by it.

It is my hope that this event will endure into the future and continue this legacy of community support and awareness. I thank and commend everyone involved in the 2016 Breast Friends event. Their caring spirit will result in critically important issues being discussed to a greater degree in our society.

Mr. Speaker, I ask my colleagues to join in recognizing Ms. Nicole Clark of Loudoun County for her work as host of the 2016 Breast Friends event in Hamilton, Virginia. Although Michelle Batt will not be in the country for this year's event, she will continue to be an

integral part of the important work done by the Breast Friends in our great Commonwealth. I commend both Nicole and Michelle for their continued dedication to supporting those suffering from breast cancer. I wish them all the best in their future endeavors.

REMEMBERING THE LIFE OF MRS.
BRENDA FAYE YOUNG RUSSELL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to recognize the life and legacy of Mrs. Brenda Faye Young Russell, who sadly passed away on Saturday, March 12, 2016.

Brenda attended North Carolina A&T State University and received a Bachelor of Science Degree in Economics and Business Administration in 1969. After receiving her degree, she embarked upon a career in business by securing a position as an economist at The Rouse Company in Columbia, Maryland. In 1975, Brenda married Mr. Daniel Russell, who was also employed by the Company.

Later in her career, Mrs. Russell worked as a merchandising manager and developed several retail businesses through Maryland. Ultimately, she created Russell-Turcot and Company, a real estate development and consulting firm. Her talents and expertise surpassed the retail and consulting industries, and extended to community leadership. Mrs. Russell served her community by assuming the position of Acting President for the Washington Urban League.

In recognition of her outstanding contributions to small business and society, Mrs. Russell was honored by the Metropolitan Democratic Women's Club and received the Mayor Marion Barry Award for "Exemplary Business Achievement" in the retail industry in 1983. Indeed, the Washington Post described Mrs. Brenda Russell as "the walking embodiment of a successful retailer."

Mr. Speaker, I am honored to pay my respects to Brenda and her family. She is survived by her husband, Daniel Russell; her daughter, Doni Kristen; and many others who grew to love and cherish her. I offer my deepest condolences to Brenda's family. Her spirit, loving memory, and legacy will always live on.

IN HONOR OF THE 50TH ANNIVERSARY
OF THE COMMITTEE FOR
DULLES

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the 50th anniversary of the Committee for Dulles (CFD). Established in 1966, the CFD has worked tirelessly to help Washington Dulles International Airport and the economic growth of its region.

The hard work done by the men and women of the Committee for Dulles has helped to

make excellent opportunities available to many of my constituents and ensure the growth of the Washington Dulles International Airport corridor.

Home to some of our nation's largest and most successful companies, the CFD has worked tirelessly to secure the necessary infrastructure to maintain these economic staples in place, all while providing a better quality of life for the residents of Dulles. The close collaboration of the constituents of Virginia's 10th Congressional District is crucial to bringing continued prosperity to the region.

Mr. Speaker, I ask my colleagues to join in recognizing the 50th anniversary of the Committee for Dulles and thanking them for the hard work they do to help stimulate economic growth in the entire region. I know the Committee for Dulles will continue to provide excellent opportunities for the area in the future, and I wish them all the best.

CELEBRATING THE 100TH ANNIVERSARY
OF EL PASO HIGH
SCHOOL

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. O'ROURKE. Mr. Speaker, I rise today to honor and celebrate the 100th Anniversary of El Paso High School (EPHS).

September 18, 2016 marks the 100th anniversary of El Paso's oldest operating high school, El Paso High. During these 100 years, the "Lady on the Hill" has played an influential role in defining the best of our community and country.

El Paso High has a long and proud history of service. In the early 1900's El Paso High School's first Texas Cadet Guard became one of the first Junior Reserve Officers Training Corps (JROTC) in the United States. She has prepared notable officers like William D. Hawkins, an El Paso High JROTC alumnus and Medal of Honor recipient of the U.S. Marine Corps, after whom the U.S.S. *Hawkins* was named. In 1925, an airfield on the U.S. Army's installation at Fort Bliss was named after James Buster Biggs, another EPHS graduate who was killed in a plane crash at Beltran, France in 1918.

El Paso High School also represents the best of our country's connection with the rest of the hemisphere. Located just three miles from the U.S.-Mexico border, EPHS is 93 percent Hispanic, and has implemented a nationally recognized Dual Language Gifted and Talented Program. Also known as *Mundos Unidos*, or *Connecting Worlds*, the unique program was awarded the multi-million dollar Jacob K. Javits Grant from the U.S. Department of Education. The program has helped EPHS graduates to receive top scholarships at the top universities.

Innovation and creativity flourish here. F. Murray Abraham, a 1958 graduate, began his acting career at El Paso High School. His talent won him a drama scholarship to the Texas Western College, and later an Academy Award for Best Actor in the film *Amadeus*. Jim Ward and Cedric Bixler-Zavala, best known for

their collaboration in the groundbreaking band At the Drive-In, are both proud Tigers.

Another accomplished El Paso High graduate, Tom Lea, moved the nation through his art, writing, and war-time correspondence. Lea brought the Southwestern region to life in his famous murals that can be found in public buildings from Washington, D.C. to Dallas, Texas. Mr. Lea also worked as an eyewitness correspondent for Life Magazine, where he traveled more than 100,000 miles to record the experiences of U.S. and Allied officers in World War II. He wrote and illustrated The Brave Bulls and The Wonderful Country, which were later adapted into Hollywood movies.

Ruben Salazar, a pioneer journalist during the 1960's Chicano movement, was the first Mexican-American to cover the Chicano community in mainstream media. His news coverage included police discrimination against Mexican-Americans, Chicano protests, and the relations between Chicanos and African Americans. On August 29, 1970, Salazar covered the Chicano Moratorium anti-war protest in East Los Angeles, the largest Mexican-American rally in U.S. history. Sheriff's deputies and officers wielded clubs and fired tear gas at protestors in the area, hitting and instantly killing Salazar. His unfortunate death and fearless character has made him a civil rights leader for our country. Abraham, Lea, and Salazar are among the many high-skilled, gifted minds El Paso High has produced. Our city's oldest high school has exceptionally prepared some of our nation's best visionaries.

The beauty of El Paso High School lies not only within its students, but with its architecture as well. In 1980, El Paso High became an official historic landmark in the National Register of Historic Places. Its unique Greco-Roman architecture was inspired by the Portico of Octavia in Rome, Italy. Henry Trost, the chief architect, designed the school and some of the most unique buildings in the Southwest.

Mr. Speaker, I ask the House of Representatives to rise with me to honor El Paso High School and the extraordinary work they have done these last 100 years with our students and community. Viva la High.

IN HONOR OF THE COMMEMORATION OF THE 1861 BATTLE OF DRANESVILLE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the Commemoration of the 1861 Battle of Dranesville on Saturday, September 24th. The battle marked the first time Union forces defeated the Confederacy in the eastern theatre.

On December 20th, 1861, Brigadier General Edward Ord, leading the Union forces, engaged the Confederate army under the command of Brigadier General J.E.B. Stuart at the village of Dranesville, Virginia. The Union force of 5,000 men was attacked by 4,000 Confederate soldiers along the Leesburg Pike. Due to their superior position, Union artillery

was able to out-duel their Confederate counterparts while the infantry forces squared off. After two hours of fighting, the Confederate army retreated from the field. The Union victory provided a much needed morale boost during America's most deadly war.

Mr. Speaker, I ask my colleagues to join me in recognizing the Commemoration of the 1861 Battle of Dranesville. We must always remember and honor those who sacrificed their lives to preserve our nation.

PERSONAL EXPLANATION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. GUINTA. Mr. Speaker, on Roll Call Vote Number 492-504, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call Number 505 had I been present, I would have voted YES.

On Roll Call Number 506 had I been present, I would have voted YES.

IN RECOGNITION OF THE FRIENDS OF THE CLAUDE MOORE COLONIAL FARM AT TURKEY RUN

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize The Friends of the Claude Moore Colonial Farm at Turkey Run in Fairfax County, Virginia for their support of this educational farm throughout the years. This society has been integral in the continued operations of this park site, which serves as a historical reference to colonial farm life for the citizens of Fairfax County and for visitors from around the country.

The Friends of the Claude Moore Colonial Farm at Turkey Run hosts their annual Oktoberfest fundraising event, which has live entertainment and a myriad of other activities. The Claude Moore Colonial Farm at Turkey Run has been open for over 40 years, and has been the only privately funded and operated park in the National Park System for the past 35 years. This park site offers many learning experiences for its visitors to be immersed in the authentic methods of colonial agriculture.

Agriculture continues to be a vital force in my district as well as the nation as a whole, and I would like to applaud this group's dedication to maintaining an establishment that celebrates our nation's farming heritage. The Claude Moore Colonial Farm at Turkey Run is a wonderful destination for many students and young people to learn about our country's history and develop a greater appreciation for those men and woman who laid the foundation of the United States of America.

Mr. Speaker, I ask that my colleagues join me in recognizing The Friends of the Claude Moore Colonial Farm at Turkey Run for their

valuable efforts to preserve one of our nation's great parks. I wish them all the best at their upcoming Oktoberfest event and in their future endeavors.

PERSONAL EXPLANATION

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mr. WESTERMAN. Mr. Speaker, on roll call no. 508, I was at a meeting off Capitol Hill, and did not make it to the House Chamber in time to vote. Had I been present, I would have voted AYE.

IN HONOR OF THE 5TH ANNIVERSARY OF SPROUT THERAPEUTIC RIDING AND EDUCATION CENTER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 19, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the 5th anniversary of Sprout Therapeutic Riding and Education Center in Aldie, Virginia. The center provides equine assisted activities and therapies for those seeking opportunities for personal growth.

With seven horses and a dedicated staff, the center seeks to raise awareness about special needs while providing a dynamic environment for participants to learn and socialize. Their riding lessons focus on gaining riding skills, increasing physical strength, and achieving the rider's desired social, emotional, and life skills. Their work is an inspiration and I am proud to have such a wonderful organization in the Virginia's 10th Congressional District.

Mr. Speaker, I ask my colleagues to join in recognizing the 5th anniversary of Sprout Therapeutic Riding and Education Center and thanking all those who provide comfort and support to our neighbors in need. I know the center will continue to provide excellent opportunities for any who wish to partake. I wish them all the best in their future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for

printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 20, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED SEPTEMBER 21

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine the Department of Agriculture and the current state of the farm economy.

SR-328A

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 3346, to authorize the programs of the National Aeronautics and Space Administration, S. 3183, to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, S. 3097, to establish the SelectUSA program, S. 1788, to require operators that provide online and similar services to educational agencies, institutions, or programs to protect the privacy and security of personally identifiable information, H.R. 4755, to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach, and H.R. 4742, to authorize the National Science Foundation to support entrepreneurial programs for women.

SR-253

Committee on Finance

Business meeting to consider an original bill entitled, "Miner's Protection Act of 2016", and an original bill entitled, "Retirement and Enhancement Savings Act of 2016".

SD-215

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine combatting the opioid epidemic, focusing on a review of anti-abuse efforts by Federal authorities and private insurers.

SD-342

10:30 a.m.

Committee on Appropriations

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies

To hold hearings to examine the possible conversion of public housing and other project-based rental assistance to Section 8 vouchers, as well as administrative changes to the Section 8 voucher program, in order to improve the delivery of rental assistance to vulnerable families and individuals.

SD-192

Committee on Banking, Housing, and Urban Affairs

Subcommittee on National Security and International Trade and Finance

To hold hearings to examine terror financing risks of America's \$1.7 billion cash payments to Iran.

SD-538

1 p.m.

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

2 p.m.

Committee on Indian Affairs

Business meeting to consider S. 2953, to promote patient-centered care and accountability at the Indian Health Service, S. 3234, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, the Indian Trader Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities, and S. 3261, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

SD-628

2:30 p.m.

Committee on Appropriations

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

To hold hearings to examine prioritizing public health, focusing on the Food and Drug Administration's role in the generic drug marketplace.

SD-192

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold an oversight hearing to examine the proposed revisions to the Fish and Wildlife Service mitigation policy.

SD-406

Committee on the Judiciary

Subcommittee on Immigration and the National Interest

To hold an oversight hearing to examine the Administration's fiscal year 2017 refugee resettlement program.

SD-226

SEPTEMBER 22

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States national security challenges and ongoing military operations.

SD-G50

Committee on Energy and Natural Resources

To hold hearings to examine S. 346, to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, S. 437, to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, S. 1416, to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument, S. 2056, to provide for the establishment of the National Volcano Early Warning and Monitoring System, S. 2380, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 2681, to authorize the Secretary of the Interior to retire coal

preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of the Navajo Nation, to designate certain wilderness areas, S. 2991, to withdraw certain land in Okanogan County, Washington, to protect the land, S. 3049, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, S. 3102, to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, S. 3167, to establish the Appalachian Forest National Heritage Area, S. 3192, to designate a mountain peak in the State of Montana as "Alex Diekmann Peak", S. 3203, to provide for economic development and access to resources in Alaska, S. 3204, to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, S. 3254, to provide for a land exchange involving certain National Forest System land in the State of South Dakota, S. 3273, to make technical corrections to the Alaska Native Claims Settlement Act, S. 3312, to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado, S. 3315, to authorize the modification or augmentation of the Second Division Memorial, S. 3316, to maximize land management efficiencies, promote land conservation, generate education funding, S. 3317, to prohibit the further extension or establishment of national monuments in the State of Utah except by express authorization of Congress, H.R. 1838, to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and H.R. 2009, to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

SD-366

10 a.m.

Committee on Banking, Housing, and Urban Affairs

Subcommittee on Housing, Transportation, and Community Development

To hold an oversight hearing to examine the Department of Housing and Urban Development inspection process.

SD-538

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine exploring current practices in cosmetic development and safety.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine exploring a right to try for terminally ill patients.

SD-342

Commission on Security and Cooperation in Europe

To hold hearings to examine atrocities in Iraq and Syria, focusing on relief for survivors and accountability for perpetrators.

RHOB-2200

2 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH-219

3 p.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine agency regulatory guidance.
SD-342

4 p.m.
Commission on Security and Cooperation in Europe
To receive a briefing on Moldova at a crossroads.
RHOB-2456

POSTPONEMENTS

SEPTEMBER 21

9:30 a.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider S. 2873, to require studies and reports examining the use of, and opportunities to use,

technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, S. 2932, to amend the Controlled Substances Act with respect to the provision of emergency medical services, an original bill entitled, "Career and Technical Education Act of 2016", and the nominations of Thomas G. Kotarac, of Illinois, to be a Member of the Railroad Retirement Board, and Constance Smith Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission.
SD-430

SENATE—Tuesday, September 20, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, every good and perfect gift comes from You alone, for with You there is no variation or shadow of turning. Help us to remember that the function of prayer is not to influence You, Almighty God, but to change us. We, therefore, do not pray for an easy life but for the strength to endure a difficult one.

Give our Senators the wisdom to trust You in the small things, realizing that faithfulness with the least prepares them for fidelity with the much. May they trust You to do what is best for America in good times and in bad. May we place our hope in You and never forget how You have sustained us in the past.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

CONTINUING RESOLUTION

Mr. McCONNELL. Mr. President, Senators have been continuing their work across the aisle to reach an agreement on a continuing resolution that will help keep Americans safer from Zika, provide critical funding for veterans, and keep the government open.

I have been encouraged by the progress that we have made so far, and I hope to see it continue as we work toward a final bill which will extend through December 9 at last year's enacted level.

We all know how important the measure is. So let's keep working and get this done.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE REPUBLICAN-LED SENATE

Mr. REID. Mr. President, the Republican-led Senate recently returned from the longest summer recess in more than a half a century. It is depicted here in the chart I wish to share with my colleagues. The black lines are when we are not working. Where there are not black lines is when we work, keeping in mind that many of our work days are not the work days of the people we represent. Some work days are 3 or 4 hours at the most.

The Republican Senate just simply doesn't work. The chart represents the fewest working days since 1956. Our country has grown since then. But here it is. A picture is worth a thousand words. I won't say a thousand words this morning, but I will say a few more things.

We are here today when the Republican-led Senate is on track to work fewer days in 2016 than in any year since 1956, when I was in high school. Republicans owe the taxpayers who fund their paychecks an apology—and they really do—for showing up to work fewer days this year than any Senate in all those many decades.

One would think the Republicans would be embarrassed by their indolence—but apparently not. Instead of apologizing for their absenteeism, Republicans are demanding even more time off.

Today I read in the newspaper—there are news accounts all over the country—that Republicans are whining about being asked to show up to do their jobs. They are asking for more weeks of recess. They are saying that Democrats are holding up what we are doing in Congress—how about that.

We are so far down the road here that not much can be done because we are in what we call postclosure procedure in almost everything we do around here. We are going to vote in just a few hours, and it will be another time when we can't do anything because we are postclosure. But that is the calendar the Republican leader set. We didn't. That is the calendar we should stick to, I guess, is what we are being told. Let's black off a few more days. It is scary, but that is what they want. If we take more time off, the Senate will not have just worked fewer days in any year since 1956, but we may have to go back further in history to find a Senate that worked as few days as this one—a long time back.

So I have a short answer for the Republicans who complain about being asked to earn their paychecks. Cry us all a river. Stop complaining about not having enough time off.

People out there who are watching this work different kinds of jobs. Some are retired, but they worked. They know what it is like to work. They never gave themselves extra weeks of vacation whenever they felt like it and neither should Senate Republicans.

DONALD TRUMP

Mr. REID. Mr. President, working people in our great country are tired of being ripped off by really rich people—some who are billionaires and some who claim they are billionaires. During the financial crisis, Wall Street took Main Street to the cleaners. Oh, did it hurt the State of Nevada—all of Nevada: Reno, Las Vegas—and it clobbered rural Nevada. American families lost their savings, their livelihoods, and their businesses because of the greed of a few. The last thing the American people want or need is a President who will run another financial scam on each of them.

If elected, Donald Trump would be the scammer in chief. Trump is a fraud. That is the word that I chose. He was born with an inheritance, but he lost his daddy's wealth. That is why Donald Trump won't release his tax returns. That is certainly one of the reasons, of course. He is not worth nearly as much as he claims to be. That is the secret he doesn't want anyone to know. He wants everyone to think he is the big, rich, rich man.

We know that Trump lies about his money. I am not making that up. He once admitted he assesses his net worth on a whim. This is what he said during one of his many, many depositions, which is a court proceeding where you gather evidence, and he has appeared before many for his depositions. This is what he said on one occasion in his many sworn statements. I keep stressing that this is one of a multitude of lawsuits to which he has been a party. This is Donald Trump talking: "My net worth fluctuates, and it goes up and down with markets and with attitudes and with feelings, even my own feelings."

Simply put, Trump is faking his net worth because he doesn't want us to know that he is not a good businessman and he is not as rich as he would have us believe.

Donald Trump's business record speaks for itself. He has ruined company after company, hotel after hotel. Over the last couple of decades, we know of at least six of his companies that have gone into bankruptcy. There are Trump's other business ventures, such as Trump Steaks. Yes, that was

really one—Trump Steaks, those things you eat. There was Trump Magazine, those things you read, and Trump University, those places where you are supposed to get educated. They were all flops.

Trump claims to be a titan in the real estate industry, but the Washington Post has reported that he doesn't crack the list of major real estate buyers in New York City, let alone the country.

Earlier this year, the New York Times reported that Trump has such a bad business reputation that banks do not wish to lend him money.

In lieu of real business success, Donald Trump resorts to scams like Trump University. That is a doozy, but that is one of the best scams. Now, with Trump University, he ripped off everyone from students interested in real estate to retirees looking to invest their savings. Trump University is under investigation by the New York Office of the Attorney General, and he is the defendant in two other class action lawsuits. Why? Because he cheated people. He cheated them.

Litigation is nothing new to Donald Trump. Over the last decade and a half, Trump and his companies have been sued in Federal court 72 times. That doesn't take into consideration the many times he has been sued in State courts. There have been 72 Federal cases and many more times in State courts. But Trump, being the flimflammer that he is, just moves on to another scheme.

He even cheats charities. He has a charity—using a broad definition of a “charity”—called the Trump Foundation. Trump started his charity because he is desperate to get invited to fancy parties and be seen with people who give their own money. He seeks acceptance among the wealthy. Since 2008, Trump has not donated a single penny to his own charity, the Trump Foundation. Does he have the money to donate? Well, he says he should, but he doesn't. Americans are far more generous, even though they are of modest means, but they contribute generously to charities every day—not the Donald. No, instead, he goes to other individuals and charities and asks them to donate to his foundation.

The Trump Foundation isn't as much of a charity as it is Donald Trump's personal ATM machine. Trump uses the money he gets from other charities to buy himself gifts. Four years ago, Trump paid \$12,000 of charity resources to buy a football helmet signed by Tim Tebow. Tim Tebow, I am sure, is a fine man. His college career was terrific. He is a Heisman award winner. His professional career wasn't so good, but everything I know about the man indicates he is a good person. He is now 29 years old, and with his great physical attributes, he is trying baseball. He hasn't played baseball since he was in

high school, but he hit almost .500 his last year in high school, and I hope he does well.

Here is the deal with the helmet. If Trump wants to buy Tim Tebow's helmet or Willie Mays' bat or Ernie Banks' glove—whatever he wants to buy—that is his right. But shouldn't he use his own money? Not Donald Trump—no, he didn't use his money to buy Tim Tebow's helmet. He didn't use his checkbook to buy that memorabilia. Instead, he used the Trump Foundation charity money—money that was supposed to be given to somebody that needed help. So for \$12,000, a big shot was bidding on a helmet, not with his own money but with the charity's money.

The Internal Revenue Service calls this sort of thing self-dealing. Self-dealing is when a person spends charity money on himself. It is against the law. It is illegal. But Trump doesn't care about what the law is. If he doesn't have the money himself, which obviously he doesn't, then he uses other people's money—other people's money that is put into his charity, and he spends it on himself. This is who the Republicans want to be our President. This is who Republicans—Leader MCCONNELL and Speaker RYAN want this man to prepare a budget for our country? Trump can't be trusted with his own charity. Are we supposed to believe he can manage the Nation's Treasury or provide money for our armed services or for Homeland Security?

This is a man who uses charities to bilk even police officers. In 2009, Donald Trump asked the Charles Evans Foundation for a donation to his charity, the Trump Foundation. Trump told them he needed the money to donate to the Palm Beach, FL, Police Foundation. They gave Trump's charity \$150,000. Donald Trump took that money and gave it to the Palm Beach Police Foundation. He didn't match it with a dime of his own. Trump took the Charles Evans Foundation money, and he donated it as if it were his own.

Here is where the story gets even more absurd—even worse. What kind of man is this person running for President? Well, here is a slight indication. When the Palm Beach Police Foundation wanted to use Trump's South Florida resort to honor him for his gift—remember, the gift was from somebody else, but he claimed credit for it—Trump charged them for the event, for the room, and for the food. It is estimated that the Palm Beach Police Foundation paid Trump and his hotel operation \$200,000 to honor himself.

Donald Trump ran a hustle on many different charities and netted his resort money, and he didn't spend a penny of his own money along the way.

Trump never worries about being caught because he financially rewards

the people who would investigate the racket he perpetuates. In 2013, the attorney general of Florida, Pam Bondi, announced she was joining the New York investigation into Trump University. Four days after announcing the probe, Donald Trump sent \$25,000 to her campaign. The attorney general's office announced almost immediately that it would not be investigating Trump University and would not join with the State of New York. Guess what money Trump used to persuade the attorney general to change her mind. Was it his money? Oh, no. Was it money from his charity? You got it. Of course, that is illegal, but he did it anyway and got credit from the attorney general of Florida.

How can Senator MCCONNELL and Speaker RYAN continue to endorse this man? How can Republicans close their eyes to the fact that this swindler is running for President and he is ripping off the American people and our government?

This Republican Congress has spent millions of your tax dollars on political hit jobs masquerading as investigations. They have spent untold amounts of money on Benghazi, on emails, and they found nothing, of course—zero—and they have acknowledged that.

So I have another job for them. Why don't they investigate Donald Trump? They can do it quickly. They are all set to do this. They don't mind spending taxpayer dollars. All these investigations of the Clinton operation have always been taxpayer dollars. They should take a cue from the attorney general of the State of New York and hold Trump accountable for scamming charities, the IRS, and the American people.

Donald Trump desperately wants people to believe that he is a brilliant, rich, rich businessman. In reality he is a silver-spoon-toting fraud who would never make it in the real world without his father's money. That is why Trump's entire business career has been one scam after another, such as in Atlantic City where he cheated everybody and got rich at the expense of others. If there is one reason Atlantic City has gone downhill—and it has—it is Donald Trump.

He is always looking for a mark, some victim for one of his scams, because he is incapable of making money honestly. Now our country is Trump's next target. He wants this to be the biggest payoff ever.

Mr. President, I think it is time to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5325, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, I can still recall the first briefing I had as a Member of Congress on something called HIV/AIDS. I didn't know much about it. I heard the words, but I didn't understand them until this briefing brought to mind and brought to light the serious threat this was to the health of thousands of people in the United States and around the world. It was a frightening moment. The information we received led us to believe quite honestly that this was the public health crisis of our time.

There was a response that I was surprised by. Despite all the controversy around all the values and issues, President Ronald Reagan and his Surgeon General Koop stepped forward and showed real leadership.

Some argued that President Reagan waited too long. I am going to put that argument aside. The day came when the Surgeon General sent a letter to every American family telling them the threat of this public health crisis. It was the right thing to do. We dealt with it in an honest, forthright way. We appropriated massive amounts of money for treatment research, and we have come a long way in saving the lives of many who were threatened by this deadly disease.

It is rare when a President of the United States steps up and says to the American people: We have a public health crisis. Because it is so rare, we should take it very seriously.

In February of this year, President Obama made that plea to Congress about a new public health crisis involving the Zika infection. Zika, of course, is borne by mosquitoes. There is evidence in countries around the world that when these mosquitoes bite someone and infect them, it has a negative health consequence, particularly on pregnant women and the babies they carry.

President Obama came to Congress in February of this year and in a rare moment announced that we had an emergency, a public health crisis that needed to be addressed. He asked for \$1.9 billion to eradicate the mosquitoes and also to develop a vaccine to protect innocent Americans.

I took that seriously. Unfortunately, the Republican leadership in Congress

did not. It wasn't until May, some 3 months later, that the Senate passed a response to the President's request for this public health emergency called Zika. We passed a bill that had about \$1.1 billion in it—not what the President asked for but a substantial investment toward his goal of protecting America and developing a vaccine, and we passed it with an overwhelming bipartisan vote. Some 89 Senators from both parties voted for it in May of this year. That, of course, was 4 months ago.

What happened after the Senate with a strong bipartisan vote responded to the President's request for emergency funding for a public health crisis involving Zika? What happened to this bill after it passed the Senate? It went to the House of Representatives. Unfortunately, that is where it took a bad turn. Instead of passing the obvious bipartisan bill in response to the President, the House Republicans insisted on delaying it further and adding provisions that were politically controversial and really were unnecessary to our goal of protecting America from this crisis.

They added a provision that said that if you were a woman seeking family planning so that your pregnancy was not compromised by the Zika virus, you could not use the Planned Parenthood agencies for those family planning consultations. Why would they pick Planned Parenthood? Because the Republican Party is at war with Planned Parenthood. They are willing to stop even their family planning functions.

Two million American women went to Planned Parenthood last year. They count on them for professional services they can trust and afford. The Republicans want to close it down. They have voted repeatedly to do that. So they chose this Zika emergency public health crisis bill to do that again.

They took \$500 million slated for the Veterans' Administration to expedite the consideration of claims by our veterans and eliminated that money in the VA—put it toward the Zika virus.

Third, they decided to suspend the authority of the Environmental Protection Agency when it came to monitoring and overseeing the chemicals that would be sprayed to kill these mosquitoes.

Finally, in the ultimate political act, they put in a provision that eliminated the prohibition against displaying a Confederate flag at a U.S. military cemetery. That is what happens when legislation that starts off as very simple, pointed, and direct runs amok and becomes a political freighter, carrying all of these issues.

That is what happened and, of course, the Republicans in the House knew what would follow. The bill would run into resistance, and the Senate would be bogged down. Instead of taking the

simple funding bill the Senate passed overwhelmingly with a bipartisan vote, the Republicans complicated the situation dramatically and brought the whole conversation to a stop.

So here we are today. The President's request was in February; we are now in September. Congress has yet to send the President the resources he asked for. At what cost? Well, we know the cost. At this point we estimate that by the end of the year in Puerto Rico, 25 percent of the people on that island will be infected with the Zika virus, including presently about 1,000 women in Puerto Rico. We know that they are in danger and that the babies they give birth to will have serious life-threatening birth defects because of that infection—an infection that might have been slowed down or even avoided had this Congress under Republican control responded to President Obama's request for emergency public health funding for this Zika epidemic.

As of last week there were 20,870 reported cases of Zika in the United States and its territories. That included 1,897 pregnant women, and in Illinois there are 70 of these women. We estimate about 700 or 800 women in America in the continental United States have been infected by this virus, with another 1,000, as I mentioned, in Puerto Rico.

If we had responded quickly in a responsible bipartisan way when the President made his request, I don't know whether some of these families and women and their babies could have been spared. We will never know, but we do know this for sure: The Republican-led Congress ignored the President's request, refused to send the money he asked for, and we are paying a heavy price as a nation—not as heavy a price as these women who sadly have a tragedy on their hands that maybe could have been avoided if Congress had responded in a timely fashion.

Seven months without congressional action for an emergency public health crisis called Zika is shameful. Let's not wait another day before we leave here to go back and campaign, before each party returns home to brag about what they have achieved or can achieve. Let's do our job when it comes to this Zika crisis. Let's make sure the continuing resolution that keeps the government's lights on also turns on the lights at the Centers for Disease Control and Prevention and at the National Institutes of Health so that we start reducing the number of people infected and also developing a vaccine to protect innocent families across the United States and perhaps around the world. That is something we desperately need to do.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, the for-profit college and university industry is the most heavily federally subsidized profit-making private business in America,

bar none. Most of these for-profit colleges and universities, like the University of Phoenix, Kaplan, and others, have decided they want to tap into our Federal Treasury for anywhere up to 90 or 95 percent of all the revenue that comes through their universities and schools.

There is no other business in America so dependent on Federal subsidies as for-profit colleges and universities. What happens? The Federal Treasury sends money to the students who apply to these schools in the form of grants and loans. The money is then transferred to the school, and the student has a debt they have to cope with when it comes to the money that is borrowed from the Federal Government.

What happens in those circumstances where the school goes out of business? We saw it with Corinthian last year, one of the largest for-profit colleges and universities, and we just saw it 2 weeks ago with a group called ITT Tech. Here is what happens. Students have debt incurred at these for-profit schools like ITT Tech. They are approached by the Department of Education which offers them two options. The first option is, if you were a student at the school when it closed or you withdrew 120 days before it went out of business, you have a choice. You can keep your credit hours that you earned at ITT Tech and the debt incurred in earning them or walk away from both.

Also, if you happen to have been defrauded by these schools, you have something called defense to repayment. If they misled you about the courses you were going to take, how much they would cost, what kind of loans were available to you, what kind of job you may have after graduation, then you, too, can raise that as a defense and potentially have your federal student loan debt forgiven. That is an option that many ITT Tech students now have.

There is another aspect of this that we should not overlook. These schools do not just exploit students who are fresh out of high school or coming from some other place, unfortunately, they defraud veterans. Veterans using GI bill benefits at ITT Tech have been unfairly affected by this company's practices and now its closure and bankruptcy. For years, ITT Tech has been a major recipient of GI bill benefits. According to the 2014 report by Senator Tom Harkin's HELP Committee, ITT Tech was the third largest recipient in 2012 and 2013, receiving \$161 million in GI bill funds.

When it closed earlier this month, an estimated 7,000 veterans were enrolled at the school that has now gone out of business. Not only have these veterans used up part or, in some cases, all of their limited GI bill education benefits, some of them relied on VA housing assistance to pay their rent and afford a

place to live for themselves and their families.

Veterans can only receive this housing stipend if they are enrolled in a school that qualifies for GI bill benefits. So the closure of ITT Tech has put these veterans and their families at risk of being unable to afford their current housing, disrupting their lives. I support a bipartisan bill introduced by my colleagues Senators BLUMENTHAL and TILLIS, a bipartisan bill to reinstate GI bill education benefits in certain cases and give the Secretary of the VA the authority to temporarily extend housing benefits to vets, including those who attended ITT Tech.

This bill, called the Department of Veterans Affairs Veterans Education Relief and Restoration Act or VERRA, was included in a larger bipartisan VA reform package that I hope the Senate will still take up this year. But the closure of ITT Tech makes the need to pass VERRA urgent. I urge my colleagues to join me in passing this common-sense, bipartisan legislation before we adjourn. I urge them to stop and reflect on the fact that these for-profit schools are exploiting students and families, members of the military and their families, and veterans across the United States.

Why, in good conscience, are we allowing this to continue? It is time for us to put some standards of conduct on this for-profit university industry that has taken so much money from our Federal Treasury, from \$25 to \$30 billion a year. These heavily subsidized, crony capitalist operations are a disgrace.

Ten percent of all students enrolled in postsecondary education attend for-profit colleges and universities. Forty percent of all the student loan defaults are from the students at these for-profit colleges and universities. Their tuitions are outrageously high, their diplomas are outrageously worthless, and many students and innocent people pay a heavy price.

I will close with a story about one of them I represent. Laura Cotton is one of those students who was misled by ITT Tech. She is a single mom in Oak Lawn, IL, working part time. She saw the come-on advertising of ITT Tech, had a lot of conversations with their recruiters about their great programs and the job she would get with an ITT Tech degree.

She said they never bothered to talk to her about what it was going to cost and how she was going to pay for it. She ended up enrolling in an online criminal justice program. According to Laura, most of the courses had nothing to do with her program of study. ITT Tech would just send her paperwork to sign, more loans, Federal and private.

She ended up dropping out of ITT Tech when she finally added up all of the money they had enticed her to borrow. Laura has a debt of \$98,000 from

ITT Tech and nothing—no degree, nothing to show for it.

In a letter she sent me, Laura wrote: "My American dream of home ownership, purchasing a new car, giving my kids an education has suffered because my credit is now shot."

I wish Laura's story was unique. I wish more Members of the Senate and Congress would sit down and talk to people just like her who have been victims of these for-profit colleges and universities. When are we going to accept our responsibility to clean up this shameful industry?

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I came to talk on a different topic, but it is interesting because I noticed the front-page story of the Washington Post about a for-profit college not too many weeks ago. Headline: "Inside Bill Clinton's nearly \$18 million job as 'honorary chancellor' of a for-profit college."

I just heard this Senator talk about somebody signing something, and this article refers to this for-profit college that signed Bill Clinton to a lucrative deal as a consultant and honorary chancellor, paying him \$17.6 million over 5 years. It is very disturbing because it says:

The guest list for a private State Department dinner on higher-education policy was taking shape when Secretary of State Hillary Clinton offered a suggestion.

It says:

In addition to recommending invitations for the leaders from a community college and a church-funded institution, Clinton wanted a representative from a for-profit college company called Laureate International University, which, she explained in her email to her chief of staff that was released just last year, was "the fastest growing college network in the world."

There was another reason Clinton favored setting a seat aside for Laureate at the August 2009 event: The company was started by a businessman, Doug Becker, "who Bill likes a lot. . . ."

Nine months later, Laureate signed Bill Clinton to a lucrative deal as a consultant and "honorary chancellor," paying him \$17.6 million over 5 years.

So when I hear another colleague from the Senate come to the floor and talk about for-profit colleges and make reference to the fact that something needs to be done about it, it seems obvious to me that Hillary Clinton, Bill Clinton, they had something to do with it as well, and a \$17.6 million contract—consultant fee, honorary chancellor—to Bill Clinton.

PRESIDENT OBAMA'S LEGACY

Mr. President, I come to the floor to talk on a separate matter. We are just 4 months away from an inauguration of the next President. So President Obama is spending lots of time going around trying to polish his legacy. He is doing it today at the United Nations.

The facts we see and Americans across the country see are very different than what President Obama is trying to paint as his legacy. The President's legacy of failure—we see it in the President's health care law. Many people feel deceived by the President when they find themselves paying much more for health care. Many people have been hurt by the law. Republicans are trying to provide relief for the damage the President has done.

The President's legacy of failure continues in foreign policy. America's power, prestige, and respect around the world has declined, and in many places evaporated under President Obama. Today I want to talk about the devastating legacy the President has left in terms of failure regarding his economic policies.

According to a recent Gallup poll, people say the economy is the biggest problem facing this country today. The No. 2 concern in the poll was a tie between unemployment and dissatisfaction with government. After 7½ years of a very poor recovery from the recession, it is easy to see why Americans are so concerned about their own jobs, their own economy, and their own future.

It is also easy to see why there is a lack of faith with regard to the Obama administration, in terms of their ability to even know how to grow a strong and healthy economy. President Obama took office during a recession. The recession ended in June of 2009, just a few months after the President was in office so that was more than 7 years ago.

America has an economy that has been crawling on its hands and knees ever since. Normally, after a recession, an economy bounces back, does it vigorously, with great strength—never happened this time.

Under President Obama, the country has been struggling with the weakest recovery in the last 60 years. Millions and millions of Americans have been left behind, and they feel it. Going back to 1950, the average annual growth for our economy has been 3.25 percent a year. So over 3 percent growth a year, on average, since the year 1950. Through good times and bad, an average of 3 percent a year.

President Obama's average the past 7 years has been less than half of that. For the past three economic quarters, it has been growing at a 1.1-percent annual rate, 0.9 percent, 0.8 percent, well below average when it comes to his economic policies. That is not a legacy of which to be proud.

This nonexistent Obama recovery means too many Americans have gone too long without being able to find a job. There are still close to 16 million Americans who are either unemployed or underemployed who are seeking to find full-time work. Many of these are part-time workers who are trying to go and find full-time work.

Many others have given up looking for work entirely. They have tried, they can't find anything, and they have quit actually looking so they are not even counted in the unemployment numbers. This is not a legacy for which anybody should be proud. I ask the President is he proud of this legacy.

Last month, the Congressional Budget Office came out with some new numbers about Washington's debt. The American people know the President has added considerably to the debt of this country. He came into office, he immediately started running deficits of \$1 trillion a year—the President's so-called stimulus package.

No one had ever seen deficits like that before. Of course, as each deficit gets added to the debt, the debt accumulates with deficit spending each year, but that wasn't enough for this President. Oh, no. Then, he pushes a health care law that burdens taxpayers with trillions of dollars of additional debt.

According to this new report, Washington's deficit is going to be 35 percent higher this year than it was last year. That just keeps adding to our national debt. Is President Obama proud of this legacy? Is he proud he is impacting our children, our grandchildren, sticking them with a tax bill they will never be able to repay?

There was another report that came out of the Census Bureau last week. It said the average family income actually did go up from 2014 to 2015 by 5 percent. That leaves us with an average family income that is still below the numbers from before the recession, from back in 2007. We are still below that level.

Five percent may sound good for that year—until you realize that health insurance premiums under the Obama health care law are going up 20 to 30 percent all across the country. The Wall Street Journal came out last week with a piece that said: "America Gets a Raise, Finally."

A raise for American families is good news. It should happen every year. But why didn't it happen sooner? Well, because of the policies of the Obama administration—policies such as higher taxes, more regulations. The average family income is still \$900 less than it was in 2007. There are still 43 million Americans living in poverty. If President Obama is proud of his legacy, let him stand up and say it. But is he really proud of a legacy of making America wait so long for so little?

Here is how the Wall Street Journal put it in its editorial:

Last year's encouraging progress doesn't obscure the reality that neither the economy nor workers are reaching their full potential. The next President can build on this late uptick by changing policy direction.

That is what we need to do—change direction and policy. That is the key. These failed economic policies over the

past 7½ years don't just belong to President Obama. They belong to Democrats in Congress who have been pushing—and continue to push—along this line of more government, more spending, more regulations, and less individual choice.

These are the same ideas that have robbed Americans of opportunities every single time the Democrats have tried it.

Although President Obama and the Democrats in Congress may think the pace of this recovery has been good enough, Republicans in the Senate know this is an economy which is nowhere near as good as it should be or could be. We are focused on policies that promote real job growth so Americans can get off the sidelines and back onto a career path.

Republicans are focused on policies that free our economy—free the economy to grow like it should, not just hobble along with the lackluster pace of the last 7 years.

We are focused on policies that will rein in Washington out-of-control debt and regulations. That is the way that our children and grandchildren can afford to live the lives they would like, not just paying for Democrats' mistakes.

We are focused on policies that allow Americans to get paid what they deserve, not just one raise every 7 years or 8 years. Republicans are ready to move beyond the President's legacy of failure and to help the American economy really get moving again.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

FIGHTING TERRORISM

Mr. CORNYN. Mr. President, we continue to learn more and more about the terrorist attacks that occurred last weekend on American soil. In just a short time span, on Saturday a number of innocent people became the targets of attacks in Manhattan, New Jersey, and Minnesota. In Manhattan, as we know, a bomb went off in the Chelsea neighborhood, injuring almost 30 people. Thanks to a very alert citizen, a second device—found just a few blocks away—was dismantled and did not cause any additional damages. If that hadn't happened, obviously many more casualties would have been likely.

In neighboring New Jersey, a bomb exploded near the site of a charity race to benefit marines and their families. More bombs were found in a backpack near a train station in Elizabeth, NJ.

As we have seen in the news in Minnesota, also on Saturday, it was reported that a man with a knife began attacking innocent passersby in a mall. He stabbed nine people.

The day after the attack, the Islamic State, or ISIS, took credit. A news outlet associated with the terrorist army called the jihadist a "soldier of the Islamic State."

Thank goodness no lives were lost in that attack. In every case, law enforcement authorities and first responders acted swiftly in order to minimize the damage. But the point is that we are living in dangerous and tumultuous times. Just last week we celebrated the 15th anniversary of the September 11 attacks on our country. I shouldn't use the word "celebrated." We actually memorialized those terrible attacks that took the lives of about 3,000 Americans.

This week we find ourselves trying to make some sense of the violence carried out last weekend. The only rational thing for us to do here at home is to remain vigilant. As the Department of Homeland Security likes to say, if you see something, say something.

Situational awareness is always important for public safety, but we could do a lot more than just equipping the American people with a slogan that allows them to maintain situational awareness. In Congress, we need to make sure we provide all the tools necessary to our military, to our law enforcement, and to our first responders to protect the men and women whom we represent—the American people. That means we need to consider legislation that supports the victims of terrorism and their families as well. While I am not suggesting this is going to be a deterrent to terrorist attacks, just maybe it will provide some measure of justice to the families who have lost loved ones as a result of terrorist attacks on American soil.

Yesterday I talked about one small piece of that effort, the Justice Against Sponsors of Terrorism Act. This is one way we could do that and help these family members find some measure of closure and justice.

Simply, what it would do is to extend existing law that has been on the books since the late 1970s that would allow these families to hold foreign governments—that have helped finance and facilitated attacks on American soil—accountable in our courts of law.

In just a few minutes, I will have the chance to meet with several of the families of the victims of 9/11. I have to tell you that these men and women have been a remarkable example of courage and resilience for all of us. They want and they deserve a path to justice.

I hope the President stops holding up Congress from voting to override the veto he promised on this legislation. Better yet, I would hope the President would reconsider his stated intention to veto the Justice Against Sponsors of Terrorism Act. It makes no mention of any particular country. It doesn't decide the merits of the lawsuit that will be brought. All it does is give these families access to a court of law where they can make their case if they can.

The President said he is going to veto it, but my question is this: What is he waiting for? It has been on his desk since about a week ago.

Why is he making these families wait even longer for justice? If he is going to veto it, he should do it—to stop making everybody wait on his timeline.

I hope that when the President does veto this legislation—if he is determined to do that—we will quickly vote to override. I am confident we will, given the fact that this legislation passed by unanimous consent in the Senate and was supported by all Members of the House of Representatives.

Another way we could help guard against homegrown extremism in our country is by better equipping our law enforcement personnel to track down and ultimately detain potential terrorists to stop the acts of terror before they occur—not just after they occur—and conducting an investigation and holding the person responsible accountable. Wouldn't it be great and better if we could actually stop these attacks before they occur? One way we could do that is by fixing the current gap in our laws for what is called the electronic communications and transactions records. That is a mouthful. Basically, what that would do is allow the FBI to use national security letters, which they can already do in a terrorism investigation, to access not just financial, not just phone records but also computer metadata—not content but just the Internet protocol addresses on computers in terrorist investigations—in order to put together the pieces to be able to make the case to stop terrorist attacks in the first place.

As I have said before—and I will say again—we expect our law enforcement personnel to prevent these attacks by connecting the dots. But before you can connect the dots, you have to collect dots, and that is what this important tool would help to do.

In today's Internet age, our law enforcement personnel need these tools to fight terrorists, plain and simple. Our friend, the senior Senator from Arizona, Mr. MCCAIN, has been a great leader on this issue. I hope this Chamber acts on this and other similar legislation before an attack occurs, not after.

Fundamentally, at the root of the problem with the Islamic State operating in the Middle East in Syria, Iraq, and in a number of other countries, is that our President—the Commander in Chief of our military—doesn't have a strategy to combat and defeat this threat.

We let them establish a de facto state in the heart of the Middle East by precipitously withdrawing our military personnel from Iraq and leaving a vacuum. We should have learned what happens from the horrible lesson of 9/11 and Al Qaeda when we create power vacuums in the Middle East. Ultimately, this will provide a place for the terrorists to train, organize, and ultimately find a way to attack us here at home. When they can't physically

come here, what they do is they radicalize people on the Internet, encouraging them to kill Americans here in place.

President Obama has called the Islamic State the JV team. Well, how in the world can a JV team resist the most powerful military in the world—the United States military? That is because the President has tied the arm of our military behind its back and basically is fighting a war of containment—not a war where victory and defeat of our opponents is the objective. It really looks as if the President is trying to run out the clock for the remainder of his term without doing the hard work and the necessary work to implement a strategy to actually defeat this threat. Because the President didn't take ISIS and its affiliates seriously, we now see them export their dangerous ideology to our shores. We saw that again just recently last Saturday in Minnesota. We saw that in Orlando with a shooter who killed 49 people and injured 50 more, who declared allegiance to the leader of the Islamic State. Unfortunately, this joins the list of other ISIS-inspired attacks throughout the country, as I said, from Orlando to San Bernardino and now to Minnesota.

We simply cannot sit back and just let them do their deadly deeds. We must have a strategy. We have to implement that strategy, both abroad and here at home.

Unfortunately, the President is exercising extreme reluctance in terms of addressing the threat. We know his wait-and-see approach has not worked, and we continue to see the dangerous consequences here at home.

SYRIAN REFUGEES

Mr. President, there is another consequence to the President's failure to deal with this threat in the Middle East. This has to do with what Amnesty International has called the worst refugee crisis in over 70 years. What happens overseas doesn't necessarily stay overseas. America is the most generous country in the world when it comes to accepting refugees, when it comes to naturalizing people as American citizens who were born elsewhere. But the President has stated an intention to settle about 10,000 Syrian refugees in the United States just this year. He is conducting a conference today, Tuesday, where he will lead a summit on the need to take in additional Syrian refugees. He has now stated that his administration's goal is to raise the 10,000 limit of Syrian refugees to 110,000 Syrian refugees by next October.

Not to be outdone, Secretary Clinton has said she wants to have at least 65,000 additional Syrian refugees.

We all believe in being humanitarian and compassionate in dealing with the needs of refugees, but I would bet that every single one—or the overwhelming

majority of these refugees—would rather live in place in the country of their birth than be displaced to a new and strange country as refugees.

We know the danger of improperly vetting refugees is a real threat to our safety and security here at home, but apparently the President is not paying any attention to that—calling now for an additional 100,000 Syrian refugees by next October. Sadly, about 5 million people have been displaced by the war in Syria.

We know that after the President said Bashar al-Assad would be held accountable after he crossed a red line, using chemical weapons against his own people, basically nothing happened. That emboldened Russia, our adversary, to get a toehold in Syria. It allowed them to ally with the country of Iran and terrorist groups such as Hezbollah to actually try to maintain Bashar al-Assad in office—something this President and his administration said shall not stand.

In Syria alone, nearly 5 million refugees have left that country. We know they have gone to bordering countries such as Turkey. I visited some of those refugee camps. They have been to Jordan. They are relocating in places such as northern Iraq, where the financial burden is shaking the very foundations of the regional government there. And we know that many of these refugees have made their way into Europe, causing instability there—a potential danger when refugees are not particularly well vetted to determine whether they bring with them a dangerous ideology which will be perhaps deadly to people living in those areas, places such as Germany and France, just to mention a couple.

This President seems to be absolutely blind to the consequences of his failure to have any effective strategy to deal with the Islamic State, whether it is abroad or here at home, or consequences he may not even tie to his failure to deal with this threat, such as the refugee crisis we have seen in Europe and elsewhere.

The answer to dealing with this evil is not just to accept more refugees, the answer is to have an effective strategy to provide no-fly and no-drive zones where Syrians can actually continue to live in Syria without fear of being murdered by either Bashar al-Assad and his allies, Iran and Russia, or Al Qaeda affiliates or the Islamic State. That would be a better answer, and I bet they would agree. Most of these refugees would rather live in the country of their birth rather than be displaced in the Middle East, Europe, or even the United States.

Unfortunately, under the leadership of this President, what we have seen is one consequence after another. I hope the President will finally come up with a strategy to dismantle and defeat ISIS, but I am not holding my breath.

And obviously his days as President of the United States are numbered.

There are, however, things we could do here in the Congress to draft solid legislation that will at least protect the American people here in our homeland by providing additional tools for our law enforcement personnel to collect the dots so they can connect the dots. It is not enough to just prosecute the guilty once people are murdered or injured by a terrorist attack; we need to make sure our law enforcement personnel—the FBI and others—have the tools they need to stop these attacks before they occur, if it is humanly possible to do so.

Mr. President, I ask unanimous consent to have printed in the RECORD a news article from today's Washington Examiner entitled "Days after attacks, Obama pitches more refugees."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Examiner,
Sept. 20, 2016]

DAYS AFTER ATTACKS, OBAMA PITCHES MORE
REFUGEES

(By Susan Crabtree)

President Obama on Tuesday will lead a special summit on the need to take in Syrian refugees, just days after weekend terrorist attacks that are raising more questions about whether the U.S. should be cracking down on immigration instead of opening the doors further.

Plans for Obama to lead the summit were months in the making, long before Ahmad Khan Rahami allegedly planted a pressure cooker bomb in New York that detonated, injuring 29 people. Rahami, a naturalized U.S. citizen born in Afghanistan, is also thought to be responsible for bombs discovered in New Jersey.

The incident puts real pressure on Obama to make the case for taking in thousands of additional refugees, in the face of calls from Donald Trump and other Republican critics who say it's time to tighten the rules, not ease them. Obama's critics say the timing couldn't be worse.

"The timing of the summit just reinforces the idea that we need to get a handle on our refugee program," Rep. Brian Babin, R-Texas, told the Washington Examiner. "There is a clear and present danger posed to our national security by these poorly vetted refugees that are pouring in, and the president continues to double down on his intentions to bring in more and more of the individuals from hot spots like Syria."

Babin last week wrote a letter to Speaker Paul Ryan, R-Wis., urging him to include provisions in the continuing resolution to fund the government that would place a moratorium on refugees coming from terrorist hotbeds in Syria, the Middle East and North Africa. Thirty-seven House GOP colleagues signed onto the letter.

The Texas Republican said his effort to put a halt to the admission of the refugees is even more important after this weekend's terrorist attacks in New York, New Jersey and Minnesota.

"The people of the United States and of Western Europe are getting very weary about the politically correct pressure that is being brought to bear by Obama and the U.N. to take in people," including those that top

U.S. national security officials have said we "cannot properly vet."

FBI Director James Comey, Department of Homeland Security Director Jeh Johnson and Director of National Security James Clapper have each testified to Congress over the last year that they couldn't certify that every single refugee admitted into the United States was not a security threat.

Those officials have all testified before several congressional panels about the challenges and information gaps that exist when screening refugees and have emphasized that there is no risk-free process. Comey, however, specifically has said the State Department and other agencies have "dramatically" improved the process over the past few years, and over the past few months, when it comes to Syrian refugees.

Holding Obama's U.N. summit meeting just after the weekend terrorist bombings is also causing headaches for Hillary Clinton, who has called for increasing U.S. admissions of Syrian refugees to 65,000. Her opponent has taken full advantage.

Just hours after the Rahami was arrested, Trump blasted Clinton for supporting policies like the admission of Syrian refugees, which he said would allow radical Islamic groups to "continue their savagery and murder."

The Republican presidential nominee and other GOP critics have also assailed the Obama administration over a new Department of Homeland Security Inspector General report that said the agency mistakenly granted citizenship to at least 858 immigrants from countries deemed to pose security concerns to the U.S.

"We need to get smart and get tough fast so that this weekend's attacks do not become the new normal here as it has in Europe and other parts of the world," Trump said in a statement Monday.

Christian Whiton, a former senior State Department adviser in the George W. Bush administration, said Obama's and Clinton's insistence on pushing for the admission of more Syrian refugees is playing into Trump's hands in the final weeks of the election.

"If you look at polls—only 35 percent of Americans want Syrian refugees to come here—I think they instinctively know that these people cannot be vetted," Whiton said.

After the weekend's bombings and Obama's U.N. summit, he predicted that Clinton would have a very difficult time defending her push for more Syrian refugees on the campaign trail.

"Hillary is pathologically committed to bringing more refugees here, knowing full well that there will be Islamists and jihadists among them," he told the Examiner. "How can she possibly think the government can screen out those who adhere to radical Islam if she won't even name that threat?"

"The twin pillars of Hillary's worldview are globalism and multiculturalism," he said. "She's just too committed to this orthodoxy to accept that Americans don't want jihadists brought here by their own government."

Obama is scheduled to address the United Nations Tuesday with broad remarks about the state of U.S. foreign policy, which will undoubtedly include a call for more admissions of Syrian refugees into the U.S. and other countries around the world.

In the afternoon, he will host the Leaders Summit on Refugees and underscore the gravity of the refugee crisis in which more than 65 million have been displaced worldwide, the largest number since World War II, according to the White House.

From Syria alone, nearly 5 million refugees have left the war-torn country, Samantha Power, the U.S. ambassador to the United Nations, told reporters late last week in previewing the summit.

"All of these individuals, every one of these numbers is a face and a person with a family," she said. "They are facing very uncertain futures and they're looking to the rest of the world and to the U.N., of course, for help."

Power said several countries, including the U.S., are going to be pledging more slots for the resettlement of refugees. "You're going to see a range of announcements by different world leaders," she said.

The U.S. under Obama's direction has admitted 10,000 Syrian refugees already this year, and will increase those commitments in the final months of his administration, with the goal of accepting 110,000 Syrian refugees by next October. But that figure will depend on the next president's views and policies.

Power also argued that the U.S. can admit the refugees while "ensuring our own security."

"As a country that's admitted 3.2 million refugees since the 1970s, we are more than capable of doing that and ensuring our own security, and the highest levels of security checks are in place for the refugee program," she told reporters.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Arkansas.

TRIBUTE TO JESS FORSTER

Mr. COTTON. Mr. President, today I would like to recognize Jess Forster of Little Rock as this week's Arkansan of the Week for her work as the K-8 director at eStem Public Charter Schools in Little Rock.

First, it is important to note that Jess received a record four nominations from different people in Arkansas to be the Arkansan of the Week—an early indication of the tremendous impact she has on the Little Rock community and the State of Arkansas.

Jess is in her second year as the kindergarten through eighth grade director at eStem, where she is known for her tireless dedication to her job and her positive attitude. For example, last year Jess handwrote 1,000 personalized, encouraging notes to students before State testing. The notes took weeks to finish, but Jess never abandoned the task. And to say her students were thrilled would be an understatement.

One of her colleagues wrote:

Since Jess has taken on the Director role, I have seen more positivity in the hallways not only with our teachers but with our students as well. I feel our school is one big family and community and Mrs. Forster is our mom.

Jess's positive attitude and dedication doesn't end with her students; her fellow faculty and staff members also benefit immensely from their relationships with her. Each Friday Jess recognizes eStem's teachers' hard work by personally distributing notes and snacks that usually align with the theme she has chosen. Her positive spirit is contagious for all those who know her.

Another of Jess's colleagues said:

At one of her first meetings with the faculty, she discussed values and the importance they have in our daily lives—whether they be at the workplace or at home. One of the values we all picked was family.

This is a value Jess definitely believes in, and it shows. Under her leadership, eStem restated its mission and vision statement to the motto "Above & Beyond: It's what WE do." Jess believes this phrase sets higher expectations for eStem and better reflects the school's positive community atmosphere.

Of all the nice things said about Jess in her nominations, I felt this description was a fitting conclusion:

Jess has had a huge impact on the eStem community, which reaches across the entirety of central Arkansas. She is a dedicated educational leader, wife and mother. I believe she should be recognized for such an outstanding performance. I cannot think of a more deserving person to be acknowledged as Arkansan of the week.

I agree, and I am proud to recognize Jess Forster as this week's Arkansan of the Week for her outstanding work as the K-8 director at eStem schools in Little Rock.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT OBAMA'S LEGACY

Mr. THUNE. Mr. President, the end of a Presidential administration is often a time for taking stock. In the coming months, pundits and reporters will spend a lot of time discussing President Obama's legacy. Perhaps the real measure of the President's legacy, I would argue, is how the American people are feeling at the end of his administration. Americans aren't feeling too good. After 8 years of the Obama economy and President Obama's foreign policy, two-thirds of Americans think our Nation is on the wrong track, more than half think we are less safe than we were before September 11, and 67 percent rate our economy as "not so good" or "poor"—two-thirds of Americans. It is disappointing, but it is not surprising.

On the foreign policy front, here is where we stand after 8 years of the Obama administration: Terrorism is spreading. The Middle East is more hostile and dangerous. Iran is counting pallets of ransom money and in a better position to develop a nuclear weapon. North Korea is defiantly testing nuclear weapons. Russia is more aggressive. China is more aggressive. I could go on and on.

On the domestic front, 8 years of the Obama economy has left American

families struggling. While the recession technically ended 7 years ago, our economy has never really rebounded. Recoveries are usually a period of robust growth. Three to four percent or more is common in a recovery. The Obama recovery, however, has averaged a tepid 2.1-percent growth. In fact, the Obama recovery is the worst recovery in 60 years, and things are actually going downhill. During the first half of 2016, the economy grew at a rate of less than 1 percent.

Historically, sailors refer to the area around the Equator, where their ships could become trapped for weeks, as the doldrums. Well, that is pretty much where our economy is now—it is in the doldrums, stuck, unmoving. Our economy has barely grown at all this year, and the long-term forecast is bleak. In fact, the nonpartisan Congressional Budget Office is estimating that our economy will grow at less than 2 percent for the next 10 years. What do those numbers mean? Sluggish economic growth means fewer jobs, lower incomes, and fewer opportunities.

We can see the effect of the sluggish Obama economy in job creation and unemployment numbers. While the unemployment rate has decreased from its recession-level highs, part of that has been driven by individuals dropping out of the workforce. The challenge of finding a job in the Obama economy has led many individuals to simply give up looking for work altogether. Millions have dropped out of the workforce, and we now have a labor force participation rate that is near a 30-year low. If the labor force participation rate were the same today as it was when President Obama took office, the current unemployment rate would be 9.1 percent. Let me repeat that because I think it is important when we talk about all these different percentages, particularly with regard to unemployment. If the labor force participation rate were the same today as it was when President Obama took office, the current unemployment rate would be 9.1 percent. That is how many people have completely dropped out of the labor force. That is how many people are no longer participating in our economy.

On the job-creation front, the Obama recovery has again lagged far behind other recoveries. So far this year, job creation has averaged just 182,000 jobs per month—far below where it should be in a strong economy. For the Obama recovery to match the job creation of other post-1960 recoveries, job creation would have to soar to 1.37 million jobs a month for the rest of the Obama Presidency, or more than seven times the number of jobs we are currently adding.

With numbers like these, it is no surprise that two-thirds of the American people rate the Obama economy as "not so good" or "poor."

Americans are tired. For the past 8 years, good jobs and opportunities have been few and far between. And that is not all Americans have had to contend with. They have also had to contend with the steep cost of health care. The President's health care law was supposed to make health care more affordable. We were told premiums for families would drop. We were told Americans would have the freedom to keep their doctor and choose affordable plans that fit their needs. Well, the reality has been pretty much the opposite. To illustrate, I would like to read a brief article that appeared a few days ago in CNN Money. The title of the article is "Health care costs rise by most in 32 years."

Health care costs rose sharply in August.

Prices for medicine, doctor appointments and health insurance rose the most last month since 1984. The price increases come amid a broader debate about climbing health care costs and high premiums for Obamacare coverage.

A recent report by Kaiser/LET Employer Health Benefits forecasts that the average family health care plan will cost \$18,142, up 3.4% from 2015. That's faster than wage growth in America.

Medical care costs altogether rose 1% just in August from July, according to the Consumer Price Index, a report on price inflation from the U.S. Labor Department.

Premiums on the Obamacare exchanges are expected to rise by double-digits this year.

Some health insurers, such as Aetna, have recently announced they would pull out of the Obamacare exchanges, saying ObamaCare patients have turned out to be sicker and costlier than expected.

Overall, workers are paying more for deductibles. Over half of U.S. workers with single coverage health insurance plans pay a deductible of \$1,000 or more, up from 31% of workers in 2011.

And the health care price increases come as inflation overall continues to be low. Consumer prices altogether rose 1.1% in August compared to a year ago.

All those statistics come from that CNN Money piece. So let's just recap what they were describing.

Prices for medicine, doctors, and health insurance are way up. The price of the average family health plan is growing faster than wages. ObamaCare premiums are soaring; individuals are facing double-digit premium increases. Deductibles are up. Insurers are pulling out of health care exchanges, reducing Americans' choices. And health care costs are growing faster than inflation. In other words, they are taking an even greater share of Americans' budgets. That is where we are after 6-plus years of the "Affordable" Care Act.

I have said before that if we wanted to coin a phrase to describe Obama's Presidency, it might be the "Presidency of diminished expectations." It is the Presidency in which Americans started to doubt the cornerstone of the American dream that their children will have a better life than they do. It is the Presidency in which we were asked to start looking at weak economic

growth as somehow being the new normal. And it is the Presidency in which we were asked to look at a future of soaring costs and limited choices as the new standard for health care.

We don't need to resign ourselves to these diminished expectations. After all, the weakness of the Obama recovery is not a chance or a coincidence; it is the natural consequence of the President's policies. Instead of freeing up our economy to grow, the President has weighted it down with tax hikes, spending increases, and burdensome regulations.

Over the past 8 years, the Obama administration has enacted more than 600 new major regulations, totaling \$743 billion or, to put it in perspective, \$2,300 per American. While some government regulations are necessary, every administration has to remember that regulations have consequences. The more resources individuals and businesses spend complying with government regulations, the less they have available to focus on the growth and innovation that drive our economy and create new opportunities for American workers.

Unfortunately, the Obama administration has chosen to prioritize burdensome government mandates instead of freeing up individuals and businesses to innovate. We don't have to continue that way. We can repeal burdensome regulations. We can stop overspending. We can reform our Tax Code to lift the burden on job creators and on families.

The weak economic growth of the past 8 years does not have to be the new normal. Americans don't have to resign themselves to a future of crippling health care bills either. ObamaCare had good intentions, but it has turned out to be a disaster.

If we repeal this failed law, we can start over and pass real health care reform, the kind that will actually drive down costs and provide increased access to care. Republicans are excited to work with a new President to move beyond the economic failures of the past 8 years. We have ideas to grow our economy, promote job growth, and increase opportunities for American families. Hard-working Americans deserve more than the diminished expectations of the Obama Presidency. Republicans firmly believe that a better future is possible. We are ready to get to work to get there.

ATTACKS IN NEW YORK, NEW JERSEY, AND MINNESOTA

Mr. President, before I close, I want to address the bombings and attempted bombings in New York and New Jersey this weekend, as well as the knife attack at a shopping mall in Minnesota.

My prayers are with the 29 victims in Manhattan, the 10 victims in St. Cloud, and the two wounded officers in New Jersey. My prayers are also with the families of the injured and the commu-

nities whose sense of community has been rattled. I am grateful to local, State, and Federal law enforcement personnel for their efforts to apprehend the suspect and, more importantly, prevent further injury or even death.

I am also grateful for the off-duty officer who stopped the assailant in St. Cloud. In these times of heightened threats, the service of our law enforcement officers is critical. The investigations into all of these attacks are ongoing, but they are being viewed as potential acts of terrorism.

ISIS has claimed responsibility for the attack in Minnesota, and investigators are seeking a definitive connection, such as a declaration on social media, as we saw in the San Bernardino shooting. I am hopeful that our intelligence communities can quickly piece together the motives and possible terror links of these attacks. Doing so may lead to intelligence that could prevent future attacks and provide insight on how to better counter terror networks and prevent domestic recruitment.

This weekend's attacks underscore just how high the stakes really are. The threat of terrorism continues to grow, fueled by instability in the Middle East—instability that has been fueled by the absence of U.S. leadership.

Part of the reason we are facing ISIS today is that the President chose to prematurely withdraw our troops from Iraq. This left a gaping hole in Iraq's security, and ISIS quickly took advantage. Despite the trail of bloodshed that ISIS has left in its wake, the Obama administration continues to downplay the threat this organization poses.

Unfortunately, the consequences of downplaying this threat could haunt us for generations to come. Senate Republicans will continue to do what we can in Congress to restore America's leadership and strengthen our country's security. We will continue pushing for the resources our military needs to defeat ISIS abroad. We will continue pursuing policies that would strengthen our borders so we know who is coming in and out of our country. We will continue supporting policies that give our intelligence and security agencies the tools they need to protect our homeland.

The committee I chair—the Commerce Committee—is looking at legislation right now to strengthen security on our Nation's highways and railways. In addition to the airport security package we enacted earlier this year as part of the FAA bill, this bill will help keep families safe as they travel around our country. I am hopeful the Senate will take up this legislation in the near future.

Finally, I look forward to working with my colleagues to advance essential defense legislation like the National Defense Authorization Act and

Defense appropriations, which will help undo the foreign policy failures of the Obama administration.

For too long, Senate Democrats have put politics ahead of funding our military. Democrats have filibustered the Defense appropriations bill no fewer than six times during this Congress alone. I am hopeful we will soon be able to put politics aside and fund our men and women in uniform. They serve in harm's way every day. The least we can do is give them the resources they need to carry out their jobs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE
CALENDAR

Mr. BOOKER. Mr. President, I rise today to speak about the judicial nominations that are currently pending before the Senate and the fact that we have a very serious vacancy crisis in the United States. We have a challenge based upon the unwillingness of the majority to put on the floor a number of judges who are pending and have been pending for many months.

This is a serious problem, and it is causing problems in States all around the country. We have critical challenges in performing our role of helping the judiciary—that independent branch of government—to function.

I would be wrong not to mention Judge Merrick Garland's nomination to the Supreme Court, which has now been pending before the Senate for 7 months. This is the longest period in U.S. history that a Supreme Court nominee has been pending not only for an up-or-down vote but also pending to have hearings on the qualifications of this judge. This judge would absolutely bring great qualifications. In fact, nobody has had more Federal judicial experience. Yet we refuse to move forward, to go through a process that is spelled out in the Constitution in the sense that we are supposed to make sure that the judicial branch has a full complement of judges.

For 7 months now, the Supreme Court has not been functioning as was intended by the Constitution. The Supreme Court is missing a Justice, and because of that vacancy, cases have resulted in 4-to-4 tie votes. As a result of those 4-to-4 decisions, we lack a national precedent in cases that could guide lower courts, bringing resolutions that are necessary for ordinary Americans who go before our justice system seeking justice as was intended in the Constitution. It is challenging in providing certainty to businesses. It is challenging in providing the regular course of many Americans' lives.

The Supreme Court's next term begins in just 2 weeks. It seems that we will be out in recess, but they again will be trying to do the business intended of the Court. I do not believe there is any justifiable reason that this

distinguished body should not confirm Justice Garland or frankly even go through the process of having hearings and ultimately a vote.

The Supreme Court was intended to have nine Justices. We are not doing our job. Justice Garland would not be the first to be confirmed in the month of September and not the first to be confirmed during a Presidential election. In fact, a total of 13 Supreme Court Justices have been confirmed in the month of September, including Chief Justice Roberts, William Rehnquist, Antonin Scalia, and Sandra Day O'Connor.

This inaction of ours is putting the Supreme Court at a disadvantage. The disadvantage is not to the Supreme Court; it is actually ours as the American people. Across the country, though, we know that Federal judges at other levels of the judiciary are facing a real crisis. They are overworked and are understaffed because of a judicial vacancy crisis.

We now face 90 judicial vacancies in our courts across the country, and 34 of them have actually been declared judicial emergencies. This is not a subjective declaration; this is an objective declaration. Right now, in the United States of America, there are 34 judicial emergencies.

In contrast to previous administrations, by the end of September, 2008, in the last year of the Bush administration, Democrats had reduced those vacancies—not where we are right now with 90 judicial vacancies—all the way down to 34.

In addition to Judge Garland's Supreme Court nomination, 30 nominations are currently pending on the Senate Executive Calendar, all except two of whom were voted out of committee by unanimous vote in a bipartisan manner. This includes 20 district court nominees that were put forth in bipartisan spirit.

There are nominees pending on the Executive Calendar from States including Tennessee, New Jersey, New York, California, Rhode Island, Pennsylvania, Hawaii, Utah, Massachusetts, Maryland, Oklahoma, Wisconsin, Louisiana, Indiana, North Dakota, South Carolina, and Idaho. These are red States and blue States and purple States. These are our States here in our country.

I believe it is time to act on people who are well-qualified. I believe it is time for us to act on people who have bipartisan support—names that have come with recommendations by Republicans and Democrats, two of whom were approved by voice vote and all of whom, except for two, were approved by voice vote.

Two weeks ago, I joined with several of my colleagues all of whom came to the Senate floor to ask for consent for the Senate to begin voting on nominees pending on the Senate Executive Cal-

endar. Senators have the right to vote yes or no on those nominees, but we believe they should be at least brought to the Senate floor for a vote.

In rejecting our requests, Senate Republicans made the counteroffer for the Senate to vote on a package of nominees. At that time they were skipping over the next two in line. I know there has been more discussion about that, but the reality is, I cannot support skipping one of the longest standing judicial nominees, Judge Julien Neals in New Jersey, where there is now a judicial emergency, where the people who are suffering—I don't know what their political backgrounds are, but these are business people, these are citizens who are now facing unbelievably long waits as a result of these judicial emergencies.

Nominations are from red and blue States. This is a time when we should act in a way that belies the partisan rancor that is so often associated with this body. By voting on these nominees, the Senate would follow the regular order, something many of us are calling for, regardless of who is in power on the Senate floor. We should be moving on the longest pending nominees on the floor.

Mr. President, I rise today to make a request, to humbly ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, and 461; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. McCONNELL. Mr. President, reserving the right to object, the Senator from New Jersey and I had a similar exchange a couple of weeks ago. As I pointed out then, the Senate has treated President Obama fairly with respect to his judicial nominations.

As of now, the Senate has already confirmed 329 of President Obama's judicial nominees. That is more judicial nominees confirmed than President Bush had during all of his 8 years. I will be objecting shortly, but we have been entering into agreements to process additional nominees on a bipartisan basis. Our Democratic colleagues objected to the last proposal I made a couple of weeks ago, but I am prepared to offer another one. My proposal includes many of the nominees who were included in the proposal from the junior Senator from New Jersey. It would

include a judicial nominee from Tennessee, two nominations from Pennsylvania, and a Utah nomination.

I ask unanimous consent that the Senate proceed to executive session to consider individually the following nominations at a time to be determined by the majority leader in consultation with the Democratic leader: Calendar Nos. 359, 460, 461, and 569; that there be 30 minutes for debate only on each nomination equally divided in the usual form; that upon the use or yielding back of time on the respective nomination, the Senate proceed to vote without intervening action or debate on the nomination, with no other business in order.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. BOOKER. Mr. President, reserving the right to object, I have not been in the Senate that long, but when I came to the Senate, there were just months left when the Democrats were in the majority. I am sure, as the pendulum swings back and forth, I will be in the majority again and I may have a chance to show true to what I am about to say, but I cannot imagine that I would support what I see going on right now if the Democrats were in the majority.

When I read the Constitution, it makes no claim to political parties or tit for tat or that we should have one President who gets a certain number of nominations versus another President getting another number of nominations. Should we add up the number of Republican Presidents over the last century and Democratic Presidents over the last century and somehow compare the number of judges? That was not the intention of the Constitution.

There is a branch of government independent of ours that we are strangling right now through our inaction. Any objective understanding of the functioning of the American Government should clearly demonstrate that one branch should not strangle the operations of another, undermining what is clearly in the best interests of the people. This is not a partisan tit for tat—Bush had this many, Obama had this many; this is about the fact that we have a proliferation of judicial emergencies and that our very economy is being undermined because businesses can't get a fair hearing before the judicial branch. It actually is written clearly, the idea of having a justice system that works in a timely fashion. This seems to be an affront to what the purpose of this body is as spelled out in the Constitution.

I can't go with a partisan tit for tat—that is just not in my blood—on an issue that has been so fundamentally spelled out in the Constitution. We are measuring how many Bush had versus how many Obama had. Clearly, there are so many more vacancies that hap-

pened to come through the course under the Obama administration—90 vacancies versus what we had in the Bush administration, which was significantly less.

It would be one thing if these nominations were clearly partisan, but these nominations are coming from red States and blue States. They are coming from Republican Senators—recommendations to the President, mind you—and Democratic Senators.

If we are going to indulge in a partisan analysis of this, the unanimous consent request offered by the Republican leader is for States that are red and purple States.

I represent New Jersey. I have the longest—or second longest—pending judge on the floor, a qualified judge with an incredible history of service and sacrifice to country and community. This is a judge who happens to be African American in a State that urgently needs diversity on the bench as well.

I heard a lot of talk when I first got here—and again, I am new—about how important regular order is. Why are we skipping judges and not going through the regular order?

I have tremendous respect for the majority leader and the pressures he faces on a daily basis, but this I cannot understand. When I read the Constitution, I cannot understand why this body is strangling the functioning of the other body and why my State is dealing with this judicial emergency, unnecessarily so. When I came here, I was instructed on what to do, and I have been following regular order to fill this seat in New Jersey, so I respectfully object to the majority leader's request for unanimous consent.

The PRESIDING OFFICER. Objection has been heard to the modification.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. BOOKER. Mr. President, as I said earlier, Julien Neals is someone whom I was proud to recommend to President Obama. Julien Neals is right there with the next jurist, Edward Stanton from Tennessee. They are well-qualified jurists who are the only two African Americans on the long list of the next 15. Both of these men have demonstrated skill, earned distinction, and they have incredible legal careers.

Right now, the second longest nomination pending on the floor is Judge Neals, who was first nominated over a year ago—in fact, 19 months ago. He has been nominated to fill what is now a judicial emergency, as I stated, which means more specifically that the caseload is extraordinarily high, that other good public servants in our State are doing their best to keep up but cannot,

and the course of justice is being perverted.

The people of New Jersey deserve better from us as a body, and this seat should be filled. It is an act of simple justice. It is an act of mercy at this point.

A hearing was held on his nomination in September of 2015, and his nomination was passed out of committee in November of 2015. Since that time, Judge Neals' nomination has been sidelined by this body.

Judge Neals has incredibly strong qualifications, and more than that, this is a man I know. I know his family. I have seen up close and personal the sacrifices he has made. It is no surprise that the American Bar Association Standing Committee on the Federal Judiciary has unanimously rated Judge Neals as "well qualified" to the district court. He received the highest possible ranking.

Judge Neals has extensive legal experience, a distinguished judicial career, an unwavering commitment to justice, as well as private sector experience. As an attorney, Judge Neals worked in public service, which is where I knew him, but before that in a distinguished private practice. He has most recently been a county councilman in Bergen County. I know a county executive there who raves about him but understands the higher calling and aspirations he has to be a federal district court judge.

Judge Neals has an impressive breadth of judicial experience. He graduated from Morehouse College and Emory University School of Law. He started his career as a law clerk on the New Jersey Superior Court. Later, he served as the chief judge of the Newark Municipal Court. That is how I got to know him.

Judge Neals also has an unwavering commitment to justice and a balanced view. He is a moderate man. At a time when our Nation is working to address so many complicated issues, I believe we need this man on the bench. I believe he would make all of us proud—not Republicans or Democrats but Americans. Judge Neals understands issues. He understands scholarship. He has demonstrated his worth, his aptitude, and his thoughtfulness. This is the kind of guy I think all of us would want on the bench. There is no credible reason why we are not moving forward besides partisanship. I just can't see it.

So I rise again to ask unanimous consent that the Senate proceed to executive session to consider the following nominations.

Regular order would mean that we would go to these two judges who happen to be qualified African Americans, and regular order would bring us to these longstanding men who have been sitting on the sidelines now for well over a year.

I ask unanimous consent that the Senate proceed to executive session to

consider the following nominations: Calendar Nos. 359 and 362; that the Senate proceed to vote without intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BOOKER. Mr. President, I am grateful for the time. I am hoping that in the intervening hours and days we are here in Washington, DC, we can give some attention to this profound obligation we have of keeping the functioning of the three branches of government and perhaps solve this impasse.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

NATIONAL DAY OF REMEMBRANCE FOR MURDER VICTIMS

Mr. CASEY. Mr. President, I rise to commemorate the National Day of Remembrance for Murder Victims which occurs in just a few days on September 25.

In 2007, the Congress passed the resolution designating the National Day of Remembrance and affirming two central truths. First, the murder of a loved one is an exceptionally difficult and devastating experience for that family, and, second, that support services are very important in helping victims' friends and families as they cope with the grief and loss.

Today in Washington we have family members who can attest to the devastation of losing a loved one. They are mothers, grandmothers, sisters, and other parts of the family, each of whom have lost a loved one to violence.

They have come together to form, in this case, a Philadelphia-based violence prevention group called Mothers In Charge. I cannot imagine the pain they suffer, but the sad truth is, their ranks grow every day in our country, where about 16,000 people are murdered each year, including over 600 just in Pennsylvania, according to the Centers for Disease Control and Prevention. Around two-thirds of these murders are committed with firearms.

These families know all the statistics, but the loved ones they lost aren't statistics, they are people and members of their family, and we need to remember that.

I came to the floor last week to talk about a particularly violent day in 1 city, Philadelphia, PA, in which 10 people were shot in 1 day and 5 were killed. Over the weekend, 5 more were killed and 14 wounded—just this past weekend. Two of those wounded were police officers who were targeted during a shooting rampage in Philadelphia that left another five wounded at that location.

The families and friends of the victims, like those who are with us in Washington today, will never be the same because they lost someone unique and special, someone who was the subject of their love and attention, someone whose future they invested in, believed in, and dreamed about until it was stolen away.

The resolution I referred to earlier, designating the National Day of Remembrance for Murder Victims, which passed the Senate in 2007, reminds us of our obligation to recognize the loss these families live with every single day.

The great recording artist Bruce Springsteen, after September 11, wrote a number of songs that referred to that horrific day and how the country was dealing with it. One song he wrote was called "You're Missing." I will not go through the lyrics, but the refrain was just that, "you're missing." At one point in the song he says:

You're missing when I turn out the lights
You're missing when I close my eyes—

And then he says—

You're missing when I see the sunrise.

That is the only way I can understand what these families have gone through. That person is missing from their lives every moment of every day, no matter where they are, whether they are falling asleep or waking up or leading their lives. So we have an obligation to remember those they lost and remember those who are in fact missing from the lives of those we think about today.

The second part of this resolution credits the support services that help grieving families. Facing pain and loss, families often need lots of help, whether that is counseling or crisis intervention or legal assistance or other services. This is also something the Philadelphia-based group Mothers In Charge know something about. These mothers took their pain and turned it into a force for good. They advocated for those affected by violence, and they provided counseling and grief support for those victims' families. They also work proactively to prevent violence by intervening with at-risk young people and working with elected officials and community leaders to create safer neighborhoods.

Today, as we commemorate the National Day of Remembrance for Murder Victims, we also express deep gratitude for the critically important work Mothers In Charge and their allied organizations are doing to prevent future tragedies.

As we commemorate the National Day of Remembrance, we must also talk about the types of weapons that took so many lives in the first place and that take more lives every day, firearms. About two-thirds of those 16,000 annual murders are committed using firearms. Tragically, the executive director of Mothers In Charge, Dorothy Johnson Speight, who joins us here today in Washington, knows something about this. Dorothy's son was shot and killed in a dispute over a parking space—a senseless murder of a good and innocent soul. There is no weapon as widely available and as dangerously lethal as a gun, of course, and if Dorothy's work has taught us anything, it is that when tragic murders occur, they are not occasions for grief alone but also a call to action.

That is why I will continue to advocate for commonsense gun reform—from expanding background checks to banning military-style weapons and large-capacity magazines, to the passing of legislation to close loopholes that allow suspected terrorists and violent hate criminals to acquire firearms. All of these measures will make us safer. As Dorothy has often said, gun violence is a public health crisis with more than 33,000 people killed by the pull of a trigger each year in the United States of America. If we are to do our duty on behalf of our constituents, on behalf of hard-working members of Mothers In Charge and the countless others who have lost a loved one to gun violence as we approach the National Day of Remembrance, we must act to make our communities safer.

Thank you, Mr. President, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the motion to invoke cloture on the motion to proceed to H.R. 5325 ripen at 5:15 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 39

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:15 a.m. on Wednesday, September 21, Senator PAUL or his designee be recognized to offer a motion to discharge S.J. Res. 39; that there be up to 3 hours of debate, equally divided between the proponents and the opponents, with Senator PAUL controlling 30 minutes of the proponents' time and Senator MURPHY controlling 15 minutes of the proponents' time; and that following the use or yielding back of that time, the Senate vote in relation to the motion to discharge.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Vermont.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 3359 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MERRICK GARLAND

Ms. STABENOW. Mr. President, it has been 187 days since President Obama nominated Merrick Garland to the Supreme Court. That is a long time. Since March 16, we have been waiting for a hearing. It is really extraordinary when you think how long we have seen the third branch of government unable to fully function because of inaction in the U.S. Senate.

Republicans have a constitutional duty to uphold, and they have not done their job. We all have that constitutional duty. We are standing at the ready. We are willing to remain here in session until we can get this done. We need a hearing now. We need to get Merrick Garland on the Court before the Court begins its new session on October 1. Unfortunately, we are likely to leave—maybe at the end of this week or next week—without a hearing.

The Republican leadership's inability to consider Garland's nomination puts

the Court at frequent risk of deadlock, which is not in the interest of families or of those whose interests are coming before the U.S. Supreme Court. It is a shame because Merrick Garland is a uniquely qualified jurist. In fact, Republican colleagues have noted his qualifications in the past, but the reason Republicans haven't acted is simple, unfortunately, and that is a political calculation.

When we look at the Court on October 1, when they are seated, it will look like this, with a vacant chair. The question is, Whom are they holding the chair for? I envision behind this chair a shadow of the Republican nominee—someone who is standing behind there. And it is clear that Republicans in the Senate are holding this seat open for Donald Trump, the Republican nominee, in hopes that he will be the next President.

I am not sure about you, but when it comes to filling this empty seat, "Celebrity Apprentice: Supreme Court Edition" is not a show I want to watch, and it is certainly not a show that the American people will benefit from.

Many of my Republican colleagues also recognize that the nominee for President on their side poses a risk to our judicial system. When the Republican nominee attacked a Federal judge's impartiality on the basis of his parents' ethnicity, the majority leader said he "couldn't disagree more with a statement like that."

Why then would he leave this seat open for that person to fill? How can you justify allowing someone to nominate a Justice to the highest Court in the land when it is clear that nominee has no respect for the judiciary as an institution?

Another one of my Republican colleagues described the Republican nominee's comments—one of many of his comments, but described one set of comments as "the literal definition of racism." Yet that person is supporting Donald Trump, and they are holding a seat open for this person who has said things that are literally the definition of racism. This colleague actually at some point came out on the record as not supporting the nominee, and he has been joined by other Republican Senators. Yet they potentially keep a seat open for this person to fill on the highest Court in the land.

Another Member of this body has referred to the Republican nominee as "a pathological liar" who "doesn't know the difference between truth and lies." Senate Republican colleagues can't justify holding up Judge Garland's confirmation, but all of my Republican colleagues are doing that, hoping that Mr. Trump is the person who gets to nominate this Justice in January. It makes no sense.

They all remain unified in their opposition to Judge Garland, who is one of the most qualified and well-re-

spected judges of this generation. They are unified in not moving forward, even though many of them have said very positive things about him in the past, and I would expect to see that in the future. I have to wonder what exactly those Senators—especially the ones who are opposing their party's nominee—are waiting for because it is obvious to me that just about every Member of this body believes that Judge Garland would do an excellent job on the Court.

I call on all Republican colleagues to do their job to hold a hearing to bring this nomination to the floor as quickly as possible, to not hold open a spot on the highest Court in the land for someone who many of them have been running to distance themselves from.

This is a very serious issue. We talk a lot about the Constitution around here. We have three branches of government, and one right now cannot fully function in the public's interests on behalf of businesses, families, young people, older people, and children because they don't have the full membership of the Court. It is our job in the U.S. Senate to make sure they have all of the members present when the new Court sits, starting on October 1.

I say to my colleagues on the other side of the aisle: Do your job. Now is the time to do your job. The American people expect us to do our jobs. Do your job and don't hold a seat open for the Republican nominee, whom so many of you have expressed such displeasure for. It is time to do your job as the Republican majority in the U.S. Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BECKY FLEESON

Mr. MCCONNELL. Mr. President, I would like to say a few words about a member of my staff who will soon be leaving. Becky Fleeson, our director of administration, is the embodiment of a servant leader. She is tenacious, she is dedicated, she is loyal, and she cares.

Becky is exactly the type of person you want batting for your team. For nearly a decade, I have been fortunate to have her on mine. Becky is more interested in getting the job done than in taking credit for it. She doesn't back down easily. She can be tough too. That is part of her job description, but if you want to know the truth, Becky is actually a bit of a softie.

She is also a bit of a prankster. Becky is usually someone you would trust with sensitive tasks without a second thought, but on April Fools'

Day you can't trust her for a second. Take this year, for example, when Becky tried to convince us she was pregnant. Turned out she actually was and didn't know it at the time. Seems the Guy upstairs has a sense of humor as well.

Well, Becky would tell you her life has never been the same since she and her husband George welcomed little Winnie into their lives. Now they are preparing to welcome Baby Fleece No. 2 in just a few months.

It has really been something to watch Becky mature over the years, from a fresh-faced college grad to a seasoned professional, honorary Kentuckian, and dedicated wife and mother. When confronted with hardship along the way, Becky has fought through with grace and with strength—and the support of her fellow McTeamers.

I know Becky loves her colleagues, I know Becky loves the Senate, but most of all, I know Becky loves her family. So when Becky told me she was ready to dedicate herself full time to raising her kids, I couldn't have been happier for her. We will all miss her good humor, her work ethic, and her integrity. And later this afternoon, we will look forward to celebrating her.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

OBAMACARE

Mr. GARDNER. Mr. President, in Washington, DC, today is just another day of bureaucratic rollouts, regulatory nightmares, and government overreach, but if you are in Colorado today, it is also sticker shock day because today the people of Colorado found out—thanks to the new numbers just confirmed by the Colorado Division of Insurance—that if you live in that State, you are going to be paying, on average, an additional 20.4 percent for your health insurance this coming year under ObamaCare. That is the individual rate that was just confirmed for the 2017 plans—a 20.4-percent increase.

Remember the promises that were made when ObamaCare was put into law in the most partisan of fashions. The promise that if you like your doctor, you can keep your doctor has been proven untrue. And if you like your health care plan, you can keep your health care plan has been proven untrue. Why do we know that? Because in Colorado alone, over the past 3 years, over 750,000 Coloradans have had their insurance plans canceled.

Let's just go through those numbers. Over 92,000 people with individual plans

from UnitedHealthcare, Humana, Rocky Mountain Health Plans, and Anthem will be forced to find new plans in 2017. In May, UnitedHealthcare and Humana announced they were not going to be offering plans in Colorado at all. We have seen Aetna reduce significantly the number of plans they will be offering. We know the health care co-op in Colorado collapsed because it was unsustainable thanks to the way ObamaCare was designed, costing over 80,000 Coloradans their health insurance. Back in August of 2013, we saw hundreds of thousands more in Colorado lose their health insurance. That doesn't sound like a promise that has been kept to me. That is a promise that has been broken.

We also know ObamaCare promised it would reduce the premiums by \$2,500 per family. Yet here we are today talking about a 20.4-percent rate increase on the Colorado people alone. We know from studies that one-third of Colorado counties aren't even going to have a choice of more than one insurance provider to choose from. Despite the third ObamaCare promise that the people of this country would have more opportunities to buy different insurance products, more choice, more consumer insurance options, over one-third of the counties in this country will have only one choice or perhaps even fewer.

That is why two pieces of legislation introduced in recent days by Senator McCain and Senator Sasse are so important. What do they do? Senator Sasse has introduced legislation that says if an insurance increase is more than 10 percent, then you don't have to abide by the individual mandate forcing people to pay these outrageous increases thanks to ObamaCare. It also says, if you are paying 8 percent of your income in insurance premiums, you don't have to abide by the mandate of ObamaCare. It gives people the ability to actually have that financial certainty they are looking for—the certainty ObamaCare promised but failed to deliver.

Senator McCain's legislation says, if a county has one or fewer health insurance options to choose from, they also will receive relief from ObamaCare's individual mandate.

These are important because in States such as Colorado, the government is forcing you to pay at least 20.4 percent more if you are in the individual market. That is the average rate increase. While the 20.4-percent increase in the 2017 plans is certainly a significant amount, that is on top of last year's rate increases. If you live on the Western Slope of Colorado, last year you saw average premium rates in the individual market increase by 25.8 percent. One of the most expensive markets in the country is the Western Slope of Colorado—the mountains of our State.

We have not been able to break down what it means for the Western Slope.

That individual impact might even be higher for Colorado's Western Slope. We don't have those numbers broken down because it was just released today—this massive increase under ObamaCare—but if you just take the statewide average of the individual plan with a 20.4 percent, along with the 25.8 percent from last year, that is an almost 50-percent increase in insurance over the past 2 years. In 2017, it will increase 20.4 percent, on average, and this past year it increased 25.8 percent. That is a nearly 50-percent increase.

The people of Colorado can't afford ObamaCare. ObamaCare can't keep its promises. We have to find real solutions for the American people, and I urge the President to come forward with the acknowledgment that his signature law is a signature failure.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. Ayotte). Without objection, it is so ordered.

Mr. McCONNELL. Madam President, in order to have a quick discussion with colleagues about the state of play on the short-term CR, we will push the vote back a few minutes.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. McCONNELL. Therefore, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 5:10 p.m., recessed subject to the call of the Chair and reassembled at 5:39 p.m. when called to order by the Presiding Officer (Mr. GARDNER).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, we just had another good conversation on this side with our Members and are now prepared to proceed to the bill that we used as a shell for the CR-Zika legislation.

I might say to all of our Members that we continue to work toward an agreement on the legislation. We hope to have that completed and available for review very soon. With a little cooperation on both sides, I think we can get that finished and begin the debate.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 516. H.R. 5325, an act making appropriations for the Legislative Branch for fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Mike Rounds, Marco Rubio, Cory Gardner, Pat Roberts, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines, Daniel Coats, John Thune, Thad Cochran, Susan M. Collins.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 5325, an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) and the Senator from Virginia (Mr. Kaine) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote "yea."

The yeas and nays resulted—yeas 89, nays 7, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—89

Alexander	Feinstein	Murray
Ayotte	Fischer	Nelson
Baldwin	Flake	Peters
Barrasso	Franken	Portman
Bennet	Gardner	Reed
Blumenthal	Gillibrand	Reid
Blunt	Graham	Risch
Booker	Grassley	Roberts
Boozman	Hatch	Rounds
Boxer	Heinrich	Rubio
Brown	Heitkamp	Sanders
Burr	Hirono	Schatz
Cantwell	Hoehn	Schumer
Capito	Inhofe	Scott
Cardin	Isakson	Shaheen
Carper	King	Shelby
Casey	Kirk	Stabenow
Cassidy	Klobuchar	Sullivan
Coats	Leahy	Tester
Cochran	Manchin	Thune
Collins	Markey	Tillis
Corker	McCain	Toomey
Cornyn	McCaskill	Udall
Cotton	McConnell	Vitter
Crapo	Menendez	Warner
Daines	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Moran	Wicker
Enzi	Murkowski	Wyden
Ernst	Murphy	

NAYS—7

Cruz	Lee	Sasse
Heller	Paul	
Lankford	Perdue	

NOT VOTING—4

Coons	Kaine
Johnson	Sessions

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

MORNING BUSINESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE EXPLANATION

Mr. WARNER. Mr. President, due to a prior commitment, I regret I was not present to vote on H.R. 5985, the VA Expiring Authorities Act of 2016. Had I been present, I would have voted in support of the legislation.

HONORING CAPTAIN DAVE MELTON

Mr. MORAN. Mr. President, today I would like to honor the life of police captain Dave Melton, a law enforcement officer who served 17 years on the force of the Kansas City Police Department and was tragically killed on duty earlier this summer.

On Tuesday, July 19, Captain Melton joined officers in pursuit of suspected participants of a driveby shooting. Shortly after law enforcement arrived, the driver of the suspects' vehicle was apprehended. While following one of the other suspects, Captain Melton came under fire and suffered multiple gunshots. Captain Melton was then taken to the University of Kansas Medical Center where he ultimately died from his wounds.

Captain Melton was described by Kansas City, KS, Police Chief Terry Ziegler as someone who always chose to "lead from the front."

The brave sacrifices Captain Melton made to keep his community safe will not be forgotten.

Captain Melton's history of service, both to Kansas and our country, extends beyond his 17 years with the Kansas City Police Department. In addition to 9 years with the Wyandotte County Sheriff's Department, Captain Melton served in the Kansas Army National Guard as a soldier for more than a decade and then as an officer from 1997–2012. During the course of a military career that included a 15-month tour of duty in Iraq and a 13-month

tour in Afghanistan, Melton earned the Bronze Star and numerous other honors.

Captain Melton's law enforcement colleagues remember him as an industrious and professional leader. Described as a goodhearted man who loved his family, Melton brought joy to those around him and helped those in need.

Dave Melton is survived by his son, David, two daughters, Sarah Wilt and Elizabeth, and girlfriend, Zeta Bates, who is expecting a child.

I join the Kansas City community and law enforcement offices around the country as we grieve the loss of this fallen hero and pray for the Melton family.

These feelings are tragically familiar. On May 18, I spoke on the Senate floor to remember and honor the life of Kansas City Police Detective Brad Lancaster, who was also killed on duty while responding to a call. Following Lancaster's death, it was Captain Melton that took the initiative to honor Detective Lancaster by establishing protocols for the memorial services of those killed on duty.

I stand with the Kansas City, Kansas Police Department as they work to mourn and recover from the loss of both of these men.

Congress and community leaders must continue working to better protect the men and women who take great risk to protect the rest of us.

ADDITIONAL STATEMENTS

RECOGNIZING PEA RIDGE NATIONAL MILITARY PARK

• Mr. COTTON. Mr. President, in honor of the National Park Service's 100th birthday year, I want to recognize Pea Ridge National Military Park in northwest Arkansas. Pea Ridge National Military Park is one of the best preserved Civil War battlefields in the United States and its history deserves to be shared.

The Battle of Pea Ridge took place in March of 1862 when 26,000 Union and Confederate soldiers fought for 2 straight days. The battle was hard-fought, but in the end, the Union forces, led by General Samuel Curtis, were victorious, and the Union won complete control of the State of Missouri.

Pea Ridge National Military Park officially became part of the National Park system on July 20, 1956, thanks largely to the efforts of the Arkansas congressional delegation. And it was officially dedicated as a national park during the Nation's Civil War Centennial in 1963.

Today 4,300 acres of battlefield are preserved for visitors. The grounds include a recreation of the Elkhorn Tavern—an important landmark of the

battle—as well as a visitors center and a museum. The park is also home to 2 and a half miles of the Trail of Tears, another important United States landmark.

Arkansas is a State full of rich history, and heritage and Pea Ridge National Military Park is a critical part of that history. If you find yourself in the picturesque Ozarks of northwest Arkansas this fall, take some time to drive through or walk the grounds of Pea Ridge National Military Park and see for yourself.●

REMEMBERING RODGER McCONNELL

● Mr. DAINES. Mr. President, today I wish to honor a Vietnam war veteran who became an incredible hometown advocate for other veterans. Sadly, Rodger McConnell passed away on July 21, 2016, in Great Falls, MT.

Rodger served his country honorably during the Vietnam war, but like so many returning veterans, he struggled with PTSD and homelessness. Rodger was able to overcome these issues and went on to serve veterans in many ways. He helped create the Veterans Drug Treatment Court and acted as a mentor to the participants. He organized the annual homeless Veterans Stand Down. He also helped bring a replica of the Vietnam Memorial to Great Falls.

Rodger was a selfless, caring individual who will be missed by the entire community. Because of his commitment to veterans, his presence will continue on through so many programs that he created. One that was very dear to him was “On Point: Veterans Talk Radio,” a radio program for veterans that he hosted on the local public radio station. Some of these interviews with wartime veterans will be submitted to the Veterans History Project through the Library of Congress. Rodger may not be with us any longer, but his talks with veterans will be preserved for all to hear.●

TRIBUTE TO DR. MARGARET BEESON

● Mr. DAINES. Mr. President, Dr. Margaret Beeson is a generous and inspiring doctor, who inexhaustibly serves her profession, her community, and the world with compassion and integrity. She is a strong yet humble leader, whose healing presence has awakened and nurtured souls from all walks of life. She is a consummate professional, conducting every aspect of her life with dignity, decorum, and propriety.

Her brilliance is not only found in her intellect, but in the dynamic legacy she has created. Her vision is manifest in the thousands of patients she has cared for, the myriad of doctors she has mentored, and is embodied throughout her very essence.

Dr. Beeson is a loving mother and an enduring friend, generous of time, spirit, and compassion.

She has served as a medic in the U.S. Navy and was selected to participate in an elite naval medical corps training program. This was a San Diego Naval Hospital based PA program. She trained for 6 months there and subsequently worked for a year in the outpatient clinic. She ran a chronic care clinic treating patients with high blood pressure and diabetes. She was a licensed vocational nurse, rotating through five hospitals, and traveled to India, the Netherlands, and England attaining her midwifery license. She became a naturopathic physician in 1989 and is associate clinic faculty at Bastyr University in Seattle.

Dr. Beeson is the founder and medical director of the Yellowstone Naturopathic Clinic in Billings, MT. Her clinic in the heart of Billings is also an accredited residency program through the Naturopathic Education and Research Consortium, providing opportunities for graduates of Naturopathic medical schools in a primary care setting. She has worked diligently to create collaborative relationships between conventional and traditional medicine. Additionally, she is the president of the board of directors of the Paul Gardner Veterans Pain Relief Foundation, an organization dedicated to facilitate access to nonnarcotic pain treatments for veterans by providing financial resources for access to safe, effective treatments.

Earlier this year, the American Association of Naturopathic Physicians named Dr. Beeson its “2016 Physician of the Year.” Dr. Beeson was selected for her strong leadership, authenticity, and great mentoring skills. The role of mentor is one she is particularly proud of, as her clinic runs a residency for oncology in collaboration with St. Vincent Healthcare’s Frontier Cancer Center.●

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1886. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes (Rept. No. 114-354).

S. 2644. A bill to reauthorize the Federal Communications Commission for fiscal years 2017 and 2018, and for other purposes (Rept. No. 114-355).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3270. A bill to prevent elder abuse and exploitation and improve the justice system’s response to victims in elder abuse and exploitation cases.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCOTT (for himself and Mr. BROWN):

S. 3353. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Mr. MANCHIN):

S. 3354. A bill to amend the Internal Revenue Code of 1986 to exclude income attributable to certain real property from gross income; to the Committee on Finance.

By Mr. COTTON (for himself, Mr. RUBIO, Mr. SESSIONS, Mr. HATCH, Mr. TILLIS, Mrs. FISCHER, Mr. MORAN, Mr. CRUZ, Mr. WICKER, Mr. DAINES, Mr. LANKFORD, and Mr. INHOFE):

S. 3355. A bill to prohibit funding for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in the event the United Nations Security Council adopts a resolution that obligates the United States or affirms a purported obligation of the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty; to the Committee on Foreign Relations.

By Mr. HELLER (for himself and Ms. HEITKAMP):

S. 3356. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts; to the Committee on Finance.

By Mr. RUBIO:

S. 3357. A bill to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself and Mr. VITTER):

S. 3358. A bill to provide special rules for the use of retirement funds for relief relating to severe flooding in the Mississippi Delta; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3359. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize grants for heroin and methamphetamine task forces; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mrs. GILLIBRAND, Mr. MARKEY, Mr. FRANKEN, Ms. WARREN, and Mr. BOOKER):

S. 3360. A bill to authorize the Secretary of Health and Human Services to award grants to support the access of marginalized youth to sexual health services, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. KING):

S. 3361. A bill to amend the Public Health Service Act to establish an interagency coordinating committee on pulmonary hypertension, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 3362. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Ms. AYOTTE, Mr. KIRK, Mr. BLUNT, Mr. RUBIO, Mr. CRUZ, and Mr. MCCAIN):

S. 3363. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2016, and for other purposes; to the Committee on Appropriations.

By Mrs. FISCHER (for herself and Mrs. FEINSTEIN):

S. 3364. A bill to authorize the Secretary of Veterans Affairs to carry out a pilot program to accept the donation of facilities and related improvements for use by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. CANTWELL:

S. 3365. A bill to amend the Internal Revenue Code of 1986 to improve the treatment of pension and employee benefit plans maintained by tribal governments; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. SCHUMER, Mr. HOEVEN, Mr. BENNET, Mr. INHOFE, Mr. WHITEHOUSE, Mr. MORAN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. HATCH, Mr. LEE, Mr. PORTMAN, and Mr. HEINRICH):

S. Res. 572. A resolution designating November 5, 2016, as National Bison Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 437

At the request of Ms. MURKOWSKI, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 437, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1148

At the request of Mr. NELSON, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the names of the Senator from Delaware

(Mr. COONS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1679

At the request of Mr. HELLER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1679, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2448

At the request of Mr. COONS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2448, a bill to provide for the appointment of additional Federal bankruptcy judges, and for other purposes.

S. 2489

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2489, a bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2645

At the request of Mrs. SHAHEEN, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2774

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2774, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes.

S. 2800

At the request of Mr. COONS, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2890

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2890, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 2989

At the request of Ms. MURKOWSKI, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2997

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2997, a bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes.

S. 3065

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

At the request of Mr. WYDEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3065, supra.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3270

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3270, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 3297

At the request of Mr. COTTON, the names of the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. SCOTT) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MAPD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. RES. 199

At the request of Mr. NELSON, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 527

At the request of Mr. UDALL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. Res. 527, a resolution recognizing the 75th anniversary of the opening of the National Gallery of Art.

S. RES. 536

At the request of Mrs. CAPITO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor

of S. Res. 536, a resolution proclaiming the week of October 30 through November 5, 2016, as "National Obesity Care Week".

S. RES. 564

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 564, a resolution condemning North Korea's fifth nuclear test on September 9, 2016.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3359. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize grants for heroin and methamphetamine task forces; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I have come to this floor many times to speak about the toll the abuse of prescription opioids and heroin has taken on our communities. When I talk with Vermonters about this crisis, whether at our Judiciary Committee field hearings in Vermont or in conversations at kitchen tables or on street corners, I hear how opioid abuse destroys lives, tears apart families, and overwhelms communities.

As a lifelong Vermonter, I am proud of our small State. I see law enforcement and community leaders joining together. They have taken a real constructive approach to fighting addiction. They have created innovative and successful programs, such as the Rapid Intervention Community Court in Burlington and Project VISION in Rutland. The Boys & Girls Clubs throughout Vermont are working with schools and public health officials to help children affected by this epidemic. They are trying to keep them from being swept up into that world. Our local television stations are participating in public awareness campaigns. They are educating our citizens about drug abuse. These are the positive efforts that make me proud to be a Vermonter. But I am not just here to praise the good work in my State. I am here to work for my State and for all States that are coping with this drug addiction scourge—because all States are.

Earlier this year, Congress took an important step forward by passing the Comprehensive Addiction and Recovery Act, or CARA. This new law treats addiction as the public health crisis it is. I was proud to support this legislation in the Senate. But the final product fell short. CARA did not include the funding necessary to put its programs to work. The final legislation stripped out many of the best practices that were included in the Senate bill, including, among others, my provision to authorize the anti-heroin task force

program I helped to establish. This provision was approved overwhelmingly by the Senate, and I thank my colleagues—Republicans and Democrats—who joined with me on that. But it was stripped out at the last minute by the House. That was really a shortsighted decision. It could hamper law enforcement agencies' ability to keep illegal opioids out of our communities.

So today I am introducing bipartisan legislation along with Senator GRASSLEY to help ensure that State and local law enforcement agencies can get the necessary funding and the support for anti-heroin task forces around the country. Our bill would authorize the Attorney General to provide grants to law enforcement agencies—those agencies that are engaged in statewide collaborative efforts to investigate and stop the unlawful trafficking of heroin, fentanyl, carfentanil, and prescription opioids. The bill also authorizes grants to support task forces to combat the trafficking of methamphetamines.

Our States are seeing an influx of powerful, deadly opioids that have never been seen by law enforcement before. Communities that have been struggling with heroin and prescription drug abuse are now encountering opioids such as fentanyl and carfentanil. What is so frightening about these is that they can kill the user even in small amounts. So I think we have a responsibility—all of us in Congress—to support smart policies and reduce the demand for these poisons. We must support targeted enforcement efforts to keep them out of our communities in the first place.

Now, I know these task forces work. Last month I heard from Vermont law enforcement officials who shared examples of how the Vermont Drug Task Force is helping to combat heroin trafficking in our State. The Vermont Drug Task Force has seen a significant increase in heroin investigations so far this year—up 70 percent from the same period last year. The task force has seized the equivalent of more than 94,000 bags of heroin this year alone, with a street value of more than \$1 million. Now, in an urban area that might not seem like much, but our State has 625,000 people. The largest city in our State has 38,000 people. We are being hammered by this.

But there is good news. The recent addition of five new investigative positions, as a result of Vermont's \$1.4 million anti-heroin task force grant, could not come at a more critical time. So this legislation will provide the anti-heroin task force program with the resources they need to help more States, just like it is helping in Vermont.

I say this because we should know and the American public should know that our work in Congress on opioid abuse and addiction did not end when we passed CARA. In fact, I would say that it only began. If we are serious

about combating drug addiction—and all of us will say we are against it, but if we are really serious—then we have to invest in our communities. Let us build on what we know is working. Let us give law enforcement agencies the tools they need to do their job effectively.

In my State of Vermont, I spend considerable time every month. I was there just a couple of days ago. We are a special State because you can talk with people. My wife Marcelle and I will talk with people coming out of church on Sunday or in the grocery store or just walking down the street to pick up our paper. Some of the stories we hear are so sad. We hear from people we have known for years—wonderful families, pillars of the community—who will tell us of their son or daughter suffering from opioid and other addictions. The saddest, though, are those people we have known who have lost a member of their family because of the powerful new drugs coming on the market.

I saw a lot of terrible things in this area when I was a prosecutor, but nothing like what we are seeing today. So let us look at the legislation that Senator GRASSLEY and I are introducing. Let us stop trying to fight this with slogans and goodwill. Let us fight it with real tools.

Again, I would add, let us not just rely—any of us—on saying we are against this. Let us do something. It is too bad the House stripped out much of what we had done well in our bill, but there is no reason why we cannot fight to put it back in. There is no reason why we cannot get the funding necessary. This will only work if we have the tools and the money.

I know that in our State it is not just law enforcement but the faith community, educators, parents, Boys & Girls Clubs, and medical professionals who are all working together. It is not just numbers. Every one of us—almost every one of us in our State—knows people who have suffered. I want to go back home and say that we are doing something to help them.

By Mrs. FISCHER (for herself and Mrs. FEINSTEIN):

S. 3364. A bill to authorize the Secretary of Veterans Affairs to carry out a pilot program to accept the donation of facilities and related improvements for use by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

Mrs. FISCHER. Mr. President, I rise today in support of the CHIP IN for Vets Act.

Lengthy delays and cost overruns have impeded construction of new health care facilities for our veterans, raising roadblocks between them and the quality health care they have earned. These delays and overruns have not only negatively impacted our vet-

erans' access to care, but also our nation's confidence in their health care system.

My legislation would create a 5-year pilot program that would allow communities to contribute real property toward on-time and on-budget construction projects. Partnerships between veterans, their local communities, and the Department of Veterans Affairs, VA, will allow previously appropriated funds to be put to good use. Through five initial projects, community leaders and private sector experts can lead construction projects from start to finish and test a model that can be expanded into the future.

State or local authorities, and specified non-federal entities, will be eligible to partner with the VA. Entities would comply with the Department of Veterans Affairs' standards, except to the extent the Secretary determines otherwise, as permitted by law. Eligible projects would be limited to those for which funding has already been appropriated, or those on the VA's long-term planning list. The VA's financial obligation for these projects would be limited to the amount previously appropriated. The VA would select the project and community partner, but it would not influence, control, or be involved with either the management or construction of these projects. The Secretary would include information regarding real property and improvements donated under this legislation in the budget submitted to Congress. The Comptroller General would also submit to Congress a report on the donation agreements entered into under this legislation not less frequently than once every 2 years until its termination.

A significant amount of work went into revising this bill. I very much appreciate the support of Senator FEINSTEIN, who serves as lead cosponsor. Chairmen ISAKSON and ALEXANDER are supportive of this legislation. They, and the members of their staff, have been extraordinarily helpful through this process. The Department of Veterans Affairs staff has also been actively involved in the crafting of this legislation. They fully support it. The Congressional Budget Office has stated this bill would have an "insignificant impact on direct spending," or less than \$500,000 total.

For these reasons, I urge my colleagues to support this common sense, bipartisan legislation. Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 572—DESIGNATING NOVEMBER 5, 2016, AS NATIONAL BISON DAY

Mr. ENZI (for himself, Mr. SCHUMER, Mr. HOEVEN, Mr. BENNET, Mr. INHOFE, Mr. WHITEHOUSE, Mr. MORAN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. BALD-

WIN, Mr. HATCH, Mr. LEE, Mr. PORTMAN, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 572

Whereas on May 9, 2016, the North American bison was adopted as the national mammal of the United States;

Whereas bison are considered a historical symbol of the United States;

Whereas bison were integrally linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

Whereas there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

Whereas numerous members of Indian tribes are involved in bison restoration on tribal land;

Whereas members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

Whereas the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the "Indian Reorganization Act") (25 U.S.C. 477);

Whereas bison can play an important role in improving the types of grasses found in landscapes to the benefit of grasslands;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1912;

Whereas bison hold significant economic value for private producers and rural communities;

Whereas, as of 2012, the Department of Agriculture estimates that 162,110 head of bison were under the stewardship of private producers, creating jobs, and contributing to the food security of the United States by providing a sustainable and healthy meat source;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas the buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

Whereas a small group of ranchers helped save bison from extinction in the late 1800s by gathering the remaining bison of the diminished herds;

Whereas on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas on October 11, 1907, the American Bison Society sent 15 captive-bred bison from the New York Zoological Park, now known as the "Bronx Zoo", to the first big game refuge in the United States, now known as the "Wichita Mountains Wildlife Refuge";

Whereas in 2005, the American Bison Society was reestablished, bringing together bison ranchers, managers from Indian tribes, Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in National Wildlife Refuges, National Parks, and National Forests;

Whereas there are bison in State-managed herds across 11 States;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have celebrated the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 5, 2016, the first Saturday of November, as National Bison Day; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5079. Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table.

SA 5080. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 5325, *supra*; which was ordered to lie on the table.

SA 5081. Mr. DAINES (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 3076, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes.

TEXT OF AMENDMENTS

SA 5079. Mr. SASSE submitted an amendment intended to be proposed by him to the bill H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

PROHIBITION ON CITIZENSHIP FOR ALIENS ORDERED DEPORTED AND DIGITIZATION OF FINGERPRINT RECORDS

SEC. _____. (a)(1) None of the funds appropriated or otherwise made available by this Act or funds collected and deposited into the Immigration Examinations Fee Account may be used to carry out any activity to grant United States citizenship to any individual subject to a final order of deportation.

(2) This subsection shall be in effect until December 9, 2016.

(b) The Secretary of Homeland Security is authorized and directed—

(1) to set aside such sums as necessary from the Immigration Examinations Fee Account to complete the digitization of fingerprints of aliens who were fugitives, convicted criminals, subject to deportation orders, or had other derogatory information dating back to 1990 under the project known as the Historical Fingerprint Enrollment Program; and

(2) to store such digitized fingerprints along with relating biographical data in the

Department of Homeland Security's IDENT database.

SA 5080. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. No funds may be made available under this title for foreign assistance to any country that was a significant exporter of illicit fentanyl, fentanyl analogues, or fentanyl precursor chemicals during the calendar year preceding the date of the enactment of this Act.

SA 5081. Mr. DAINES (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 3076, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes; as follows:

On page 2, line 9, insert “veterans” after “or in a”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have nine requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on September 20, 2016, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on September 20, 2016, at 10 a.m., to conduct a hearing entitled “An Examination of Wells Fargo's Unauthorized Accounts and the Regulatory Response.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 20, 2016, at 10 a.m., to conduct a hearing entitled “Nominations.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on September 20, 2016, at 2:30 p.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the ses-

sion of the Senate on September 20, 2016, at 2:45 p.m., to conduct a hearing entitled “South Sudan: Options in Crisis.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate, on September 20, 2016, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “Laboratory Testing in the Era of Precision Medicine.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on September 20, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building to conduct a hearing entitled “Consolidation and Competition in the U.S. Seed and Agrochemical Industry.”

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 20, 2016, at 11:30 a.m., in room SH-219 of the Hart Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 20, 2016, 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

MARCELINO SERNA PORT OF ENTRY

Mr. DAINES. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 5252 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 5252) to designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the “Marcelino Serna Port of Entry.”

There being no objection, the Senate proceeded to consider the bill.

Mr. DAINES. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5252) was ordered to a third reading, was read the third time, and passed.

CHARLES DUNCAN BURIED WITH HONOR ACT OF 2016

Mr. DAINES. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of

S. 3076 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3076) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DAINES. Mr. President, I further ask that the Blumenthal amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5081) was agreed to, as follows:

(Purpose: To make a technical correction)

On page 2, line 9, insert "veterans" after "or in a".

The bill (S. 3076), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3076

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Charles Duncan Buried with Honor Act of 2016".

SEC. 2. CASKETS AND URNS FOR BURIAL OF CERTAIN VETERANS IN CEMETERIES OF STATES AND TRIBAL ORGANIZATIONS.

Section 2306(f) of title 38, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking "for burial in a national cemetery of a deceased veteran" and inserting "for burial of a deceased veteran in a national cemetery or in a veterans cemetery of a State or tribal organization for which the Department has provided a grant under section 2408 of this title"; and

(2) in paragraph (2), by striking "the burial of the veteran in a national cemetery" and inserting "such burial".

VIRGIN ISLANDS OF THE UNITED STATES CENTENNIAL COMMISSION ACT

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 586, H.R. 2615.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2615) to establish the Virgin Islands of the United States Centennial Commission.

There being no objection, the Senate proceeded to consider the bill.

Mr. DAINES. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2615) was ordered to a third reading, was read the third time, and passed.

NATIONAL BISON DAY

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 572, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 572) designating November 5, 2016, as National Bison Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DAINES. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 572) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING THE AMERICAN BATTLE MONUMENTS COMMISSION TO ACQUIRE, OPERATE, AND MAINTAIN THE LAFAYETTE ESCADRILLE MEMORIAL IN MARNES-LA-COQUETTE, FRANCE

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5937, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 5937) to amend title 36, United States Code, to authorize the American Bat-

tle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DAINES. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5937) was ordered to a third reading, was read the third time, and passed.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 106-567, the reappointment of the following individual to serve as a member of the Public Interest Declassification Board: Kenneth L. Wainstein of Virginia.

ORDERS FOR WEDNESDAY, SEPTEMBER 21, 2016

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, September 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 5325, postcloture; finally, that all time during recess or adjournment of the Senate count postcloture on the motion to proceed to H.R. 5325.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DAINES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, September 21, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, September 20, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 20, 2016.

I hereby appoint the Honorable ADRIAN SMITH to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

HONORING THE LIFE OF SUMNER W. MEAD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today to honor the life of Sumner Wright Mead of Kenilworth, Illinois, who, unfortunately, passed away on September 6 at the age of 92. I will always remember Mr. Mead as a most colorful character who never hesitated to let you know how he felt.

For Mr. Mead, his family always came first. He was a beloved husband to Nancy; a father to Sumner, Laura, and Melinda; and a grandfather to Elisabeth, Sumner, Katie, Grace, Brooke, Price, Steele, Will, Paige, and Tyler.

Mr. Mead was known for greeting everyone with his welcoming smile. When he wasn't relaxing in Martha's Vineyard or Florida, you could catch him with his family volunteering at the Kenilworth Union Church or sailing on Lake Michigan.

Mr. Mead also served our country during World War II. His service to our Nation, I believe, exemplifies how he lived his life, putting others ahead of himself on a daily basis.

Mr. Speaker, I will forever remember Mr. Mead for his integrity, his loyalty, and most importantly, his friendship. He will be dearly missed.

HONORING THE U.S. NAVY

Mr. DOLD. Mr. Speaker, I rise today to recognize the United States Navy, which is celebrating its 241st birthday this year.

Since October 13, 1775, the Navy has tirelessly protected our shores and our seas. The Navy will always hold a special place in my heart as, 51 years ago, Lieutenant Commander Robert Shumaker was shot down over Vietnam. I know him as my Uncle Bob. He became the second naval aviator captured during the Vietnam war. For the next 8 years and one day, he was held as a POW, much of that time in what was the Hoa Lo prison, which we know as the Hanoi Hilton.

To me, his story is a reminder of the darkness and cruelty of war, but much more importantly, a reminder of faith and strength of the Navy brotherhood and the honor of serving our country that nobody could take away from him or his fellow sailors.

I am also proud to recognize the Great Lakes Naval Station located in Illinois' 10th Congressional District. Every sailor who serves our country in the Navy has, at one time or another, traveled through the Great Lakes. Since World War I, Great Lakes Naval Station has trained more than 2 million sailors.

I offer my most sincere thanks to all the men and women who have continued to make the sacrifices to protect our rights of life, liberty, and the pursuit of happiness.

HUNGER ACTION MONTH

Mr. DOLD. Mr. Speaker, I rise today to honor Feeding America and to recognize nationwide Hunger Action Month.

Everyone knows that feeling of an empty stomach, but for 48 million people in the United States, including 15 million children, that feeling is a daily reality. Without nutrition, people—and especially children—don't have the energy to learn, grow, and achieve success.

The Feeding America network is the Nation's largest domestic hunger relief organization and is headquartered in my home State of Illinois. Their network includes more than 200 food banks that provide 4 billion meals to feed virtually every community in the United States through food pantries, shelters, and soup kitchens. This September is a time to advocate, raise

awareness, and take action to eliminate hunger in our communities.

Over the past year, I have had the honor to work with numerous local organizations fighting hunger, including the Northern Illinois Food Bank and the Greater Chicago Food Depository. There are also tons of local park districts in the 10th District that help provide food and support before and after school, as well as during the summer months, such as the Waukegan Park District summer feeding program.

Moving forward, I remain committed to working with these groups to fight hunger in the 10th Congressional District of Illinois, and I hope my colleagues will use this month to find organizations in their districts that are doing similar lifesaving work.

NATIONAL HISPANIC HERITAGE MONTH

Mr. DOLD. Mr. Speaker, I rise today to recognize National Hispanic Heritage Month, which runs annually from September 15 to October 15. During this month, we celebrate the culture and heritage of Hispanic Americans and their many historic contributions to our Nation.

In the 10th Congressional District of Illinois, we are fortunate to have many community and business leaders with Hispanic roots. Take, for example, Luis Fuentes, a community leader who helps families in Mundelein, and Esteban Montes de Oca, the owner of multiple bakeries in my district.

Mr. Speaker, I also had the amazing opportunity not long ago to bring Erika Martinez, a DREAMer from Round Lake, to the State of the Union Address. Mr. Speaker, until we pass immigration reform, families like Erika's are forced to continue to live in fear of being torn apart. We need to act now.

So, this month, please join me in recognizing the important contributions that Hispanic Americans have made to our country, and let's redouble our efforts to uphold our long and proud history as a nation of immigrants.

OVERTIME RULE WILL STIFLE WORKPLACE FLEXIBILITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in May, the Department of Labor released its final overtime rule, which is another egregious example of the burdensome regulations that continue to hamper our economic recovery and hold North Carolina families back.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

By stifling workplace flexibility, threatening upward mobility, and burdening small businesses, unelected Washington bureaucrats are harming the employees they claim they want to help.

The Congressional Review Act of 1996 established a process through which Congress can overturn regulations issued by Federal agencies, and I have introduced a joint resolution of disapproval to block this controversial rule.

Our Nation's overtime rules need to be modernized, but the Department of Labor's extreme and partisan approach will lead to damaging consequences that the American people simply cannot afford. I will continue to fight for a more balanced and responsible approach to updating Federal overtime rules.

STOP ISIS' GROWING EMPIRE OF EVIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise today to stress the importance of supporting our allies in the region buckling under the weight of radicalization and a refugee crisis.

The current surge of Syrian refugees sweeping across Europe is challenging the European Union to decisively manage and absorb hundreds of thousands of people fleeing hostilities in the Middle East. Within the United States, we have also begun to feel its effect on our borders.

In an effort to further address the continued challenges associated with relocation and placement, members of the United Nations gathered yesterday for a summit to address the mass movement of refugees, with the goal of unifying member countries behind a more coordinated, humane response.

Sadly, with reports of violence related to this crisis and an emboldened enemy that has vowed to take advantage of this vulnerable population through means of infiltration and radicalization, we must remain vigilant, and the safety and security of the United States must be our paramount concern.

As political and religious minorities are forced to flee their homes to find safe haven, we must work with our allies to ensure that those who prey on these individuals and sow fear internationally reap only swift justice in return. We can ill afford for ISIS and its network of radicalized lone wolves to gain a critical foothold in Europe from which to stage and broadcast its horrifying brand of terrorism.

One of these vulnerable allies currently in the crosshairs of the refugee crisis is Greece. In fact, just yesterday, one of Greece's largest refugee camps

went up in flames, forcing thousands to flee. With civil wars in both Libya and Syria, Greece is strategically situated to respond, or fall, to foreign threats posed by ISIS.

Souda Bay, located in the northwest corner of the Greek island of Crete, extends our security response capabilities by providing, operating, and sustaining superior facilities and services dedicated to combat readiness and security of ships, aircraft, detachments, and personnel.

Souda Bay has and continues to play a key role in providing security to a region under continual assault from threats to humanity. Along with our strategic partner, Cyprus, which houses airbases used in the fight against ISIS, Greece is a key forward base for the Western alliance.

While Greece's location allows Western forces a convenient base from which to confront ISIS, it also makes the country the front line of the refugee crisis. Because of its numerous Aegean islands, Greece is one of the largest countries in the world by coastline. As we witnessed during the height of the refugee crisis, that coastline provides many landing spots for refugees crossing the Aegean from Turkey.

Just as Greece stands with us in the fight against ISIS, we must stand with Greece, providing technical assistance, surveillance and intelligence, and equipment, as it faces increased flows of refugees. Greece represents the easternmost borders of the West, and we must ensure that this border is protected.

I agree, Mr. Speaker, there is a better way with regard to our national security. Moving forward, it is paramount that we work with regional allies like Greece in order to mitigate the rising death toll, provide a safe area for moderate opposition to form governing structures and rebuild civil society, and allow for the introduction of humanitarian aid.

This issue should not be a partisan one, Mr. Speaker. Our national security is a priority we can all agree on. America has always been at its safest when we lead from the front and not from behind. We must not be afraid to stare down evil and take action with our allies around the globe, especially in the Mediterranean. Together, we must stop ISIS' growing empire of evil before more innocent lives are destroyed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

Bless the Members who are laboring through these challenging days with wisdom, magnanimity, and a shared desire to serve our Nation at a pivotal time for us all.

May their efforts bring results that rise above any sense of victory for one side or the other but, rather, mutual benefit.

In the end, may we continue to trust that You would not abandon those who put their trust in You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SPACE EXPLORATION

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, the exploration of space has long united this country. Every American, rich or poor, living in the cities or in the great rural areas that make up our country, can look to the moon knowing that American astronauts planted our flag there. Every time we look up into space, we have something to be proud of, but we know our journey has only just begun.

Mr. Speaker, not too long ago, commercial spaceflight was disregarded as some distant pipedream of the future. But today, thanks to innovation in places like Mojave, California, commercial spaceflights and the spaceports they take off from are the epicenter of space exploration.

These are the places leading in our journey to the great unknown. But as commercial space has ventured into the future, government policy has not kept up. We need to ensure government allows commercial spaceflight to succeed by updating laws to reflect changing circumstances.

Similar to airports, for our spaceports to function, we need to prioritize safety and minimize the risk of structures interfering with the flight path of spacecraft on launch or reentry. The legislation I introduced today that we are voting on gives the FAA the authority they now lack to examine whether structures being built near spaceports will obstruct spaceflight.

With this, those leading our journey into space can remain confident that nothing back on Earth will be slowing them down.

MICHIGAN IS DISENFRANCHISING THE CITIZENS OF FLINT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, yesterday, it was reported that, instead of doing what is necessary to fix the Flint water crisis, State of Michigan officials are, instead, focusing on disenfranchising further the people of my hometown.

Through sleight of hand and bureaucratic maneuvers, they are effectively preventing the people of Flint from suing the State government for the harm that has been caused by the State government in my hometown.

Just as when the State installed emergency managers to take over the city of Flint, they are now using obscure legal wrangling to silence the voices of the people in my community and the people that they elected from representing them in a court of law, from going to court to seek justice, to seek solutions.

So, instead of fixing the problem, not only have they denied the people in Flint the resources necessary to solve the problem that they created but they are denying those very same people access to the judicial process to seek redress. This is outrageous; it is wrong; and it has to stop.

PRESIDENT OBAMA'S CLAIM IS INACCURATE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Sunday, Politico revealed that past wire payments to Iran directly contradict the President's inaccurate claim that the \$1.7 billion ransom payment had to be in cash.

"The United States made at least two separate payments to the Iranian Government via wire transfer within

the last 14 months, a Treasury Department official confirmed Saturday, contradicting explanations from President Barack Obama that such payments were impossible. . . .

"In July 2015 . . . the U.S. Government paid the Islamic Republic approximately \$848,000. . . . Then, in April of 2016, the U.S. wired Iran approximately \$9 million. . . ."

In conclusion, God bless our troops, and may the President, by his actions, never forget September 11th in the global war on terrorism.

Being in New York City yesterday, I saw firsthand the failed legacy of the President. American families are at greater risk of murderous attack today than ever. I am grateful for first responders and the National Guard being everywhere across the city.

GUN SAFETY LAWS IN THE NATION'S CAPITAL

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, I have an important announcement to make. We are in the Nation's Capital where there are not only 700,000 residents but also every major Federal official, and many of the planet's most controversial figures frequent our streets, restaurants, and other public places. Yet, today, D.C. lawyers must defend its rule requiring permits to carry guns in public for good reason.

In today's big cities, illegal guns of all kinds are brought in because Congress has failed to pass a background check law.

D.C. did the right thing; so say four courts of appeals that have already upheld gun safety laws like D.C.'s, requiring a good reason to carry a gun in public.

SEPTEMBER IS NATIONAL RICE MONTH

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, the month of September is National Rice Month, a time when we honor the more than 100,000 Americans involved in the rice industry, from the thousands of family farms spread mostly across eight States, to the men and women working in the mills and food processing plants across the country.

The reason September is National Rice Month is because, traditionally, this is when we harvest our rice. Right now, American family rice farmers are harvesting what will end up being about 18 billion pounds of rice off 3 million acres spread across sustainably managed farmland. My district alone, in Louisiana, produces an annual crop worth over \$119 million from over 110,000 planted acres across 11 parishes.

Much of the United States' annual rice production will be exported to more than 120 countries around the globe, and much of that will be distributed as humanitarian aid.

This complex carbohydrate of rice is an excellent source of protein, fiber, energy, and antioxidants. Here in the U.S., white rice is enriched with more than 15 vitamins and minerals and is fortified with folic acid which, by the way, has been proven to dramatically reduce birth defects.

The U.S. rice industry, while it may seem small, provides 125,000 jobs and a whopping \$34 billion impact on the U.S. economy.

CONGRATULATING THE CORPUS CHRISTI ELKS LODGE

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Mr. Speaker, I rise today to congratulate the members of the Corpus Christi Elks Lodge for reestablishing Elks in my hometown. Due to some tough times after Hurricane Katrina and declining membership, the local chapter was consolidated with a chapter in Kingsville. But thanks to the dedication of the members of the Benevolent and Protective Order of the Elks, the Corpus Christi chapter will, once again, resume activities on October 27.

For more than 140 years, Elks Lodges have brought much to their communities, including awarding millions of dollars in scholarships, aiding veterans, building golf courses and pools, supporting Scouting Troops, providing education to prevent drug abuse, and helping low-income students attend summer camp.

It is my belief that having the order return to Corpus Christi will be a huge blessing to our community, and I join my friends and neighbors in thanking them for their dedication and service, and telling the Elks: welcome back to Corpus Christi, Texas.

CONSTITUTION WEEK

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of Constitution Week.

I especially want to honor the efforts of the Daughters of the American Revolution, who initiated the observance of Constitution Week in 1955, in order to encourage the study of the events that led to the framing of the Constitution in 1787; to inform the citizens of the United States of America that the Constitution is the basis of America's heritage and our way of life; and to reinforce our responsibility to protect,

defend, and preserve this great document.

Over this past weekend, the Colonel Hugh White-Colonel John Chatham Daughters of the American Revolution chapter in Lock Haven, located in Pennsylvania's Fifth Congressional District, organized a display of the Constitution and the Declaration of Independence at the community's library.

I want to thank the members of the Daughters of the American Revolution in Lock Haven and the members of the DAR all over Pennsylvania's Fifth Congressional District for everything they do to make sure that we never forget the work of our Nation's Founders and the tremendous importance of our Constitution.

HONORING THE LIFE OF CHARLES EVANS HUGHES

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, I rise today to honor a remarkable man from my district who dedicated his life to serving our country.

Charles Evans Hughes was born in Glens Falls, New York, where his first home still stands on Center Street. Mr. Hughes began his storied career in public service when he was elected Governor of New York in 1906. He was later appointed to the Supreme Court by President William Howard Taft, where he served 6 years, before resigning in 1916 to run for President.

While his run for President would be unsuccessful, Mr. Hughes continued his life of public service by serving as Secretary of State for Presidents Warren G. Harding and Calvin Coolidge. Later, Charles Evans Hughes was appointed Chief Justice of the Supreme Court by President Herbert Hoover.

In Glens Falls, we are proud of his amazing legacy of public service, and we will gather on October 15 to celebrate the 100th anniversary of his run for President.

CHILDHOOD CANCER AWARENESS MONTH

(Mr. ROSKAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSKAM. Mr. Speaker, I rise today in observance of Childhood Cancer Awareness Month.

Sixteen thousand children in the U.S. are diagnosed with cancer every year. Only one in five will survive.

I have a very special constituent, Chase Ewolddt, of Wheaton, Illinois. This is Chase with his mom and dad. He was diagnosed at the age of 2, in July 2012, with a very rare aggressive brain and spinal cancer. He withstood a

grueling 14 months of treatment, spending more time in the hospital than he had at home. He survived. He is not out of the woods yet though.

Chase is the nationwide ambassador for St. Baldrick's Foundation, and his mother wrote a book called "Chase Away Cancer."

This is an incredible example of resiliency, tenacity, and faithfulness in the course of a very difficult season, and I just want to pause and bring attention to Chase and to his family as we recognize Childhood Cancer Awareness Month.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 20, 2016 at 9:29 a.m.:

That the Senate passed without amendment H.R. 5985.

That the Senate passed without amendment H.R. 5936.

That the Senate passed with an amendment H.R. 1475.

Appointment:

John F. Kennedy Centennial Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SPECIAL NEEDS TRUST FAIRNESS AND MEDICAID IMPROVEMENT ACT

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 670) to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Special Needs Trust Fairness and Medicaid Improvement Act".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Fairness in Medicaid supplemental needs trusts.

Sec. 3. Medicaid coverage of tobacco cessation services for mothers of newborns.

Sec. 4. Eliminating Federal financial participation with respect to expenditures under Medicaid for agents used for cosmetic purposes or hair growth.

Sec. 5. Medicaid Improvement Fund.

SEC. 2. FAIRNESS IN MEDICAID SUPPLEMENTAL NEEDS TRUSTS.

(a) *IN GENERAL.*—Section 1917(d)(4)(A) of the Social Security Act (42 U.S.C. 1396p(d)(4)(A)) is amended by inserting "the individual," after "for the benefit of such individual by".

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall apply to trusts established on or after the date of the enactment of this Act.

SEC. 3. MEDICAID COVERAGE OF TOBACCO CESSATION SERVICES FOR MOTHERS OF NEWBORNS.

(a) *IN GENERAL.*—Section 1905(bb) of the Social Security Act (42 U.S.C. 1396d(bb)) is amended by adding at the end the following new paragraph:

"(4) A woman shall continue to be treated as described in this subsection as a pregnant woman through the end of the 1-year period beginning on the date of the birth of a child of the woman."

(b) *CONFORMING AMENDMENTS.*—

(1) Subsections (a)(2)(B) and (b)(2)(B) of section 1916 of the Social Security Act (42 U.S.C. 1396o) are each amended by inserting "(and women described in section 1905(bb) as pregnant women pursuant to paragraph (4) of such section)" after "tobacco cessation by pregnant women".

(2) Section 1927(d)(2)(F) of the Social Security Act (42 U.S.C. 1396r-8(d)(2)(F)) is amended by inserting "(and women described in section 1905(bb) as pregnant women pursuant to paragraph (4) of such section)" after "pregnant women".

(c) *EFFECTIVE DATE.*—

(1) *IN GENERAL.*—Subject to paragraph (2), the amendments made by this section shall apply with respect to items and services furnished on or after the date that is two years after the date of the enactment of this Act.

(2) *EXCEPTION FOR STATE LEGISLATION.*—In the case of a State plan under title XIX of the Social Security Act, which the Secretary of Health and Human Services determines requires State legislation in order for the plan to meet any requirement imposed by amendments made by this section, the plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date specified in paragraph (1). For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

(d) *REPORT.*—Not later than two years after the date of the enactment of this Act, the Inspector General of the Department of Health

and Human Services shall submit to Congress a report that assesses the use of the tobacco cessation service benefit under the Medicaid program. Such report shall include an assessment of—

(1) the extent that States are encouraging the use of such benefit, such as through promotion of beneficiary and provider awareness of such benefit; and

(2) gaps in the delivery of such benefit.

SEC. 4. ELIMINATING FEDERAL FINANCIAL PARTICIPATION WITH RESPECT TO EXPENDITURES UNDER MEDICAID FOR AGENTS USED FOR COSMETIC PURPOSES OR HAIR GROWTH.

(a) *IN GENERAL.*—Section 1903(i)(21) of the Social Security Act (42 U.S.C. 1396b(i)(21)) is amended by inserting “section 1927(d)(2)(C) (relating to drugs when used for cosmetic purposes or hair growth), except where medically necessary, and” after “drugs described in”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall apply with respect to calendar quarters beginning on or after the date of the enactment of this Act.

SEC. 5. MEDICAID IMPROVEMENT FUND.

Section 1941(b) of the Social Security Act (42 U.S.C. 1396w-1(b)) is amended—

(1) in paragraph (2)—

(A) by striking “under paragraph (1)” and inserting “under this subsection”; and

(B) by redesignating such paragraph as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) *ADDITIONAL FUNDING.*—In addition to any funds otherwise made available to the Fund, there shall be available to the Fund, for expenditures from the Fund—

“(A) for fiscal year 2021, \$10,000,000, to remain available until expended; and

“(B) for fiscal year 2022, \$14,000,000, to remain available until expended.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. GUTHRIE) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GUTHRIE. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 670, the Special Needs Trust Fairness and Medicaid Improvement Act, a bipartisan measure that will remove arbitrary legal barriers for individuals with disabilities to independently create their own special needs trust.

Special needs trusts are valuable tools that enable assets to be saved on behalf of individuals with disabilities, while protecting their eligibility for

means-tested benefits. Under current law, individuals who are or become disabled must have a parent, a guardian, or a court-appointed special needs trust regardless of the individual's capacity to do so on their own.

Mr. Speaker, not only does this requirement place an undue burden on individuals who seek a better financial future and want to live with dignity, it runs counter to the precedent set by Congress with the creation of pooled trust accounts in 1993 and the passage of the ABLE Act in 2014. Both provide disabled individuals and their families unencumbered access to mechanisms for savings.

My drive to correct this legal inequity stems from my experience as a certified recreational therapist, a hospital manager, a rehabilitation services manager, and a licensed nursing home administrator. In these roles, I worked with many people who set out on challenging journeys towards rehabilitation and future independence. As a result, I found it difficult to ignore the fact that current law is working to further complicate anyone's path to becoming more self-reliant and independent.

Mr. Speaker, I would like to take this time to share the personal narrative of Rana McMurray Arnold, cofounder and director of the Sight-Loss Support Group of Central Pennsylvania and a constituent of mine. As an individual who is living with blindness, Rana helped form a remarkable nonprofit to assist others with sight loss by providing peer counseling, vision rehabilitation referral services, and direct accessibility support for local events. Despite challenges she has been faced with, Rana has led a very fulfilling and successful life, running a successful service organization for 30 years and raising a family. However, under the current law, Rana would be deemed unfit to establish her own special needs trust.

It is on Rana's behalf and on behalf of the millions of Americans living with disabilities that I introduced H.R. 670, and I am grateful for its consideration this afternoon on the House floor.

I would also like to thank another constituent of mine, Amos Goodall, who has worked as an elder law attorney in State College, Pennsylvania. Mr. Goodall originally brought this issue to my attention and has been a tireless advocate for this bill. I would also like to thank Katie Brown of my staff, whose work on this bill has gotten us to this point today.

Mr. Speaker, I urge my colleagues to join me in seizing this opportunity to correct a legal inequity and safeguard the rights of Americans living with disabilities to secure their own future financial stability.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I strongly support this bipartisan legislation, H.R. 670, the Special Needs Trust Fairness and Medicaid Improvement Act. This legislation, which I have championed for multiple Congresses with my Republican colleague, Representative GLENN THOMPSON, would allow individuals with disabilities to set up special needs trusts for themselves without a court petition.

I thank Representative THOMPSON of Pennsylvania for his continued leadership on this issue.

A special needs trust is a special kind of trust that is designed to provide support for certain expenses for disabled individuals to supplement Medicaid benefits. Currently, these types of trusts generally must be established by parents, grandparents, legal guardians, or a court on behalf of the disabled individual. People can only set up a special needs trust for themselves after petitioning a court. Oftentimes, this process can take several months and can incur significant legal fees during the process.

This is just not right. Individuals with disabilities can and should have the ability to set up a special needs trust for themselves, and this legislation fixes that basic inequity. This is a commonsense but very meaningful fix in the lives of those living with a disability.

I would like to also note that H.R. 670 was amended in the Energy and Commerce Committee by adding an additional provision to require States to extend tobacco cessation coverage to pregnant women through the first year postpartum. This is also good policy. Tobacco cessation is absolutely critical to both saving dollars and saving lives, and particularly so for pregnant and postpartum women.

When we invest in helping people to quit smoking, the benefit is not only clear to the health of our communities, but also to our economy. My own home State of New Jersey is currently piloting a project in our Medicaid program specifically aimed at cutting costs and improving birth outcomes through targeted, evidence-based efforts to help pregnant women to quit smoking.

In addition, these policies are fully offset by clarifying that the Federal match for hair growth and cosmetic products is available when those products are medically necessary, which is the current policy of most States already. The remaining savings are put in a Medicaid improvement fund as a downpayment on more positive improvements to the Medicaid program in the future.

So I am very proud, Mr. Speaker, that we were able to work together on these policies. This is an example of the type of work that we should do more often in the Medicaid program: working together to pass policies that remove barriers for beneficiaries,

strengthen benefits, and support the long-term health of the program overall.

Mr. Speaker, I urge my colleagues to support H.R. 670. I hope that the Senate will consider this new version so it can swiftly become law.

Mr. Speaker, I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I just want to commend my friend from Pennsylvania who has spent so much effort on this. We had testimony in the Energy and Commerce Committee, families coming before us who were in situations that are difficult and gives them the opportunity to provide for their loved one, the original intent of the bill. This one allows the individual himself or herself to set up and provide. I think that is the right thing to do. I encourage my colleagues to vote for this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, H.R. 670, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SUPPORTING YOUTH OPPORTUNITY AND PREVENTING DELINQUENCY ACT OF 2016

Mr. CURBELO of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5963) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5963

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Supporting Youth Opportunity and Preventing Delinquency Act of 2016".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND DEFINITIONS

Sec. 101. Findings.

Sec. 102. Purposes.

Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Sec. 201. Concentration of Federal efforts.

Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 203. Annual report.

Sec. 204. Allocation of funds.

Sec. 205. State plans.

Sec. 206. Repeal of juvenile delinquency prevention block grant program.

Sec. 207. Research and evaluation; statistical analyses; information dissemination.

Sec. 208. Training and technical assistance.

Sec. 209. Authorization of appropriations.

Sec. 210. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301. Short Title.

Sec. 302. Definitions.

Sec. 303. Duties and functions of the administrator.

Sec. 304. Grants for delinquency prevention programs.

Sec. 305. Grants for tribal delinquency prevention and response programs.

Sec. 306. Authorization of appropriations.

Sec. 307. Technical amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.

Sec. 402. Accountability and oversight.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND DEFINITIONS

SEC. 101. FINDINGS.

Section 101(a)(9) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is amended by inserting "including offenders who enter the juvenile justice system as the result of sexual abuse, exploitation, and trauma," after "young juvenile offenders".

SEC. 102. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602) is amended—

(1) in paragraph (1), by inserting "tribal," after "State";

(2) in paragraph (2)—

(A) by inserting "tribal," after "State"; and

(B) by striking "and" at the end;

(3) by amending paragraph (3) to read as follows:

"(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and"; and

(4) by adding at the end the following:

"(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.".

SEC. 103. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(ii), by adding "or" at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) in paragraph (18) by adding at the end the following:

"that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General;".

(3) by amending paragraph (22) to read as follows:

"(22) the term 'jail or lockup for adults' means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates;";

(4) by amending paragraph (25) to read as follows:

"(25) the term 'sight or sound contact' means any physical, clear visual, or verbal contact that is not brief and inadvertent;";

(5) by amending paragraph (26) to read as follows:

"(26) the term 'adult inmate'—

"(A) means an individual who—

"(i) has reached the age of full criminal responsibility under applicable State law; and

"(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense; and

"(B) does not include an individual who—

"(i) at the time of the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

"(ii) was committed to the care and custody or supervision, including post-placement or parole supervision, of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law;";

(6) in paragraph (28), by striking "and" at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

"(30) the term 'core requirements'—

"(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

"(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1);

"(31) the term 'chemical agent' means a spray or injection used to temporarily incapacitate a person, including oleoresin capicum spray, tear gas, and 2-chlorobenzalmalononitrile gas;

"(32) the term 'isolation'—

"(A) means any instance in which a youth is confined alone for more than 10 minutes in a room or cell; and

"(B) does not include—

"(i) confinement during regularly scheduled sleeping hours;

"(ii) separation based on a treatment program approved by a licensed medical or mental health professional;

"(iii) confinement or separation that is requested by the youth; or

"(iv) the separation of the youth from a group in a nonlocked setting for the limited purpose of calming;

"(33) the term 'restraints' has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 2901i);

"(34) the term 'evidence-based' means a program or practice that—

"(A) is demonstrated to be effective when implemented with fidelity;

"(B) is based on a clearly articulated and empirically supported theory;

"(C) has measurable outcomes relevant to juvenile justice, including a detailed description of the outcomes produced in a particular population, whether urban or rural; and

"(D) has been scientifically tested and proven effective through randomized control

studies or comparison group studies and with the ability to replicate and scale;

“(35) the term ‘promising’ means a program or practice that—

“(A) is demonstrated to be effective based on positive outcomes relevant to juvenile justice from 1 or more objective, independent, and scientifically valid evaluations, as documented in writing to the Administrator; and

“(B) will be evaluated through a well-designed and rigorous study, as described in paragraph (34)(D);

“(36) the term ‘dangerous practice’ means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program;

“(37) the term ‘screening’ means a brief process—

“(A) designed to identify youth who may have mental health, behavioral health, substance abuse, or other needs requiring immediate attention, intervention, and further evaluation; and

“(B) the purpose of which is to quickly identify a youth with possible mental health, behavioral health, substance abuse, or other needs in need of further assessment;

“(38) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information—

“(A) by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse fields; and

“(B) which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth’s confinement;

“(39) for purposes of section 223(a)(15), the term ‘contact’ means the points at which a youth and the juvenile justice system or criminal justice system officially intersect, including interactions with a juvenile justice, juvenile court, or law enforcement official;

“(40) the term ‘trauma-informed’ means—

“(A) understanding the impact that exposure to violence and trauma have on a youth’s physical, psychological, and psychosocial development;

“(B) recognizing when a youth has been exposed to violence and trauma and is in need of help to recover from the adverse impacts of trauma; and

“(C) responding in ways that resist re-traumatization;

“(41) the term ‘racial and ethnic disparity’ means minority youth populations are involved at a decision point in the juvenile justice system at higher rates, incrementally or cumulatively, than non-minority youth at that decision point;

“(42) the term ‘status offender’ means a juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult;

“(43) the term ‘rural’ means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget;

“(44) the term ‘internal controls’ means a process implemented to provide reasonable assurance regarding the achievement of objectives in—

“(A) effectiveness and efficiency of operations, such as grant management practices;

“(B) reliability of reporting for internal and external use; and

“(C) compliance with applicable laws and regulations, as well as recommendations of the Office of Inspector General and the Government Accountability Office; and

“(45) the term ‘tribal government’ means the governing body of an Indian tribe.”.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking “a long-term plan, and implement” and inserting the following: “a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement”; and

(ii) by striking “research, and improvement of the juvenile justice system in the United States” and inserting “and research”; and

(B) in paragraph (2)(B), by striking “Federal Register” and all that follows and inserting “Federal Register during the 30-day period ending on October 1 of each year.”; and

(2) in subsection (b)—

(A) by striking paragraph (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by inserting after paragraph (4), the following:

“(5) not later than 1 year after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, in consultation with Indian tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention to collaborate with representatives of Indian tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian tribes;”;

(D) in paragraph (6), as so redesignated, by adding “and” at the end; and

(E) in paragraph (7), as so redesignated—

(i) by striking “monitoring”;;

(ii) by striking “section 223(a)(15)” and inserting “section 223(a)(16)”; and

(iii) by striking “to review the adequacy of such systems; and” and inserting “for monitoring compliance.”.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “the Administrator of the Substance Abuse and Mental Health Services Administration, the Secretary of the Interior,” after “the Secretary of Health and Human Services;”;

(ii) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

(B) in paragraph (2), by striking “United States” and inserting “Federal Government”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, on an annual basis” after “collectively”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) not later than 120 days after the completion of the last meeting of the Council during any fiscal year, submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

“(i) contains the recommendations described in subparagraph (A);

“(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;

“(iii) is published on the Web sites of the Office of Juvenile Justice and Delinquency Prevention, the Council, and the Department of Justice; and

“(iv) is in addition to the annual report required under section 207.”.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617) is amended—

(1) in the matter preceding paragraph (1), by striking “a fiscal year” and inserting “each fiscal year”;;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “and gender” and inserting “, gender, and ethnicity, as such term is defined by the Bureau of the Census;”;

(B) in subparagraph (E), by striking “and” at the end;

(C) in subparagraph (F)—

(i) by inserting “and other” before “disabilities;”;

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;

“(H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;

“(I) the number of juveniles released from custody and the type of living arrangement to which they are released;

“(J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and

“(K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local government who report being pregnant;”;

and

(3) by adding at the end the following:

“(5) A description of the criteria used to determine what programs qualify as evidence-based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria in both rural and urban areas.

“(6) A description of funding provided to Indian tribes under this Act or for a juvenile delinquency or prevention program under the Tribal Law and Order Act of 2010 (Public Law 111-211; 124 Stat. 2261), including direct Federal grants and funding provided to Indian tribes through a State or unit of local government.

“(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice and Delinquency Prevention to determine if grantees are following the requirements of the Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances—

“(A) in which supporting documentation was not provided for cost reports;

“(B) where unauthorized expenditures occurred; or

“(C) where subrecipients of grant funds were not compliant with program requirements.

“(8) An analysis and evaluation of the total amount of payments made to grantees that the Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs, including—

“(A) the full name and location of the grantee;

“(B) the violation of the program found;

“(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and

“(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.”

SEC. 204. ALLOCATION OF FUNDS.

(a) **TECHNICAL ASSISTANCE.**—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2 percent” and inserting “5 percent”.

(b) **OTHER ALLOCATIONS.**—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “age eighteen” and inserting “18 years of age, based on the most recent data available from the Bureau of the Census”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2)(A) If the aggregate amount appropriated for a fiscal year to carry out this title is less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$400,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$75,000.

“(B) If the aggregate amount appropriated for a fiscal year to carry out this title is not less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$600,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$100,000.”

(2) in subsection (c), by striking “efficient administration, including monitoring, evaluation, and one full-time staff position” and inserting “effective and efficient administration of funds, including the designation of not less than 1 individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements”; and

(3) in subsection (d), by striking “5 per centum of the minimum” and inserting “not more than 5 percent of the”.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and shall describe the status of compliance with State plan requirements.” and inserting “and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State’s publicly available website.”;

(B) in paragraph (1), by striking “described in section 299(c)(1)” and inserting “as designated by the chief executive officer of the State”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting “adolescent development,” after “concerning”;

(II) in clause (ii)—

(aa) in subclause (II), by inserting “publicly supported court-appointed legal counsel with experience representing juveniles in delinquency proceedings,” after “youth.”;

(bb) in subclause (III), by striking “mental health, education, special education” and inserting “child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities”;

(cc) in subclause (V), by striking “delinquents or potential delinquents” and inserting “delinquent youth or youth at risk of delinquency”;

(dd) in subclause (VI), by striking “youth workers involved with” and inserting “representatives of”;

(ee) in subclause (VII), by striking “and” at the end;

(ff) by striking subclause (VIII) and inserting the following:

“(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;

“(IX) representatives of victim or witness advocacy groups, including at least 1 individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of special populations who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and

“(X) for a State in which 1 or more Indian tribes are located, an Indian tribal representative or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities.”;

(III) in clause (iv), by striking “24 at the time of appointment” and inserting “28 at the time of initial appointment”;

(IV) in clause (v) by inserting “or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system” after “juvenile justice system”;

(ii) in subparagraph (C), by striking “30 days” and inserting “45 days”; and

(iii) in subparagraph (D)—

(I) in clause (i), by striking “and” at the end; and

(II) in clause (ii), by striking “at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13)” and inserting “at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements”; and

(iv) in subparagraph (E)—

(I) in clause (i), by adding “and” at the end; and

(II) in clause (ii), by striking the period at the end and inserting a semicolon;

(D) in paragraph (5)(C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”;

(E) in paragraph (7)—

(i) in subparagraph (A), by striking “performs law enforcement functions” and inserting “has jurisdiction”; and

(ii) in subparagraph (B)—

(I) in clause (iii), by striking “and” at the end; and

(II) by striking clause (iv) and inserting the following:

“(iv) a plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

“(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

“(vi) a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement;

“(vii) a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system;

“(viii) a plan to promote evidence-based and trauma-informed programs and practices; and

“(ix) not later than 1 year after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, a plan, which shall be implemented not later than 2 years after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, to—

“(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and

“(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—

“(aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or

“(bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.”;

(F) in paragraph (8), by striking “existing” and inserting “evidence-based and promising”;

(G) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by inserting “, with priority in funding given to entities meeting the criteria for evidence-based or promising programs” after “used for”;

(ii) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting “status offenders and other” before “youth who need”; and

(bb) by striking “and” at the end;

(II) in clause (ii) by adding “and” at the end; and

(III) by inserting after clause (ii) the following:

“(iii) for youth who are active or former gang members, specialized intensive and comprehensive services that address the unique issues encountered by youth when they become involved with gangs;”;

(iii) in subparagraph (B)(i)—

(I) by striking “parents and other family members” and inserting “status offenders, other youth, and the parents and other family members of such offenders and youth”; and

(II) by striking “be retained” and inserting “remain”;

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking “delinquent” and inserting “at-risk or delinquent youth”; and

(II) in clause (i), by inserting “, including for truancy prevention and reduction” before the semicolon;

(v) in subparagraph (F), in the matter preceding clause (i), by striking “expanding” and inserting “programs to expand”;

(vi) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;

(vii) by inserting after subparagraph (F), the following:

“(G) programs—

“(i) to ensure youth have access to appropriate legal representation; and

“(ii) to expand access to publicly supported, court-appointed legal counsel who are trained to represent juveniles in adjudication proceedings,

except that the State may not use more than 22 percent of the funds received under section 222 for these purposes;”;

(viii) in subparagraph (H), as so redesignated, by striking “State,” each place the term appears and inserting “State, tribal,”;

(ix) in subparagraph (M), as so redesignated—

(I) in clause (i)—

(aa) by inserting “pre-adjudication and” before “post-adjudication”;

(bb) by striking “restraints” and inserting “alternatives”; and

(cc) by inserting “specialized or problem-solving courts,” after “(including);” and

(II) in clause (ii)—

(aa) by striking “by the provision by the Administrator”; and

(bb) by striking “to States”;

(x) in subparagraph (N), as redesignated—

(I) by inserting “and reduce the risk of recidivism” after “families”; and

(II) by striking “so that such juveniles may be retained in their homes”;

(xi) in subparagraph (S), as so redesignated, by striking “and” at the end;

(xii) in subparagraph (T), as so redesignated—

(I) by inserting “or co-occurring disorder” after “mental health”;

(II) by inserting “court-involved or” before “incarcerated”;

(III) by striking “suspected to be”;

(IV) by striking “and discharge plans” and inserting “provision of treatment, and development of discharge plans”; and

(V) by striking the period at the end and inserting a semicolon; and

(xiii) by inserting after subparagraph (T) the following:

“(U) programs and projects designed—

“(i) to inform juveniles of the opportunity and process for sealing and expunging juvenile records; and

“(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications;

except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;

“(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, victims of sexual abuse, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian tribe; and

“(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities;”;

(H) by striking paragraph (11) and inserting the following:

“(11)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—

“(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—

“(I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

“(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and

“(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

“(ii) the juvenile—

“(I) is not charged with any offense; and

“(II)(aa) is an alien; or

“(bb) is alleged to be dependent, neglected, or abused; and

“(B) require that—

“(i) not later than 3 years after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

“(I) shall not have sight or sound contact with adult inmates; and

“(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

“(ii) in determining under subparagraph (A) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider—

“(I) the age of the juvenile;

“(II) the physical and mental maturity of the juvenile;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the nature and circumstances of the alleged offense;

“(V) the juvenile’s history of prior delinquent acts;

“(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(VII) any other relevant factor; and

“(iii) if a court determines under subparagraph (A) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

“(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation;”;

(I) in paragraph (12)(A), by striking “contact” and inserting “sight or sound contact”;

(J) in paragraph (13), by striking “contact” each place it appears and inserting “sight or sound contact”;

(K) in paragraph (14)—

(i) by striking “adequate system” and inserting “effective system”;

(ii) by inserting “lock-ups,” after “monitoring jails;”;

(iii) by inserting “and” after “detention facilities;”;

(iv) by striking “, and non-secure facilities”;

(v) by striking “insure” and inserting “ensure”;

(vi) by striking “requirements of paragraphs (11), (12), and (13)” and inserting “core requirements”; and

(vii) by striking “, in the opinion of the Administrator,”;

(L) by striking paragraphs (22) and (27);

(M) by redesignating paragraph (28) as paragraph (27);

(N) by redesignating paragraphs (15) through (21) as paragraphs (16) through (22), respectively;

(O) by inserting after paragraph (14) the following:

“(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

“(A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian tribes to reduce racial and ethnic disparities;

“(B) identifying and analyzing data on race and ethnicity at all decision points in State, local, or tribal juvenile justice systems to determine which key points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

“(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes,

based on the needs identified in the data collection and analysis under subparagraph (B);”;

(P) in paragraph (16), as so redesignated, by inserting “ethnicity,” after “race;”;

(Q) in paragraph (21), as so redesignated, by striking “local,” each place the term appears and inserting “local, tribal;”;

(R) in paragraph (23)—

(i) in subparagraphs (A), (B), and (C), by striking “juvenile” each place it appears and inserting “status offender”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C)—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” at the end; and

(III) by adding at the end the following:

“(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

“(I) the court shall issue a written order that—

“(aa) identifies the valid court order that has been violated;

“(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

“(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile;

“(dd) specifies the length of time, not to exceed 7 days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender’s release from such facility; and

“(ee) may not be renewed or extended; and

“(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I);”;

(iv) by adding at the end the following:

“(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter; and

“(E) not later than September 30, 2020 (with a 1-year extension for each additional fiscal year that a State can demonstrate hardship, as determined by the State, and submits in writing evidence of such hardship to the Administrator which shall be considered approved unless the Administrator justifies to the State in writing that the hardship does not qualify for an exemption), the State will eliminate the use of valid court orders to provide secure confinement of status offenders, except that juveniles may be held in secure confinement in accordance with the Interstate Compact for Juveniles if the judge issues a written order that—

“(i) specifies the factual basis to believe that the State has the authority to detain the juvenile under the terms of the Interstate Compact for Juveniles;

“(ii) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the juvenile in such a facility, with due consideration to the best interest of the juvenile;

“(iii) specifies the length of time a juvenile may remain in secure confinement, not to exceed 15 days, and includes a plan for the return of the juvenile to the home State of the juvenile; and

“(iv) may not be renewed or extended;”;

(S) in paragraph (26)—

(i) by inserting “and in accordance with confidentiality concerns,” after “maximum extent practicable;”;

(ii) by striking the semicolon at the end and inserting the following: “, so as to provide for—

“(A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

“(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect;”;

(T) in paragraph (27), as so redesignated, by striking the period at the end and inserting a semicolon; and

(U) by adding at the end the following:

“(28) provide for the coordinated use of funds provided under this title with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

“(29) describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

“(30) describe—

“(A) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

“(i) request a screening;

“(ii) show signs of needing a screening; or

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

“(B) how the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment;

“(31) describe how reentry planning by the State for juveniles will include—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juveniles;

“(ii) the living arrangement to which the juveniles are to be discharged; and

“(iii) any other plans developed for the juveniles based on an individualized assessment; and

“(B) review processes;

“(32) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(B) the credits of adjudicated juveniles are transferred; and

“(C) adjudicated juveniles receive full or partial credit toward high school graduation

for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

“(33) describe policies and procedures to—

“(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

“(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.”;

(2) by amending subsection (c) to read as follows:

“(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

“(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

“(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

“(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such core requirement with respect to which the State is in noncompliance; or

“(ii) the Administrator determines that the State—

“(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

“(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

“(A) 50 percent of the unallocated funds shall be reallocated under section 222 to States that have not failed to comply with the core requirements; and

“(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.”;

(3) in subsection (d)—

(A) by striking “described in paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “described in the core requirements”; and

(B) by striking “the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “the core requirements”;

(4) in subsection (f)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(5) by adding at the end the following:

“(g) COMPLIANCE DETERMINATION.—

“(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this title is in compliance or out of compliance with respect to each of the core requirements.

“(2) REPORTING.—The Administrator shall—

“(A) issue an annual public report—

“(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is

based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

“(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

“(B) make the report described in subparagraph (A) available on a publicly available website.

“(3) DETERMINATIONS REQUIRED.—The Administrator may not—

“(A) determine that a State is ‘not out of compliance’, or issue any other determination not described in paragraph (1), with respect to any core requirement; or

“(B) otherwise fail to make the compliance determinations required under paragraph (1).”.

SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.

Part C of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651 et seq.) is repealed.

SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually publish a plan to identify”; and

(iii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

“(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the juvenile justice and criminal justice systems;”;

(II) by striking clause (vii) and inserting the following:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement in the juvenile justice system, including an examination of the effects of secure confinement;”;

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xvi), (xvii), and (xviii), respectively; and

(IV) by inserting after clause (viii) the following:

“(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

“(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency;

“(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system;

“(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system;

“(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults;

“(xiv) evaluating the impact of fines, fees, and other costs assessed by the juvenile jus-

tice system on the long-term disposition of status offenders and other juveniles;

“(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “date of enactment of this paragraph, the” and inserting “date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, the”; and

(II) by inserting “in accordance with relevant confidentiality requirements” after “wards of the State”; and

(ii) in subparagraph (D), by inserting “and Indian tribes” after “State”; and

(iii) in subparagraph (F), by striking “and” at the end;

(iv) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(H) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who, upon release from confinement in a State correctional facility, cannot return to the residence they occupied prior to such confinement.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and

(3) by adding at the end the following:

“(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in accordance with applicable confidentiality requirements and in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

“(1) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

“(2) establish a common national juvenile recidivism measurement system; and

“(3) make cumulative juvenile recidivism data that is collected from States available to the public.”.

SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5662) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and carry out projects”; and

(ii) by striking “and” after the semicolon;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and implement projects”;

(ii) by inserting “, including compliance with the core requirements” after “this title”; and

(iii) by striking “and” at the end;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, including training and technical assistance and, when appropriate, pilot or demonstration projects intended to develop and replicate best practices for achieving sight and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

“(4) shall provide technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.”;

(3) in subsection (c)—

(A) by inserting “prosecutors,” after “public defenders,”; and

(B) by inserting “status offenders and” after “needs of”; and

(4) by adding at the end the following:

“(d) BEST PRACTICES REGARDING LEGAL REPRESENTATION OF CHILDREN.—In consultation with experts in the field of juvenile defense, the Administrator shall—

“(1) share best practices, which may include sharing standards of practice developed by recognized entities in the profession, for attorneys representing children; and

“(2) provide a State, if it so requests, technical assistance to implement any of the best practices shared under paragraph (1).

“(e) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government—

“(1) to promote methods for improving conditions of juvenile confinement, including methods that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation and methods responsive to cultural differences; and

“(2) to encourage alternative behavior management techniques based on positive youth development approaches, which may include policies and procedures to train personnel to be culturally competent.

“(f) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition and management of cases for youth who enter the juvenile justice system about the

appropriate services and placement for youth with mental health or substance abuse needs, including—

- “(1) juvenile justice intake personnel;
- “(2) probation officers;
- “(3) juvenile court judges and court services personnel;
- “(4) prosecutors and court-appointed counsel; and
- “(5) family members of juveniles and family advocates.

“(g) **TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.**—The Attorney General, acting through the Office of Juvenile Justice and Delinquency Prevention and the Office of Justice Programs, shall provide training and technical assistance, in conjunction with the appropriate public agencies, to enhance the capacity of State and local courts, judges, and related judicial personnel to—

“(1) improve the lives of children currently involved in or at risk of being involved in the juvenile court system; and

“(2) carry out the requirements of this Act.

“(h) **FREE AND REDUCED PRICE SCHOOL LUNCHES FOR INCARCERATED JUVENILES.**—The Attorney General, in consultation with the Secretary of Agriculture, shall provide guidance to States relating to existing options for school food authorities in the States to apply for reimbursement for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.”.

SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

Section 299 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) by striking subsections (b) and (c), and redesignating subsection (d) as subsection (b);

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “(EXCLUDING PARTS C AND E)”;

(B) by striking paragraph (1) and inserting the following:

“(1) There are authorized to be appropriated to carry out this title—

- “(A) \$76,125,000 for fiscal year 2018;
- “(B) \$76,125,000 for fiscal year 2019;
- “(C) \$77,266,875 for fiscal year 2020;
- “(D) \$78,425,878 for fiscal year 2021; and
- “(E) \$79,602,266 for fiscal year 2022.”; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “(other than parts C and E)”;

(ii) in subparagraph (C), by striking “part D” and inserting “parts D and E”.

SEC. 210. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended—

(1) in subsection (d)—

(A) by inserting “(1)” before “The Administrator”;

(B) by striking “, after appropriate consultation with representatives of States and units of local government.”;

(C) by inserting “guidance,” after “regulations.”; and

(D) by adding at the end the following: “In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.

“(2) The Administrator shall ensure that—

“(A) reporting, compliance reporting, State plan requirements, and other similar

documentation as may be required from States is requested in a manner that respects confidentiality, encourages efficiency and reduces the duplication of reporting efforts; and

“(B) States meeting all the core requirements are encouraged to experiment with offering innovative, data-driven programs designed to further improve the juvenile justice system.”; and

(2) in subsection (e), by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements”.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

SEC. 301. SHORT TITLE.

Section 501 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5601 note) is amended—

(1) by inserting “Youth Promise” before “Incentive Grants”; and

(2) by striking “2002” and inserting “2016”.

SEC. 302. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781) is amended to read as follows:

“SEC. 502. DEFINITIONS.

“In this title—

“(1) the term ‘eligible entity’ means—

“(A) a unit of local government that is in compliance with the requirements of part B of title II; or

“(B) a nonprofit organization in partnership with a unit of local government described in subparagraph (A);

“(2) the term ‘local policy board’, when used with respect to an eligible entity, means a policy board that the eligible entity will engage in the development of the eligible entity’s plan described in section 504(e)(5), and that includes—

“(A) not fewer than 15 and not more than 21 members; and

“(B) a balanced representation of—

“(i) public agencies and private nonprofit organizations serving juveniles and their families; and

“(ii) business and industry;

“(C) at least one representative of the faith community, one adjudicated youth, and one parent of an adjudicated youth; and

“(D) in the case of an eligible entity described in paragraph (1)(B), a representative of the nonprofit organization of the eligible entity;

“(3) the term ‘mentoring’ means matching 1 adult with 1 or more youths for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months;

“(4) the term ‘juvenile delinquency program’ means a juvenile delinquency program that is evidence-based or promising and that may include—

“(A) alcohol and substance abuse prevention services;

“(B) tutoring and remedial education, especially in reading and mathematics;

“(C) child and adolescent health and mental health services;

“(D) recreation services;

“(E) leadership and youth development activities;

“(F) the teaching that individuals are and should be held accountable for their actions;

“(G) assistance in the development of job training skills;

“(H) youth mentoring programs;

“(I) after-school programs;

“(J) coordination of a continuum of services, which may include—

“(i) early childhood development services;

“(ii) voluntary home visiting programs;

“(iii) nurse-family partnership programs;

“(iv) parenting skills training;

“(v) child abuse prevention programs;

“(vi) family stabilization programs;

“(vii) child welfare services;

“(viii) family violence intervention programs;

“(ix) adoption assistance programs;

“(x) emergency, transitional and permanent housing assistance;

“(xi) job placement and retention training;

“(xii) summer jobs programs;

“(xiii) alternative school resources for youth who have dropped out of school or demonstrate chronic truancy;

“(xiv) conflict resolution skill training;

“(xv) restorative justice programs;

“(xvi) mentoring programs;

“(xvii) targeted gang prevention, intervention and exit services;

“(xviii) training and education programs for pregnant teens and teen parents; and

“(xix) pre-release, post-release, and re-entry services to assist detained and incarcerated youth with transitioning back into and reentering the community; and

“(K) other data-driven evidence-based or promising prevention programs;

“(5) the term ‘State advisory group’ means the advisory group appointed by the chief executive officer of a State under a plan described in section 223(a); and

“(6) the term ‘State entity’ means the State agency designated under section 223(a)(1) or the entity receiving funds under section 223(d).”.

SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.

Section 503 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5782) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781 et seq.) is amended to read as follows:

“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.

“(a) **PURPOSE.**—The purpose of this section is to enable local communities to address the unmet needs of youth who are involved in, or are at risk of involvement in, juvenile delinquency or gang activity, including through a continuum of delinquency prevention programs for juveniles who have had contact with the juvenile justice system or who are likely to have contact with the juvenile justice system.

“(b) **PROGRAM AUTHORIZED.**—The Administrator shall—

“(1) for each fiscal year for which less than \$25,000,000 is appropriated under section 506, award grants to not fewer than 3 State entities, but not more than 5 State entities, that apply under subsection (c) and meet the requirements of subsection (d); or

“(2) for each fiscal year for which \$25,000,000 or more is appropriated under section 506, award grants to not fewer than 5 State entities that apply under subsection (c) and meet the requirements of subsection (d).

“(c) **STATE APPLICATION.**—To be eligible to receive a grant under this section, a State entity shall submit an application to the Administrator, which includes the following:

“(1) An assurance the State entity will use—

“(A) not more than 10 percent of such grant, in the aggregate—

“(i) for the costs incurred by the State entity to carry out this section, except that not more than 3 percent of such grant may be used for such costs; and

“(ii) to provide technical assistance to eligible entities receiving a subgrant under subsection (e) in carrying out juvenile delinquency programs under the subgrant; and

“(B) the remainder of such grant to award subgrants to eligible entities under subsection (e).

“(2) An assurance that such grant will supplement, and not supplant, State and local efforts to prevent juvenile delinquency.

“(3) An assurance the State entity will evaluate the capacity of eligible entities receiving a subgrant under subsection (e) to fulfill the requirements under such subsection.

“(4) An assurance that such application was prepared after consultation with, and participation by, the State advisory group, units of local government, community-based organizations, and organizations that carry out programs, projects, or activities to prevent juvenile delinquency in the local juvenile justice system served by the State entity.

“(d) APPROVAL OF STATE APPLICATIONS.—In awarding grants under this section for a fiscal year, the Administrator may not award a grant to a State entity for a fiscal year unless—

“(1)(A) the State that will be served by the State entity submitted a plan under section 223 for such fiscal year; and

“(B) such plan is approved by the Administrator for such fiscal year; or

“(2) after finding good cause for a waiver, the Administrator waives the plan required under subparagraph (A) for such State for such fiscal year.

“(e) SUBGRANT PROGRAM.—

“(1) PROGRAM AUTHORIZED.—

“(A) IN GENERAL.—Each State entity receiving a grant under this section shall award subgrants to eligible entities in accordance with this subsection.

“(B) PRIORITY.—In awarding subgrants under this subsection, the State entity shall give priority to eligible entities that demonstrate ability in—

“(i) plans for service and agency coordination and collaboration including the collocation of services;

“(ii) innovative ways to involve the private nonprofit and business sector in delinquency prevention activities;

“(iii) developing data-driven prevention plans, employing evidence-based prevention strategies, and conducting program evaluations to determine impact and effectiveness;

“(iv) identifying under the plan submitted under paragraph (5) potential savings and efficiencies associated with successful implementation of such plan; and

“(v) describing how such savings and efficiencies may be used to carry out delinquency prevention programs and be reinvested in the continuing implementation of such programs after the end of the subgrant period.

“(C) SUBGRANT PROGRAM PERIOD AND DIVERSITY OF PROJECTS.—

“(i) PROGRAM PERIOD.—A subgrant awarded to an eligible entity by a State entity under this section shall be for a period of not more than 5 years, of which the eligible entity—

“(I) may use not more than 18 months for completing the plan submitted by the eligible entity under paragraph (5); and

“(II) shall use the remainder of the subgrant period, after planning period de-

scribed in subclause (I), for the implementation of such plan.

“(ii) DIVERSITY OF PROJECTS.—In awarding subgrants under this subsection, a State entity shall ensure, to the extent practicable and applicable, that such subgrants are distributed throughout different areas, including urban, suburban, and rural areas.

“(2) LOCAL APPLICATION.—An eligible entity that desires a subgrant under this subsection shall submit an application to the State entity in the State of the eligible entity, at such time and in such manner as determined by the State entity, and that includes—

“(A) a description of—

“(i) the local policy board and local partners the eligible entity will engage in the development of the plan described in paragraph (5);

“(ii) the unmet needs of youth in the community who are or have been involved in, or are at risk of being involved in juvenile delinquency or gang activity;

“(iii) available resources in the community to meet the unmet needs identified in the needs assessment described in paragraph (5)(A);

“(iv) potential costs to the community if the unmet needs are not addressed;

“(B) a specific time period for the planning and subsequent implementation of its continuum of local delinquency prevention programs;

“(C) the steps the eligible entity will take to implement the plan under subparagraph (A); and

“(D) a plan to continue the grant activity with non-Federal funds, if proven successful according to the performance evaluation process under paragraph (5)(D), after the grant period.

“(3) MATCHING REQUIREMENT.—An eligible entity desiring a subgrant under this subsection shall agree to provide a 50 percent match of the amount of the subgrant, which may include the value of in-kind contributions.

“(4) SUBGRANT REVIEW.—

“(A) REVIEW.—Not later than the end of the second year of a subgrant period for a subgrant awarded to an eligible entity under this subsection and before awarding the remaining amount of the subgrant to the eligible entity, the State entity shall—

“(i) ensure that the eligible entity has completed the plan submitted under paragraph (2) and that the plan meets the requirements of such paragraph; and

“(ii) verify that the eligible entity will begin the implementation of its plan upon receiving the next installment of its subgrant award.

“(B) TERMINATION.—If the State entity finds through the review conducted under subparagraph (A) that the eligible entity has not met the requirements of clause (i) of such subparagraph, the State entity shall reallocate the amount remaining on the subgrant of the eligible entity to other eligible entities receiving a subgrant under this subsection or award the amount to an eligible entity during the next subgrant competition under this subsection.

“(5) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this subsection shall use the funds to implement a plan to carry out delinquency prevention programs in the community served by the eligible entity in a coordinated manner with other delinquency prevention programs or entities serving such community, which includes—

“(A) an analysis of the unmet needs of youth in the community who are or have

been, or are at risk of being, involved in juvenile delinquency or gang activity—

“(i) which shall include—

“(I) the available resources in the community to meet the unmet needs; and

“(II) factors present in the community that may contribute to delinquency, such as homelessness, food insecurity, teen pregnancy, youth unemployment, family instability, lack of educational opportunity; and

“(ii) may include an estimate—

“(I) for the most recent year for which reliable data is available, the amount expended by the community and other entities for delinquency adjudication for juveniles and the incarceration of adult offenders for offenses committed in such community; and

“(II) of potential savings and efficiencies that may be achieved through the implementation of the plan;

“(B) a minimum 3-year comprehensive strategy to address the unmet needs and an estimate of the amount or percentage of non-Federal funds that are available to carry out the strategy;

“(C) a description of how delinquency prevention programs under the plan will be coordinated;

“(D) a description of the performance evaluation process of the delinquency prevention programs to be implemented under the plan, which shall include performance measures to assess efforts to address the unmet needs of youth in the community analyzed under subparagraph (A);

“(E) the evidence or promising evaluation on which such delinquency prevention programs are based; and

“(F) if such delinquency prevention programs are proven successful according to the performance evaluation process under subparagraph (D), a strategy to continue such programs after the subgrant period with non-Federal funds, including a description of how any estimated savings or efficiencies created by the implementation of the plan may be used to continue such programs.”.

SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

The Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (42 U.S.C. 5781 et seq.) is amended by redesignating section 505 as section 506 and by inserting after section 504 the following:

“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

“(a) IN GENERAL.—The Administrator shall make grants under this section, on a competitive basis, to eligible Indian tribes (or consortia of Indian tribes) as described in subsection (b)—

“(1) to support and enhance—

“(A) tribal juvenile delinquency prevention services; and

“(B) the ability of Indian tribes to respond to, and care for, juvenile offenders; and

“(2) to encourage accountability of Indian tribal governments with respect to preventing juvenile delinquency, and responding to, and caring for, juvenile offenders.

“(b) ELIGIBLE INDIAN TRIBES.—To be eligible to receive a grant under this section, an Indian tribe or consortium of Indian tribes shall submit to the Administrator an application in such form as the Administrator may require.

“(c) CONSIDERATIONS.—In providing grants under this section, the Administrator shall take into consideration, with respect to the Indian tribe to be served, the—

“(1) juvenile delinquency rates;

“(2) school dropout rates; and

“(3) number of youth at risk of delinquency.

“(d) AVAILABILITY OF FUNDS.—Of the amount appropriated for a fiscal year to carry out this title, 11 percent shall be available to carry out this section.”.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

Section 506, as redesignated by section 305, is amended to read as follows:

“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title—

- “(1) \$91,857,500 for fiscal year 2018;
- “(2) \$91,857,500 for fiscal year 2019;
- “(3) \$93,235,362 for fiscal year 2020;
- “(4) \$94,633,892 for fiscal year 2021; and
- “(5) \$96,053,401 for fiscal year 2022.”.

SEC. 307. TECHNICAL AMENDMENT.

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 as enacted by Public Law 93-415 (88 Stat. 1133) (relating to miscellaneous and conforming amendments) is repealed.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as “the agency”), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, sample of grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the agency including a review of internal controls (as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), as amended by this Act) to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) CONSIDERATIONS FOR EVALUATION.—In conducting the analysis and evaluation under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) the outcome and results of the programs carried out by the agency and those programs administered through grants by the agency;

(2) the extent to which the agency has complied with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285);

(3) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies;

(4) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;

(5) whether less restrictive or alternative methods exist to carry out the functions of the agency and whether current functions or operations are impeded or enhanced by existing statutes, rules, and procedures;

(6) the number and types of beneficiaries or persons served by programs carried out by the agency;

(7) the manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency;

(8) the extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the Freedom of Information Act);

(9) whether greater oversight is needed of programs developed with grants made by the agency; and

(10) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner.

(c) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under subsection (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

(1) whether grantees timely file Financial Status Reports;

(2) whether grantees have sufficient internal controls to ensure adequate oversight of grant fund received;

(3) whether disbursements were accompanied with adequate supporting documentation (including invoices and receipts);

(4) whether expenditures were authorized;

(5) whether subrecipients of grant funds were complying with program requirements;

(6) whether salaries and fringe benefits of personnel were adequately supported by documentation;

(7) whether contracts were bid in accordance with program guidelines; and

(8) whether grant funds were spent in accordance with program goals and guidelines.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit a report regarding the evaluation conducted under subsection (a) and audit under subsection (b), to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(B) make the report described in subparagraph (A) available to the public.

(2) CONTENTS.—The report submitted in accordance with paragraph (1) shall include all audit findings determined by the selected, statistically significant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(2).

SEC. 402. ACCOUNTABILITY AND OVERSIGHT.

(a) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end the following:

“TITLE VI—ACCOUNTABILITY AND OVERSIGHT

“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.

“(a) SENSE OF CONGRESS.—It is the sense of Congress that, in order to ensure that at-risk youth, and youth who come into contact with the juvenile justice system or the criminal justice system, are treated fairly and that the outcome of that contact is beneficial to the Nation—

“(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in title II; and

“(2) States, which are entrusted with a fiscal stewardship role if they accept funds under title II must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in title II.

“(b) ACCOUNTABILITY.—

“(1) AGENCY PROGRAM REVIEW.—

“(A) PROGRAMMATIC AND FINANCIAL ASSESSMENT.—

“(i) IN GENERAL.—Not later than 60 days after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice (referred to in this section as the ‘Director’) shall—

“(I) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the ‘agency’) to determine if States and Indian tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

“(aa) supporting documentation was not provided for cost reports;

“(bb) unauthorized expenditures occurred; and

“(cc) subrecipients of grant funds were not in compliance with program requirements;

“(II) conduct a comprehensive audit and evaluation of a selected statistically significant sample of States and Indian tribes (as determined by the Director) that have received Federal funds under title II, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

“(III) submit a report in accordance with clause (iv).

“(ii) CONSIDERATIONS FOR EVALUATIONS.—In conducting the analysis and evaluation under clause (i)(I), and in order to document the efficiency and public benefit of titles II and V, the Director shall take into consideration the extent to which—

“(I) greater oversight is needed of programs developed with grants made by the agency;

“(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

“(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring responsibilities of the agency.

“(iii) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of titles II and V, the Director shall take into consideration—

“(I) whether grantees timely file Financial Status Reports;

“(II) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

“(III) whether grantees’ assertions of compliance with the core requirements were accompanied with adequate supporting documentation;

“(IV) whether expenditures were authorized;

“(V) whether subrecipients of grant funds were complying with program requirements; and

“(VI) whether grant funds were spent in accordance with the program goals and guidelines.

“(iv) REPORT.—The Director shall—

“(I) submit to the Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

“(II) shall make such report available to the public online, not later than 1 year after the date of enactment of this section.

“(B) ANALYSIS OF INTERNAL CONTROLS.—

“(i) IN GENERAL.—Not later than 30 days after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, the Administrator shall initiate a comprehensive analysis and evaluation of the internal controls of the agency to determine whether, and to what extent, States and Indian tribes that receive grants under titles II and V are following the requirements of the grant programs authorized under titles II and V.

“(ii) REPORT.—Not later than 180 days after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, the Administrator shall submit to Congress a report containing—

“(I) the findings of the analysis and evaluation conducted under clause (i);

“(II) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency and recoup funds that may have been expended in violation of law, regulations, or program requirements issued under titles II and V; and

“(III) a description of—

“(aa) the analysis conducted under clause (i);

“(bb) whether the funds awarded under titles II and V have been used in accordance with law, regulations, program guidance, and applicable plans; and

“(cc) the extent to which funds awarded to States and Indian tribes under titles II and V enhanced the ability of grantees to fulfill the core requirements.

“(C) REPORT BY THE ATTORNEY GENERAL.—Not later than 180 days after the date of enactment of the Supporting Youth Opportunity and Preventing Delinquency Act of 2016, the Attorney General shall submit to the appropriate committees of the Congress a report on the estimated amount of formula grant funds disbursed by the agency since fiscal year 2010 that did not meet the requirements for awards of formula grants to States under title II.

“(2) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the

Committee on the Judiciary of the Senate and the Committee on Education and the Workforce of the House of Representatives on all conference expenditures approved under this paragraph.

“(3) PROHIBITION ON LOBBYING ACTIVITY.—

“(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any recipient of a grant made using such amounts—

“(i) to lobby any representative of the Department of Justice regarding the award of grant funding; or

“(ii) to lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(B) PENALTY.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—

“(i) require the recipient to repay the grant in full; and

“(ii) prohibit the recipient to receive another grant under this Act for not less than 5 years.

“(C) CLARIFICATION.—For purposes of this paragraph, submitting an application for a grant under this Act shall not be considered lobbying activity in violation of subparagraph (A).

“(c) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicative grant.

“(d) COMPLIANCE WITH AUDITING STANDARDS.—The Administrator shall comply with the Generally Accepted Government Auditing Standards, published by the General Accountability Office (commonly known as the ‘Yellow Book’), in the conduct of fiscal, compliance, and programmatic audits of States.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking paragraphs (6) and (7) of section 407 (42 U.S.C. 5776a).

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the 1st day of the 1st fiscal year that begins after the date of enactment of this Act.

(3) SAVINGS CLAUSE.—In the case of an entity that is barred from receiving grant funds under paragraph (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by paragraph (1) of this subsection shall not affect the applicability to the entity, or to the Attorney General with respect to the entity, of paragraph (7) of such section 407, as in effect on the day before the effective date of the amendment made by paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Florida (Mr. CURBELO) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. CURBELO of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5963.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURBELO of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5963, the Supporting Youth Opportunity and Preventing Delinquency Act.

Mr. Speaker, helping kids succeed in life is a priority we all share. That is why we work to make sure all children have access to the education and the opportunities necessary to achieve their goals and build fulfilling futures for themselves.

Unfortunately, too many children don't realize that success is even an option for them. Too many others believe their chance is past or don't know how to seize it. As a result, they make decisions that put them on the wrong path and, in some cases, in the juvenile justice system. These are the children this legislation will help.

H.R. 5963 includes a number of positive reforms, all aimed at improving services to keep at-risk youth out of the juvenile system and help juvenile offenders turn their lives around.

First, the bill's reforms will set these children up for long-term success. They will help them gain the skills they need to become productive members of society or a second chance to reach their full potential. These reforms will also give State and local leaders the flexibility to meet specific and unique needs of vulnerable kids in their communities.

The legislation also prioritizes what works, focusing on evidence-based strategies that will help reduce juvenile delinquency. It will also give policymakers, State and local leaders, and service providers a better understanding of the best ways to serve kids across the country.

Finally, the bill improves oversight and accountability to ensure juvenile justice programs are delivering positive results for children and to protect the taxpayers' investment in these important programs.

These are all commonsense measures that will reform the juvenile justice system and improve public safety. But more than that, they will provide opportunities for kids to build successful, fulfilling lives, especially for young men and women who never thought that kind of life was possible.

I was happy to partner with our ranking member, BOBBY SCOTT, on this important piece of legislation, and I am proud of the work we have done together. Mr. SCOTT of Virginia has long been a champion of this effort, and with this bipartisan initiative, we have put forward a good bill that will help more children in this country achieve success in life.

I would also like to thank our colleagues in the Senate, especially Judiciary Committee Chairman CHUCK GRASSLEY and Senator SHELDON WHITEHOUSE for their leadership and hard work, as well as Chairman JOHN KLINE, Amy Jones, Leslie Tatum, and the rest of the Education and the Workforce Committee staff. They have all helped pave the way for the reforms in the bill before us today, and I look forward to working with them to complete this important effort.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank Chairman KLINE, Subcommittee Chair ROKITA, and the gentleman from Florida (Mr. CURBELO) for their work, and also, on our side, Representatives DAVIS of California, ADAMS, and WILSON of Florida for their work on this legislation.

Mr. Speaker, juvenile courts were established by States over 100 years ago on the emerging legal theory that children should not be held fully responsible for their actions, a theory proven by scientific research into impulse control and brain development. The capacity to rehabilitate children became the focus of the system rather than punishment of offenders. Congress first articulated national standards of juvenile justice in the Juvenile Justice and Delinquency Prevention Act of 1974.

Long overdue for reauthorization, H.R. 5963 creates Federal guardrails that protect children in the juvenile justice system within each State. In the 14 years since Congress last reauthorized the program, there have been advancements in research and expansion of evidence informing improved methods to prevent inappropriate youth incarceration and to reduce delinquency.

The bill we consider today includes necessary improvements in Federal policy firmly grounded in facts that demonstrate that public investments in services to our youth, particularly trauma-informed care and alternatives to incarceration, will produce positive results for at-risk youth. Those results, in turn, will lead to reduced crime and long-term cost savings.

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H.R. 5963 requires, for the first time, that State juvenile justice plans take into account the latest scientific re-

search on adolescent development and behavior, recognizing the importance of prevention and early intervention in juvenile crime policy. We shouldn't have to legislate use of scientific research, but if we don't, we will end up codifying and funding slogans and sound bites that have dictated our Nation's approach to crime policy over the years. These slogans and sound bites often do nothing to decrease crime, and, in fact, when studied, some slogans have been shown to actually increase the crime rate.

H.R. 5963 encourages States to consider promising practices when developing State plans, such as programming to ensure youth access to public defenders in juvenile court, the use of problem-solving courts like drug courts as an alternative to conviction and confinement, efforts to inform and aid juveniles in the process of sealing and expunging juvenile records, and programming focused on the needs of girls in or at risk of entering the system.

Finally, Mr. Speaker, the bill retools the Title V Local Delinquency Prevention Grant Program, which is now entitled Youth Promise Incentive Grants for Local Delinquency Prevention Program, to support communities in the planning and implementing of comprehensive evidence-based prevention and intervention programs specifically designed to reduce juvenile delinquency and gang involvement.

Grant recipients will be required to analyze the unmet delinquency prevention needs of youth in the community, then develop and implement a comprehensive strategy to address those unmet needs with an emphasis on program coordination. Research has shown that a communitywide, coordinated approach to delinquency prevention utilizing a continuum of services can actually save the community money and improve efficiencies.

I would like to thank my colleagues for working with me on the Title V provisions, which are modeled after legislation that I have been working on for nearly 10 years—the Youth PROMISE Act. I am confident that if enacted, these incentive grants will vastly improve the lives of—and long-term economic opportunity for—our Nation's at-risk youth.

Mr. Speaker, the collaborative work of this committee gives me hope that we can get the full JJDP A reauthorization over the finish line this year. The Senate Judiciary Committee has marked up and passed their version of the bill. I know Senators GRASSLEY and WHITEHOUSE are working hard to get their bill out of the Senate. I am optimistic that support for the bill, which builds on knowledge and experience of the past 14 years, will spur further action so that the bill can make its way to the President's desk for signature.

Mr. Speaker, I reserve the balance of my time.

Mr. CURBELO of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana (Mr. ROKITA), a subcommittee chairman of the Committee on Education and the Workforce.

Mr. ROKITA. Mr. Speaker, I thank the gentleman from Florida for his leadership.

I rise today in support of H.R. 5963, the Supporting Youth Opportunity and Preventing Delinquency Act of 2016.

Mr. Speaker, there are approximately 2 million children involved in our juvenile justice system, with many more at risk of entering it. Prior to entering public service, I was engaged in the private practice of law. A good deal of that practice concerned at-risk youth, concerned juvenile law.

I will tell you, Mr. Speaker, that at the outset of every case, just about, my number one goal was to see that that youth, that those juveniles, did not get put "in the system," certainly did not get incarcerated. Not because, Mr. Speaker, I was trying to get them off of anything. In fact, my plea agreements and settlements were, in a way, designed to promote much more personal responsibility than any incarceration would. But I knew this: that if they got in the system, the chances were great that they would be lost forever, that they would come out of the system more hardened criminals, a bigger burden on society, with more costs, and, most importantly, another life lost.

That is why I am pleased, as the Early Childhood, Elementary, and Secondary Education Subcommittee chairman, to work on this bill with these distinguished leaders: Mr. CURBELO, who I have already mentioned, and ranking minority leader, Mr. SCOTT.

Leaders in Indiana's Fourth Congressional District have long been fighting for these reforms as well. In Lafayette, Indiana, for example, the chief of police there, Patrick Flannelly, has been extremely supportive of this bill. In fact, he educated most of us at a Member roundtable recently. He stated: "This bill will better target Federal funding to community-based coaching programs for troubled youth—programs that I have seen firsthand working well in Lafayette."

Mr. Speaker, students who get involved in the juvenile justice system are less likely to graduate high school, and up to 26 percent are more likely to return to jail as adults. I have personal experience counseling youth as well to back these figures up. Given these realities, we must work to make sure we are doing everything possible to help turn these kids' lives around.

This bill will help that process by making sure that these kids have the skills necessary to become productive members of society. Not only does this bill support prevention services for affected children, but makes sure we are

directing our resources to the programs with records of success. Additionally, improvements to program accountability and oversight means they will continue to produce positive effects in their communities.

Finally, it provides State and local leaders with the flexibility they need to assist the children in their communities. These are the people who know best what is needed to better the lives of their children.

Mr. Speaker, again, I thank the gentlemen for their leadership, and I urge all of my colleagues on both sides of the aisle to support this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the gentleman from Virginia for yielding.

The Juvenile Justice and Delinquency Prevention Act, introduced in the spirit of bipartisanship, supports three core principles: education, safety, and prevention. This bill will enable today's young people to continue their education despite incarceration. Education is the great equalizer, and access to opportunities for a quality education should be available even for youth who, because of unfortunate circumstances, sometimes lose their way and stray down the wrong path.

Voting "yes" for this bill will give States and localities clear guidance and direction about how to reduce racial and ethnic disparities found among incarcerated youth. Statistics show that African American youth are five times as likely to be placed in confinement as their White peers. Latino and American Indian youth are between two and three times as likely to be confined.

Reauthorization of the Juvenile Justice and Delinquency Prevention Act gives America's youth a needed second chance to drive their future towards their dreams and not towards detention.

Mr. CURBELO of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 5963, the Supporting Youth Opportunity and Preventing Delinquency Act.

This bill, sponsored by Mr. CURBELO, allows at-risk young adults to get back on track by offering them a vast range of opportunities and reducing the barriers that hold these young adults back from success—from graduating high school to preparing for lifelong achievements in the workplace.

Last fall, in an Education and the Workforce Committee hearing, a witness told his compelling story about his own second chance through a system that allowed him to get out of the path he was on and to chart a new one. Currently, there are 2 million children

in the juvenile justice system, a statistic that is much too high. Many of these children need a second chance to succeed, like the witness I heard in the Education and the Workforce Committee.

Before my time in the United States Congress, I had experience with this same issue in the Georgia State legislature where I worked to help pass H.B. 242. In Georgia, that bill ensured that juveniles with status offenses weren't susceptible to the influence of more serious offenders, which could create an opportunity for them to commit more serious crimes later in their life.

Georgia's success with H.B. 242 is a prime example of why we need H.R. 5963 at the Federal level. It saves money for taxpayers, reduces the strain on the justice system, and gives at-risk young adults a chance for a future.

This is a win-win for all sides, and I am proud to cosponsor this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Georgia for his comments. He has been a strong advocate for good juvenile justice policy since he was in the Georgia legislature, and has an excellent reputation for that good work.

I would like to thank the Act for Juvenile Justice Coalition for their leadership; Senators GRASSLEY and WHITEHOUSE; and staff members on this side, Denise Forte, Jacque Chevalier, and Christian Haines.

Mr. Speaker, I include in the RECORD letters from the National Prevention Science Coalition, the American Orthopsychiatric Association, and the NAACP.

NATIONAL PREVENTION SCIENCE COALITION

Date: September 18, 2016.

To: Chairman John Kline and Ranking Member Bobby Scott, House Committee on Education and the Workforce.

Re In support of H.R. 5963, the Supporting Youth Opportunity and Preventing Delinquency Act of 2016.

This letter comes in support of H.R. 5963, the Supporting Youth Opportunity and Preventing Delinquency Act of 2016. I really appreciate Representative Curbelo and Ranking Member Scott for their leadership in introducing the bill. As a 30+ year juvenile and criminal justice practitioner, educator and clinician, I have had many opportunities to work with various policy efforts involving at-risk and other youths who come in contact with the juvenile justice system. My background includes policy and practice experiences at federal, state, county and local municipal levels of government. I am also a member of the Board of Directors of the National Prevention Science Coalition to Improve Lives (www.npscoalition.org)—a bipartisan group of 500+ scientists, practitioners, advocates, clinicians, policy makers, foundation representatives, agency leaders, and other community stakeholders interested in assisting policymakers at all levels in designing and implementing policies that include a prevention mentality (e.g., the best

that prevention and implementation science has to offer relative to improving the well-being of citizens). When implemented well, prevention science has been shown to provide significant cost savings and benefits to the health and well-being of persons across the lifespan. Based on these experiences, I consider H.R. 5963 to be a substantial improvement over its former JJDPa version.

The proposed legislation provides a much needed, updated framework inclusive of evidence based, prevention-oriented thinking in federal policy for youths—not as a prescription to the states, rather as a policy vehicle to help guide the states through the availability of financial incentives (formula and incentive grants for local delinquency prevention programs), training, technical assistance, access to research and best practices. The legislation is clearly informed by research describing the importance of using prevention and developmental science when building local and state capacities as youths interact with the juvenile justice system. H.R. 5963 captures important knowledge gained from investments made through private and public resources over the past 25 years. Such investments have educated us as to the importance of building policies that include frameworks recognizing the developmental differences of youth (from adults) while still holding them accountable for their behaviors. Focus areas in the legislation address the impacts of trauma, mental health challenges, substance use/abuse, family conflict, interpersonal as well as community violence, gender responsiveness, racial/ethnic disparities and are all critical issues. H.R. 5963 also provides a standardized set of expectations (e.g., the "core requirements") balancing public safety and accountability with the recognition that children and youth require tailored, developmentally appropriate, unbiased and prevention-focused interventions that must be properly implemented with transparency and accountability. Furthermore, H.R. 5963 clearly communicates an intention that states begin look to their local communities to find innovative, cost-beneficial and effective prevention strategies for vulnerable youths and their families.

I request and encourage that you pass this critically needed legislation. States and territories, through their State Advisory Groups (included in this legislation), depend on your leadership in these matters. For 40+ years the JJDPa has been the sole federal policy vehicle for at-risk and court involved youth in this country. The historical results in large measure from JJDPa implementation are impressive—juvenile crime rates are at some of their lowest levels in decades. The JJDPa (now called Supporting Youth Opportunity and Preventing Delinquency Act) will build on the past successes of the JJDPa, and guide states toward the evolution of systems that are much more effective in preventing youth problems and crimes before more expensive, less successful deeper end juvenile and criminal justice alternatives must be used.

Thank you for considering these thoughts.

Respectfully yours,

ROBERT (ROBIN) JENKINS,
PH.D.,
*Board of Directors,
National Prevention
Science Coalition to
Improve Lives, As-
sistant Professor,
Methodist Univer-
sity.*

AMERICAN ORTHOPSYCHIATRIC
ASSOCIATION,
September 17, 2016.

Hon. JOHN KLINE,
*Chairman, House Committee on Education and
the Workforce, Washington, DC.*

Hon. ROBERT C. SCOTT,
*Ranking Member, House Committee on Edu-
cation and the Workforce, Washington, DC.*

DEAR CHAIRMAN KLINE AND RANKING MEM-
BER SCOTT: On behalf of the members of the
American Orthopsychiatric Association, we
are writing to thank you for unanimously
approving the Supporting Youth Oppor-
tunity and Preventing Delinquency Act of
2016, which strengthens and updates the Ju-
venile Justice and Delinquency Prevention
Act of 1974 (JJDPa) and to urge Congress to
take immediate action on this important
piece of legislation.

Founded in 1923, Ortho is committed to
prevention as a cost-effective, humane, and
scientifically sound approach to improving
the lives of children and families. Our mem-
bers are psychologists, psychiatrists, social
workers, lawyers, and other health profes-
sionals, many of whom are working in clin-
ical settings. We are acutely aware of the
importance of intervening early to provide
support to children and youth who have been
exposed to traumatic events and to assist
them in developing skills that will enable
them to contribute to society.

For more than 40 years, the JJDPa has
been an important tool in strengthening the
capacity of communities to support children
and youth and to keep them out of the juve-
nile justice system. Your leadership in reau-
thorizing and strengthening the JJDPa will
provide state and local governments with the
capacity to address high-risk and delinquent
behavior and to improve community safety.
We urge the House to act swiftly in passing
this critical piece of legislation so that a
final bill can be approved before the end of
the year.

Thank you.

Respectfully yours,

ROBIN KIMBROUGH-MELTON, JD.
Executive Officer.

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, September 19, 2016.

Re NAACP strong support for H.R. 5963, the
"Supporting Youth Opportunity and Pre-
venting Delinquency Act of 2016".

DEAR REPRESENTATIVE: On behalf of the
NAACP, our nation's oldest, largest and
most widely-recognized grassroots-based
civil rights organization, I strongly urge you
to support and vote for H.R. 5963, the "Sup-
porting Youth Opportunity and Preventing
Delinquency Act of 2016" when it comes be-
fore you on the floor of the House of Rep-
resentatives tomorrow under a suspension of
the rules. This crucial, bipartisan, legisla-
tion strengthens and updates the Juvenile
Justice and Delinquency Prevention Act of
1974 (JJDPa), which provides States and lo-
calities with federal standards, support, and
resources for improving juvenile justice and
delinquency prevention practices and has,
since it was first signed into law in 1974, con-
tributed to an improvement in safeguards for
youth, families and communities. Currently
more than 50,000 young people are held in de-
tention centers awaiting trial or confined by
the courts in juvenile facilities in our coun-
try. For these confined youth, and the many
more youth who are at-risk of involvement
in the justice system, an updated and rel-
evant JJDPa and the programs it supports
and mandates can mean the difference be-

tween a life of continued recidivism and a
life of becoming a productive member of so-
ciety.

Of great importance to the communities
served and represented by the NAACP is the
provision within H.R. 5963 which strengthens
the Disproportionate Minority Contact
(DMC) program. Numerous studies have
shown that racial and ethnic minority youth
are disproportionately over-represented and
subject to more punitive sanctions than
similarly-charged/situated white youth at all
levels of the juvenile justice system, from
routine stops by law enforcement to transfer
to adult court and punishment. H.R. 5963 pro-
vides clear direction to States and localities
to plan and implement data-driven ap-
proaches to ensure more fairness and reduce
racial and ethnic disparities, to set measur-
able objectives for reduction of disparities in
the system, and to publicly report such ef-
forts.

We are also extremely supportive of the
provisions in the bill which mandate that
state and local governments ensure that
there is separation in both sight and sound
between young prisoners and their adult
counterparts at every stage, including when
they are being held in adult facilities. We are
also supportive of provisions in H.R. 5963
which use evidence-based programs to
strengthen the Deinstitutionalization of Sta-
tus Offenders core protection; encourage
States to eliminate dangerous practices in
confinement and to promote adoption of
proven best practices and standards; increase
family participation in design and delivery
of treatment and services; and support ef-
forts by State and local governments to ex-
pand youth access to counsel and to encour-
age programs that inform youth of oppor-
tunities to seal or expunge juvenile records
once they have gotten their lives back on
track.

In short, H.R. 5963 provides badly needed
updating to a law which can make a signifi-
cant positive impact on the lives of many of
our nation's youth. Please, for the sake of
those youth who may come in contact with
the criminal justice system and for the bet-
terment of the future of our nation, support
the bipartisan bill, H.R. 5963, when it comes
before you on the floor of the House tomor-
row.

Thank you in advance for your attention
to this matter. Should you have any ques-
tions or comments, please feel free to con-
tact me.

Sincerely,

HILARY O. SHELTON,
*Director, NAACP
Washington Bureau
& Senior Vice Presi-
dent for Policy and
Advocacy.*

Mr. SCOTT of Virginia. Mr. Speaker,
I urge my colleagues to support the
legislation.

I yield back the balance of my time.

Mr. CURBELO of Florida. Mr. Speak-
er, I yield myself the balance of my
time.

In closing, I want to remind my col-
leagues what this bill is about.

Yes, it will improve the juvenile ju-
stice system. It will help State and local
leaders better serve at-risk youth and
juvenile offenders. It will also help im-
prove public safety and build strong
communities across the country. But,
to me, it is really about opportunity.

These reforms will help vulnerable
kids from all across the country realize

that they have an opportunity to work
toward a brighter future—one that
doesn't involve a life of crime or vio-
lence. And they will help those chil-
dren find the support they need to seize
that opportunity.

A vote in support of the Supporting
Youth Opportunity and Preventing Delin-
quency Act isn't just a vote to ad-
vance this legislation, it is a vote of
confidence that all children can
achieve a lifetime of success, even
when the odds are stacked against them.

Mr. Speaker, I urge my colleagues to
vote "yes" on H.R. 5963.

I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I rise today in
strong support of H.R. 5963, the Supporting
Youth Opportunity and Preventing Delin-
quency Act.

Every child deserves the opportunity to
achieve a lifetime of success. That's what this
legislation is about—helping more children re-
alize that success is possible.

In some cases, that means keeping at-risk
youth out of the juvenile justice system and
showing them a life of crime is not their only
option. In others, it means giving children who
are already in the system a second chance to
turn their lives around. And in every case, it
means helping kids acquire the skills they
need to grow into productive members of soci-
ety.

That's why this bill includes reforms that will
empower state and local leaders to better
serve vulnerable children in their communities.
We know there are important efforts already
underway, including right here in our nation's
capital.

Earlier this year, I visited a community-
based program called Boys Town DC, and I
had the opportunity to meet a young man
named Terraun. At Boys Town, Terraun was
learning how to be responsible for household
chores and to resolve conflicts respectfully. He
was also improving his cooking skills, which
he hopes one day will lead to a successful ca-
reer as a chef.

Terraun is holding himself accountable and
thinking about the future. And regardless of
his background and past mistakes, he is on
the right path.

Unfortunately, not every vulnerable youth
has the same experience. But with this impor-
tant legislation, we can help more kids just like
Terraun work toward a brighter future.

I want to thank Representative CURBELO
and Ranking Member SCOTT for all of their
hard work on this bipartisan bill and for deliv-
ering these important reforms. I also want to
thank Senator CHUCK GRASSLEY, chairman of
the Senate Judiciary Committee, for the work
he has done to advance many of these re-
forms in the Senate.

Mr. Speaker, this is an important bill that will
have a positive impact on communities across
the country, and more importantly, it will help
some of our nation's most vulnerable children
achieve a lifetime of success. I urge my col-
leagues to support the bill.

The SPEAKER pro tempore. The
question is on the motion offered by
the gentleman from Florida (Mr.
CURBELO) that the House suspend the

rules and pass the bill, H.R. 5963, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING AN ANNUITY SUPPLEMENT FOR CERTAIN AIR TRAFFIC CONTROLLERS

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5785) to amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5785

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FULL ANNUITY SUPPLEMENT FOR CERTAIN AIR TRAFFIC CONTROLLERS.

Section 8421a of title 5, United States Code, is amended—

(1) in subsection (a) by striking “The amount” and inserting “Except as provided in subsection (c), the amount”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) This section shall not apply to an individual described in section 8412(e) during any period in which the individual, after separating from the service as described in that section, is employed full-time as an air traffic control instructor under contract with the Federal Aviation Administration, including an instructor working at an on-site facility (such as an airport).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

It is my honor to present and speak about H.R. 5785, which provides a full annuity supplement for certain retired air traffic controllers that serve as instructors—a measure that helps ensure

safe skies and also cuts waste and inefficiency.

Over the next 5 years, the Federal Aviation Administration plans to hire a new generation of air traffic controllers. As the generation following the 1981 strike reaches retirement age, more than 6,000 new controllers will be trained in Oklahoma City's FAA Academy to fill this void and safely manage our Nation's air space.

□ 1445

Training this new generation of controllers requires a full staff of quality and committed instructors. Current law, however, financially penalizes instructors who work full time, causing discontinuity in the classroom and government waste.

There is an arbitrary income cap in place for our experienced, retired air traffic controllers who want to receive their full benefits. Consequently, many instructors choose to work part time instead of full time to maintain these benefits. To match the hours of a full-time instructor, the FAA must hire four part-time instructors, which quadruples the cost for training, wasting about \$1 million each year.

To remedy this situation, my bill removes the income limit so that our Nation's most experienced air traffic controllers can work as instructors full time and receive their benefits. Not only will the FAA save up to \$1 million each year, but consistent teaching by quality instructors will ensure our skies remain safe.

I appreciate the leadership of Chairman CHAFFETZ and Ranking Member CUMMINGS, in giving this legislation timely and supportive consideration, as well as my Democratic cosponsors, Mr. CONNOLLY of Virginia and Mr. LYNCH of Massachusetts, and the bipartisan supporters who recognize the importance of this matter.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5785, and I thank Congressman RUSSELL for his leadership on this measure.

H.R. 5785 would help ease the difficulty that the Federal Aviation Administration currently has in hiring air traffic controller instructors. The bill would eliminate the Social Security earnings cap for the FAA air traffic controller instructors who are receiving pension supplements. The cap is, currently, \$15,720 per year. This cap has made it hard for the FAA Academy to hire full-time instructors because retired air traffic controllers do not want to lose their annuity supplements.

The FAA has a critical shortage of air traffic controllers, and it is vital that we help ensure that the FAA is able to recruit enough qualified instructors to train controllers. This leg-

islation is narrowly tailored to address a matter that would have significant affects on public safety, so I urge my colleagues to join me in supporting this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I thank the gentlewoman from the District of Columbia for her kind support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 5785.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GAO ACCESS AND OVERSIGHT ACT OF 2016

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5690) to ensure the Government Accountability Office has adequate access to information.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “GAO Access and Oversight Act of 2016”.

SEC. 2. ACCESS TO CERTAIN INFORMATION.

(a) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

“§ 721. Access to certain information

“(a) No provision of the Social Security Act, including section 453(l) of that Act (42 U.S.C. 653(l)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect any record under section 716 of this title.

“(b) The specific reference to a statute in subsection (a) shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced.”.

(b) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “or planned” after “action taken”; and

(2) by striking paragraph (1) and inserting the following:

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and”.

(c) **AUTHORITY TO OBTAIN RECORDS.**—Section 716 of title 31, United States Code, is amended in subsection (a)—

(1) by striking “(a)” and inserting “(2)”;

and

(2) by inserting after the section heading the following:

“(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge the duties of the Comptroller General (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law.”.

(d) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

“721. Access to certain information.”.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5690, the GAO Access and Oversight Act.

As stewards of the Federal Government, we have a duty to make sure that taxpayer money is spent appropriately. We also have a duty to make sure our watchdogs have the tools that are necessary to combat waste, fraud, and abuse, especially the Government Accountability Office.

The GAO has a proven track record of excellence. In the past 6 years alone, it has identified over 200 areas of duplication, overlap, or fragmentation and has recommended more than 600 corrective actions; however, Congress needs to ensure the GAO has the access necessary to carry out the work we ask of it.

Today, we have the opportunity to better arm the GAO by clarifying that it does, indeed, have inherent access to data contained in the National Directory of New Hires. In doing so, we will help the GAO to better investigate potential fraud and improper payments, including those in the disability insurance program. The GAO's objectives are hindered without access to this data, and taxpayer dollars are not as

well protected against waste, fraud, and abuse.

The language in this bill has been included in bipartisan legislation that was approved unanimously by the full House last Congress. To ensure the GAO has all of the information it needs to perform its critical role for Congress, I urge my colleagues to support H.R. 5690.

I also thank Senator SASSE for his work on this bill in the Senate.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia for bringing this bill forward.

Mr. Speaker, the GAO provides invaluable aid to Congress in conducting our constitutional duty to oversee and evaluate the executive branch. To do its job effectively, the GAO needs timely access to agencies' documents, materials, and other information.

The bill before us would ensure the GAO's access to the National Directory of New Hires, a valuable database of wage and employment information. Access to this database would assist the GAO in its improper payment and fraud work as well as in evaluating programs in which eligibility is being means tested. The bill would also explicitly provide the GAO with standing to pursue litigation if an entity in the executive branch improperly denies the GAO access to information.

Mr. Speaker, similar bills have passed the House by wide margins in a number of previous Congresses. These are needed reforms, and I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I urge the adoption of this bill.

I yield back the balance of my time.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 5690.

The question was taken.

The **SPEAKER** pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The **SPEAKER** pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DISTRICT OF COLUMBIA JUDICIAL FINANCIAL TRANSPARENCY ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4419) to update the financial disclosure requirements for judges of the District of Columbia courts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4419

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia Judicial Financial Transparency Act”.

SEC. 2. FINANCIAL DISCLOSURE REQUIREMENTS FOR JUDGES OF DISTRICT OF COLUMBIA COURTS.

(a) **REQUIREMENTS DESCRIBED.**—Section 11-1530, D.C. Official Code, is amended to read as follows:

“§ 11-1530. Financial statements

“(a) Pursuant to such rules as the Commission shall promulgate, each judge of the District of Columbia courts shall, within one year following the date of enactment of the District of Columbia Court Reorganization Act of 1970 and at least annually thereafter, file with the Commission a report containing the following information:

“(1)(A) The source, type and amount of the judge's income which exceeds \$200 (other than income from the United States government and income referred to in subparagraph (C)) for the period covered by the report.

“(B) The source and type of the judge's spouse's income which exceeds \$1,000 (other than income from the United States government and income referred to in subparagraph (C)) for the period covered by the report.

“(C) The source and type of income which consists of dividends, rents, interest, and capital gains received by the judge and the judge's spouse during such period which exceeds \$200 in amount or value, and an indication of which of the following categories the amount or value of such item of income is within—

“(i) not more than \$1,000,

“(ii) greater than \$1,000 but not more than \$2,500,

“(iii) greater than \$2,500 but not more than \$5,000,

“(iv) greater than \$5,000 but not more than \$15,000,

“(v) greater than \$15,000 but not more than \$50,000,

“(vi) greater than \$50,000 but not more than \$100,000,

“(vii) greater than \$100,000 but not more than \$1,000,000,

“(viii) greater than \$1,000,000 but not more than \$5,000,000, or

“(ix) greater than \$5,000,000.

“(2) The name and address of each private foundation or eleemosynary institution, and of each business or professional corporation, firm, or enterprise in which the judge was an officer, director, proprietor, or partner during such period.

“(3) The identity and category of value (as set forth in subsection (b)) of each liability of \$10,000 or more owed by the judge or by the judge and the judge's spouse jointly at any time during such period.

“(4) The source and value of all gifts in the aggregate amount or value of \$250 or more from any single source received by the judge during such period, except gifts from the judge's spouse or any of the judge's children or parents.

“(5) The identity of each trust in which the judge held a beneficial interest having a value of \$10,000 or more at any time during such period, and in the case of any trust in which the judge held any beneficial interest during such period, the identity, if known, of each interest in real or personal property in which the trust held a beneficial interest

having a value of \$10,000 or more at any time during such period. If the judge cannot obtain the identity of the trust interest, the judge shall request the trustee to report that information to the Commission.

“(6) The identity and category of value (as set forth in subsection (b)) of each interest in real or personal property having a value of \$10,000 or more which the judge owned at any time during such period.

“(7) The amount or value and source of each honorarium of \$250 or more received by the judge and the judge’s spouse during such period.

“(8) The source and amount of all money, other than that received from the United States government, received in the form of an expense account or as reimbursement for expenditures from any source aggregating more than \$250 during such period.

“(9) The source and amount of all waivers or partial waivers of fees or charges accepted by the judge on behalf of the judge or the judge’s spouse, domestic partner, or guest during such period.

“(b) For purposes of paragraphs (3) and (6) of subsection (a), the categories of value set forth in this subsection are—

“(1) not more than \$15,000;

“(2) greater than \$15,000 but not more than \$50,000;

“(3) greater than \$50,000 but not more than \$100,000;

“(4) greater than \$100,000 but not more than \$250,000;

“(5) greater than \$250,000 but not more than \$500,000;

“(6) greater than \$500,000 but not more than \$1,000,000;

“(7) greater than \$1,000,000 but not more than \$5,000,000;

“(8) greater than \$5,000,000 but not more than \$25,000,000;

“(9) greater than \$25,000,000 but not more than \$50,000,000; and

“(10) greater than \$50,000,000.

“(c)(1) Reports filed pursuant to this section shall, upon written request, and notice to the reporting judge for purposes of making an application to the Commission for a redaction pursuant to paragraph (2), be made available for public inspection and copying within a reasonable time after filing and during the period they are kept by the Commission (in accordance with rules promulgated by the Commission), and shall be kept by the Commission for not less than three years.

“(2) This section does not require the public availability of reports filed by a judge if upon application by the reporting judge, a finding is made by the Commission that revealing personal and sensitive information could endanger that judge or a family member of that judge, except that a report may be redacted pursuant to this paragraph only—

“(A) to the extent necessary to protect the individual who filed the report or a family member of that individual; and

“(B) for as long as the danger to such individual exists.

“(d) The intentional failure by a judge of a District of Columbia court to file a report required by this section, or the filing of a fraudulent report, shall constitute willful misconduct in office and shall be grounds for removal from office under section 11-1526(a)(2).”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to reports filed under section 11-1530, D.C. Official Code, that cover periods beginning during or after 2016.

SEC. 3. AUTHORITY OF PROBATE DIVISION TO USE MAGISTRATE JUDGES.

(a) **IN GENERAL.**—Section 11-1732(j)(5), District of Columbia Official Code, is amended by striking “Family Divisions” and inserting “Probate Divisions, and the Family Court.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 11-1732(j)(4)(A), District of Columbia Official Code, is amended by striking “Family Division” and inserting “Family Court”.

SEC. 4. AUTHORITY OF DISTRICT OF COLUMBIA COURTS TO ACCEPT CERTAIN TYPES OF PAYMENTS.

(a) **IN GENERAL.**—Subchapter III of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following:

“§ 11-1748. Authority of courts to accept certain types of payments

“(a) **DEFINITIONS.**—In this section, the term ‘electronic funds transfer’—

“(1) means a transfer of funds, other than a transaction by check, draft, or similar paper instrument, that is initiated through an electronic terminal, telephone, or computer or magnetic tape for the purpose of ordering, instructing, or authorizing a financial institution to debit or credit an account; and

“(2) includes point of sale transfers, automated teller machine transfers, direct deposit or withdrawal of funds, transfers initiated by telephone, and transfers resulting from debit card transactions.

“(b) **AUTHORITY TO ACCEPT CREDIT CARD PAYMENTS AND ELECTRONIC FUNDS TRANSFERS.**—

“(1) **IN GENERAL.**—The District of Columbia courts may accept payment of fines, fees, escrow payments, restitution, bonds, and other payments to the courts by credit card or electronic funds transfer.

“(2) **USE OF VENDORS AND THIRD PARTY PROVIDERS.**—The Executive officer—

“(A) may contract with a bank or credit card vendor, or other third party provider, for purposes of accepting payments by credit card or electronic funds transfer; and

“(B) shall make every effort to find the lowest cost vendor for purposes of accepting such payments.

“(3) **RESPONSIBILITY FOR PAYING FEES.**—Under any contract entered into under paragraph (2), the person making the payment shall be responsible for covering any fee or charge associated or imposed with respect to the method of payment.

“(4) **COMPLETION OF PAYMENT.**—If a person elects to make a payment to the District of Columbia courts by a method authorized under paragraph (1), the payment shall not be deemed to be made until the courts receive the funds.

“(c) **AUTHORITY TO ACCEPT CHECKS.**—

“(1) **IN GENERAL.**—The District of Columbia courts may accept payment of fines, fees, escrow payments, restitution, bonds, and other payments to the courts by check.

“(2) **USE OF CHECK GUARANTEE VENDOR.**—The Executive Officer—

“(A) may contract with a check guarantee vendor for purposes of accepting payments by check; and

“(B) shall make every effort to find the lowest cost vendor for purposes of accepting such payments.

“(3) **RESPONSIBILITY FOR PAYING FEES.**—Under any contract entered into under paragraph (2), the person making the payment by check shall be responsible for covering any fee or charge associated or imposed with respect to the method of payment.

“(d) **LIABILITY FOR NON-PAYMENT.**—If a check or other method of payment, including payment by credit card, debit card, or charge card, so received is not duly paid, or is paid and subsequently charged back to the District of Colum-

bia courts, the person by whom such check or other method of payment has been tendered shall remain liable for the payment, to the same extent as if such check or other method of payment had not been tendered.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter III of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following:

“11-1748. Authority of courts to accept certain types of payments.”.

SEC. 5. INCREASE IN MAXIMUM AMOUNT IN CONTROVERSY PERMITTED FOR CASES UNDER JURISDICTION OF SMALL CLAIMS AND CONCILIATION BRANCH OF SUPERIOR COURT.

(a) **IN GENERAL.**—Section 11-1321, District of Columbia Official Code, is amended by striking “\$5,000” and inserting “\$10,000”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to any case filed in the Superior Court of the District of Columbia on or after the date of enactment of this Act.

SEC. 6. AUTHORITY TO APPROVE COMPENSATION OF ATTORNEYS IN EXCESS OF MAXIMUM AMOUNT.

(a) **IN GENERAL.**—

(1) **CRIMINAL DEFENSE APPOINTMENTS.**—Section 11-2604(c), District of Columbia Official Code, is amended by striking the last sentence and inserting the following: “Each chief judge may delegate such approval authority to an active or senior judge in the court in which the chief judge sits.”.

(2) **CHILD ABUSE AND NEGLECT APPOINTMENTS.**—Section 16-2326.01(f), District of Columbia Official Code, is amended—

(A) by striking “(f)(1)” and inserting “(f)”;

(B) by striking paragraph (2); and

(C) by adding at the end the following: “Each chief judge may delegate such approval authority to an active or senior judge in the court in which the chief judge sits.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to any case or proceeding initiated on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4419, the District of Columbia Judicial Financial Transparency Act, which was introduced by my colleague from the District of Columbia, Delegate ELEANOR HOLMES NORTON. H.R. 4419 would provide a more robust and open disclosure of judicial finances in the District.

Currently, District judges are required to meet disclosure requirements

that are less rigorous than those mandated for Federal judges. H.R. 4419 will help to close this disclosure gap. This bill will require judges to disclose sources of income for themselves and their spouses. This increased disclosure will help to strengthen an important pillar of our judicial system: the public's trust in an impartial judicial system.

In order to ensure that those before the District's judicial system can be confident in its impartial nature, the bill also requires that the disclosures be made publicly available.

The bill will require that disclosure reports be made available to the public for 3 years after they have been filed. H.R. 4419 will ensure compliance by making a failure to file or filing a fraudulent report an offense that is punishable by removal from office. This legislation will help to protect the public's faith in the integrity and impartiality of the District's judicial branch.

H.R. 4419 is a good government bill, and I encourage my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia for bringing this bill forward. I thank, especially, Chairman CHAFFETZ for his support in moving this bill through the Oversight and Government Reform Committee and now to the floor for consideration. I am also grateful to Ranking Member ELIJAH CUMMINGS for his vital assistance as this bill moves forward. I thank Senator JAMES LANKFORD, who once served with us on this committee and who introduced the companion bill in the Senate, which was already reported favorably by the Senate's Homeland Security & Governmental Affairs Committee in May of this year.

My bill, the District of Columbia Judicial Financial Transparency Act, as amended, will provide much-needed transparency to the District of Columbia's local courts by enhancing financial disclosure requirements for D.C. court judges to make them more similar to the disclosure requirements that are already in place for Article III Federal judges. District of Columbia judges are Article I Federal judges.

Although current law requires D.C. Superior Court and D.C. Court of Appeals judges to file annual financial reports, there was no requirement that all of this information be made public. For example, while judges are required to submit information about their incomes, investments, liabilities, and gifts—and we have no reason to believe that they have failed to do so—current law only makes public judges' connections to charities, private organizations, businesses, as well as honorariums that are more than \$300. My

bill would make all of this information, except for the judges' personally identifiable information, available for public inspection.

This bill is particularly necessary because a 2014 survey by the Center for Public Integrity, which took a comprehensive look at each State's judicial financial disclosure rules, gave the District a failing grade. D.C. court judges already submit enough financial information to improve the District's standing. My bill would simply make it public.

Like Senator LANKFORD's bill, my bill also includes provisions that will give D.C. courts new authorities to improve their operations. These provisions would authorize magistrate judges to serve in the probate division, which would help address the increasing number of adult guardianship cases; allow the courts to accept payments by credit card and check—imagine how late we are in getting to that—which would reduce administrative costs and increase efficiency; increase the maximum amount in controversy for small claims from \$5,000 to \$10,000, which would be the first increase in 20 years, would ensure access to the courts for plaintiffs with limited means; and authorize the chief judges to delegate their authority to approve reimbursements to court-appointed attorneys.

□ 1500

Currently the chief judges must personally approve these reimbursements, which adds to their administrative workload and diverts attention and resources away from more critical issues facing our courts.

Congress has the jurisdiction over our court system because, as I have indicated, it has jurisdiction over all Article I courts and, therefore, the authority to make the necessary improvements.

I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 4419, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DISTRICT OF COLUMBIA COURTS AND PUBLIC DEFENDER SERVICE VOLUNTARY SEPARATION INCENTIVE PAYMENTS ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5037) to authorize the establishment of a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts and employees of the District of Columbia Public Defender Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia Courts and Public Defender Service Voluntary Separation Incentive Payments Act”.

SEC. 2. AUTHORIZATION FOR PROGRAM OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR DISTRICT OF COLUMBIA COURTS.

(a) IN GENERAL.—Chapter 17 of title 11, District of Columbia Official Code, is amended by inserting after section 11-1726 the following new section:

“§ 11-1726A. Voluntary Separation Incentive Payments

“The Joint Committee on Judicial Administration may, by regulation, establish a program substantially similar to the program established under subchapter II of chapter 35 of title 5, United States Code, for nonjudicial employees of the District of Columbia [courts] courts, except that the maximum amount of the payment made under the program to any individual may not exceed the amount referred to in section 3523(b)(3)(B) of title 5, United States Code.”.

(b) CLERICAL AMENDMENT.—The table of contents of chapter 17 of title 11, District of Columbia Official Code, is amended by inserting after the item relating to section 11-1726 the following new item:

“11-1726A. Voluntary separation incentive payments.”.

SEC. 3. AUTHORIZATION FOR PROGRAM OF VOLUNTARY SEPARATION INCENTIVE PAYMENTS FOR DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.

Section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1605, D.C. Official Code) is amended by adding at the end the following new subsection:

“(d) The Director may establish a program substantially similar to the program established under subchapter II of chapter 35 of title 5, United States Code, for employees of the [Service] Service, except that the maximum amount of the payment made under the program to any individual may not exceed the amount referred to in section 3523(b)(3)(B) of title 5, United States Code.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5037, the District of Columbia Courts and Public Defender Service Voluntary Separation Incentive Payments Act, introduced by my colleague from the District of Columbia, Delegate ELEANOR HOLMES NORTON.

Voluntary separation incentive payments provide agencies an effective and efficient tool for reducing the size of their workforce, cutting costs in the process.

As stewards of taxpayers' dollars, it is important that every agency ensure it is staffed only to the extent that their work requires. H.R. 5037 will provide authority for the District of Columbia to offer buyouts for employees of the D.C. courts and public defenders.

This legislation would authorize the District to set up a substantially similar system to that already used by Federal agencies. Utilizing a voluntary separation incentive payment program will assist the D.C. court and public defender systems in reducing cost.

When compared to other force reduction efforts, the Government Accountability Office found voluntary separation incentive payments result in greater cost reductions and savings. The GAO review found that voluntary separation payments generate greater savings than direct workforce reductions because the payment encourages higher paid staff to depart.

H.R. 5037 will allow the District to decrease the cost and increase the efficiency of administering the judicial system.

I urge my colleagues to support H.R. 5037.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Again, I thank the gentleman from Georgia (Mr. CARTER) and especially Chairman CHAFFETZ and Ranking Member CUMMINGS for working together and with me to move this bill to the floor today.

This bill, the District of Columbia Courts and Public Defender Service Voluntary Separation Incentive Payments Act, as amended, would make a minor change to the authorities of the District of Columbia courts and the Public Defender Service by placing these entities in the same position as their Federal counterparts for more effective management and operation.

The bill would give the D.C. courts and PDS the same authority Federal

agencies and Federal courts already have to offer voluntary separation incentive payments, or buyouts, to their employees. The fiscal year 2016 omnibus bill already gives D.C. courts buyout authority. But my bill would make this authorization permanent—so I don't have to keep coming back to this floor on such a minor administrative matter—and it would extend it to PDS, in addition to the courts. Buyouts would allow the D.C. courts and PDS to respond to their future administrative and budget needs and would provide the flexibility to extend buyout offers to their employees.

The U.S. Government Accountability Office has determined that voluntary separation incentive payments may be made only where statutorily authorized. While Federal agencies and Federal courts have the statutory authority to offer buyouts, PDS and the D.C. courts have not been expressly permitted to permanently provide them to their employees. PDS and the D.C. courts seek the same buyout authority in order to manage their workforce as budget conditions and needs change.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CURBELO of Florida). The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 5037, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

MODERNIZING GOVERNMENT TRAVEL ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5625) to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Modernizing Government Travel Act".

SEC. 2. FEDERAL EMPLOYEE REIMBURSEMENT FOR USE OF MODERN TRAVEL SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Adminis-

trator of General Services shall prescribe regulations under section 5707 of title 5, United States Code, to provide for the reimbursement for the use of a transportation network company or innovative mobility technology company by any Federal employee traveling on official business under subchapter I of chapter 57 of such title, except that the Director of the Administrative Office of the United States Courts shall prescribe such regulations with respect to employees of the judicial branch of the Government.

(b) DEFINITIONS.—In this section:

(1) INNOVATIVE MOBILITY TECHNOLOGY COMPANY.—The term "innovative mobility technology company" means an organization, including a corporation, limited liability company, partnership, sole proprietorship, or any other entity, that applies technology to expand and enhance available transportation choices, better manage demand for transportation services, and provide alternatives to driving alone.

(2) TRANSPORTATION NETWORK COMPANY.—The term "transportation network company" means a corporation, partnership, sole proprietorship, or other entity, that uses a digital network to connect riders to drivers affiliated with the entity in order for a driver to provide transportation services to a rider.

SEC. 3. REPORT ON TRANSPORTATION COSTS.

Section 5707(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Not later than November 31 of each year, the head of each agency shall submit to the Administrator of the General Services, in a format prescribed by the Administrator and approved by the Director the Office of Management and Budget—

"(A) data on total agency payments for such items as travel and transportation of people, average costs and durations of trips, and purposes of official travel;

"(B) data on estimated total agency payments for employee relocation; and

"(C) an analysis of the total costs of transportation service by type, and the total number of trips utilizing each transportation type for purposes of official travel.

"(2) The Administrator of the General Services shall make the data submitted pursuant to paragraph (1) publically available upon receipt.

"(3) Not later than January 31 of each year, the Administrator of the General Services shall submit to the Director of the Office of Management and Budget, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate—

"(A) an analysis of the data submitted pursuant to paragraph (1) for the agencies listed in section 901(b) of title 31 and a survey of such data for each other agency; and

"(B) a description of any new regulations promulgated or changes to existing regulations authorized under this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5625, the Modernizing Government Travel Act, introduced by Congressman SETH MOULTON of Massachusetts.

Federal employees' options for transportation on official travel are limited. In the modern shared economy, there are many new methods of transportation that can help the Federal Government reduce the costs associated with travel by Federal employees.

In order for the government to be good stewards of taxpayer funds, it is important that it embrace innovation and the efficiencies that come with it. The Modernizing Government Travel Act will help to ensure that as new transportation services emerge, Federal employees can take advantage of the efficiencies that these services bring.

This bill would provide a statutory framework for authority for employees on official business to travel using transportation network company services. By opening up a new market for transportation services, H.R. 5625 will also help to spur new innovations, which will bring potentially greater cost savings.

Embracing innovation is only one piece of ensuring taxpayer dollars are well spent. We must also ensure that there is accountability for travel expenses. H.R. 5625 will mandate that agencies report their travel costs to the General Services Administration. H.R. 5625 will also require that GSA publish that data for the American people to review. GSA will be required to provide a report on agency official travel costs to Congress in order to better inform future transportation policy decisions.

I urge my colleagues to support this good government bill and help promote innovation in the transportation sector by supporting H.R. 5625.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5625, the Modernizing Government Travel Act, as amended. I thank Representative HURD for their work on this measure in particular.

H.R. 5625 would expand the transportation options for Federal employees on official government travel. Specifically, the legislation would require the General Services Administration to issue regulations to allow Federal employees to be reimbursed for the use of ridesharing services, such as Uber and Lyft. The bill also would allow for the use of future technologies not yet known or available to be covered as reimbursable travel expenses.

In addition, Federal agencies would be required to submit annually to GSA

detailed information on their travel costs, including breakdowns of costs by transportation type. GSA would be required to submit annual reports to Congress containing an analysis or survey of agencies' travel costs, as well as implementation of the regulations.

I urge my colleagues to join me in supporting H.R. 5625.

I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MOULTON), who is the sponsor of the bill.

Mr. MOULTON. Mr. Speaker, I rise today in strong support of H.R. 5625, the Modernizing Government Travel Act. While we may not agree on all things, I think there is consensus on both sides of the aisle that the Federal Government has failed to keep pace with the technological advances and innovation that have come to define the 21st century economy. Despite the emergence of new technologies designed to improve the way we travel, today some Federal employees are unable to be reimbursed for using more cost-effective, innovative modes of transportation when traveling on official business.

Innovative ridesharing services supported by mobile apps have dramatically changed how we get from one place to another. Now, with just a few taps on a smartphone, we can access a variety of new transportation options like rideshare and bikeshare that complement public transit, take more cars off our congested roads, and reduce fuel emissions.

While the Government Services Administration allows agencies to authorize the use of these transportation options by Federal employees, it has not, nor is it required by law, to issue comprehensive guidance across the Federal Government. Consequently, agencies and their employees may be unaware that they have the transportation options available to them for reimbursement.

H.R. 5625 would require the General Services Administration to implement regulations to allow Federal employees to use transportation options like rideshare and bikeshare for official travel. The GSA administrator would be required to submit annual reports to Congress on the implementation of these regulations and the resulting amount of government savings.

I want to thank the gentleman from Texas (Mr. HURD) for working with me on this legislation, as well as Representatives SWALWELL, ISSA, MEADOWS, and BUSTOS for their support. This is truly a bipartisan effort that will increase the Federal Government's engagement in the sharing economy while saving taxpayer dollars.

I urge all of my colleagues to support this legislation.

Mr. CARTER of Georgia. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I just thank the gentleman from Massachusetts (Mr. MOULTON) again for this bill. I note that this is a truly bipartisan bill. I wish we had more like them coming on this floor. It does show that bipartisanship still lives. It is not dead in the House of Representatives. It certainly was revived with this bill.

□ 1515

This is a very good bill for reviving it. Look what it does. It keeps up with rapidly changing technology, and what is particularly gratifying about the bill is it says you don't have to come back to the floor every time when technology changes, you can reimburse as technology changes.

This will encourage Federal employees to look for the fastest, cheapest way to get around the District of Columbia and the region. Remember, these employees are all over the United States, but they are particularly to be found in crowded regions like the national capital area region. And I note that in this region Metro is being fixed. It goes to show that we need all the diversity and means of travel we can find, and I applaud this bill.

Mr. Speaker, having no further speakers, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in strong support of H.R. 5625, the Modernizing Government Travel Act.

This bill is an important step forward in bringing government employees and federal regulations into the 21st century. Currently, each agency has different policies on what transportation options are available to federal employees for reimbursement. Thus, depending on the agency, some federal employees are unable to be reimbursed for official travel if they use ride-sharing or non-traditional forms of transportation, such as bikeshare. Yet many of these platforms provide cost-effective ways for our government employees to travel quickly and efficiently.

H.R. 5625 would address this problem by requiring the General Services Administration (GSA) to implement regulations to allow all federal employees to be reimbursed for these modes of travel. I was privileged to help in the drafting of H.R. 5625, and I want to thank the sponsor, Congressman SETH MOULTON, for introducing the bill and working diligently to help move it to the Floor.

Last year, Congressman DARRELL ISSA and I co-founded the bipartisan Congressional Sharing Economy Caucus. We started this caucus in order to bring government attention to the benefits of the sharing economy and to find ways for the federal government to support it, a growing sector of our economy. The bill in front of us helps to encourage the use of sharing economy technology, therefore saving taxpayers money, and fits perfectly within the goals of the Sharing Economy Caucus.

I urge my colleagues to support H.R. 5625 today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 5625, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROGRAM MANAGEMENT IMPROVEMENT ACCOUNTABILITY ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1550), to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Program Management Improvement Accountability Act”.

SEC. 2. PROJECT MANAGEMENT.

(a) DEPUTY DIRECTOR FOR MANAGEMENT.—

(1) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

“(c) PROGRAM AND PROJECT MANAGEMENT.—

“(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

“(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

“(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

“(C) chair the Program Management Policy Council established under section 1126(b);

“(D) establish standards and policies for executive agencies, consistent with widely accepted standards for program and project management planning and delivery;

“(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

“(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

“(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

“(H) establish a 5-year strategic plan for program and project management.

“(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of—

“(A) the provisions of chapter 87 of title 10; or

“(B) policy, guidance, or instruction of the Department related to program management.”.

(2) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by paragraph (1).

(3) REGULATIONS.—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under paragraph (2), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by subsection (b)(1), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by paragraph (1).

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

“§ 1126. Program management improvement officers and program management policy council

“(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

“(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

“(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

“(A) implement program management policies established by the agency under section 503(c); and

“(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

“(i) Enhanced training and educational opportunities for program managers that shall include—

“(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

“(II) training that emphasizes cost containment for large projects and programs.

“(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

“(iii) Improved career paths and career opportunities for program managers.

“(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

“(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

“(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

“(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10. For purposes of paragraph (1), the Under Secretary of Defense for Acquisition, Technology, and Logistics (or a designee of the Under Secretary) shall be considered the Program Management Improvement Officer.

“(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

“(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the ‘Program Management Policy Council’ (in this subsection referred to as the ‘Council’).

“(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

“(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

“(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

“(C) discuss topics of importance to the workforce, including—

“(i) career development and workforce development needs;

“(ii) policy to support continuous improvement in program and project management; and

“(iii) major challenges across agencies in managing programs;

“(D) advise on the development and applicability of standards governmentwide for program management transparency; and

“(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

“(3) MEMBERSHIP.—

“(A) COMPOSITION.—The Council shall be composed of the following members:

“(i) Five members from the Office of Management and Budget as follows:

“(I) The Deputy Director for Management.

“(II) The Administrator of the Office of Electronic Government.

“(III) The Administrator of Federal Procurement Policy.

“(IV) The Controller of the Office of Federal Financial Management.

“(V) The Director of the Office of Performance and Personnel Management.

“(ii) The Program Management Improvement Officer from each agency described in section 901(b).

“(iii) Any other full-time or permanent part-time officer or employee of the Federal Government or member of the Armed Forces designated by the Chairperson.

“(B) CHAIRPERSON AND VICE CHAIRPERSON.—

“(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

“(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

“(4) MEETINGS.—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

“(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.”

(2) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by paragraph (1).

(C) PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.—

(1) DEFINITION.—In this subsection, the term “agency” means each agency described in section 901(b) of title 31, United States Code, other than the Department of Defense.

(2) REGULATIONS REQUIRED.—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(A) identify key skills and competencies needed for a program and project manager in an agency;

(B) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(C) establish a new career path for program and project managers within an agency.

(d) GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by subsection (a)(1).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by subsection (b)(1).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by subsection (b)(1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 1550, the Program Management Improvement Accountability Act, introduced by Senator JONI ERNST of Iowa. Program and project management are the guide rails that are necessary to ensure the Federal Government actually works.

Effective program and project managers are both the first line of defense against waste and fraud throughout the Federal Government and the best positioned employees to increase government efficiency.

With Federal spending out of control, we need the best program and project managers we can get to combat waste, fraud, and inefficiency. According to CBO, the Federal Government will spend more than \$4 trillion in fiscal year 2017, but better management alone could prove a significant effect on our long-term spending.

A 2013 Accenture study found that a 1 percent increase in efficiency could save the Federal Government nearly \$1 trillion by 2025.

S. 1550 gives our Federal professionals the support and leadership they need to build a strong foundation of efficiency for Federal programs and projects. The bill addresses challenges these professionals face to ensure that management professionals in our Federal workforce have the guidance, support, and professional standards necessary to improve efficiency.

According to a report by the National Academy of Public Administration, there are five significant challenges to improving program management capabilities in the Federal Government: laws do not holistically address challenges of program management; program management is not recognized as an important discipline for improving performance and results; agency executives and stakeholders do not understand their roles and responsibilities; training and development of program managers lack consistency across the Federal Government; and program managers lack a professional community to provide support and voice concerns about program management development.

S. 1550 addresses these challenges by: requiring OMB's Deputy Director of Management to adopt and oversee government-wide standards that are consistent with private sector best practices; requiring agencies to designate a senior executive to serve as a program management improvement officer, an individual who will then be responsible for implementing standards and policies set by OMB at their agency; and establishing a Program Management Policy Council to discuss topics of importance to program and project managers and make recommendations to

resolve inefficiencies in programs identified as high risk by the Government Accountability Office.

Providing guidance and leadership to our Federal employees responsible for trillions of dollars in spending will go a long way toward meeting a simple goal like increasing efficiency by just 1 percent. I urge my colleagues to support this cost-saving, bipartisan bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bipartisan legislation to improve program management practices in Federal agencies, and I want to thank the gentleman from Virginia (Mr. CONNOLLY), my good friend, and of course the gentleman from Indiana (Mr. YOUNG) for their bipartisan hard work on this bill.

The bill would require the development of standard policies and guidelines across the Federal Government for program management. It would also establish an interagency Program Management Policy Council to develop best practices and focus on improving the management of Federal programs.

The bill would, in addition, require the Office of Personnel Management to establish a new career path for program and project management and to identify key skills and competencies for such jobs. The Federal Government is often called upon to manage large, complex new programs and initiatives and needs a cadre of managers capable of guiding this work.

S. 1550, as amended, is a good, bipartisan measure that would improve the management of the Federal Government, and I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), my good friend and a sponsor of this bill.

Mr. CONNOLLY. Mr. Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Georgia (Mr. CARTER), my good friends, for their leadership in managing today.

I rise today, Mr. Speaker, in strong support of this bill, which will make fundamental changes to project and program management practices and standards for the Federal Government.

The bill's cosponsor, Representative TODD YOUNG, and I currently serve as co-chairs of the Government Efficiency Caucus, which to some may seem like an oxymoron. In our capacity as co-chairs, Representative YOUNG and I worked together on a bipartisan basis to develop the Program Management Improvement and Accountability Act.

After taking input from many stakeholders, including from agency management and private sector partners,

regarding the root causes of poor project performance, we identified serious deficiencies in program and project management competencies across the entire Federal Government.

As ranking member of the Subcommittee on Government Operations, it is deeply troubling to me that so many Federal projects and programs find themselves substantially over budget or significantly behind schedule. These are all symptoms of a lack of institutional focus and attention to the mechanics of project management.

This bill strengthens project management policy throughout the Federal Government by requiring consistent project standards and guidelines for program management, demanding accountability at OMB and in Federal agencies to capture and implement lessons learned, and requiring a clear identification of skills and competencies necessary for effective program management professionals.

I have the honor of representing more than 13,000 project managers, Federal project managers, and the lack of requirements for the position is not acceptable. The job description for an important position where billions of dollars are being spent should be clearly defined, and this legislation instructs OPM, the Office of Personnel Management, to develop a job classification and career path for these professionals.

I am proud to have worked with Congressman YOUNG and the Government Efficiency Caucus on a bipartisan basis. We have the support of non-partisan good government groups, including the Project Management Institute and the National Academy of Public Administration behind this bill.

As a result, the PMIAA passed through our committee, the Committee on Oversight and Government Reform, without objection, and passed the Senate unanimously. I strongly urge my colleagues to support this important piece of legislation that I think will lead to significant efficiencies in the Federal Government and ultimately benefit the American taxpayer.

Mr. CARTER of Georgia. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I strongly support this bill. I thank my colleague for his work on this bill, my good friend from Virginia.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, S. 1550, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GAO MANDATES REVISION ACT OF 2016

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5687) to eliminate or modify certain mandates of the Government Accountability Office.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “GAO Mandates Revision Act of 2016”.

SEC. 2. REPORTS ELIMINATED.

(a) SINGLE AUDIT ACT MONITORING RESPONSIBILITIES.—

(1) IN GENERAL.—Chapter 75 of title 31, United States Code, is amended—

(A) by striking section 7506; and
(B) by redesignating section 7507 as section 7506.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 75 of title 31, United States Code, is amended by striking the items relating to sections 7506 and 7507 and inserting the following:

“7506. Effective date.”.

(b) REVIEW OF MEDIGAP PREMIUM LEVELS.—Section 111(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (Appendix F; 114 Stat. 2763A–473), as enacted into law by section 1(a)(6) of Public Law 106–554, is repealed.

(c) REPORT ON DISPUTE RESOLUTION PILOT PROGRAM.—Section 1105 of the Sandy Recovery Improvement Act of 2013 (42 U.S.C. 5189a note) is amended by striking subsection (d).

(d) BIENNIAL SURVEY REGARDING TRANSPORTATION INTELLIGENCE REPORTS.—Section 114(u) of title 49, United States Code, is amended—

(1) in paragraph (1)(A), by striking “subsection (t)” and inserting “subsection (s)(4)(E)”;
(2) by striking paragraph (7); and
(3) by redesignating paragraphs (8) and (9) as paragraphs (7) and (8), respectively.

SEC. 3. REPORTS MODIFIED.

(a) OVERSIGHT AND AUDITS UNDER THE EMERGENCY ECONOMIC STABILIZATION ACT OF 2008.—Section 116(a)(3) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5226(a)(3)) is amended by striking “, regularly and no less frequently than once every 60 days,” and inserting “annually”.

(b) REPORTS ON CONFLICT MINERALS.—Section 1502(d) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 78m note) is amended—

(1) in paragraph (1), by striking “until the termination of the disclosure requirements under section 13(p) of the Securities Exchange Act of 1934” and inserting “through 2020, in 2022, and in 2024”; and
(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “through 2020, in 2022, and in 2024” after “annually thereafter”.

(c) UPDATE ON ACTIONS TAKEN BY SECRETARY OF HHS TO IMPLEMENT GAO RECOMMENDATION.—Section 632(d) of the American Taxpayer Relief Act of 2012 (Public Law 112–240; 126 Stat. 2354) is amended in the first sentence by striking “December 31, 2015” and inserting “December 31, 2023”.

(d) REVIEW PANEL.—Section 399V–4(d)(2) of the Public Health Service Act (42 U.S.C. 280g–15) is amended—

(1) in subparagraph (C), by striking “, or an individual within the Government Accountability Office designated by the Comptroller General, shall” and inserting “shall designate a member of the review panel to”; and
(2) in subparagraph (D), by striking “Comptroller General” and inserting “Secretary”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of my bill, H.R. 5687, the GAO Mandates Revision Act of 2016. We have a unique opportunity today to help a critical congressional ally, the Government Accountability Office.

GAO's reporting helps ensure that Federal funds are efficiently and effectively spent and that our Federal programs work as intended for the American people. For example, the GAO has created over \$600 billion in financial benefits to the Federal Government since fiscal year 2003. The implementation of GAO's recommendations has led to over 16,000 program and operational improvements across the Federal Government.

Congress relies heavily on GAO, and, therefore, it is natural that committees frequently pass bills to require the GAO to produce regular reporting. However, Congress must also periodically review these requirements to ensure that we are not burdening GAO with required reporting that is no longer necessary.

The bill before us does just that by repealing eight mandated reviews that are outdated or unnecessary. Elimination of these reports will allow the GAO to free up resources and better focus on Congress' highest priorities. All reports being repealed by this legislation have been agreed upon on a bipartisan, bicameral basis.

I want to thank my colleagues throughout the House and Senate who

have taken part in this process. We will be back in the 115th Congress with a similar review, and I thank you in advance for your help again.

In summary, the bill before us today will allow the GAO to better respond to more time-sensitive congressional requests. I urge my colleagues to support H.R. 5687.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a simple, commonsense bill that would eliminate or modify certain outdated GAO reports currently mandated by statute. The bill would allow GAO to more effectively use its resources and assist Congress more effectively. I appreciate the bipartisan and bicameral approach taken on this bill.

□ 1530

Majority and minority staff of the Oversight and Government Reform Committee worked to ensure that the committee that received the reports affected by the bill were all comfortable with the changes being made.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge adoption of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5687.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MARINE LANCE CORPORAL SQUIRE "SKIP" WELLS POST OFFICE BUILDING

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5612) to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the "Marine Lance Corporal Squire 'Skip' Wells Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARINE LANCE CORPORAL SQUIRE "SKIP" WELLS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, shall be known and designated as the "Marine Lance Corporal Squire 'Skip' Wells Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other

record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Marine Lance Corporal Squire 'Skip' Wells Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5612, introduced by Representative TOM PRICE of Georgia, to designate a post office located in Marietta, Georgia, as the Marine Lance Corporal Squire "Skip" Wells Post Office Building.

Lance Corporal Wells enlisted in the United States Marine Corps in 2014 after 2 years in college. On July 16, 2015, he was completing training at the Naval and Marine Reserve Center in Chattanooga, Tennessee, when a gunman opened fire.

Lance Corporal Wells heroically lost his life warning fellow marines about the attack. I look forward to learning more about Lance Corporal Wells from the sponsor of the bill, Representative PRICE. For now, I urge Members to support the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 5612, a bill to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the Marine Lance Corporal Squire "Skip" Wells Post Office Building.

A native of Marietta, Georgia, Skip Wells enlisted in the Marine Corps in 2014 and was assigned to the 14th Marine Regiment in Tennessee, where he served as a field artillery commander.

On July 16, 2015, while serving a voluntary 2-week assignment at the U.S. Naval and Marine Reserve Center in Chattanooga, Tennessee, Lance Corporal Wells was tragically killed when a lone gunman opened fire on the center. Lance Corporal Wells was posthumously awarded a Purple Heart.

Mr. Speaker, we should pass this bill to honor the bravery, service, and sacrifice of Lance Corporal Skip Wells. I urge support for this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. TOM PRICE), my good friend, a great leader, and the sponsor of this bill.

Mr. TOM PRICE of Georgia. Mr. Speaker, I rise today to honor a fallen hero from Georgia's Sixth Congressional District, Marine Lance Corporal Squire Wells from Marietta, Georgia.

Known by his friends and family as Skip, Lance Corporal Wells was one of five servicemembers tragically murdered in a terrorist attack at the Naval and Marine Reserve Center in Chattanooga, Tennessee, on July 16, 2015.

Skip Wells graduated from Sprayberry High School in Cobb County in 2012. In high school, he played clarinet in the marching band, was active in Junior ROTC, and was regarded by his classmates as a "protector"—someone who "looked at everyone with love" and would "go anywhere to protect anybody."

After graduation, he studied history at Georgia Southern University before going on to enlist in the Marine Corps in 2014. Mr. Speaker, his family had a long tradition of military service, and Skip Wells felt a strong calling to defend his country.

While in the Marines, Skip Wells distinguished himself as a proud field artillery cannoneer. His desire to put the well-being of his fellow marines and the mission before that of his own was famous among fellow servicemembers. Once, while on a training exercise, a sledge hammer badly damaged his hand while attempting to drive a stake into the ground. Seeing the damage to his hand, his commanding officer ordered Wells to seek immediate medical attention for his injuries, but Lance Corporal Wells refused. He said:

First Sergeant, I will not leave my gun. I'll refuse medical treatment, but I am not leaving my position.

Such was his resolve to serve and his commitment to his fellow marines, that he would not abandon them, not even during a training exercise. Mr. Speaker, this was one remarkable man.

On July 16, 2015, Skip Wells was completing 2 weeks of training at the Naval and Marine Reserve Center in Chattanooga, Tennessee, when a terrorist opened fire on the facility. Disregarding his own safety, Skip Wells was last seen running to warn colleagues in the motor pool of the attack. He was 21 years old at the time of his death.

Mr. Speaker, the valor of this young man's action and the tragedy surrounding the taking of his life at the hands of a terrorist moved people in my district deeply. At a memorial service that was held at his high school, more than 4,000 mourners filled the stadium to remember Skip Wells. Thousands more stood around the periphery of the field.

Skip Wells was a proud marine and a true hero. He made the ultimate sacrifice and selflessly gave his life to protect his fellow servicemembers and to protect our Nation. There is nothing we could do that would be too much to honor this young hero's memory.

Thus, I urge the House to pass this legislation to designate this facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, the post office closest to his high school, Sprayberry High School, as the Marine Lance Corporal Squire "Skip" Wells Post Office Building.

It is my hope, Mr. Speaker, that, for generations to come, young children and others at the post office will see that post office's name and ask: Who is Skip Wells? Mr. Speaker, that answer will be very, very clear. He was a valiant defender, a hero, and a patriot. He was truly the very best of us.

To his mom, Cathy, and his family, we extend our deepest appreciation for his service and his sacrifice. May God bless his memory, the Wells family, and the United States of America.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN), from the State where this tragedy occurred.

Mr. FLEISCHMANN. Mr. Speaker, I rise in support of this legislation that my dear friend and colleague, Dr. PRICE, has sponsored in this House.

On that fateful day, July 16, 2015, five great American heroes lost their lives: Gunnery Sergeant Thomas Sullivan, Staff Sergeant David Wyatt, Sergeant Carson Holmquist, Petty Officer Second Class Randall Smith, and, yes, another great hero, Lance Corporal Skip Wells.

I am honored to stand in the well of this House, as I was when I came here after those attacks, and I want all Americans to know and understand the love and support that not only Chattanooga and the great State of Tennessee—my State—showed, but the great support shown in the people's House for those five fallen heroes.

Lance Corporal Skip Wells truly was and is an American hero. Think about that. He was a marine serving at the Naval and Marine Reserve Center. I had been there prior to these attacks. I have been there several times after these attacks. As a matter of fact, the Commandant of the great United States Marine Corps has visited there. General Miller has actually been to where we sustained this great loss of life. Those terrorist attacks that day on American soil in Chattanooga, Tennessee, took these five lives.

Skip Wells stood proud as a marine and defended our great Nation that day. And yes, all five of these great service people were awarded the Purple Heart posthumously, as they should have been. But now, in some great way

that we can, with Dr. PRICE's bill, we honor this great American marine and great American hero who gave the ultimate sacrifice for us so that we can serve in this House and so that we can remain the freest, greatest Nation that the world has ever seen.

We will honor him and, hopefully, pass this bill on the naming of a post office. Yes, Dr. PRICE is right: this is just a small token of the debt that Chattanooga, Tennessee, and America, will always owe to Lance Corporal Squire "Skip" Wells.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I am honored to be a cosponsor of this bill. I thank Dr. PRICE and my friend from Tennessee as well. At this time, I urge adoption of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5612.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RICHARD ALLEN CABLE POST OFFICE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4887) to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RICHARD ALLEN CABLE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, shall be known and designated as the "Richard Allen Cable Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Richard Allen Cable Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend

their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4887, introduced by Representative PETER VISCLOSKEY, to designate a post office located in Shelby, Indiana, as the Richard Allen Cable Post Office.

Richard Cable served the United States gallantly in Vietnam and was awarded a Purple Heart and a Silver Star. He gave his life protecting fellow soldiers from deadly crossfire from insurgents.

I look forward to learning more about Mr. Cable from the sponsor of the bill, Representative VISCLOSKEY. I urge my colleagues to support H.R. 4887.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to support H.R. 4887, a bill to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the Richard Allen Cable Post Office.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY), the author of the bill.

□ 1545

Mr. VISCLOSKEY. Mr. Speaker, I thank the gentlewoman for yielding. I thank the gentleman from Georgia, as well as the gentlewoman, for managing this legislation. I also do want to thank the chairs of the full committee and subcommittee, as well as the ranking members, for allowing this legislation to be brought up today.

Mr. Speaker, I do wish to remember United States Army Specialist Richard "Dickie" Allen Cable for his bravery and willingness to defend his country.

Specialist Cable was killed in action while defending his comrades during Operation Billings in Vietnam on June 14, 1967. It is my honor to sponsor H.R. 4887, a bill to name the post office in Shelby, Indiana, after Specialist Cable, a hero who gave his life in service of his Nation.

Dickie is survived by his mother, Grace, and a close-knit community of neighbors and friends who continue to honor his memory today through their persistent advocacy of this dedication.

In particular, I would like to thank Mr. Richard Boetler, who first approached my office about dedicating the Shelby Post Office to Dickie's memory and organized a petition signed by over 700 Shelby residents to advocate for this legislation.

Additionally, I want to thank each of my colleagues in the Indiana delegation for cosponsoring this legislation.

Finally, I want to thank local elected officials for their advocacy, including Indiana State Senator Rick Niemeyer, Indiana State Representative Michael Aylesworth, Cedar Creek Township Trustee Alice Dahl, Lake County Councilman Eldon Strong and, finally, Lake County Commissioner Gerry Scheub.

I ask that my colleagues support H.R. 4887.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, we certainly should pass this bill to remember the incredible courage and selflessness displayed by Specialist Dickie Cable as he put the lives of others before his own. I strongly support this bill. I urge passage of H.R. 4887.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 4887.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LEONARD MONTALTO POST OFFICE BUILDING

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5150) to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5150

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LEONARD MONTALTO POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, shall be known and designated as the "Leonard Montalto Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Leonard Montalto Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5150, introduced by Representative DANIEL DONOVAN, to designate the post office located in Staten Island, New York, as the Leonard Montalto Post Office Building.

Leonard Montalto worked for the U.S. Postal Service in Staten Island, the community in which he grew up. Lenny, as he was known, tragically died during Hurricane Sandy when his home was flooded.

I look forward to learning more about Mr. Montalto from the sponsor of the bill, Representative DONOVAN. I urge Members to support the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 5150, to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the Leonard Montalto Post Office Building.

Leonard Montalto served with the United States Postal Service for 31 years. He worked as a clerk in the Tottenville, New York, mail processing station, and also served as the secretary-treasurer of his local American Postal Workers Union.

A dedicated father of three daughters, Lenny, as he was called, enjoyed spending his free time coaching his daughters' travel soccer teams, hosting family gatherings, and playing his guitar.

Lenny tragically passed away during Hurricane Sandy when a storm surge flooded his home, and he was unable to escape to higher ground.

Mr. Speaker, we should pass this bill to commemorate Leonard Montalto's dedication to the Postal Service and the positive impact he had on so many members of his community. I urge the passage of H.R. 5150.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. DONOVAN), the sponsor of the bill.

Mr. DONOVAN. Mr. Speaker, I rise today to honor a local postal employee from the 11th Congressional District, Mr. Leonard Montalto.

Lenny, as his friends called him, was a lifelong resident of Staten Island. He was a loving father and a dedicated public servant. He worked for 28 years

as a clerk at the mail processing station in the Tottenville section of Staten Island.

H.R. 5150 renames that postal facility after Leonard Montalto, who tragically passed away during Superstorm Sandy. Lenny was at his family's home in Oakwood Beach during Superstorm Sandy. At the height of the storm, his basement began to flood rapidly. He became trapped inside just hours after warning his daughter to evacuate. Superstorm Sandy, sadly, took Lenny, an honest and hardworking family man.

Earlier this year, my office reached out to one of Lenny's daughters, Angela, about renaming the postal facility in her father's honor, an idea first offered by my predecessor, former Congressman Michael Grimm.

I want to thank all three of Lenny's daughters, Angela, Nicole, and Ashley, for helping me advocate for this bill's passage. I also want to thank Chairman CHAFFETZ, Ranking Member CUMMINGS, and the entire Oversight and Government Reform Committee for passing H.R. 5150, as well as the entire New York delegation for their strong support of the bill.

Mr. Speaker, today we remember Leonard Montalto and all the men and women who tragically lost their lives during Superstorm Sandy. I encourage my colleagues to support H.R. 5150.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman for his work on this bill, and I urge adoption of it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5150.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ARMY FIRST LIEUTENANT DONALD C. CARWILE POST OFFICE BUILDING

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5309) to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the "Army First Lieutenant Donald C. Carwile Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5309

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ARMY FIRST LIEUTENANT DONALD C. CARWILE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 401

McElroy Drive in Oxford, Mississippi, shall be known and designated as the "Army First Lieutenant Donald C. Carwile Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Army First Lieutenant Donald C. Carwile Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5309, introduced by Representative TRENT KELLY, to designate a post office located in Oxford, Mississippi, as the Army First Lieutenant Donald C. Carwile Post Office Building.

First Lieutenant Carwile dedicated his life to serving the people of Mississippi and the United States. He began a career in law enforcement in Batesville and Oxford, Mississippi, before joining the U.S. Army and deploying to Afghanistan. He was killed when his vehicle struck an IED during a combat mission.

I look forward to learning more about First Lieutenant Carwile from the sponsor of the bill, Representative KELLY of Mississippi. For now, I urge Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 5309, a bill to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the Army First Lieutenant Donald C. Carwile Post Office Building.

Donnie Carwile, as he was called, enlisted in the Army shortly after high school, and was assigned to the 25th Division, Schofield Barracks, Hawaii. Following a 3-year enlistment, he returned home to dedicate himself to his family after the death of his stepmother.

During that time, Donnie served as a police officer and continued his education. In 2006, Donnie re-enlisted in the Army and was assigned as a platoon leader in the 101st Airborne Division.

He deployed to Wardak, Afghanistan, in 2008.

On August 15, 2008, First Lieutenant Carwile was killed when his vehicle struck an IED. He received the Bronze Star and the Purple Heart for his honorable service.

Mr. Speaker, we should pass this bill to honor First Lieutenant Donnie Carwile's service and remember the ultimate sacrifice he made for our country. I urge passage of H.R. 5309.

I reserve the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. KELLY), the sponsor of the bill and my good friend.

Mr. KELLY of Mississippi. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am humbled and honored today to rise in the memory of First Lieutenant Donald C. Carwile, known to his family and friends as Donnie.

He was assigned to the 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division at Fort Campbell, Kentucky. First Lieutenant Carwile gave his life in defense of this great nation on August 15, 2008, while on a combat mission in Wardak Province, Afghanistan.

He and fellow soldier, Army Private First Class Paul E. Conlon, Jr., of Somerville, Massachusetts, lost their lives when their vehicle was struck by a roadside bomb and then attacked by insurgents with small arms fire and rocket-propelled grenades.

No greater love has a man than to lay down his life for his friends.

Donnie is survived by his wife, Jennifer, and daughters, Elizabeth Reese and Avery Claire, who were only 5 and 3 when they lost their dad. I want his daughters and wife to know that their loved one is a hero and that this grateful Nation recognizes his service.

Donnie was born in Virginia, and he grew up in Lafayette County, Mississippi, where he had deep family roots. From an early age, he led a life of looking out for others.

His Lafayette High School and Northwest Community College instructor, Janice Martin, told the Northeast Mississippi Daily Journal in 2008: "He went out of his way to be a friend to students who weren't as gifted as some."

Shortly after graduating from Lafayette High School, Donnie joined the Army in 2003. Just after September 11, 2001, he adjusted course, deciding he wanted to follow a path of law enforcement with his father, grandfather, and uncle, and so he started as a patrol officer with the Batesville Police Department, and then the Oxford Police Department.

After finishing a degree in criminal justice at Ole Miss, he re-enlisted in

the Army in 2006 and qualified for Officer Candidate School, where he was commissioned as an infantry officer.

His wife, Jennifer, shared with Northeast Mississippi Daily Journal: "He cared so much about the men in his platoon. He always said his first goal was to bring his men home, and his second, only after that, was to come home himself."

First Lieutenant Carwile's awards and decorations include the Bronze Star Medal, the Purple Heart, Combat Infantryman Badge, Air Assault Badge, Parachutist Badge, Army Commendation Medal, Army Achievement Medal, Good Conduct Medal, the National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, and the Army Service Ribbon.

Donnie led a life of service to family, state, and country.

□ 1600

He is a hero, and he paid the ultimate sacrifice in defense of this great Nation.

I thank my colleagues in the Mississippi delegation and the 114th Congress for their support of H.R. 5309 to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the Army First Lieutenant Donald C. Carwile Post Office Building.

This small gesture will honor his memory and will serve as a reminder of First Lieutenant Carwile's selfless service and sacrifice for our freedom.

Ms. NORTON. Mr. Speaker, I urge passage of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge passage of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5309.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ZAPATA VETERANS POST OFFICE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5591) to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the "Zapata Veterans Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ZAPATA VETERANS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 810 N

US Highway 83 in Zapata, Texas, shall be known and designated as the "Zapata Veterans Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Zapata Veterans Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5591 introduced by Representative HENRY CUELLAR to designate the post office located in Zapata, Texas, as the Zapata Veterans Post Office.

Our veterans deserve to be recognized every day, and we, as a House of Representatives, express our sincerest appreciation and gratitude for their sacrifices in the name of preserving our freedoms that we enjoy as Americans. I look forward to learning more about the heroic exploits of veterans from Zapata, Texas, from the sponsor of the bill, Representative CUELLAR.

Mr. Speaker, I urge Members to support this bill.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to support H.R. 5591, a bill to designate the facility of the United States Postal Service located at 810 North US Highway 83 in Zapata, Texas, as the Zapata Veterans Post Office.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR), a good friend and the author of this bill.

Mr. CUELLAR. Mr. Speaker, I want to say, first of all, that I rise in support of H.R. 5591, which designates the facility of the United States Postal Service in Zapata as the Zapata Veterans Post Office.

I would like to thank Chairman CHAFFETZ and Ranking Member CUMMINGS for their leadership and their support in this bill and, of course, the staff on both the majority and the minority. I especially want to thank also the chairman, the managing Member from Georgia (Mr. JODY B. HICE) for his kind words to the veterans in Zapata, and also my friend, the gentlewoman

from the District of Columbia (Ms. NORTON)—both of them for their leadership. I thank them so much for the work that they have done.

Zapata County is home to 503 veterans, according to our U.S. Census. It is imperative that we honor the service and dedication of those veterans in Zapata to our Nation. Dedication to this post office in Zapata to the Zapata veterans will serve as a constant reminder of the sacrifice that our friends, our neighbors, and our families have made while serving our country.

Today, I particularly want to acknowledge the sacrifice of those veterans in Zapata County. These are veterans who put country ahead of self for whom I am proud to recognize in dedicating the Zapata postal facility in their name.

As an example of some of the heroic actions of some of the veterans of Zapata, let me mention the six Trevino brothers: Teodoro, Leopoldo, Antonio, Anselmo, Filberto, Jr., and Jose Manuel, who served honorably for a combined 15½ years in our armed services during World War II before they returned home to Zapata.

Despite the many hardships that these brothers faced, six of them were able to overcome whatever obstacle was put before them. Among their many acts of bravery, they fearlessly took down enemy planes and protected fellow soldiers using their bodies as shields.

Their courage and dedication to our Nation—those six brothers and the other veterans who we have in Zapata—demonstrate what it really means to be an American. They are, again, just an example of many of the veterans who have made countless sacrifices for their country in the face of danger.

I also would like to thank the Veterans' Service Office in Zapata for their work in providing care to the veterans in Zapata. Again, they are only one of many local organizations.

Again, using the words of President John F. Kennedy: "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." This bill allows us to show our appreciation and make sure that their service and the sacrifice to our country is not forgotten.

So, again, I want to thank, Mr. Speaker, both the chairman and the ranking member, Ms. NORTON and Mr. JODY B. HICE, and, of course, the staff that has worked so hard.

Ms. NORTON. Mr. Speaker, I want only to conclude by requesting that the House pass this bill and name the post office in Zapata, Texas, to commemorate the men and women whose brave acts and selfless deeds have preserved our American freedom.

Mr. Speaker, I urge passage of H.R. 5591.

I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I appreciate the work of the gentleman from Texas. I urge passage of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5591.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

OFFICER JOSEPH P. CALI POST OFFICE BUILDING

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5676) to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OFFICER JOSEPH P. CALI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, shall be known and designated as the "Officer Joseph P. Cali Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Officer Joseph P. Cali Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5676, introduced by Representative QUIGLEY, to designate a post office in Chicago, Illinois, as the Officer Joseph P. Cali Post Office Building.

Officer Cali capably served the United States in Vietnam before becoming a police officer in Chicago. Tragically, he was murdered by a sniper while on the job in May of 1975. The city of Chicago has honored his legacy by dedicating the street on which he lived to his service.

I look forward to learning more about Officer Cali from the sponsor of the bill, Mr. QUIGLEY.

Mr. Speaker, I urge adoption of this bill, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support H.R. 5676, a bill to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the Officer Joseph P. Cali Post Office Building.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. QUIGLEY), a good friend, the author of this legislation, and a member of the committee.

Mr. QUIGLEY. Mr. Speaker, I want to thank the gentleman from Georgia and the gentlewoman from the District of Columbia.

Mr. Speaker, today, I come before you in strong support of H.R. 5676 to designate the post office located at 6300 N. Northwest Highway in Chicago, Illinois, as the Officer Joseph P. Cali Post Office Building.

It is with great honor that I seek to designate this postal facility in my district in the memory of Officer Cali, a hero who dedicated his life to protecting the people of Chicago.

Before joining the force in 1973, Officer Cali enlisted in the United States Army and valiantly served our country in Vietnam. After returning from Vietnam, Officer Cali continued his service to his country and community by joining the Chicago police force.

In just 2 years as an officer, Officer Cali received five honorable mention awards and two letters of commendation—a remarkable accomplishment in such a short period of time.

While working on his day off in May of 1975, Officer Cali was tragically murdered by a sniper during a routine traffic stop. He was only 31 years old when he was tragically killed. He is survived by his wife, Neva, and two young daughters, Jennifer and Carolyn.

Officer Cali's incredible effort to serve and protect the people of Chicago with humility and perseverance will always be remembered.

I hope that this post office can stand in Officer Cali's name to memorialize his courage and his dedication to the city of Chicago and his country.

Mr. Speaker, I urge my fellow colleagues to support this bill to honor his memory and his sacrifice.

Ms. NORTON. Mr. Speaker, I want only to endorse the remarks of my good friend, Mr. QUIGLEY, and to indi-

cate we should pass this bill to memorialize Officer Cali and inspire others through his legacy of respect, kindness, and community service.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I also want to thank Representative QUIGLEY for his fine work on this bill.

Mr. Speaker, I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5676.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SEGUNDO T. SABLAN AND CNMI FALLEN MILITARY HEROES POST OFFICE BUILDING

Mr. JODY B. HICE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5889) to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SEGUNDO T. SABLAN AND CNMI FALLEN MILITARY HEROES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, shall be known and designated as the “Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5889, introduced by Delegate SABLAN, to designate the post office located in Saipan, Northern Mariana Islands, as the Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building.

Segundo Sablan assisted U.S. forces during World War II as they fought to take control of the island of Saipan from the Japanese.

□ 1615

After the war ended, Mr. Sablan was appointed by the Navy to handle postal services for the Northern Mariana Islands. He was named the first postmaster for Saipan soon after.

I look forward to learning more about Segundo Sablan from the sponsor of the bill, Representative GREGORIO SABLAN.

I urge Members to support this bill.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to support H.R. 5889, a bill to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building.

Mr. Speaker, I yield such time as he may consume to the gentleman from the Northern Mariana Islands (Mr. SABLAN), the author of this bill.

Mr. SABLAN. Mr. Speaker, I rise today in support of H.R. 5889, a bill to designate the United States postal facility located in Chalan Kanoa, Saipan, the Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building. The bill recognizes Mr. Sablan, the first Chamorro and native of Saipan appointed a U.S. postmaster. The bill also honors the Northern Marianas servicemen and -women who lost their lives while serving our great country during this war on terrorism.

Segundo Tudela Sablan, fondly known as Tun Segundo, was born on May 27, 1919, on Saipan. Shortly after the United States victory over the Japanese in the Battle of Saipan during World War II, Tun Segundo was among a small group of Chamorros and Carolinians, the indigenous people of the Northern Marianas, selected by the U.S. military to serve as Marine Scouts for the 6th Provisional Police Military Battalion. His knowledge of the terrain and fluency in the Japanese language made him ideally suited for the task of searching the island's caves and jungles for Japanese holdouts responsible for sniper and grenade attacks on American soldiers.

In 1951, Tun Segundo was appointed the first United States postmaster for Saipan by the United States Navy, which, at the time, had administrative

responsibility for the Northern Marianas under the United States Trusteeship Agreement, known as the Trust Territory of the Pacific Islands. A dedicated postmaster, he twice used his home for postal operations after typhoons destroyed the post office building and often neglected his farm and livestock to ensure families received their mail. A crippling back injury sustained during the war eventually made it impossible for him to carry out the physical tasks required of the job. He resigned as postmaster in 1961.

The post office name will also serve as a tribute to our fallen Northern Marianas sons and daughters. The people of the Northern Marianas have a proud history of military service that began long before we were officially part of the United States and continues to this day.

We lost 20 young men and women to the wars in Iraq and Afghanistan alone. I hope that knowing their service and sacrifice will never be forgotten brings a measure of comfort to their families and friends.

I am grateful to Chairman CHAFFETZ and Ranking Member CUMMINGS and their staff on the Committee on Oversight and Government Reform for their work and moving this through the process. I am equally grateful to the gentleman from Florida and the gentlewoman from the District of Columbia for their time and effort in managing today's bill.

I offer special thanks to the family of Tun Segundo, who provided much information about the life of this leader, their father, for their support of this legislation.

I also want to thank the Veterans of Foreign Wars, Saipan Post 3457, especially Post Commander Michael O'Kelley; Senior Vice Commander Matias Chargualaf; and Departmental Quartermaster Peter Callaghan for their endorsement.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, we should pass this bill in memory of Segundo Sablan, his heroic actions during World War II, and his dedicated career in the United States Postal Service. I urge the passage of H.R. 5889.

I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I, likewise, urge adoption of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5889.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

E. MARIE YOUNGBLOOD POST OFFICE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5356) to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the "E. Marie Youngblood Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. E. MARIE YOUNGBLOOD POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, shall be known and designated as the "E. Marie Youngblood Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "E. Marie Youngblood Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5356, introduced by Representative KEVIN BRADY, to designate a post office located in Coldspring, Texas, as the E. Marie Youngblood Post Office.

Eddie "Marie" Youngblood worked as a rural letter carrier for the U.S. Postal Service in southeast Texas. Mrs. Youngblood's life was tragically cut short while serving her community by delivering mail on May 17, 2013.

I look forward to learning more about Mrs. Youngblood from the sponsor of the bill, Representative BRADY. For now, I urge Members to support this bill.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support H.R. 5356, a bill to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the E. Marie Youngblood Post Office.

Eddie "Marie" Youngblood served as a rural letter carrier and worked tire-

lessly to deliver mail to southeast Texans who would have otherwise had to travel many miles. She was well known and loved on her route for her friendly nature and willingness to go out of her way to serve others.

Tragically, Marie was shot and killed while on her mail route on May 17, 2013, leaving behind a husband, two sons, and two grandchildren.

Mr. Speaker, we should pass this bill to remember Eddie "Marie" Youngblood and celebrate the lives she touched through her loving actions and committed service to the community and to the United States Postal Service.

I urge the passage of H.R. 5356.

I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BRADY), the sponsor of the bill, a good friend and great leader around here.

Mr. BRADY of Texas. Mr. Speaker, I rise to tell you about an amazing constituent of mine and my legislation to name the Coldspring, Texas, Post Office in her honor.

A native Texan, Eddie "Marie" Youngblood was born in Houston in 1961. But big city life was not for Marie. When her family moved to Shepherd when she was in junior high, she found her calling in small town Texas life. While in Shepherd, Marie fell in love with George, the man who would become her husband.

Together, Marie and George raised two wonderful sons, George Jr. and Mark, who were blessed with children of their own. Marie relished being a grandmother and made a point to spend every moment she could with her grandchildren, Kimara and Luke.

Throughout her life, it was Marie's loving, nurturing personality that drew people to her. Whether she was helping clients working at the local bank, serving hungry customers soul food at one of her two Marie's Diners, or delivering the mail on her rural mail route, she always put others first. Her devotion to Pleasant Valley Baptist Church and her community was limitless, as was her deep and abiding faith in the Lord.

Through her dedication to the people around her, Marie chose to serve as a rural letter carrier. Every day, she loaded her specialized Jeep with letters and packages for Texans who otherwise would have had to travel many miles just for their mail. Marie was so well known on her route, her customers often stopped her just to chat as she made her deliveries.

Tragically, it was on this route she loved and where she was loved that her life was cut short. On May 17, 2013, this beloved daughter, mother, and grandmother was killed in a senseless act of violence while she was simply doing her job.

Justice has not yet been served, but it is important that Marie's life, not

her death, define her legacy. While Marie may be gone, her legacy lives on through the lives she touched: both of Marie's sons work for the Postal Service, and her loving husband George visits her grave each and every day to keep the flowers fresh and grave site pristine. While she has entered the kingdom of Heaven, her legacy of service before self lives on.

My legislation, H.R. 5356, supported by the entire Texas delegation, cements that legacy by naming the post office in Coldspring, Texas, in her honor. I cannot think of a more fitting way of honoring Marie's life.

I humbly ask my colleagues to support naming the Coldspring, Texas, Post Office for this public servant who was taken from us far too soon.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman from Texas (Mr. BRADY). We all, likewise, hope that justice will be served quickly. I thank him for his leadership.

I urge adoption of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5356.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ABNER J. MIKVA POST OFFICE BUILDING

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5798) to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ABNER J. MIKVA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, shall be known and designated as the "Abner J. Mikva Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Abner J. Mikva Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5798, introduced by Representative SCHAKOWSKY, to designate a post office located in Evanston, Illinois, as the Abner J. Mikva Post Office Building.

The Honorable Abner Mikva dedicated his life to public service. He served in all three branches of the Federal Government, serving in the U.S. House of Representatives, the U.S. Court of Appeals for the District of Columbia, and in the White House as counsel to President Bill Clinton.

I look forward to learning more about the Honorable Abner Mikva from the sponsor of the bill, Representative SCHAKOWSKY.

I urge Members to support this bill.

I reserve the balance of my time.

□ 1630

Ms. NORTON. Mr. Speaker, it gives me great pleasure to support H.R. 5798, a bill to designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the Abner J. Mikva Post Office Building.

I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the author of this bill.

Ms. SCHAKOWSKY. Mr. Speaker, I thank my colleague for yielding, and I thank my colleague across the aisle for his support of this legislation. I also thank all of my colleagues in the Illinois delegation for cosponsoring this legislation to name a post office for Abner J. Mikva.

Ab, as my colleague mentioned, is one of the few Americans to hold the distinction of serving in all three branches of the Federal Government. When Abner Mikva was a young man, he went to the office of a Chicago ward committeeman and asked to volunteer. His offer was rebuffed with the remark: "We don't want nobody nobody sent." Unswayed, Abner Mikva devoted his life to public service and to politics.

Abner Mikva was born in 1926 in Milwaukee. He enrolled in the Army Air Corps in 1944 and served as a navigator in the Army Air Corps during World War II. In 1951, he received a law degree from the University of Chicago and, after graduation, served as a clerk to Associate Justice Sherman Minton on the Supreme Court.

In 1956, Abner Mikva was elected to the Illinois General Assembly, where

he served for five consecutive terms. He was then elected to the United States House of Representatives in 1968, where he represented the south side, Hyde Park neighborhood of Chicago. That is Barack Obama's neighborhood. After redistricting in 1971, Abner Mikva moved to Evanston. In 1974, he won the election to represent Illinois' 10th Congressional District, which was based, at that time, in Evanston, my hometown. Abner Mikva was elected in three consecutive elections to represent the people of Evanston and the surrounding north shore communities in the United States House.

His campaigns were notable for their involvement of thousands of young people in his robust grassroots election efforts. Eighteen-year-olds had recently been granted the constitutional right to vote, and he had recruited and enlisted many of them. Many of these young people became effective political organizers, transforming the nature of political campaigns over the last four decades.

Abner Mikva was nominated in his third term as an appointee to the U.S. Court of Appeals for the District of Columbia, where he served alongside Jurists Clarence Thomas, Antonin Scalia, and Ruth Bader Ginsburg. During his final 4 years on the D.C. Circuit Court, Abner Mikva served as chief judge. He was then selected by President Bill Clinton in 1994 to be White House Counsel. After a year as White House Counsel, Abner Mikva returned to the Chicago area and taught at Northwestern University in Evanston.

In 1997, Abner Mikva and his beloved wife and partner, Zoe, started what they called the Mikva Challenge—his effort to engage young people in civic leadership. Each year, the Mikva Challenge engages 7,000 young people—students—in programs across the Chicagoland area. These are high school kids. Students volunteer on the campaigns of both parties, serve as election judges, intern in legislative offices, and learn how to be effective advocates on issues they care the most about.

In 2014, President Obama recognized Abner Mikva's service to this country with the Presidential Medal of Freedom—our highest civilian honor.

When honoring Abner Mikva, President Obama said: "Ab transcends any single moment in recent political history, but he had a hand in shaping some of the best of it."

Abner Mikva said that receiving the Presidential Medal of Freedom from his friend Barack Obama was "the greatest thing that ever happened to me."

Abner Mikva remains a revered fighter in Illinois and a favorite son of Evanston's—remembered for his enduring wit, humanity, and the ongoing legacy of the Mikva Challenge.

Let me just say, personally, on July 4, 2016, while America lost a great patriot, I also lost a very precious friend and mentor. I am so happy that we are going to pay an appropriate tribute to his great memory and his legacy.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I endorse the words of the gentlewoman from Illinois (Ms. SCHAKOWSKY), and I urge the passage of H.R. 5798, a bill to honor the legacy of Abner Mikva and to commemorate his exemplary life of public service across all branches of our Federal Government.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge the passage of this bill. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, H.R. 5798.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EMERGENCY CITRUS DISEASE RESPONSE ACT OF 2016

Mr. BUCHANAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3957) to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Citrus Disease Response Act of 2016".

SEC. 2. EXPENSING OF CERTAIN COSTS OF REPLANTING CITRUS PLANTS LOST BY REASON OF CASUALTY.

(a) IN GENERAL.—Section 263A(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(C) SPECIAL TEMPORARY RULE FOR CITRUS PLANTS LOST BY REASON OF CASUALTY.—

"(i) IN GENERAL.—In the case of the replanting of citrus plants, subparagraph (A) shall apply to amounts paid or incurred by a person (other than the taxpayer described in subparagraph (A)) if—

"(I) the taxpayer described in subparagraph (A) has an equity interest of not less than 50 percent in the replanted citrus plants at all times during the taxable year in which such amounts were paid or incurred and such other person holds any part of the remaining equity interest, or

"(II) such other person acquired the entirety of such taxpayer's equity interest in the land on which the lost or damaged citrus plants were located at the time of such loss or damage, and the replanting is on such land.

"(ii) TERMINATION.—Clause (i) shall not apply to any cost paid or incurred after December 31, 2025."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to costs paid or incurred after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BUCHANAN) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3957, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I yield myself such time as I may consume.

This bill makes a slight change to the existing law in order to help struggling farmers.

The U.S. citrus industry faces a grave threat from an incurable bacterial disease called citrus greening. While not harmful to humans, it results in bitter, hard, misshapen fruit and eventually causes trees to die.

The disease arrived in Florida in 2005 and has since infected 99 percent of the commercial citrus groves in my State as well as 50 percent of the groves in Texas. Greening has begun to march across the country and has been found in California, Louisiana, South Carolina, and Georgia. Once infected, trees must be uprooted and destroyed. Replanting citrus trees is costly, but farmers have no choice as they must replant in order to earn a living. This disease has put 62,000 citrus jobs at risk in my State alone.

The Tax Code currently allows farmers to fully deduct the cost of replanting trees that are damaged by drought, disease, or pests; but the current rule has a significant limitation: in order to get the deduction, the farmers must bear the costs of replanting the trees themselves.

My bill would let farmers bring in investors to help underwrite replanting costs without losing the immediate deduction; and, to ensure that farmers keep working their land, my bill requires them to maintain at least a 50 percent interest in their groves in order to use this deduction.

This commonsense, limited change to an existing provision in the Tax Code has broad, bipartisan support. In fact, every member of the Florida delegation, which is about 29 members—

Democrats and Republicans alike—support this proposal. Citrus growers in Florida, Texas, and California have all come out in support of the bill for one simple reason: nationwide, nearly 20 million trees will need to be replaced due to greening.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

There is no doubt the citrus industry is facing an emergency. A disease, referred to as "greening," is rapidly spreading among citrus crops, including oranges, tangerines, grapefruits, lemons, and limes. To date, Florida orange growers have been hard hit by this disease and have been forced to abandon more than 100,000 acres of groves. It takes about 2 years for the disease to fully manifest itself; therefore, citrus crops in Texas and in California are also at risk. This bill would expand an exception that allows for the immediate expensing of replanting costs when crops are destroyed by this disease.

Under current law, minority investors only are allowed to immediately expense costs incurred for replanting when, one, the grower who incurred the loss or damage keeps a more than 50 percent interest in the property and, second, when the minority investor materially participates in the planting, maintenance, cultivation, or development of the property.

Under this bill, minority investors also would be able to immediately expense costs incurred for replanting if, one, the grower has an equity interest of not less than 50 percent in the replanted citrus plants, and the minority investor holds the remaining interest or, two, if the minority investor acquires all of the taxpayer's land on which the lost or damaged citrus plants were located, and the replanting is on such land. This bill would not require minority investors to materially participate in the planting and growing, thus making it more appealing for investors.

At a cost of \$30 million over 10 years, this bill takes a modest step in helping the citrus industry attract investors and much-needed capital to fight this devastating disease.

Mr. Speaker, I yield back the balance of my time.

Mr. BUCHANAN. Mr. Speaker, I urge Members to pass this bill so that struggling farmers can have the flexibility to use the existing provisions of the Tax Code in a more ownership-type structure. Without this change, we run the risk of losing tens of thousands of jobs.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BUCHANAN) that the House suspend the rules and pass the bill, H.R. 3957, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EXPANDING SENIORS RECEIVING DIALYSIS CHOICE ACT OF 2016

Mr. SMITH of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5659) to amend title XVIII of the Social Security Act with respect to expanding Medicare Advantage coverage for individuals with end-stage renal disease (ESRD), as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5659

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Expanding Seniors Receiving Dialysis Choice Act of 2016” or as the “ESRD Choice Act of 2016”.

SEC. 2. EXPANDING MEDICARE ADVANTAGE COVERAGE FOR INDIVIDUALS WITH END-STAGE RENAL DISEASE (ESRD).

(a) EXPANDED MA ELIGIBILITY.—

(1) IN GENERAL.—Section 1851(a)(3) of the Social Security Act (42 U.S.C. 1395w–21(a)(3)) is amended—

(A) by striking subparagraph (B); and

(B) by striking “ELIGIBLE INDIVIDUAL” and all that follows through “In this title, subject to subparagraph (B),” and inserting “ELIGIBLE INDIVIDUAL.—In this title,”.

(2) CONFORMING AMENDMENTS.—

(A) Section 1852(b)(1) of the Social Security Act (42 U.S.C. 1395w–22(b)(1)) is amended—

(i) by striking subparagraph (B); and

(ii) by striking “BENEFICIARIES” and all that follows through “A Medicare+Choice organization” and inserting “BENEFICIARIES.—A Medicare Advantage organization”.

(B) Section 1859(b)(6) of the Social Security Act (42 U.S.C. 1395w–28(b)(6)) is amended by striking “may waive” and all that follows through “subparagraph and”.

(b) EXCLUDING COSTS FOR KIDNEY ACQUISITIONS FROM MA BENCHMARK.—Section 1853 of the Social Security Act (42 U.S.C. 1395w–23) is amended—

(1) in subsection (k)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “paragraphs (2) and (4)” and inserting “paragraphs (2), (4), and (5)”; and

(ii) in subparagraph (B)(i), by striking “paragraphs (2) and (4)” and inserting “paragraphs (2), (4), and (5)”; and

(B) by adding at the end the following new paragraph:

“(5) EXCLUSION OF COSTS FOR KIDNEY ACQUISITIONS FROM CAPITATION RATES.—After determining the applicable amount for an area for a year under paragraph (1) (beginning with 2019), the Secretary shall adjust such applicable amount to exclude from such applicable amount the Secretary’s estimate of the standardized costs for payments for organ acquisitions for kidney transplants covered under this title (including expenses

covered under section 1881(d) in the area for the year.”; and

(2) in subsection (n)(2)—

(A) in subparagraph (A)(i), by inserting “and, for 2019 and subsequent years, the exclusion of payments for organ acquisitions for kidney transplants from the capitation rate as described in subsection (k)(5)” before the semicolon at the end;

(B) in subparagraph (E), in the matter preceding clause (i), by striking “subparagraph (F)” and inserting “subparagraphs (F) and (G)”; and

(C) by adding at the end the following new subparagraph:

“(G) APPLICATION OF KIDNEY ACQUISITIONS ADJUSTMENT.—The base payment amount specified in subparagraph (E) for a year (beginning with 2019) shall be adjusted in the same manner under paragraph (5) of subsection (k) as the applicable amount is adjusted under such subsection.”.

(c) FFS COVERAGE OF KIDNEY ACQUISITIONS.—

(1) IN GENERAL.—Section 1852(a)(1)(B)(i) of the Social Security Act (42 U.S.C. 1395w–22(a)(1)(B)(i)) is amended by inserting “or coverage for organ acquisitions for kidney transplants, including as covered under section 1881(d)” after “hospice care”.

(2) CONFORMING AMENDMENT.—Section 1851(i) of the Social Security Act (42 U.S.C. 1395w–21(i)) is amended by adding at the end the following new paragraph:

“(3) FFS PAYMENT FOR EXPENSES FOR KIDNEY ACQUISITIONS.—Paragraphs (1) and (2) do not apply with respect to expenses for organ acquisitions for kidney transplants described in section 1852(a)(1)(B)(i).”.

(d) SENSE OF CONGRESS REGARDING APPLICATION OF APPROPRIATE MEDICARE ADVANTAGE RISK ADJUSTMENT FOR PAYMENT FOR INCREASED ESRD ENROLLEES.—It is the sense of Congress that in implementing the policies under this section, the Centers for Medicare & Medicaid Services should provide, in an accurate and transparent manner, for risk adjustment to payment under the Medicare Advantage program to account for the increased enrollment in Medicare Advantage plans of individuals with end-stage renal disease.

(e) EXPANDED MA EDUCATION.—Section 1851(d)(2)(A)(iii) of the Social Security Act (42 U.S.C. 1395w–21(d)(2)(A)(iii)) is amended by inserting before the period at the end the following: “, including any additional information that individuals determined to have end-stage renal disease may need to make informed decisions with respect to such an election”.

(f) REPORT.—Not later than April 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services shall submit to Congress a report on the impact of the amendments made by this section on spending under the traditional Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act as well as on spending under parts C and D of such title. The report shall include an assessment of the risk adjustment payment methodologies under such parts C and D and their adequacy with respect to individuals with end-stage renal disease and such recommendations as the Administrator deems appropriate.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to plans years beginning on or after January 1, 2020.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SMITH) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

□ 1645

GENERAL LEAVE

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5659, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand today in support of H.R. 5659, the ESRD Choice Act, and thank the Speaker for taking this effort up today on the floor.

This bipartisan legislation expands access to high-quality, affordable healthcare coverage options for Americans suffering from serious kidney illness. End-stage renal disease, or ESRD, is the only preexisting condition that explicitly prevents patients from enrolling in Medicare Advantage.

This bill removes a harmful Federal restriction that has, for too long, blocked patients with ESRD from enrolling in Medicare Advantage plans. The question is: Why should kidney disease patients be denied a choice all other Medicare beneficiaries have? The short answer is: They shouldn’t. These patients should have the same option to choose Medicare Advantage.

Once this bill is passed and signed into law, my colleagues and I will be constantly watching the bureaucrats at the Centers for Medicare and Medicaid Services to make sure they fulfill their responsibilities to properly risk adjust payments to plans in an accurate and transparent manner. The bill requires a report of the effects of this legislation on risk adjustment, and I will be watching to make sure they get it right.

I also want to recognize the hard work that went into this bill and specifically thank Mr. LEWIS, Mr. BILIRAKIS, Mr. SCHRADER, and Mr. MARINO, as well as the Committee on Ways and Means and the Committee on Energy and Commerce for the hard work to remove the last preexisting conditions in Medicare Advantage.

The benefits of Medicare Advantage should be extended to all ESRD patients. It is right thing to do, and now is the time to get it done.

I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I may consume.

Mr. Speaker, more than 80 percent of the approximately 640,000 Americans living with kidney failure, or end-stage renal disease, are covered under Medicare. Unfortunately, those individuals who receive Medicare coverage as a result of their ESRD do not have access

to managed care plans under the Medicare Advantage program.

This bill would make a commonsense change and enable Medicare beneficiaries with ESRD to have the same choices as all other Medicare beneficiaries. H.R. 5659 would help make sure ESRD beneficiaries in Medicare have access to the coordinated services, flexibility, and integrated care they need to fit their own individual needs.

I want to thank my fellow colleague on the Ways and Means Committee, the gentleman from Georgia (Mr. LEWIS), for his dedication and his hard work over the past years on this important bipartisan legislation. I look forward to it advancing swiftly to the President's desk to be signed into law.

I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

The legislation expands access to a program that has improved millions of lives. This is just one of the bipartisan solutions Americans deserve, and these are the types of solutions I hope to continue working with the chairman and my colleagues in delivering as we work to improve our healthcare system.

Dozens of folks back home in southeast and south central Missouri have contacted me with their support for this bill. Do you know what they tell me? They want a choice.

I am pleased that the House is acting on our bill today since it follows one of our core principles as we look at health care, increasing patients' options and control over their care. I urge my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 5659, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CONTINUING ACCESS TO HOSPITALS ACT OF 2016

Ms. JENKINS of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5613) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Access to Hospitals Act of 2016" or the "CAH Act of 2016".

SEC. 2. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2016.

Section 1 of Public Law 113-198, as amended by section 1 of Public Law 114-112, is amended—

(1) in the heading, by striking "2014 AND 2015" and inserting "2016"; and

(2) by striking "and 2015" and inserting "2015, and 2016".

SEC. 3. REPORT.

Not later than one year after the date of the enactment of this Act, the Medicare Payment Advisory Commission (established under section 1805 of the Social Security Act (42 U.S.C. 1395b-6)) shall submit to Congress a report analyzing the effect of the extension of the enforcement instruction under section 1 of Public Law 113-198, as amended by section 1 of Public Law 114-112 and section 2 of this Act, on the access to health care by Medicare beneficiaries, on the economic impact and the impact upon hospital staffing needs, and on the quality of health care furnished to such beneficiaries.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Kansas (Ms. JENKINS) and the gentleman from Iowa (Mr. LOEBSACK) each will control 20 minutes.

The Chair recognizes the gentlewoman from Kansas.

GENERAL LEAVE

Ms. JENKINS of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous material on H.R. 5613, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Kansas?

There was no objection.

Ms. JENKINS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 5613, the Continuing Access to Hospitals Act of 2016, a policy this Congress has passed unanimously in 2014 and 2015.

Every year across Kansas, hospitals in rural communities must wait to see if they will have to comply with a burdensome Federal regulation that makes caring for patients more difficult, while providing no additional benefits.

Back in January 2014, the Centers for Medicare and Medicaid Services began enforcing a requirement that physicians must supervise outpatient therapeutic services at critical access hospitals and other small rural hospitals. This meant that routine outpatient therapeutic procedures, such as the application of a splint to a finger or a

demonstration of how to use a nebulizer, had to be directly supervised by a physician.

Thankfully, Congress passed an extension of a moratorium on that supervision requirement in 2014 and again in 2015. Here we are again today to try to give a little bit of certainty to these very important rural and critical access hospitals.

There are over 1,300 critical access hospitals that serve rural Americans in nearly every State, and these facilities simply lack the resources to fulfill this burdensome mandate. Before 2014, physicians at rural hospitals were not required to directly supervise these types of outpatient therapeutic services, and asking them to do so now, after unanimously passing identical extensions the past 2 years, will only jeopardize access to care.

I reserve the balance of my time.

Mr. LOEBSACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5613, the Continuing Access to Hospitals Act. I am pleased the House is considering this bipartisan legislation, which I introduced with Ms. JENKINS of Kansas.

Many of Iowa's rural hospitals, just like the rural hospitals in Kansas and other parts of America, are struggling in these economic times. I have made it a point to visit all of the hospitals in my district on many occasions in order to hear directly from them about the issues they are facing and how I, as their Congressman, can help.

I have seen firsthand that rural hospitals are bedrocks of their communities, providing more than just high-quality, local access to health care. Rural hospitals also stimulate the local economy, creating jobs in the hospital and in the larger community. Without quality local health care, lives and communities are lost.

One issue I consistently hear about is the Centers for Medicare and Medicaid Services' rule strictly requiring direct supervision of outpatient therapeutic services. The enforcement of this rule will cause rural facilities to reduce therapy services, threatening access to needed procedures for rural Americans.

That is why I was proud that, last year, the legislation that Congresswoman JENKINS and I introduced to continue the prohibition on CMS from enforcing the unreasonable supervision requirements for 2015 was signed into law. That bill, however, was only a fix for 2015, as Congresswoman JENKINS pointed out. I am committed to making sure this is also solved in 2016, as well as working toward a permanent fix to provide certainty for our critical access hospitals, again, not just in Iowa or Kansas, but around the country.

The services covered by this legislation have always been provided by licensed, skilled professionals under the

overall direction of a physician and with the assurance of rapid assistance from a team of caregivers, including a physician. While there is some need for direct supervision for certain outpatient services that pose a high risk or are very complex, CMS' policy generally applies to even the lowest risk services.

This legislation will provide temporary relief that will go far in relieving the regulatory burden of direct supervision of outpatient therapeutic services for rural hospitals. This legislation, fittingly, protects hospitals that were providing and are providing quality, responsible care during the period in question.

I urge all my colleagues to support this bill today.

Again, I thank Congresswoman JENKINS. We have worked together on this now for a couple of years. I think it proves that, if folks from both parties put their heads together and offer commonsense legislation, we can get it passed. Most importantly, it proves that we can help our local hospitals and folks who live in these rural areas who need that access to those local hospitals.

I reserve the balance of my time.

Ms. JENKINS of Kansas. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. SMITH), an esteemed member of the House Ways and Means Committee.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H.R. 5613 to once again delay enforcement of supervision requirements on critical access hospitals.

It has unfortunately become an annual ritual for us to pass legislation to block this arbitrary regulation which requires a physician to be on-site and present for the administration of most procedures, no matter how basic.

As a condition of participation in the critical access program, a facility must have 25 or fewer beds, be distant from the next closest hospital, and have a physician on call and available within 30 minutes. The individuals who practice at these facilities, including doctors, nurses, physician's assistants, and nurse practitioners, have a very strong understanding of what care can be safely provided in their critical access setting and which cases should be transferred to a larger facility.

However, CMS' efforts to accommodate the concerns of rural providers hasn't been to empower these professionals, but to create a limited list of procedures which can be done without a physician on-site. For this reason, I appreciate the chairman and the gentlewoman from Kansas (Ms. JENKINS) for working with me to incorporate language into this bill, which requires MedPAC to report on the economic and staffing impacts of these regulations on rural hospitals.

Based on discussions I have had with hospitals across Nebraska's Third Dis-

trict, I expect MedPAC's findings will make a strong case for repealing this regulation outright.

I urge passage of this bill, which is vital to communities across rural America.

Mr. LOEBSACK. Mr. Speaker, I want to thank the gentleman from Nebraska (Mr. SMITH). We came into Congress at the same time, and it is great we can work on this bill together. It is a commonsense bill.

Again, in Iowa, we have over 80 critical access hospitals. The gentleman pointed out the importance that these are small hospitals, 25 or fewer beds. Their resources are limited. I thank the gentleman from Nebraska (Mr. SMITH) for supporting this bill. I really appreciate it.

I yield back the balance of my time.

Ms. JENKINS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Congressman LOEBSACK and I worked together to introduce this measure, once again, in a bipartisan fashion. I, too, want to thank him for understanding the problem rural doctors face with this supervision mandate and for his willingness to work with me to introduce this bill.

I urge my colleagues in the House to pass this measure, once again, unanimously, so that we can provide the rural doctors of this country with a little more certainty and take away the threat of an unnecessary burden.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Kansas (Ms. JENKINS) that the House suspend the rules and pass the bill, H.R. 5613, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1700

SOCIAL SECURITY MUST AVERT IDENTITY LOSS (MAIL) ACT OF 2016

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5320) to restrict the inclusion of social security account numbers on documents sent by mail by the Social Security Administration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Must Avert Identity Loss (MAIL) Act of 2016".

SEC. 2. RESTRICTION ON SOCIAL SECURITY ACCOUNT NUMBERS IN DOCUMENTS SENT BY MAIL.

(a) *IN GENERAL.*—Section 205(c)(2)(C) of the Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the end the following:

"(xiv)(I) The Commissioner of Social Security shall ensure that no document sent by mail by the Social Security Administration includes a complete social security account number unless the Commissioner determines that inclusion of such complete number is necessary.

"(II) Not later than 30 days after the date of the enactment of this clause and not later than each of March 31 and September 30 of each of the first 6 years following the year in which such date of enactment occurs, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the implementation of subclause (I). Such report shall include—

"(aa) the title and identification number of each document used by the Social Security Administration during the previous year on which is printed an individual's complete social security account number;

"(bb) the most recent date on which each such document was updated; and

"(cc) the projected date on which complete social security account numbers will be removed from each such document, or if the Commissioner determines that inclusion of such complete number is necessary, the rationale for such determination."

(b) *EFFECTIVE DATE.*—The Commissioner of Social Security shall implement the amendments made under subsection (a) as soon as practicable after the date of the enactment of this Act.

The SPEAKER pro tempore (Mr. BROOKS of Alabama). Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to review and extend their remarks and include extraneous material on H.R. 5320, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Today I rise as chairman of the Committee on Ways and Means Subcommittee on Social Security in support of the Social Security Must Avert Identity Loss Act of 2016, also known as the Social Security MAIL Act legislation. It is legislation that I introduced along with the gentleman from Ohio (Mr. RENACCI).

Mr. Speaker, Social Security makes a point of telling Americans how important it is to protect their Social Security numbers. Time and time again,

Americans are warned to protect their Social Security cards in order to avoid identity theft.

For years I have been calling for ending the use of Social Security numbers unless it is absolutely necessary. Unfortunately, while some progress has been made, the Social Security Administration still includes Social Security numbers on some documents it mails. Just last year, Social Security sent out more than 233 million letters that included full Social Security numbers. This needs to stop and now.

The bill requires Social Security to either remove Social Security numbers from mailings or explain why including a Social Security number is necessary. This commonsense legislation is supported by AARP and the Association of Mature American Citizens. Mr. Speaker, I include in the RECORD their letters of support.

AARP,
July 13, 2016.

Hon. SAM JOHNSON,
Chairman, House Subcommittee on Social Security.

DEAR CHAIRMAN JOHNSON: AARP supports H.R. 5320, the Social Security Must Avert Identity Loss (MAIL) Act of 2016, which would protect Social Security numbers (SSNs) from inappropriate public disclosure. AARP, with its nearly 38 million members in all 50 States and the District of Columbia, Puerto Rico, and U.S. Virgin Islands, is a nonpartisan, nonprofit, nationwide organization that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to families such as healthcare, employment and income security, retirement planning, affordable utilities and protection from financial abuse.

Social Security is the primary source of retirement and disability income for 60 million Americans. Personal information about Social Security benefits, such as Social Security numbers (SSNs), is critical financial information and must be afforded the highest level of privacy protection. H.R. 5320 would ensure that Social Security numbers (SSNs) are protected by making clear the Social Security Administration may not include a full Social Security account number on any document sent by mail unless the Commissioner of the Social Security Administration determines that such inclusion is necessary.

AARP has a longstanding public policy position on Social Security privacy that companies, government agencies, and individuals should not be allowed to post or publicly display SSNs, print them on cards, transmit them over the internet, or send them by mail without safety measures. We appreciate your recognition of the important need to protect personal Social Security information and efforts to urge Congress to make this needed change in the law.

Because of Social Security, millions of Americans and their families are able to live their lives with dignity and independence. We look forward to continuing to work with you to ensure that all aspects of the Social Security program remain strong for future generations of American workers and their families. If you have any questions, please feel free to call me.

Sincerely,

JOYCE A. ROGERS,
Senior Vice President, Government Affairs.

AMAC,
June 30, 2016.

Hon. SAM JOHNSON,
Chairman, Social Security Subcommittee, House Committee on Ways and Means, Washington, DC.

Hon. JIM RENACCI,
16th District, Ohio,
Washington, DC.

DEAR CHAIRMAN JOHNSON AND CONGRESSMAN RENACCI: On behalf of the 1.3 million members of AMAC, the Association of Mature American Citizens, I am writing in strong support of the H.R. 5320, the Social Security Must Avert Identity Loss Act of 2016, or the Social Security MAIL Act of 2016. This important piece of legislation seeks to protect Social Security beneficiaries from runaway identity theft that has become all too common for senior citizens. As identity theft becomes more and more rampant across the country, this timely bill offers a smart, sensible solution to a problem millions of seniors face annually.

Last year, the Social Security Administration (SSA) sent 352 million notices by mail—including 233 million notices containing an individual's full Social Security number. With such massive amounts of mail being delivered with unnecessary and identity-compromising information, there are several opportunities for criminals to steal an individual's identity. In fact, in 2014, it is estimated that roughly 7% of the population over the age of 16 were victims of identity theft. As the world gets smaller, and as more criminals see opportunities to steal identities in any way they can, H.R. 5320 offers a commonsense solution to Social Security beneficiaries who are unknowingly being put at risk by the unnecessary use of their Social Security number.

The Social Security MAIL Act of 2016 is as simple as it is smart. The bill mandates that the SSA ensure no piece of mail being sent to an individual includes that individual's complete Social Security account number—unless it is absolutely necessary. As rates of identity theft continue to go up, Congress must take action to prevent making identity theft easier for opportunistic criminals. A bill like H.R. 5320 is long overdue, and we encourage House leadership to act on behalf of Social Security beneficiaries and take swift action to enact this bill.

As an organization committed to representing the interests of mature Americans and seniors, AMAC is dedicated to ensuring senior citizens' interests are protected. We applaud Chairman Johnson, Congressman Renacci, and your attentive staffs for your thoughtful and practical solution to protect seniors from identity theft. AMAC is pleased to offer our organization's full support to the Social Security MAIL Act of 2016.

Sincerely,

DAN WEBER,
President and Founder of AMAC.

Mr. SAM JOHNSON of Texas. Mr. Speaker, Americans rightly expect that the Social Security Administration keeps their personal information safe. This bill makes sure Social Security doesn't include a Social Security number in documents it mails unless it is absolutely necessary. It is a commonsense solution to a problem that shouldn't exist in the first place.

Mr. Speaker, I urge all Members in the House to vote "yes" and pass the Social Security MAIL Act today.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

This bill codifies current practice at the Social Security Administration, which is to remove Social Security numbers from its letters and notices in order to reduce the risk of identity theft.

It is important to note that SSA is ahead of the game on these efforts. It has not included Social Security numbers on statements since 2001. Checks have not contained Social Security numbers since 2004, and the annual COLA notice no longer contains full Social Security numbers.

This bill before us also requires SSA to report to Congress twice each year for the next 6 years on its progress toward removing Social Security numbers from all mail documents.

I am glad that SSA has already taken important steps to protect Americans' identities, and I commend SSA for the high value it places on protecting Americans' private information.

Mr. Speaker, I reserve the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. RENACCI).

Mr. RENACCI. Mr. Speaker, I thank Chairman JOHNSON for his leadership on the Subcommittee on Social Security and for his leadership on this legislation.

Identity theft is an issue that has become all too prevalent in recent years. In fact, the Federal Trade Commission received over 490,000 identity theft complaints in 2015. This represents a 47 percent increase compared to 2014.

As a personal victim of identity theft, I understand the frustration, fear, and sense of helplessness of having your identity stolen. I also understand the worry that victims have that someone will use their identity to file other fraudulent claims. The Federal Government and Federal agencies have a responsibility to carefully protect every American's identifying information. That is why I was stunned to learn that the Social Security Administration provided a full Social Security number on over 230 million documents that it sent out in 2015. This represents 66 percent of all mailings.

The volume of documents that contain Americans' full Social Security number puts Americans unnecessarily at risk of having their identity stolen. In fact, in a recent report, the inspector general of the Social Security Administration stated that the "more SSNs are unnecessarily used, the higher the probability they may be used inappropriately." This led the inspector general to recommend that the SSA should take steps to remove Social Security numbers from documents and that the Social Security Administration should be at the forefront of limiting the use of full Social Security numbers.

Our legislation helps address this problem. H.R. 5320 simply directs the Social Security Administration to remove full Social Security numbers from mailings when they simply are not needed. To northeast Ohioans, this is just common sense.

Also, this bill will ensure Congress provides the proper amount of oversight over the Social Security Administration, requiring the administration to justify the continued use of full Social Security numbers on mailed documents.

All Americans should have the confidence in knowing that the Social Security Administration is doing everything within its power to protect Social Security numbers. I urge all Members to support this commonsense, bipartisan legislation.

Mr. LEVIN. Mr. Speaker, I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, having no other speakers, I am prepared to close my remarks.

Mr. Speaker, again, I urge all Members of the House to vote "yes" and pass the Social Security MAIL Act today so the Senate can take action soon and the President can sign it into law without delay.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 5320, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

UNITED STATES APPRECIATION FOR OLYMPIANS AND PARALYMPIANS ACT OF 2016

Mr. DOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5946) to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5946

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Appreciation for Olympians and Paralympians Act of 2016".

SEC. 2. OLYMPIC AND PARALYMPIC MEDALS AND USOC PRIZE MONEY EXCLUDED FROM GROSS INCOME.

(a) IN GENERAL.—Section 74 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(d) EXCEPTION FOR OLYMPIC AND PARALYMPIC MEDALS AND PRIZES.—

"(1) IN GENERAL.—Gross income shall not include the value of any medal awarded in, or any prize money received from the United States Olympic Committee on account of, competition in the Olympic Games or Paralympic Games.

"(2) LIMITATION BASED ON ADJUSTED GROSS INCOME.—

"(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year if the adjusted gross income (determined without regard to this subsection) of such taxpayer for such taxable year exceeds \$1,000,000 (half of such amount in the case of a married individual filing a separate return).

"(B) COORDINATION WITH OTHER LIMITATIONS.—For purposes of sections 86, 135, 137, 199, 219, 221, 222, and 469, adjusted gross income shall be determined after the application of paragraph (1) and before the application of subparagraph (A)."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to prizes and awards received after December 31, 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DOLD) and the gentleman from New Jersey (Mr. PASCRELL) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5946, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DOLD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every 2 years, young men and women travel around the world to represent the United States at the Olympic and Paralympic Games. These truly gifted athletes have dedicated their lives to training for the opportunity to compete on the world's greatest stage and represent our country, often with little financial help.

The vast majority of these athletes do not have endorsement deals and sponsorships. Instead, they often work full-time jobs while training or are full-time students, like Olivia Smoliga, born in Glenview, Illinois, who won gold in the 4x100 medley relay, while also studying as a student at the University of Georgia.

Over the years there have been a number of athletes who have struggled just to get by while training to represent our Nation. Olympians like Sarah Robles, who is now the highest ranked U.S. weightlifter, while training for the 2012 London Olympics, she lived in near poverty on just \$400 a month. Sarah continued to focus on her training, and this past summer in Rio, she stood triumphantly on the Olympic podium, earning a bronze medal for the United States. And Paralympians like archery champion

and world record holder Matt Stutzman, who picked up hunting to help feed his family while he was unemployed and having difficulty paying the rent.

These are just a couple of examples, but they are indicative of the hardships and sacrifices faced by many U.S. Olympians as they train for the opportunity to represent our country at the Olympics. These men and women are the embodiment of the Olympic spirit.

Upon their return from the games, our Olympians are met with praise and admiration. However, for those who win a medal, they are also met with a tax bill from the IRS. Not only do our Olympians owe the Federal Government tax revenue based on the value of their Olympic medal, but they also owe a cut of their prize winnings provided by the United States Olympic Committee.

This tax on success, Mr. Speaker, is a disservice to the great athletes who compete for the United States. That is why I introduced, with Congressman BLAKE FARENTHOLD, the United States Appreciation for Olympians and Paralympians Act. This legislation will eliminate the tax that the IRS imposes on both Olympic and Paralympic winnings by declaring that any medal value or prize money that is awarded by the United States Olympic Committee to our medalists not be counted in gross income.

Under current law, there are a number of awards and prizes that are exempted from being counted as gross income by the IRS, which are similar to this very exemption. Additionally, I know there are concerns that individual athletes who have acted in a manner that is unbecoming of the Olympic spirit could benefit from this proposal. In those instances, there is precedent—as recently as this year—where the United States Olympic Committee determines that the athlete must forfeit receiving any prize winnings. This ensures that this tax exemption only applies to those athletes who uphold the Olympic spirit and their ideals.

Finally, this bill before us today includes a commonsense amendment offered during the committee markup by the gentleman from New Jersey (Mr. PASCRELL), my good friend, which makes sure that the proposal only applies to our Olympic athletes with a gross income below \$1 million that year.

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Our Olympic and Paralympic athletes deserve a catalyst to bring this Nation together every 2 years.

I am asking my colleagues to join me in showing our appreciation for the hard work and dedication of our Olympians and Paralympians by supporting this bipartisan piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. PASCRELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend the main sponsor of the bill, Congressman DOLD from Illinois. I think it is very thoughtful legislation.

Our Olympic athletes have worked and trained tirelessly to represent the greatest country in the world on the world stage. They have won contests in athletics, and they have won our hearts and minds. We know that time spent in training and in competitions requires enormous sacrifices from the athletes and their families. We are proud of our Olympians.

I appreciate the spirit of this legislation. We do not want to hit our athletes with a tax bill when they return home. That is a wonderful thank you. That is why I will support this legislation today.

I am confident and very happy to support this legislation. It does include the amendment that the sponsor of the bill just mentioned, put forth in the Ways and Means Committee, to limit tax exclusion to those Olympians making less than \$1 million a year.

Some of these athletes win not only medals but lucrative endorsements. Michael Phelps is worth an estimated \$50 million to \$60 million. NBA players like Kevin Durant make an estimated \$56 million in 1 year. In fact, Forbes reports that the 12 members of the U.S. basketball team earned a collective \$257 million in salaries and endorsements over the past year.

God bless them. But a cash prize for winning a competition is income, and there are many professions in the United States—and I think the sponsor would agree—that are valuable that we do not exempt from income taxes: teaching children with special needs, taking care of cancer patients, or taking care of our police and firefighters.

My colleague, JOHN LARSON, introduced an amendment to allow volunteer firefighters to exclude from taxes nominal benefits they receive in their communities. These are ideas that merit our consideration, and there are many individuals worth honoring in our society.

This legislation honors our Olympic athletes, while making sure our highest-paid professional sports stars continue to pay their fair share.

Mr. Speaker, I reserve the balance of my time.

Mr. DOLD. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. FARENTHOLD), my good friend who has also done a lot of work in preparing this legislation.

Mr. FARENTHOLD. Mr. Speaker, our taxes in this country are too high and too complicated. We need a fairer, flatter, simpler tax system, but there is a lot of work to be done on that.

I know my friend, the gentleman from Illinois in the Ways and Means Committee, and Chairman BRADY from

Texas are all working on that. But we do have a situation where many of our Olympic athletes work hard for years—some of whom are living at or below poverty—and when they bring home the gold, silver, or bronze to our country, they are tagged by the IRS with very high taxes.

This bill is a small step and a small way that we can say thank you for the hard work those athletes put in to make us all proud as Americans.

I do think the bill does great service to our athletes, but it should also serve as a reminder that we need to be looking at the bigger tax system in this country as a whole. As my colleague on the other side of the aisle said, there are a many great people doing many great things in this country who suffer a very, very high tax burden.

I pledge to work with my friends and colleagues on the Ways and Means Committee toward that end, but I am happy we are making this small step forward—something I have been fighting for for several years. I thank the committee for their hard work on it, and I look forward to joining, hopefully, all of my colleagues in voting “yes” for this.

Mr. PASCRELL. Mr. Speaker, I yield myself the balance of my time.

Some people say that we don't win anymore. I would like to remind those people that the United States won 105 total medals in Rio. Thirty-eight of them were gold. To those who say America doesn't win anymore, we could cite many, many other examples, of course.

Our Olympic athletes make us proud. New Jersey's own Laurie Hernandez wowed us with her strength and agility in the gymnastics competition. Soccer star Carli Lloyd and rower Lauren Schmetterling made New Jersey proud, as did Hoboken-born track star Keturah Orji, not to mention a former intern from my office, Caylee Watson, who competed for the U.S. Virgin Islands in the backstroke swimming competition.

You can't make this stuff up. This is great. They are just a few of the incredible athletes who inspired us this summer in Rio. We should do all what we can to honor these Olympians with our gratitude and our admiration.

Again, I salute the sponsor. This bill recognizes the tremendous sacrifice of time and resources in Olympic athletes' training, while also preventing another tax cut for wealthy individuals who don't need it.

I urge my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. DOLD. Mr. Speaker, I yield myself such time as I may consume.

Again, I want to thank my good friend from New Jersey (Mr. PASCRELL) not only for his thoughtfulness in this bill, which is a commonsense piece of

legislation, but actually for his amendment, which I think strengthens the bill.

Mr. Speaker, millions of young people around the world look at the Olympic games and dream of someday becoming an athlete and representing their Nation. We are extremely proud of our Olympians and Paralympians. We want to reward them for the hard work and sacrifice they have put day in and day out. This piece of legislation, again, I think, goes one step in that direction.

This is not a bill to reward the Kevin Durants or the Michael Phelps of the world, but it is a bill to say thank you to our Olympians for representing our country so well. Thank you for putting in the time, the effort, and the energy to train as hard as you are to do so well on the world stage.

I want to thank LINDA SÁNCHEZ and MIKE THOMPSON who also were cosponsors of this legislation. I sincerely hope that we can get colleagues on both sides of the aisle to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 5946, the “United States Appreciation for Olympians and Paralympians Act.”

H.R. 5946 would amend the Internal Revenue Code to exclude the value of any medal or prize money that an Athlete may win competing in the Olympic and Paralympic games.

I support this legislation because it would allow athletes to keep more of the hard earned prize money that they rightly deserve from the coveted and honorable medals won during the Olympics and Paralympics.

The “United States Appreciation for Olympians and Paralympians Act” is a thoughtful and necessary bill that will assist those who represent our nation in athletic competition.

I am proud of the athletes in both the Olympic Games and the Paralympic Games who competed in Rio de Janeiro.

Houston, Texas had the great honor of sending two of our own to the Olympic Games; Simone Biles who won 4 gold medals and one bronze in the sport of Gymnastics, along with Simone Manuel who became the first African American woman to win gold in the sport of swimming.

The great state of Texas also had Jimmy Feigen won the gold medal in swimming, Townley Haas, Jack Conger and Clark Smith won the gold medal in the freestyle relay, and Michelle Carter, who is also University of Texas alum, won the gold medal in women's shot put.

In the Paralympic Games Jazmin Almlie-Ryan represented her nation and the City of Houston in the sport of target shooting.

H.R. 5946 embodies the spirit of bipartisanship that is needed in this Congress.

Mr. Speaker, this is why I join with my colleagues in working to reward our athletes who have worked so diligently and represented the very best of our ideals.

I urge my colleagues in the House to support H.R. 5946 “United States Appreciation for Olympians and Paralympians Act.”

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DOLD) that the House suspend the rules and pass the bill, H.R. 5946, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SUSTAINING HEALTHCARE INTEGRITY AND FAIR TREATMENT ACT OF 2016

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5713) to provide for the extension of certain long-term care hospital Medicare payment rules, clarify the application of rules on the calculation of hospital length of stay to certain moratorium-excepted long-term care hospitals, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Sustaining Healthcare Integrity and Fair Treatment Act of 2016”.

(b) **TABLE OF CONTENTS.**—This table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MEDICARE PART A PROVISIONS

Sec. 101. Extension of certain LTCH Medicare payment rules.

Sec. 102. Application of rules on the calculation of hospital length of stay to all LTCHs.

Sec. 103. Change in Medicare classification for certain hospitals.

Sec. 104. Temporary exception to the application of the Medicare LTCH site neutral provisions for certain spinal cord specialty hospitals.

Sec. 105. Temporary extension to the application of the Medicare LTCH site neutral provisions for certain discharges with severe wounds.

TITLE II—OTHER PROVISIONS

Sec. 201. No payment for items and services furnished by newly enrolled providers or suppliers within a temporary moratorium area.

TITLE I—MEDICARE PART A PROVISIONS

SEC. 101. EXTENSION OF CERTAIN LTCH MEDICARE PAYMENT RULES.

(a) **25-PERCENT PATIENT THRESHOLD PAYMENT ADJUSTMENT.**—Section 114(c)(1)(A) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by section 4302(a) of division B of the American Recovery and Reinvestment Act (Public Law 111-5), sections 3106(a) and 10312(a) of Public Law 111-148, and section

1206(b)(1)(B) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113-67), is amended by striking “for a 9-year period” and inserting “through June 30, 2016, and for discharges occurring on or after October 1, 2016, and before July 1, 2017”.

(b) **PAYMENT FOR HOSPITALS-WITHIN-HOSPITALS.**—Section 114(c)(2) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by section 4302(a) of division B of the American Recovery and Reinvestment Act (Public Law 111-5), sections 3106(a) and 10312(a) of Public Law 111-148, and section 1206(b)(1)(A) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113-67), is amended—

(1) in subparagraph (A), by inserting “or any similar provision,” after “Regulations,”;

(2) in subparagraph (B)—

(A) in clause (i), by inserting “or any similar provision,” after “Regulations,”; and

(B) in clause (ii), by inserting “, or any similar provision,” after “Regulations,”; and

(3) in subparagraph (C), by striking “for a 9-year period” and inserting “through June 30, 2016, and for discharges occurring on or after October 1, 2016, and before July 1, 2017”.

SEC. 102. APPLICATION OF RULES ON THE CALCULATION OF HOSPITAL LENGTH OF STAY TO ALL LTCHS.

(a) **IN GENERAL.**—Section 1206(a)(3) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113-67; 42 U.S.C. 1395ww note) is amended—

(1) by striking subparagraph (B);

(2) by striking “SITE NEUTRAL BASIS.” and all that follows through “For discharges occurring” and inserting “SITE NEUTRAL BASIS.—For discharges occurring”;

(3) by striking “subject to subparagraph (B),”; and

(4) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving each of such subparagraphs (as so redesignated) 2 ems to the left.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall be effective as if included in the enactment of section 1206(a)(3) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113-67; 42 U.S.C. 1395ww note).

SEC. 103. CHANGE IN MEDICARE CLASSIFICATION FOR CERTAIN HOSPITALS.

(a) **IN GENERAL.**—Subsection (d)(1)(B) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(1) in clause (iv)—

(A) in subclause (I), by striking “or” at the end;

(B) in subclause (II)—

(i) by striking “, or” at the end and inserting a semicolon; and

(ii) by redesignating such subclause as clause (vi) and by moving it to immediately follow clause (v); and

(iii) in clause (v), by striking the semicolon at the end and inserting “, or”; and

(C) by striking “(iv)(I) a hospital” and inserting “(iv) a hospital”.

(b) **CONFORMING PAYMENT REFERENCES.**—The second sentence of subsection (d)(1)(B) of such section is amended—

(1) by inserting “(as in effect as of such date)” after “clause (iv)”; and

(2) by inserting “(or, in the case of a hospital described in clause (iv)(II), as so in effect, shall be classified under clause (vi) on and after the effective date of such clause (vi) and for cost reporting periods beginning on or after January 1, 2015, shall not be subject to subsection (m) as of the date of such classification)” after “so classified”.

(c) **APPLICATION.**—

(1) **IN GENERAL.**—For cost reporting periods beginning on or after January 1, 2015, in the

case of an applicable hospital (as defined in paragraph (3)), the following shall apply:

(A) Payment for inpatient operating costs shall be made on a reasonable cost basis in the manner provided in section 412.526(c)(3) of title 42, Code of Federal Regulations (as in effect on January 1, 2015) and in any subsequent modifications.

(B) Payment for capital costs shall be made in the manner provided by section 412.526(c)(4) of title 42, Code of Federal Regulations (as in effect on such date).

(C) Claims for payment for Medicare beneficiaries who are discharged on or after January 1, 2017, shall be processed as claims which are paid on a reasonable cost basis as described in section 412.526(c) of title 42, Code of Federal Regulations (as in effect on such date).

(2) **APPLICABLE HOSPITAL DEFINED.**—In this subsection, the term “applicable hospital” means a hospital that is classified under clause (iv)(II) of section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)) on the day before the date of the enactment of this Act and which is classified under clause (vi) of such section, as redesignated and moved by subsection (a), on or after such date of enactment.

(d) **CONFORMING TECHNICAL AMENDMENTS.**—

(1) Section 1899B(a)(2)(A)(iv) of the Social Security Act (42 U.S.C. 1395lll(a)(2)(A)(iv)) is amended by striking “1886(d)(1)(B)(iv)(II)” and inserting “1886(d)(1)(B)(vi)”.

(2) Section 1886(m)(5)(F) of such Act (42 U.S.C. 1395ww(m)(5)(F)) is amended in each of clauses (i) and (ii) by striking “(d)(1)(B)(iv)(II)” and inserting “(d)(1)(B)(vi)”.

SEC. 104. TEMPORARY EXCEPTION TO THE APPLICATION OF THE MEDICARE LTCH SITE NEUTRAL PROVISIONS FOR CERTAIN SPINAL CORD SPECIALTY HOSPITALS.

(a) **EXCEPTION.**—Section 1886(m)(6) of the Social Security Act (42 U.S.C. 1395ww(m)(6)) is amended—

(1) in subparagraph (A)(i), by striking “and (E)” and inserting “, (E), and (F)”; and

(2) by adding at the end the following new subparagraph:

“(F) **TEMPORARY EXCEPTION FOR CERTAIN SPINAL CORD SPECIALTY HOSPITALS.**—For discharges in cost reporting periods beginning during fiscal years 2018 and 2019, subparagraph (A)(i) shall not apply (and payment shall be made to a long-term care hospital without regard to this paragraph) if such discharge is from a long-term care hospital that meets each of the following requirements:

“(i) **NOT-FOR-PROFIT.**—The long-term care hospital was a not-for-profit long-term care hospital on June 1, 2014, as determined by cost report data.

“(ii) **PRIMARILY PROVIDING TREATMENT FOR CATASTROPHIC SPINAL CORD OR ACQUIRED BRAIN INJURIES OR OTHER PARALYZING NEUROMUSCULAR CONDITIONS.**—Of the discharges in calendar year 2013 from the long-term care hospital for which payment was made under this section, at least 50 percent were classified under MS-LTCH-DRGs 28, 29, 52, 57, 551, 573, and 963.

“(iii) **SIGNIFICANT OUT-OF-STATE ADMISSIONS.**—

“(I) **IN GENERAL.**—The long-term care hospital discharged inpatients (including both individuals entitled to, or enrolled for, benefits under this title and individuals not so entitled or enrolled) during fiscal year 2014 who had been admitted from at least 20 of the 50 States, determined by the States of residency of such inpatients and based on such data submitted by the hospital to the Secretary as the Secretary may require.

“(II) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement subclause (I) by program instruction or otherwise.

“(III) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to data collected under this clause.”.

(b) STUDY AND REPORT ON THE STATUS AND VIABILITY OF CERTAIN SPINAL CORD SPECIALTY LONG-TERM CARE HOSPITALS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on long-term care hospitals described in section 1886(m)(6)(F) of the Social Security Act, as added by subsection (a). Such report shall include an analysis of the following:

(A) The impact on such hospitals of the classification and facility licensure by State agencies of such hospitals.

(B) The Medicare payment rates for such hospitals.

(C) Data on the number and health care needs of Medicare beneficiaries who have been diagnosed with catastrophic spinal cord or acquired brain injuries or other paralyzing neuromuscular conditions (as described within the discharge classifications specified in clause (ii) of such section) who are receiving services from such hospitals.

(2) REPORT.—Not later than October 1, 2018, the Comptroller General shall submit to Congress a report on the study conducted under paragraph (1), including recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 105. TEMPORARY EXTENSION TO THE APPLICATION OF THE MEDICARE LTCH SITE NEUTRAL PROVISIONS FOR CERTAIN DISCHARGES WITH SEVERE WOUNDS.

(a) IN GENERAL.—Section 1886(m)(6) of the Social Security Act (42 U.S.C. 1395ww(m)(6)), as amended by section 104, is further amended—

(1) in subparagraph (A)(i) by striking “and (F)” and inserting “(F), and (G)”;

(2) in subparagraph (E)(i)(I)(aa), by striking “the amendment made” and all that follows before the semicolon and inserting “the last sentence of subsection (d)(1)(B)”;

(3) by adding at the end the following new subparagraph:

“(G) ADDITIONAL TEMPORARY EXCEPTION FOR CERTAIN SEVERE WOUND DISCHARGES FROM CERTAIN LONG-TERM CARE HOSPITALS.—

“(i) IN GENERAL.—For a discharge occurring in a cost reporting period beginning during fiscal year 2018, subparagraph (A)(i) shall not apply and payment shall be made to a long-term care hospital without regard to this paragraph) if such discharge—

“(I) is from a long-term care hospital identified by the last sentence of subsection (d)(1)(B);

“(II) is classified under MS-LTCH-DRG 602, 603, 539, or 540; and

“(III) is with respect to an individual treated by a long-term care hospital for a severe wound.

“(ii) SEVERE WOUND DEFINED.—In this subparagraph, the term ‘severe wound’ means a wound which is a stage 3 wound, stage 4 wound, unstageable wound, non-healing surgical wound, or fistula as identified in the claim from the long-term care hospital.

“(iii) WOUND DEFINED.—In this subparagraph, the term ‘wound’ means an injury involving division of tissue or rupture of the integument or mucous membrane with exposure to the external environment.”.

(c) STUDY AND REPORT TO CONGRESS.—

(1) STUDY.—The Comptroller General of the United States shall, in consultation with rel-

evant stakeholders, conduct a study on the treatment needs of individuals entitled to benefits under part A of title XVIII of the Social Security Act or enrolled under part B of such title who require specialized wound care, and the cost, for such individuals and the Medicare program under such title, of treating severe wounds in rural and urban areas. Such study shall include an assessment of—

(A) access of such individuals to appropriate levels of care for such cases;

(B) the potential impact that section 1886(m)(6)(A)(i) of such Act (42 U.S.C. 1395ww(m)(6)(A)(i)) will have on the access, quality, and cost of care for such individuals; and

(C) how to appropriately pay for such care under the Medicare program under such title.

(2) REPORT.—Not later than October 1, 2020, the Comptroller General shall submit to Congress a report on the study conducted under paragraph (1), including recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

TITLE II—OTHER PROVISIONS

SEC. 201. NO PAYMENT FOR ITEMS AND SERVICES FURNISHED BY NEWLY ENROLLED PROVIDERS OR SUPPLIERS WITHIN A TEMPORARY MORATORIUM AREA.

(a) MEDICARE.—Section 1866(j)(7) of the Social Security Act (42 U.S.C. 1395cc(j)(7)) is amended—

(1) in the paragraph heading, by inserting “; NONPAYMENT” before the period; and

(2) by adding at the end the following new subparagraph:

“(C) NONPAYMENT.—

“(i) IN GENERAL.—No payment may be made under this title or under a program described in subparagraph (A) with respect to an item or service described in clause (ii) furnished on or after October 1, 2017.

“(ii) ITEM OR SERVICE DESCRIBED.—An item or service described in this clause is an item or service furnished—

“(I) within a geographic area with respect to which a temporary moratorium imposed under subparagraph (A) is in effect; and

“(II) by a provider of services or supplier that meets the requirements of clause (iii).

“(iii) REQUIREMENTS.—For purposes of clause (ii), the requirements of this clause are that a provider of services or supplier—

“(I) enrolls under this title on or after the effective date of such temporary moratorium; and

“(II) is within a category of providers of services and suppliers (as described in subparagraph (A)) subject to such temporary moratorium.

“(iv) PROHIBITION ON CHARGES FOR SPECIFIED ITEMS OR SERVICES.—In no case shall a provider of services or supplier described in clause (ii)(II) charge an individual or other person for an item or service described in clause (ii) furnished on or after October 1, 2017, to an individual entitled to benefits under part A or enrolled under part B or an individual under a program specified in subparagraph (A).”.

(b) CONFORMING AMENDMENTS.—

(1) MEDICAD.—

(A) IN GENERAL.—Section 1903(i)(2) of the Social Security Act (42 U.S.C. 1396b(i)(2)) is amended—

(i) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(ii) in subparagraph (B), by striking “or” at the end; and

(iii) by adding at the end the following new subparagraph:

“(D) with respect to any amount expended for such an item or service furnished during calendar quarters beginning on or after October 1, 2017, subject to section 1902(kk)(4)(A)(ii)(II), within a geographic area that is subject to a moratorium imposed under section 1866(j)(7) by a provider or supplier that meets the requirements specified in subparagraph (C)(iii) of such section, during the period of such moratorium; or”.

(B) EXCEPTION WITH RESPECT TO ACCESS.—Section 1902(kk)(4)(A)(ii) of the Social Security Act (42 U.S.C. 1396a(kk)(4)(A)(ii)) is amended to read as follows:

“(ii) EXCEPTIONS.—

“(I) COMPLIANCE WITH MORATORIUM.—A State shall not be required to comply with a temporary moratorium described in clause (i) if the State determines that the imposition of such temporary moratorium would adversely impact beneficiaries’ access to medical assistance.

“(II) FFP AVAILABLE.—Notwithstanding section 1903(i)(2)(D), payment may be made to a State under this title with respect to amounts expended for items and services described in such section if the Secretary, in consultation with the State agency administering the State plan under this title (or a waiver of the plan), determines that denying payment to the State pursuant to such section would adversely impact beneficiaries’ access to medical assistance.”.

(C) STATE PLAN REQUIREMENT WITH RESPECT TO LIMITATION ON CHARGES TO BENEFICIARIES.—Section 1902(kk)(4)(A) of the Social Security Act (42 U.S.C. 1396a(kk)(4)(A)) is amended by adding at the end the following new clause:

“(iii) LIMITATION ON CHARGES TO BENEFICIARIES.—With respect to any amount expended for items or services furnished during calendar quarters beginning on or after October 1, 2017, the State prohibits, during the period of a temporary moratorium described in clause (i), a provider meeting the requirements specified in subparagraph (C)(iii) of section 1866(j)(7) from charging an individual or other person eligible to receive medical assistance under the State plan under this title (or a waiver of the plan) for an item or service described in section 1903(i)(2)(D) furnished to such an individual.”.

(2) CORRECTING AMENDMENTS TO RELATED PROVISIONS.—

(A) SECTION 1866(J).—Section 1866(j) of the Social Security Act (42 U.S.C. 1395cc(j)) is amended—

(i) in paragraph (1)(A)—

(I) by striking “paragraph (4)” and inserting “paragraph (5)”;

(II) by striking “moratoria in accordance with paragraph (5)” and inserting “moratoria in accordance with paragraph (7)”;

(III) by striking “paragraph (6)” and inserting “paragraph (9)”;

(ii) by redesignating the second paragraph (8) (added by section 1304(1) of Public Law 111-152) as paragraph (9).

(B) SECTION 1902(KK).—Section 1902(kk) of such Act (42 U.S.C. 1396a(kk)) is amended—

(i) in paragraph (1), by striking “section 1886(j)(2)” and inserting “section 1866(j)(2)”;

(ii) in paragraph (2), by striking “section 1886(j)(3)” and inserting “section 1866(j)(3)”;

(iii) in paragraph (3), by striking “section 1886(j)(4)” and inserting “section 1866(j)(5)”;

(iv) in paragraph (4)(A), by striking “section 1886(j)(6)” and inserting “section 1866(j)(7)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentleman

from New Jersey (Mr. PASCRELL) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5713, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume. This bill provides needed regulatory relief for our hospitals, specifically long-term care hospitals.

I am happy that the Ways and Means Committee has come together in a bipartisan effort on this bill, and I want to thank my colleague and dear friend from the Garden State, BILL PASCRELL, for cosponsoring this bill with me today.

H.R. 5713, the Sustaining Healthcare Integrity and Fair Treatment Act, or the SHIFT Act, will give relief to all long-term care hospitals, or LTCHs, from the 25 percent rule before it fully goes into effect next month on October 1 of this year.

This CMS rule, which has been delayed for 10 years, allows for no more than 25 percent of patients to come from one inpatient acute care hospital in one quarter. My bill will reinstate the 50 percent threshold that was in effect prior to July 1, 2016, and delay the rule for 9 months.

During a time when patients and healthcare providers are facing increasing burdens and higher costs, I am pleased that we could come to an agreement that will help over 400 hospitals across America. This bill will also provide relief for four specific groups of LTCHs that treat highly unique groups of patients.

I was glad to work with a number of my colleagues to incorporate their bills within this bill, including Mr. BUCHANAN's and Mr. PASCRELL's bill, H.R. 4650; Mr. JASON SMITH's bill, H.R. 5559; Mr. CROWLEY's bill, H.R. 5614; Dr. PRICE's and Mr. LEWIS' bill, H.R. 5688; and finally, Mr. LEVIN's bill, H.R. 5723.

The SHIFT Act also allows the Medicare, Medicaid, and Children's Health Insurance Program to limit reimbursement for providers or suppliers who may be exploiting program integrity loopholes and engaging in waste, fraud, or abuse. This will prevent hard-earned taxpayer dollars from going to bad actors.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 20, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: I write in regard to the following bills:

H.R. 5713, Sustaining Healthcare Integrity and Fair Treatment Act of 2016;

H.R. 5659, Expanding Seniors Receiving Dialysis Choice Act of 2016; and,

H.R. 5613, To provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

As you know, H.R. 5716, H.R. 5659, and H.R. 5613 were each referred to both the Committee on Energy and Commerce and the Committee on Ways and Means. I wanted to notify you that the Committee on Energy and Commerce will forgo action on each of these bills so that they may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over these bills and similar legislation are in no way diminished or altered and that the Committee will be appropriately consulted and involved as these bills or similar legislation move forward. In addition, the Committee reserves the right to seek conferees each of these bills and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 5716, H.R. 5659, and H.R. 5613 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of these bills on the House floor.

Sincerely,

FRED UPTON,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your letter regarding the following bills:

H.R. 5713, the "Sustaining Healthcare Integrity and Fair Treatment Act of 2016;"

H.R. 5659, the "Expanding Seniors Receiving Dialysis Choice Act of 2016;" and

H.R. 5613, to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

I am most appreciative of your decision to waive formal consideration of these measures so that they may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of these bills, the Committee on Energy and Commerce is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bills that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Congressional Record during consideration of these measures on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. PASCRELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to introduce H.R. 5713 with Mr. TIBERI, Sustaining Healthcare Integrity and Fair Treatment Act. I think this is good legislation, not because my name is on it but because I thought a lot of thought came into this, and staff helped tremendously.

This is one of the areas I have tried to concentrate on since being in Congress: long-term and acute care. As the cofounder and co-chair of the Congressional Brain Injury Task Force, I understand the important role that long-term care hospitals play in the recovery of many individuals who suffer moderate to severe traumatic brain injuries, or TBIs.

I use this as one example, the area of TBI. If there is one thing I have learned about TBI in the 18 years I have been working on this issue, it is that recovery looks different for everyone, whether you are on the battlefield or you fall off a ladder trying to fix your roof.

I understand the important role that long-term care hospitals play. I want to repeat that. That is why we must, I believe, preserve access to all post-acute care options, so that patients can receive the individualized care they need, and we don't tell them: get out, because your time is up, in the middle of their treatment. And that is what the gentleman from Ohio (Mr. TIBERI) has talked about many times.

□ 1730

This is the right legislation, I believe, for this particular problem. H.R. 5713 would provide an additional 9 months of relief from the full implementation of the 25 percent rule for long-term care hospitals, which Mr. TIBERI mentioned. This bill includes technical changes for long-term hospitals.

H.R. 5713 would, first, clarify the application of rules on the calculation of the hospital length to certain moratorium-excepted LTCHs, the long-term care hospitals.

Second, it would correct the status of Calvary Hospital in New York City that has led to secondary-payer issues, big issues.

Third, it would provide a temporary exception to the application of the Medicare long-term care hospital site-neutral provisions for certain spinal cord specialty hospitals.

Fourth, it would exempt four payment codes for severe wounds from site-neutral payments.

This is a bipartisan piece of legislation. We can do this. We could do it, without exception, if you put people in the room who want to compromise, who don't know all the answers, and I don't. We could come to a conclusion.

This bill would offset the cost of this extension by implementing an important program integrity policy that would allow the Secretary to reject

Medicare claims from new Medicare suppliers and providers located just outside of the moratorium areas.

While this bill is an important step forward, it is just a temporary Band-Aid on the 25 percent rule. I say to the gentleman, I don't believe it is a permanent solution, but I think it helps us. We need to work together to find a long-term solution to the issue.

I urge my colleagues to support this bill before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I don't think I have any more speakers and am ready to close.

I reserve the balance of my time.

Mr. PASCRELL. Mr. Speaker, long-term hospitals are an important part of our post-acute care system. This bill will help preserve access and maintain fairness for these hospitals and their patients.

I urge my colleagues to support H.R. 5713, and it is my hope that this bill is taken up expeditiously on the other side of the building in the Senate.

Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

I thank the Speaker for allowing me the opportunity to present this bill today, this bipartisan bill that came out of the Ways and Means Committee.

I really can't add much to what Mr. PASCRELL said, and I really appreciate his leadership, not only on this issue, but on the issue of traumatic brain injury. There has been nobody in the Congress who has talked more, spent more time in educating folks and trying to come up with solutions to traumatic brain injury, and I appreciate his leadership.

I thank the Speaker for allowing us to present and advance this package, this healthcare package through the process today.

I ask all my colleagues to vote for it. We must help those beneficiaries that suffer from acute, long-term illness and injuries, and I believe this bill will do just that.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 5713, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PREVENT TRAFFICKING IN CULTURAL PROPERTY ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2285) to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prevent Trafficking in Cultural Property Act".

SEC. 2. DEFINITION.

In this Act, the term "cultural property" includes property covered under—

(1) Article 1 of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted at the Hague on May 14, 1954 (Treaty 13 Doc. 106-1(A)); or

(2) Article 1 of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, adopted by the United Nations Educational, Scientific and Cultural Organization ("UNESCO") on November 14, 1970.

SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) ensure the components of the Department of Homeland Security enhance and unify efforts to—

(A) interdict, detain, seize, and investigate cultural property illegally imported into the United States;

(B) disrupt and dismantle smuggling and trafficking networks and transnational criminal organizations engaged in, conspiring to engage in, or facilitating illegal trade in cultural property, including stolen antiquities used to finance terrorism; and

(C) support Offices of United States Attorneys in prosecuting persons engaged in, conspiring to engage in, or facilitating illegal trade in cultural property; and

(2) protect cultural property pursuant to its obligations under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, and the Convention on Cultural Property Implementation Act (19 U.S.C. 2601-2613).

SEC. 4. ACTIVITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

The Commissioner of U.S. Customs and Border Protection and the Director of U.S. Immigration and Customs Enforcement shall—

(1) designate a principal coordinator within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, to direct, manage, coordinate, and update their respective policies and procedures, as well as conduct interagency communications, regarding illegally imported cultural property;

(2) update existing directives, regulations, rules, and memoranda of understanding of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement,

respectively, and, if necessary, devise additional directives, regulations, rules, and memoranda of understanding, relating to policies and procedures on the illegal importation of cultural property in order to—

(A) reflect changes in cultural property law, including changes and updates to relevant treaties, bilateral agreements, statutes, regulations, and case law that occurred subsequent to Customs Directive No. 5230-015, "Customs Directive on Detention and Seizure of Cultural Property", dated April 18, 1991;

(B) emphasize investigating, and providing support for investigations and prosecutions, of persons engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property, including smugglers, dealers, buyers, money launderers, and any other appropriate parties; and

(C) provide for communication and coordination between relevant U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement offices, respectively, in investigating and supporting prosecutions of persons engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property; and

(3) ensure relevant personnel within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, receive sufficient training in—

(A) relevant cultural property laws;

(B) the identification of cultural property that is at greatest risk of looting and trafficking; and

(C) methods of interdiction and investigative techniques specifically related to illegal trade in cultural property.

SEC. 5. ROLE OF THE SMITHSONIAN INSTITUTION.

The Secretary of Homeland Security shall ensure that the heads of all components of the Department of Homeland Security involved in cultural property protection activities are authorized to enter into agreements or memoranda of understanding with the Smithsonian Institution to temporarily engage personnel from the Smithsonian Institution for the purposes of furthering such cultural property protection activities.

SEC. 6. REPORT.

Not later than one year after the date of the enactment of this Act and three years thereafter, the Commissioner of U.S. Customs and Border Protection and the Commissioner of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives and the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

(1) the progress of the implementation of this Act; and

(2) other actions to enhance and unify efforts to interdict, detain, seize, and investigate cultural property illegally imported into the United States, and investigate, disrupt, and dismantle smuggling and trafficking networks engaged in, conspiring to engage in, or facilitating the illegal importation of cultural property.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2285 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Massachusetts (Mr. KEATING) has done good work here and we are deeply appreciative, and I think all Americans are when they learn about what is in this piece of legislation. It enjoys broad bipartisan support, and I am here to urge its passage. Let me tell you briefly about it.

The Prevent Trafficking in Cultural Property Act is a key component in the fight against terrorism. This bill will allow us to launch a strategic blow to ISIS by cutting off one of their main fundraising sources. ISIS and their network loot and smuggle artifacts from world heritage sites and sell them on the black market to fund their terrorist activities. We can and we must put an end to this.

The Department of Homeland Security is responsible for detecting and collecting stolen artifacts from the U.S., but illegal trade of valuable artifacts continues to grow, and much more needs to be done to address this very serious problem. That is where Mr. KEATING and this bill come into play.

This bill creates a clear U.S. policy to stop and prevent the trafficking of historic artifacts by providing the U.S. Government with the tools it needs to effectively detain, seize, and investigate historic objects that are illegally imported into the U.S.

Because ISIS relies heavily on cash to carry out its terrorist activities, passing this bill is an important step in taking down a group that has caused so much harm, so much heartache, and so much anxiety to Americans, our allies, and innocent civilians around the world.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 14, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: I write with respect to H.R. 2285, the "Prevent Trafficking in Cultural Property Act," which was referred to the Committee on Ways and Means and in addition to the Committee on the Judiciary among others. As a result of your having consulted with us on provisions within H.R. 2285 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2285 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2285 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during floor consideration of H.R. 2285.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 15, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 2885, the "Prevent Trafficking in Cultural Property Act." As you noted, the Committee on the Judiciary was granted an additional referral of the bill.

I am most appreciative of your decision to waive formal consideration of H.R. 2885 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Committee on the Judiciary is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2285. I would like to thank my colleague from Illinois (Mr. ROSKAM) for his strong support in trying to eradicate a major funding source for a terrorist group that is causing great destruction all over the world now, ISIL.

I rise in support of H.R. 2285. It is a bill to prevent stolen and illicit cultural property from financing terrorist and criminal networks, and also to improve enforcement and prosecution against trafficking in cultural property.

Mr. Speaker, H.R. 2285, the Prevent Trafficking in Cultural Property Act, is a bipartisan bill aimed at stopping ISIL and other terrorist groups from advancing their activities through the sale of stolen antiquities and other cultural property. Along with oil and hostage-taking, this is one of the leading sources of their terrorist financing.

To date, ISIL has reportedly plundered tens of millions of dollars from antiquities stolen in Syria alone. In just one 4-month period, at the end of 2014 and the beginning of 2015, ISIL earned more than \$265,000 in what they term "taxes" on the sale of antiquities. I was struck by intelligence indicating that ISIL had stolen \$36 million from one site alone in al-Nabuk, west of Damascus.

As a member of the Homeland Security Committee, we work with Customs and Border Patrol and Immigration and Customs Enforcement officials, and we have learned that there was a gap in enforcement of laws and regulations against trafficking in cultural property, and there was a real need to require greater information sharing across agencies and to better equip personnel to identify stolen antiquities and trafficking networks. This bill closes this gap by expanding trainings for personnel and by enhancing coordination between Customs and Border Protection and Immigration and Customs Enforcement.

H.R. 2285 also increases cooperation with agencies outside the Department of Homeland Security, authorizing memorandums of understanding with groups like the Smithsonian Institution to promote collaboration around cultural property protection activities and training our personnel to spot these illegal acts.

ISIL forces have been terrorizing communities across the Middle East, targeting ethnic and religious minorities with acts of enslavement and genocide. Their attacks have been directed not only against people, but against ancient historic sites, works of art, objects, monuments, and buildings, as ISIL has worked to destroy all evidence of the region's rich cultural, historical, and religious identity. What ISIL does not destroy, it sells to generate income for their terrorist acts.

This legislation would help cut off an important revenue stream for ISIL and, by working to close the illicit antiquities market in the United States, would ultimately reduce the incentives in Iraq and Syria to loot and steal antiquities in the first place.

We must act to disrupt these smuggling and trafficking networks so that ISIL may not profit from the destruction of the cultural and heritage backgrounds of this region, so that the remaining treasured cultural and historic sites throughout Syria and Iraq will live on.

I urge my colleagues to join me in support of this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL), the ranking member of the Committee on Foreign Affairs.

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. KEATING) for yielding to me. He is

a very valued member of the Foreign Affairs Committee and, once again, he is doing excellent work with this bill, and Mr. ROSKAM as well.

I am proud to be an original cosponsor of this bill. I am grateful for the work that Mr. KEATING has done to shine a light on the challenge of antiquities looting.

We hear these stories about ISIS terrorists destroying heritage sites and smashing statutes, and it is heart-breaking. They are trying to wipe away history. But I have heard people say: Well, this is bad, but shouldn't we be focused on stopping violence and killing?

Well, make no mistake; these practices go hand in hand. It is not a matter of choosing one over the other. Before ISIS extremists pulverize statues and temples, they loot whatever they can carry and peddle these items on the black market. I have a bill—a law, actually—that has been passed involving these antiquities in Syria. This is a funding source for their campaign of terror; so, by confronting the problem, we are working to cut off a valuable resource for ISIS.

As I mentioned, I am proud that, earlier this year, the President signed a law that I authored to impose new import restrictions on antiquities looted from Syria during the current conflict. Mr. KEATING and Mr. ROSKAM's measure goes a step further to help provide the training needed to enforce the protections we have put in place.

The new restrictions are similar to what we have imposed for Iraq a number of years ago. They are designed to undermine the market for looted antiquities and ensure that antiquities sold by terrorist organizations don't find their way to our shores.

Before these restrictions can do their job, however, law enforcement needs tools and training to identify stolen antiquities so they don't slip through our ports. Mr. KEATING's legislation will help make sure Customs and Border Protection and Immigration and Customs Enforcement officers are able to intercept and investigate cultural property illegally imported into the United States. It will make it easier for them to root out the trafficking networks responsible for this trafficking, and it expresses support for the U.S. attorneys we depend on for prosecuting these cases.

This is not a new job for these officers. For years they have worked to prevent trafficking in illegal antiquities. But their jobs are harder than ever. This bill will get them the legal tools and training they need to get that job done.

So, Mr. Speaker, we need every tool at our disposal to deny ISIS funding and resources. That is what we are doing when we focus on antiquities looting. At the same time, we are working to preserve cultural heritage that is increasingly under threat.

So I thank Mr. KEATING for his leadership and hard work. I thank him for bringing the bill forward. I am very pleased to support it, and I urge all Members to do the same.

□ 1745

Mr. KEATING. Mr. Speaker, I just want to thank the gentleman from Illinois (Mr. ROSKAM) for his support in this. I want to thank the 19 cosponsors of this legislation, including the gentleman from New York (Mr. ENGEL) who just spoke and who is the ranking member of the Foreign Affairs Committee, and the gentleman from Texas (Mr. MCCAUL) who is the chair of the Homeland Security Committee.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I think our constituents are really heartened when they see both parties coming together to work on things of national importance. Without question, H.R. 2285 is in that category. It is a tool that we need to combat ISIS.

I commend Mr. KEATING, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2285, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RESTRAINING EXCESSIVE SEIZURE OF PROPERTY THROUGH THE EXPLOITATION OF CIVIL ASSET FORFEITURE TOOLS ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5523) to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5523

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clyde-Hirsch-Sowers RESPECT Act" or the "Restraining Ex-

cessive Seizure of Property through the Exploitation of Civil Asset Forfeiture Tools Act".

SEC. 2. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking "Any property" and inserting the following:

"(A) IN GENERAL.—Any property"; and

(2) by adding at the end the following:

"(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

"(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

"(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

"(I) make a good faith effort to find all persons with an ownership interest in such property; and

"(II) provide each such person with a notice of the person's rights under clause (iv).

"(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

"(iv) POST-SEIZURE HEARING.—If a person with a property interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324."

SEC. 3. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

"SEC. 139G. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

"Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title."

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

"Sec. 139G. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction."

(c) *EFFECTIVE DATE.*—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from New York (Mr. CROWLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5523, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this afternoon, the gentleman from New York and I are going to tell you a fascinating story. It is a story that when we tell it to our constituents at home, there is such a level of concern about what they have heard has happened that it really gets their attention. The good news is that the Ways and Means Committee and others have come along and tried to come up with a remedy.

So here is what has been going on: for the past 2 years, the Ways and Means Oversight Subcommittee has been investigating how the IRS has abused its civil asset forfeiture authority. We heard from numerous people about how the IRS seized their life savings with no notice simply because they had deposited their own money into their own bank accounts in amounts of less than \$10,000. You heard that right—their own money into their own bank accounts with no underlying bad act, and the IRS came in and seized their assets with no notice.

It was so outrageous and so egregious in some of these cases, Mr. Speaker, that the Commissioner of the Internal Revenue Service actually apologized to some of these people. Now, getting an apology out of the IRS Commissioner was like birthing a calf, but we got the apology from him, and we have been able to move forward.

Subsequent to that, the Internal Revenue Service has changed their policy—which is okay, it is a good step—but we have to go farther and we need to change the underlying statute.

Now, here is the back story: most people don't know that the law requires deposits of more than \$10,000 to be reported to the government. It is not a bad policy, and it is in place in case there is a human trafficking operation or a mafia front group or a meth lab that is trying to get around some

bank secrecy acts. Others don't know that it is actually illegal to intentionally avoid that reporting requirement.

Two Maryland farming families, the Sowers and the Taylors, went through this ordeal. In their cases, bank tellers told them that it would be helpful if they could deposit all the cash they earned by selling farmers market products in amounts less than \$10,000.

So, Mr. Speaker, in other words, the bank teller says: Look, it is a big hassle when you come in here with more than \$10,000. It would be much easier if you come in with less than \$10,000 because we, the bank, won't have to make a report.

The Sowers and the Taylors—nicest people ever—said: Sure.

That is where the trouble began. As they requested, they kept their deposits under \$10,000 to help out the tellers.

Likewise, the Hirsch brothers in New York, who own a convenience store distributorship, do a lot of cash business; and just because they made large cash deposits at their bank, the government seized their savings of \$400,000.

Andrew Clyde, who owns an armory down in Athens, Georgia, has a similar story. His store's insurance policy only covers up to \$10,000 in cash losses. So he does what any commonsense, clear-thinking person would do, and that is to take less than \$10,000 to the bank because more than \$10,000 wouldn't be covered by his own insurance policy.

Mr. Speaker, now, even after the IRS had seized these accounts and the IRS realized that there was no criminal activity attached to these funds—in other words, they realized this is not what this law is all about—the IRS kept the money, and people like the families that I just mentioned spent time and resources trying to get them back. Some of them, like Mr. Clyde and the Taylors, are still fighting today.

Mr. Speaker, the entire subcommittee, both sides of the aisle, was scandalized to learn about this. It began to say, number one, how can this be? And number two, what can we do about it?

Mr. CROWLEY, my friend from New York, and I thought it was a good step that the IRS changed their policy. But we think an even better step is to pass this underlying bill.

What the bill does is it says that the IRS would only be able to seize structured assets if they are used to conceal another crime or they are derived from an illegal source. It would also give procedural protections, like the right to a speedy hearing, to people from whom the IRS seizes money. Finally, if the government ultimately gives assets and interest back when challenged, our bill would exempt that interest from Federal income tax. It serves to help right the wrong, if only in a small way, for the money being improperly taken in the first place.

Unfortunately, the bill comes up too late to keep the Clydes, the Sowers, the Hirsches, and the Taylors from dealing with this problem. But they have done all Americans and this body a service by standing up and being willing to tell their stories so that we can respond. We cannot let the IRS abuse this discretion and abuse this power. I am pleased that the overwhelming and, in fact, the unanimous Ways and Means Committee has supported this.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 8, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: I am writing concerning H.R. 5523, the "Clyde-Hirsch-Sowers RESPECT Act".

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on the bill so that it may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 5523 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 5523 and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation, as well as in the CONGRESSIONAL RECORD during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 8, 2016.

HON. JEB HENSARLING,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for your letter concerning H.R. 5523, the "Clyde-Hirsch-Sowers RESPECT Act," on which the Financial Services Committee was granted an additional referral.

I am most appreciative of your decision to waive formal consideration of H.R. 5523 so that it may proceed expeditiously to the House floor. I acknowledge that although you waived formal consideration of the bill, the Financial Services Committee is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. I would support your effort to seek appointment of an appropriate number of conferees on any House-Senate conference involving this legislation.

I will include a copy of our letters in the CONGRESSIONAL RECORD during consideration of this legislation on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, let me thank my good friend, my colleague from Illinois (Mr. ROSKAM), for his good work on this issue. Tenacity does pay off. The gentleman has really kept his nose to the grindstone on this. Now, I don't want the gentleman to get a bad reputation for working with me on so many issues. I just want to point that out for the record.

Today is a good day for American taxpayers as, hopefully, the House of Representatives will soon pass the Clyde-Hirsch-Sowers RESPECT Act to enact vital reforms to the Federal Government's civil asset forfeiture process.

Civil asset forfeiture is an important tool for the IRS and for other Federal agencies. They use it to go after ill-gotten funds from drug dealers, human traffickers, terrorists, and other criminals.

This bill will not weaken that vital law enforcement tool one bit. But this legislation will codify into law much-needed reforms to the process to stop abusive asset forfeitures—abusive seizures such as the ability of the government to take a person's bank account without ever charging them with a crime.

The Oversight Subcommittee on the Ways and Means Committee, under the guidance of our chairman, Mr. ROSKAM, undertook a painstaking 17-month investigation. I think this is a good example of the committee process and how we can work functionally, unlike what we have seen in other committees here in the House.

This investigation included holding a series of congressional hearings, meeting with officials from a number of Federal agencies, and continually keeping the pressure on the IRS to practically reach out and return any asset seized from people who were never charged with any crimes. In particular, Mr. Speaker, hearing from the victims themselves was incredibly moving and touching, I think, to Members of both sides of the aisle.

These actions culminated in this bipartisan legislation that passed the Ways and Means Committee unanimously. This bill, the Clyde-Hirsch-Sowers RESPECT Act, aims to take what we have learned and fix the system to prevent the seizure of bank accounts of law-abiding citizens. Specifically, this legislation prohibits the IRS from taking any assets related to structuring unless the funds are from an illegal source or the funds were structured to conceal other criminal activity.

Additionally, to provide due process to affected taxpayers, the bill requires

the IRS to notify an account holder of a seizure within 30 days of that seizure. Once an account is seized, the bill allows the person whose assets were seized to seek a post-seizure hearing within 30 days. Now, even that, for some, can be onerous; but it is a start. We know that those engaged in illegal actions will usually not contest the seizure. They won't go to the agency and contest it. But for those who committed no crimes, this bill, in many respects, levels the playing field.

But the passage of this bill isn't the last part of this fight. I know my colleague, Mr. ROSKAM, and I will continue to keep pressure on the Federal Government to quickly return the assets of those innocent taxpayers not charged with any crimes whose assets are still being held by the Federal Government.

Mr. Speaker, I look forward to the passage of this legislation and correcting a wrong in the law that exists to help law-abiding citizens hold on to their hard-earned resources.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Mr. CROWLEY for his work, his advocacy, and his willingness to make suggestions to improve this bill so we could enjoy unanimous support. We are in a very good situation on it.

Let me just give you a little bit more color commentary, if I could, because I think it is important for us to recognize the role that we in this House play as a coequal branch of government pushing back on abuse when we see it in the executive branch, and this is part of our experience.

So here is the back story: it occurred to us, Mr. Speaker, that these were certain cases—and I mentioned them a minute ago; I gave the names of these individuals a minute ago—that we had come to learn about. The IRS then subsequently changed their policy.

But then it begs the question: What happens to the people, number one, that we don't know about who are still stuck in the system?

So the IRS, in other words, said that we are not going to do this moving forward.

What about the people that they had done this to?

In other words, they had assets they had confiscated.

So we ended up having another hearing, again, bipartisan. The result of that hearing, a result of a unanimous voice on the subcommittee itself, was that the IRS said: We are going to come up with a petition process. The IRS has written to 1,100 people involving approximately 700 cases, and they have heard back from 380 people so far who have said: You have wrongly taken this money.

□ 1800

Mr. Speaker, I just want to tell you a quick story.

It was a few months ago—I don't remember the exact date—but it was a few months ago when I asked for a briefing from the Department of Justice and the Internal Revenue Service on these pending cases. I thought, Mr. Speaker, based on these hearings and so forth, that the meeting at my request was going to take 10 minutes and that the officials were going to come in and my question was: What is happening to the people who are caught in the middle of this? I thought they were going to come in and they would say, you know: Mr. ROSKAM, here is a list or whatever. We can't give you a list, but here is all disposed of.

No, no, no, no. An hour and a half later, at the end of this discussion, I turned to the Department of Justice officials, Mr. Speaker, and I said: I am more afraid of you now than when I started this meeting. Do you want to know why I am afraid of you? Because you are acting in a completely obtuse manner.

When I asked what happened to these people's money, the officials told me, Mr. Speaker, that the money had been absorbed into the Federal system. Let me repeat that. They said that the money had been absorbed into the Federal system—wrongly absorbed, but absorbed nevertheless. That this could come out of the mouth of someone who works for the Department of Justice I found to be completely absurd.

I asked a simple question: What happens if my constituents owe a tax liability, don't pay the tax liability, and spend the money on something else? What do you do to them? And I answered the question: What you do to them is you put a lien on their house and you put them in prison, that is what you do.

So don't you see, Mr. Speaker, what we are dealing with? We have got to get to this situation, and we have got to get to making sure that power is used appropriately and it is not abused. I think this legislation that, again, is bipartisan, comes forward and it says it strikes the right balance, and if there is an underlying bad act—that is, an illegal activity—there is no one that is going to find any comfort in this bill; however, for the innocent folks who are not abusing this, they will find great comfort.

I reserve the balance of my time.

Mr. CROWLEY. Mr. Speaker, I yield myself the balance of my time.

In closing, Mr. Speaker, Congress has a chance to right a wrong in the law by passing this bill.

We always say that, in the U.S., you are innocent until proven guilty, but the civil asset forfeiture policies imposed by the Federal Government don't always reflect that basic premise.

I urge all of my colleagues to vote for this bill.

But let me be clear. While we are correcting an injustice in one area, this bill reminds us of the importance of a larger discussion on much-needed criminal justice reform.

I hope that this larger issue can also be tackled by this year's Congress. Just like the Clyde family and the Hirsch family and the Sowers family, whom we named this bill for, far too many American families have seen the U.S. justice system not work on behalf of them. We need to address that issue of criminal justice reform in the same bipartisan way, Mr. Speaker, that Mr. ROSKAM and the entire Ways and Means Committee dealt with civil asset forfeiture.

Mr. Speaker, I don't know how difficult it is to birth a calf. I am a boy from Woodside, Queens. I used to say we had no running water growing up where I came from. Well, we had running water in my home, but we didn't have any streams; we had no ponds, no lakes. The closest I got to the water—I want the violins to come out now—the closest I got to the water was Rockaway Beach in Queens. But my wife is from Montana, and she grew up on a ranch. She may certainly have an inclination how difficult that is.

But let me say, on behalf of the American people, we want to apologize—though it is not necessarily our place—for the entire Federal Government. We didn't impose this on the Clyde family or the Hirsch family or the Sowers family, but they do deserve an apology, not just from the IRS, but from the American people as well, all taxpayers.

But the Clyde family, the Hirsch family, and the Sowers family, I don't know where their families came from. I do not know their ethnicity. I do not know their political persuasion. I do not know what religion they practice, if any at all. But what I do know is they are American citizens, so they deserve to be treated with justice under the law.

In these particular cases, they sought justice and were denied it; and we are restoring that today with the passage of this bill, not only for them, but for all Americans who find themselves in this situation. For that, I am grateful for my friend from Illinois, for his tenacity; but I am also grateful for the tenacity of these families to not sit back and allow this to happen not only to themselves, but to potentially future victims. That is what their legacy will be. I hope their families are proud of what they have accomplished.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

I think Mr. CROWLEY made a great point, and that is there is a great temptation when the Federal Government comes after you—I would imagine, a great temptation—to cower to

the intimidation. The government has a lot of power, and the government in this case figuratively reached out and grabbed these families by the throat and choked them and used power that was not correct to use against them, and it was unjust.

It would have been an easy thing for these families to just sit back and take it and so forth, but they didn't do that. I think the fact that they didn't do that, Mr. Speaker, and they are willing to stand up and fight is a good foreshadowing of things to come. In other words, they told their story; Members of Congress heard their story, and we have been able to move and seek justice, not only changing underlying policies within the executive branch, but also changing an underlying statute.

The other body has introduced this, and I am hopeful that it will be considered in an expeditious manner.

I want to thank the gentleman from New York (Mr. CROWLEY) for his support and advocacy. I urge passage of the bill.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in support of H.R. 5523, the Clyde-Hirsch-Sowers RESPECT Act. I am a proud cosponsor of this critically important bill because it addresses a major problem in current law—a problem that has directly affected at least one of my constituents in Northeast Georgia.

In fact, this bill is named after that constituent: Andrew Clyde. Andrew is a good, hardworking man, who is unfortunately all too familiar with the issue we're talking about today. Andrew owns Clyde Armory in Athens, Georgia. This is a legal, successful, firearms business, but it was targeted by the IRS under civil asset forfeiture laws.

Andrew is a combat veteran who grew this business in his community. He followed the law, paid his taxes on time, filed all the right paperwork—but that didn't stop several hundred thousand dollars from being seized from his business.

I think Andrew summed it up best when he testified before the Ways and Means Committee about this same issue: "I did not serve three combat tours in Iraq only to come home and be extorted."

What he doesn't say there—he was being extorted by his own government.

In April of 2013, two IRS agents simply showed up at Clyde Armory, and served Andrew with a seizure warrant letting him know that his business bank account had been nearly drained. He was not aware of any laws he may have broken, unintentionally or not, and had practices in place to ensure his business was fully compliant with all laws.

Over the course of a few months, the case wound up in federal court. After legal fees and the eventual surrender of \$50,000 to the IRS to end the matter, nearly \$150,000 had been carved out of the \$950,000 seizure.

Despite the fact that Andrew is a law-abiding citizen, the government was able to swoop in in the middle of the night and take private property absent evidence of wrongdoing and

due process. That is why I have worked so hard on this issue—to prevent this kind of federal intrusion of the worst form.

H.R. 5523 would help to address this problem. It would prohibit the IRS from using civil asset forfeiture authority in structuring cases—the type of case under which Andrew was targeted—unless it can demonstrate probable cause that the funds were connected to criminal activity. Under H.R. 5523, the IRS must also establish notice and post-seizure review procedures for seizures based on structuring violations.

This bill is a step in the right direction, and a step towards preventing future wrongful seizures like the one that happened to Andrew Clyde. I thank Congressman ROSKAM for introducing this important legislation on behalf of Andrew Clyde and other victims of wrongful civil asset forfeiture, and I encourage all of my colleagues to support its passage.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise in support of H.R. 5523.

In this day and age, the awesome power of the federal government can be difficult to fully appreciate for many citizens. Yet, when that power is used unwisely or unjustly, the consequences can be disastrous for innocent Americans.

My friend and constituent, Mr. Andrew Clyde—for whom this legislation is named—experienced the full might of the federal government in the form of civil asset forfeiture.

Four years ago, the Internal Revenue Service accused Mr. Clyde of structuring his bank deposits in such a way to avoid the \$10,000 threshold reporting requirement of the Bank Secrecy Act of 1986—a law aimed at uncovering illegal drug transactions. Then, with no due process and no evidence, the IRS seized nearly a million dollars from Mr. Clyde.

Mr. Clyde is about as far from a drug dealer as you can get: He is a veteran of the U.S. Navy who served three combat tours in Iraq, a successful small business owner, and an upstanding citizen in our community.

None of that mattered to the IRS—who employed their powers of civil asset forfeiture to hold Mr. Clyde's money hostage, force him to spend \$100,000 in legal fees, and ultimately surrender \$50,000 just to make the whole outrageous ordeal come to a close.

This flies in the face of due process—one of our Republic's most fundamental liberties.

The IRS has seized tens of millions of dollars from Americans in cases just like this where no criminal activity was even alleged, much less proven in a court of law.

Andrew Clyde and the other men for whom this bill is named—Randy Sowers and brothers Jeffrey, Richard, and Mitch Hirsch—have dedicated themselves to ensuring this injustice will not continue to befall innocent Americans.

H.R. 5523 would limit the IRS's authority to conduct civil asset forfeiture under the Bank Secrecy Act unless the property actually originated from illegal activity or was purposely structured to conceal illegal activity.

I commend the work of the House Ways & Means Committee on this important issue, and I urge all my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules

and pass the bill, H.R. 5523, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 6 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 670, by the yeas and nays;

H.R. 5785, by the yeas and nays;

H.R. 5690, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SPECIAL NEEDS TRUST FAIRNESS AND MEDICAID IMPROVEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 670) to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 383, nays 22, not voting 26, as follows:

[Roll No. 521]

YEAS—383

Abraham	DeSaulnier	Kilmer
Adams	Deutch	Kind
Aderholt	Diaz-Balart	King (IA)
Aguilar	Dingell	King (NY)
Allen	Doggett	Kinzinger (IL)
Amash	Dold	Kline
Amodei	Donovan	Knight
Ashford	Doyle, Michael F.	Kuster
Babin	Duffy	LaHood
Barletta	Duncan (SC)	LaMalfa
Barr	Duncan (TN)	Lamborn
Barton	Edwards	Lance
Bass	Ellison	Langevin
Beatty	Ellmers (NC)	Larsen (WA)
Becerra	Engel	Larson (CT)
Benishek	Eshoo	Latta
Bera	Esty	Lawrence
Beyer	Farenthold	Lee
Bilirakis	Farr	Levin
Bishop (GA)	Fitzpatrick	Lewis
Bishop (MI)	Fleischmann	Lieu, Ted
Bishop (UT)	Flores	Lipinski
Black	Fortenberry	LoBiondo
Blackburn	Poster	Loeb
Blum	Fox	Lofgren
Blumenauer	Frankel (FL)	Loudermilk
Bost	Frelinghuysen	Love
Boyle, Brendan F.	Fudge	Lowenthal
Brady (PA)	Gabbard	Lowe
Brady (TX)	Galleo	Lucas
Brooks (IN)	Garamendi	Luetkemeyer
Brown (FL)	Garrett	Lujan Grisham (NM)
Brownley (CA)	Gibbs	Lujan, Ben Ray (NM)
Buchanan	Gibson	Lynch
Bucshon	Goodlatte	MacArthur
Burgess	Gowdy	Maloney, Carolyn
Bustos	Graham	Maloney, Sean
Butterfield	Granger	Marchant
Byrne	Graves (GA)	Marino
Calvert	Graves (LA)	Massie
Capps	Graves (MO)	Matsui
Capuano	Grayson	McCarthy
Cárdenas	Green, Al	McCaul
Carson (IN)	Green, Gene	McCollum
Carter (GA)	Griffith	McDermott
Carter (TX)	Grijalva	McGovern
Cartwright	Grothman	McHenry
Castor (FL)	Guinta	McKinley
Castro (TX)	Guthrie	McMorris
Chabot	Hahn	Rodgers
Chaffetz	Hanna	McNerney
Chu, Judy	Hardy	McSally
Cicilline	Harper	Meadows
Clark (MA)	Harris	Meehan
Clarke (NY)	Hartzler	Meng
Clawson (FL)	Hastings	Messer
Clay	Heck (NV)	Mica
Cleaver	Heck (WA)	Miller (FL)
Clyburn	Hensarling	Moolenaar
Coffman	Herrera Beutler	Mooney (WV)
Cohen	Hice, Jody B.	Moore
Cole	Higgins	Moulton
Collins (GA)	Hill	Mullin
Collins (NY)	Himes	Mulvaney
Comstock	Holding	Murphy (FL)
Conaway	Honda	Murphy (PA)
Connolly	Hoyer	Nadler
Conyers	Hudson	Napolitano
Cook	Huffman	Neal
Cooper	Huizenga (MI)	Neugebauer
Costa	Hultgren	Newhouse
Costello (PA)	Hunter	Noem
Courtney	Hurd (TX)	Nolan
Cramer	Hurt (VA)	Norcross
Crawford	Israel	Nugent
Crenshaw	Issa	Nunes
Crowley	Jackson Lee	O'Rourke
Cuellar	Jeffries	Olson
Culberson	Jenkins (KS)	Palazzo
Cummings	Jenkins (WV)	Pallone
Curbelo (FL)	Johnson (GA)	Pascarelli
Davis (CA)	Johnson (OH)	Paulsen
Davis, Danny	Johnson, E. B.	Payne
Davis, Rodney	Jolly	Pearce
DeFazio	Jones	Pelosi
DeGette	Joyce	Perlmutter
Delaney	Katko	Peters
DeLauro	Keating	Peterson
DelBene	Kelly (MS)	Pingree
Denham	Kelly (PA)	Pittenger
Dent	Kennedy	
DeSantis	Kildee	

Pitts	Scalise	Torres
Pocan	Schakowsky	Trott
Poliquin	Schiff	Tsongas
Polis	Schweikert	Turner
Pompeo	Scott (VA)	Upton
Posey	Scott, Austin	Valadao
Price (NC)	Scott, David	Van Hollen
Price, Tom	Sensenbrenner	Vargas
Quigley	Serrano	Veasey
Rangel	Sessions	Vela
Reed	Sewell (AL)	Velázquez
Reichert	Sherman	Visclosky
Renacci	Shimkus	Walberg
Ribble	Shuster	Walden
Rice (NY)	Simpson	Walker
Rice (SC)	Sinema	Walorski
Richmond	Sires	Walters, Mimi
Rigell	Slaughter	Walz
Roby	Smith (MO)	Waters, Maxine
Roe (TN)	Smith (NE)	Watson Coleman
Rogers (AL)	Smith (NJ)	Weber (TX)
Rogers (KY)	Smith (TX)	Webster (FL)
Rohrabacher	Smith (WA)	Welch
Rokita	Speier	Wenstrup
Ros-Lehtinen	Stefanik	Westerman
Roskam	Stewart	Westmoreland
Ross	Stivers	Williams
Rothfus	Swalwell (CA)	Wilson (SC)
Rouzer	Takano	Womack
Roybal-Allard	Thompson (CA)	Woodall
Royce	Thompson (MS)	Yarmuth
Ruiz	Thompson (PA)	Yoder
Ruppersberger	Thornberry	Yoho
Russell	Tiberi	Young (AK)
Sánchez, Linda T.	Tipton	Young (IA)
Sarbanes	Titus	Young (IN)
	Tonko	Zeldin

NAYS—22

Brat	Gohmert	Perry
Bridenstine	Gosar	Ratcliffe
Brooks (AL)	Huelskamp	Salmon
Buck	Jordan	Sanford
Davidson	Labrador	Wittman
DesJarlais	Lummis	Zinke
Fleming	McClintock	
Franks (AZ)	Palmer	

NOT VOTING—26

Bonamici	Johnson, Sam	Rush
Boustany	Kaptur	Ryan (OH)
Carney	Kelly (IL)	Sanchez, Loretta
Duckworth	Kirkpatrick	Schraeder
Emmer (MN)	Long	Stutzman
Fincher	Meeks	Wagner
Forbes	Miller (MI)	Wasserman
Gutiérrez	Poe (TX)	Schultz
Hinojosa	Rooney (FL)	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1853

Messrs. DAVIDSON, GOSAR, FLEMING, SALMON, DESJARLAIS, PERRY, WITTMAN, Mrs. LUMMIS, and Mr. ZINKE changed their vote from "yea" to "nay."

Messrs. YOHO and SCALISE changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING AN ANNUITY SUPPLEMENT FOR CERTAIN AIR TRAFFIC CONTROLLERS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5785) to amend title 5, United

States Code, to provide for an annuity supplement for certain air traffic controllers, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 4, not voting 28, as follows:

[Roll No. 522]

YEAS—399

Abraham	Costello (PA)	Grothman
Adams	Courtney	Guinta
Aderholt	Cramer	Guthrie
Aguilar	Crawford	Hahn
Allen	Crenshaw	Hanna
Amodei	Crowley	Hardy
Ashford	Cuellar	Harper
Babin	Culberson	Harris
Barletta	Cummings	Hartzler
Barr	Curbelo (FL)	Hastings
Barton	Davidson	Heck (NV)
Bass	Davis (CA)	Heck (WA)
Beatty	Davis, Danny	Hensarling
Becerra	Davis, Rodney	Herrera Beutler
Benishek	DeFazio	Hice, Jody B.
Bera	DeGette	Higgins
Beyer	Delaney	Hill
Bilirakis	DeLauro	Himes
Bishop (GA)	DelBene	Holding
Bishop (MI)	Denham	Honda
Bishop (UT)	Dent	Hoyer
Black	DeSantis	Hudson
Blackburn	DeSaulnier	Huelskamp
Blum	DesJarlais	Huffman
Blumenauer	Deutch	Huizenga (MI)
Bost	Diaz-Balart	Hultgren
Boyle, Brendan	Dingell	Hunter
F.	Doggett	Hurd (TX)
Brady (PA)	Dold	Hurt (VA)
Brady (TX)	Donovan	Israel
Brat	Doyle, Michael	Issa
Bridenstine	F.	Jackson Lee
Brooks (IN)	Duffy	Jeffries
Brown (FL)	Duncan (SC)	Jenkins (KS)
Brownley (CA)	Duncan (TN)	Jenkins (WV)
Buchanan	Edwards	Johnson (GA)
Buck	Ellison	Johnson (OH)
Bucshon	Ellmers (NC)	Johnson, E. B.
Burgess	Engel	Jolly
Bustos	Eshoo	Jones
Butterfield	Esty	Jordan
Byrne	Farenthold	Joyce
Calvert	Farr	Katko
Capps	Fitzpatrick	Keating
Capuano	Fleischmann	Kelly (MS)
Cárdenas	Fleming	Kelly (PA)
Carson (IN)	Flores	Kennedy
Carter (GA)	Fortenberry	Kildee
Carter (TX)	Foster	Kilmer
Cartwright	Fox	Kind
Castor (FL)	Frankel (FL)	King (IA)
Castro (TX)	Franks (AZ)	King (NY)
Chabot	Frelinghuysen	Kinzing (IL)
Chaffetz	Fudge	Kline
Chu, Judy	Gabbard	Knight
Ciilline	Gallo	Kuster
Clark (MA)	Garamendi	Labrador
Clarke (NY)	Garrett	LaHood
Clawson (FL)	Gibbs	LaMalfa
Clay	Gibson	Lamborn
Cleaver	Gohmert	Lance
Clyburn	Goodlatte	Langevin
Coffman	Gosar	Larsen (WA)
Cohen	Gowdy	Larson (CT)
Cole	Graham	Latta
Collins (GA)	Granger	Lawrence
Collins (NY)	Graves (GA)	Lee
Comstock	Graves (LA)	Levin
Conaway	Graves (MO)	Lewis
Connolly	Grayson	Lieu, Ted
Conyers	Green, Al	Lipinski
Cook	Green, Gene	LoBiondo
Cooper	Griffith	Loeb sack
Costa	Grijalva	Lofgren

Loudermilk	Pearce	Sires
Love	Pelosi	Slaughter
Lowenthal	Perlmutter	Smith (MO)
Lowe	Perry	Smith (NE)
Lucas	Peters	Smith (NJ)
Luetkemeyer	Peterson	Smith (TX)
Lujan Grisham	Pingree	Smith (WA)
(NM)	Pittenger	Speier
Lujan, Ben Ray	Pitts	Stefanik
(NM)	Pocan	Stewart
Lummis	Polis	Stivers
Lynch	Pompeo	Swalwell (CA)
MacArthur	Posey	Takano
Maloney,	Price (NC)	Thompson (CA)
Carolyn	Price, Tom	Thompson (MS)
Maloney, Sean	Quigley	Thompson (PA)
Marchant	Rangel	Thornberry
Marino	Ratcliffe	Tiberi
Massie	Reed	Tipton
Matsui	Renacci	Titus
McCarthy	Ribble	Tonko
McCaul	Rice (NY)	Torres
McCollum	Rice (SC)	Trott
McDermott	Richmond	Tsongas
McGovern	Rigell	Turner
McHenry	Roby	Upton
McKinley	Roe (TN)	Valadao
McMorris	Rogers (AL)	Van Hollen
Morris	Rogers (KY)	Vargas
McNerney	Rohrabacher	Rokita
McSally	Ross	Veasey
Meadows	Rothfus	Vela
Meehan	Rouzer	Velázquez
Meng	Roybal-Allard	Visclosky
Messer	Royce	Walberg
Mica	Ruiz	Walden
Miller (FL)	Ruppersberger	Walker
Moolenaar	Russell	Walorski
Mooney (WV)	Salmon	Walters, Mimi
Moore	Sánchez, Linda	Walz
Moulton	T.	Waters, Maxine
Mullin	Sanford	Watson Coleman
Murphy (FL)	Sarbanes	Weber (TX)
Murphy (PA)	Scalise	Webster (FL)
Nadler	Schakowsky	Welch
Napoli	Schiff	Wenstrup
Napolitano	Schwelkert	Westerman
Neal	Scott (VA)	Westmoreland
Neugebauer	Scott, Austin	Williams
Newhouse	Scott, David	Wilson (SC)
Noem	Sensenbrenner	Wittman
Nolan	Serrano	Womack
Norcross	Sessions	Woodall
Nugent	Sewell (AL)	Yarmuth
Nunes	Sherman	Yoder
O'Rourke	Shimkus	Yoho
Olson	Shuster	Young (AK)
Palazzo	Simpson	Young (IA)
Pallone	Sinema	Young (IN)
Palmer		Zeldin
Pascarella		Zinke
Paulsen		
Payne		

NAYS—4

Amash
Brooks (AL)

McClintock
Mulvaney

NOT VOTING—28

Bonamici	Kaptur	Rush
Boustany	Kelly (IL)	Ryan (OH)
Carney	Kirkpatrick	Sanchez, Loretta
Duckworth	Long	Schrader
Emmer (MN)	Meeks	Stutzman
Fincher	Miller (MI)	Wagner
Forbes	Poe (TX)	Wasserman
Gutiérrez	Poliquin	Schultz
Hinojosa	Reichert	Wilson (FL)
Johnson, Sam	Rooney (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1859

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIQUIN. Mr. Speaker, on rollcall No. 522, I was unavoidably detained. Had I been present, I would have voted "aye."

GAO ACCESS AND OVERSIGHT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5690) to ensure the Government Accountability Office has adequate access to information, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 27, as follows:

[Roll No. 523]

YEAS—404

Abraham	Cleaver	Fortenberry
Adams	Clyburn	Foster
Aderholt	Coffman	Fox
Aguilar	Cohen	Frankel (FL)
Allen	Cole	Franks (AZ)
Amash	Collins (GA)	Frelinghuysen
Amodei	Collins (NY)	Fudge
Ashford	Comstock	Gabbard
Babin	Conaway	Gallo
Barletta	Connolly	Garamendi
Barr	Conyers	Garrett
Barton	Cook	Gibbs
Bass	Cooper	Gibson
Beatty	Costa	Gohmert
Becerra	Costello (PA)	Goodlatte
Benishek	Courtney	Gosar
Bera	Cramer	Gowdy
Beyer	Crawford	Graham
Bilirakis	Crenshaw	Granger
Bishop (GA)	Crowley	Graves (GA)
Bishop (MI)	Cuellar	Graves (LA)
Bishop (UT)	Culberson	Graves (MO)
Black	Cummings	Grayson
Blackburn	Curbelo (FL)	Green, Al
Blum	Davidson	Green, Gene
Blumenauer	Davis (CA)	Griffith
Bost	Davis, Danny	Grijalva
Boyle, Brendan	Davis, Rodney	Grothman
F.	DeFazio	Guinta
Brady (PA)	DeGette	Guthrie
Brady (TX)	Delaney	Hahn
Brat	DeLauro	Hanna
Bridenstine	DelBene	Hardy
Brooks (AL)	Denham	Harper
Brooks (IN)	Dent	Harris
Brown (FL)	DeSantis	Hartzler
Brownley (CA)	DeSaulnier	Hastings
Buchanan	DesJarlais	Heck (NV)
Buck	Deutch	Heck (WA)
Bucshon	Diaz-Balart	Hensarling
Burgess	Dingell	Herrera Beutler
Bustos	Doggett	Hice, Jody B.
Butterfield	Dold	Higgins
Byrne	Donovan	Hill
Calvert	Doyle, Michael	Himes
Capps	F.	Holding
Capuano	Duffy	Honda
Cárdenas	Duncan (SC)	Hoyer
Carson (IN)	Duncan (TN)	Hudson
Carter (GA)	Edwards	Huelskamp
Carter (TX)	Ellison	Huffman
Cartwright	Ellmers (NC)	Huizenga (MI)
Castor (FL)	Engel	Hultgren
Castro (TX)	Eshoo	Hunt
Chabot	Esty	Hurd (TX)
Chaffetz	Farenthold	Hurt (VA)
Chu, Judy	Farr	Israel
Ciilline	Fitzpatrick	Issa
Clarke (NY)	Fleischmann	Jackson Lee
Clawson (FL)	Fleming	Jeffries
Clay	Flores	Jenkins (KS)

Jenkins (WV)	Mica	Scalise
Johnson (GA)	Miller (FL)	Schakowsky
Johnson (OH)	Moolenaar	Schiff
Johnson, E. B.	Mooney (WV)	Schweikert
Jolly	Moore	Scott (VA)
Jones	Moulton	Scott, Austin
Jordan	Mullin	Scott, David
Joyce	Mulvaney	Sensenbrenner
Katko	Murphy (FL)	Serrano
Keating	Murphy (PA)	Sessions
Kelly (MS)	Nadler	Sewell (AL)
Kelly (PA)	Napolitano	Sherman
Kennedy	Neal	Shimkus
Kildee	Neugebauer	Shuster
Kilmer	Newhouse	Simpson
Kind	Noem	Sinema
King (IA)	Nolan	Sires
King (NY)	Norcross	Slaughter
Kinzinger (IL)	Nugent	Smith (MO)
Kline	Nunes	Smith (NE)
Knight	O'Rourke	Smith (NJ)
Kuster	Olson	Smith (TX)
Labrador	Palazzo	Smith (WA)
LaHood	Pallone	Speier
LaMalfa	Palmer	Stefanik
Lamborn	Pascrell	Stewart
Lance	Paulsen	Stivers
Langevin	Payne	Swalwell (CA)
Larsen (WA)	Pearce	Takano
Larson (CT)	Pelosi	Thompson (CA)
Latta	Perlmutter	Thompson (MS)
Lawrence	Perry	Thompson (PA)
Lee	Peters	Thornberry
Levin	Peterson	Tiberi
Lewis	Pingree	Tipton
Lieu, Ted	Pittenger	Titus
Lipinski	Pitts	Tonko
LoBiondo	Pocan	Torres
Loeb sack	Poliquin	Trott
Lofgren	Polis	Tsongas
Loudermilk	Pompeo	Turner
Love	Posey	Upton
Lowenthal	Price (NC)	Valadao
Lowey	Price, Tom	Van Hollen
Lucas	Quigley	Vargas
Luetkemeyer	Rangel	Veasey
Lujan Grisham	Ratchliffe	Vela
(NM)	Reed	Velázquez
Luján, Ben Ray	Reichert	Visclosky
(NM)	Renacci	Walberg
Lummis	Ribble	Walden
Lynch	Rice (NY)	Walker
MacArthur	Rice (SC)	Walorski
Maloney,	Richmond	Walters, Mimi
Carolyn	Rigell	Walz
Maloney, Sean	Roby	Waters, Maxine
Marchant	Roe (TN)	Watson Coleman
Marino	Rogers (AL)	Weber (TX)
Massie	Rogers (KY)	Webster (FL)
Matsui	Rohrabacher	Welch
McCarthy	Rokita	Wenstrup
McCaul	Ros-Lehtinen	Westerman
McClintock	Roskam	Westmoreland
McCollum	Ross	Williams
McDermott	Rothfus	Wilson (SC)
McGovern	Rouzer	Wittman
McHenry	Roybal-Allard	Womack
McKinley	Royce	Woodall
McMorris	Ruiz	Yarmuth
Rodgers	Ruppersberger	Yoder
McNerney	Russell	Yoho
McSally	Salmon	Young (AK)
Meadows	Sánchez, Linda	Young (IA)
Meehan	T.	Young (IN)
Meng	Sanford	Zeldin
Messer	Sarbanes	Zinke

NOT VOTING—27

Bonamici	Johnson, Sam	Ryan (OH)
Boustany	Kaptur	Sanchez, Loretta
Carney	Kelly (IL)	Schrader
Clark (MA)	Kirkpatrick	Stutzman
Duckworth	Long	Wagner
Emmer (MN)	Meeks	Wasserman
Fincher	Miller (MI)	Schultz
Forbes	Poe (TX)	Wilson (FL)
Gutiérrez	Rooney (FL)	
Hinojosa	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PALMER) (during the vote). There are 2 minutes remaining.

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3438, REQUIRE EVALUATION BEFORE IMPLEMENTING EXECUTIVE WISHLISTS ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 5719, EMPOWERING EMPLOYEES THROUGH STOCK OWNERSHIP ACT; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-777) on the resolution (H. Res. 875) providing for consideration of the bill (H.R. 3438) to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; providing for consideration of the bill (H.R. 5719) to amend the Internal Revenue Code of 1986 to modify the tax treatment of certain equity grants; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5461, IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-778) on the resolution (H. Res. 876) providing for consideration of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record votes on postponed questions will be taken later.

AMENDING TITLE 49 TO INCLUDE CONSIDERATION OF CERTAIN IMPACTS ON COMMERCIAL SPACE LAUNCH AND REENTRY ACTIVITIES

Mr. GRAVES of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6007) to amend title 49, United States Code, to include consideration of certain impacts on commercial space launch and reentry activities in a navigable airspace analysis, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NAVIGABLE AIRSPACE ANALYSIS FOR COMMERCIAL SPACE LAUNCH SITE RUNWAYS.

(a) IN GENERAL.—Section 44718(b)(1) of title 49, United States Code, is amended—

(1) by striking “air navigation facilities and equipment” and inserting “air or space navigation facilities and equipment”;

(2) in subparagraph (D), by striking “; and” and inserting a semicolon;

(3) in subparagraph (E), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(F) the impact on launch and reentry for launch and reentry vehicles arriving or departing from a launch site or reentry site licensed by the Secretary.”.

(b) RULEMAKING.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to implement the amendments made by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6007.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6007. The bill will improve aviation safety by requiring the Federal Aviation Administration to take commercial space transportation activity into consideration when conducting aeronautical studies at spaceports licensed by the FAA. This is an important safety issue that has to be addressed as commercial space transportation is integrated into the National Airspace System.

The Aviation Subcommittee recently held a hearing on the FAA's oversight

of the commercial space transportation industry. The hearing examined important issues facing the industry, including the development of commercial spaceports that have yet to be fully addressed by Congress.

□ 1915

The committee looks forward to working with all individuals, obviously, on this. I know that the majority leader, Mr. MCCARTHY—and I do want to thank him for his strong leadership on this issue—worked very hard on it, and we are also going to be looking forward to working with him on this.

I urge my colleagues to support H.R. 6007.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 6007. This legislation, Mr. Speaker, provides the FAA with authority to review whether or not a proposed structure will present a hazard to commercial space vehicle launches and reentries.

The FAA is entrusted, Mr. Speaker, with providing for the safety of people and property in the air and on the ground, so it is very critical that the agency has the tools it needs to account for the rapidly-changing uses of the skies.

The FAA already has authority to evaluate whether proposed new structures will interfere with the safe operation of aircraft or air traffic control. However, this statutory authority does not explicitly direct the FAA, Mr. Speaker, to consider whether a new structure might interfere with the safe launch and reentry of commercial space vehicles.

H.R. 6007 provides the FAA with the authority it needs to maintain the highest levels of safety while allowing this dynamic industry to continue to grow.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Speaker, I would like to thank the majority leader for introducing this bill H.R. 6007, and for his efforts on behalf of the entire commercial space industry. Due to his efforts, we got a great bill in the Commercial Space Launch Competitiveness Act last year. Nine months into the bill, it has had a great impact on this industry.

Space represents what is exceptional about the United States of America. We are characterized by a spirit of adventure, risk taking, entrepreneurialism, and a spirit that has revolutionized access and operations in space, to the point where our very way of life now depends on space. We have trans-

formed how we communicate, how we navigate, how we produce food and energy, how we conduct banking, predict weather, perform disaster relief, provide security, and so much more.

But to be able to access space, we need robust infrastructure. Spaceports—and I would mention that we have a licensed spaceport in the great State of Oklahoma—are a key cog in that infrastructure, facilitating launches and reentries, not only by government agencies but also now by private companies.

In order to ensure these entities can operate efficiently and facilitate space launch and reentry, government policy needs to treat them as it treats other key pieces of transportation infrastructure.

This legislation, which I am proud to cosponsor, simply gives the FAA the ability to analyze the navigable airspace around spaceports, an authority it currently lacks. This will help the FAA and spaceports understand how structures and other features around spaceports will affect the operation of space vehicles.

As a pilot myself, I can tell you, I have used approach plates, and I have used departures. And what we need now is an ability for the future infrastructure to incorporate space vehicles into these approach plates so that we can integrate commercial air traffic with space traffic.

This is an important tool, and I urge passage of this bill.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I will conclude by saying that I urge all Members to support H.R. 6007.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill, H.R. 6007.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DIRECTING THE SECRETARY OF TRANSPORTATION TO PROVIDE CONGRESS ADVANCE NOTICE OF CERTAIN ANNOUNCEMENTS

Mr. GRAVES of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5977) to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5977

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL NOTIFICATION REQUIREMENTS.

(a) IN GENERAL.—Except as provided in subsection (b) or as expressly provided in another provision of law, the Secretary of Transportation shall provide to the appropriate committees of Congress notice of an announcement concerning a covered project at least 3 full business days before the announcement is made by the Department of Transportation.

(b) EMERGENCY PROGRAM.—With respect to an allocation of funds under section 125 of title 23, United States Code, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate notice of the allocation—

(1) at least 3 full business days before the issuance of the allocation; or

(2) concurrently with the issuance of the allocation, if the allocation is made using the quick release process of the Department (or any successor process).

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) COVERED PROJECT.—The term “covered project” means a project competitively selected by the Department of Transportation to receive a discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, or line of credit commitment in an amount equal to or greater than \$750,000.

(3) DEPARTMENT OF TRANSPORTATION.—The term “Department of Transportation” includes the modal administrations of the Department of Transportation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5977.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Congress authorizes funding for the Federal transportation programs, which, in turn, obviously provide the funding and credit assistance for transportation projects across

the country. However, the authorizing committees don't consistently get advance notice from the Department of Transportation prior to its announcement of grant awards and credit assistance for projects.

What this bill does is real simple. It requires the Department to give the authorizing committees at least 3 days advanced notice prior to announcing grant awards and credit assistance for projects. It is going to improve transparency and enhance oversight of the Department by ensuring that Congress is properly notified of these announcements.

I encourage my colleagues to support H.R. 5977.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5977. This bill ensures that the members of the Committee on Transportation and Infrastructure, and certain Senate committees, will receive at least 3 days advanced notice of discretionary grants and loans made by the Department of Transportation.

When Congress enacted the Moving Ahead for Progress in the 21st Century Act (MAP-21), we included a Congressional notification requirement for surface transportation grants. Language to require notification was omitted inadvertently when Congress enacted the most recent surface transportation authorization act, the Fixing America's Surface Transportation Act, or FAST Act.

The Committee on Transportation and Infrastructure has not consistently received notice from DOT prior to the announcement of grant awards and credit assistance for transportation projects since the passage of the FAST Act.

I urge my colleagues to join me in supporting this legislation.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the author of the FAST Act, the chairman of the Transportation Committee.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman from Missouri (Mr. GRAVES) for his help in developing H.R. 5977 and for his hard work on developing and passing the FAST Act, the Fixing America's Surface Transportation Act, which provides 5 years of funding for Federal transportation programs. These programs enable us to make much-needed investment in our transportation system.

H.R. 5977 will help ensure that Federal transportation funding is spent wisely, through proper and consistent notification from the Department of Transportation to Congress.

I thank my colleagues for their help in developing this important legisla-

tion, and I urge the support of H.R. 5977.

Mr. GRAVES of Missouri. Mr. Speaker, I urge all my colleagues to help me and support this legislation. It is a very important piece of legislation.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill, H.R. 5977.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AMENDING TITLE 49 WITH RESPECT TO CERTAIN GRANT ASSURANCES

Mr. ZELDIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5944) to amend title 49, United States Code, with respect to certain grant assurances, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRANT ASSURANCES.

Section 47107 of title 49, United States Code, is amended by adding at the end the following:

“(t) RENEWAL OF CERTAIN LEASES.—

“(1) IN GENERAL.—Notwithstanding subsection (a)(13), an airport owner or operator who renews a covered lease shall not be treated as violating a written assurance requirement under this section as a result of such renewal.

“(2) COVERED LEASE DEFINED.—In this subsection, the term ‘covered lease’ means a lease—

“(A) originally entered into before the date of enactment of this subsection;

“(B) under which a nominal lease rate is provided;

“(C) under which the lessee is a Federal or State government entity; and

“(D) that supports the operation of military aircraft by the Air Force or Air National Guard—

“(i) at the airport; or

“(ii) remotely from the airport.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ZELDIN) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ZELDIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5944.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ZELDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5944. This bill will ensure regulatory consistency and stability for airports that are co-located with Air National Guard or Air Force bases.

In recent years, several Air National Guard units have had their manned aircraft mission replaced with an unmanned aircraft mission. For some of these units, the unmanned aircraft are remotely operated from the Guard facilities but not located at the airport.

Since, in some instances, the unmanned aircraft do not land at the airport from where they are being operated, there is concern that the nominal leases these units have long enjoyed may no longer be permitted by the Federal Aviation Administration.

This bill ensures that an airport's simple renewal of a nominal rate lease with an Air National Guard unit that operates aircraft, remotely or otherwise, does not result in the airport losing its Federal grant funding.

The bill in no way prohibits airports from negotiating new lease terms with Air National Guard units, but it ensures that should an airport and an Air National Guard unit agree to renew a nominal rate lease they may do so.

Mr. Speaker, in this time of transition for military aviation, this bill allows airports and the Department of Defense sufficient flexibility to rebalance and adjust the missions of Air National Guard units without jeopardizing the airports' FAA grants.

This bill provides that flexibility while preserving the right of airports to renew leases that it believes are in the best interest of the airport and surrounding community.

I urge my colleagues to support H.R. 5944.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bill as well, which will allow our Nation's military to continue leasing space at airports at nominal rates.

Current law requires that airports agree to certain conditions to receive Federal airport grants. One of these requirements is for an airport to generate revenue that sustains most, if not all, of the airport's operations. If airports continue to renew leases under which tenants of airport property pay discounted rates, they could violate their grant assurances and put their Federal airport funding in jeopardy.

This bill allows airports to continue offering below-market rates to military tenants. I have no objection to this bill. However, I would like to note

that our Nation's airport infrastructure needs far exceed the Federal funding available. I regret that we are not here discussing some accompanying language that would increase airports' ability to generate revenue, such as through the passenger facility charge or an increase in funding for the Airport Improvement Program.

I am very pleased this bill is narrowly tailored to accommodate the important missions of the National Guard and the U.S. Air Force, as well as to protect the needs of airports.

Mr. Speaker, I reserve the balance of my time.

Mr. ZELDIN. Mr. Speaker, I yield 2½ minutes to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I thank my colleagues from New York and Indiana and the other colleagues supporting this legislation. They have described it beautifully.

I would just simply state that what this really does is it brings FAA policy up to the contemporary standards of modern-day missions by our Air Force and Air National Guard.

Many flying missions have made the transition or are making the transition from manned aircraft to remotely piloted aircraft, just like the Happy Hoiligans in my home State of North Dakota, and I think this policy recognizes that reality.

I am just going to wrap up by simply stating, Mr. Speaker, that there are many benefits to this bill in addition to the ones that have been stated. First of all, it is taxpayer friendly, and it is mission appropriate. It does nothing to diminish but rather enhances the integrity of the Air Force's mission, and it is good for taxpayers. It supports airport authorities and their flexibility, as well as military and defense operations.

Ultimately, Mr. Speaker, it strengthens the defense of our country, which is our highest priority, by keeping military installations at local airports.

I urge a "yes" vote on H.R. 5944.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

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Mr. ZELDIN. Mr. Speaker, I urge all Members to support H.R. 5944.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I thank the House for their swift consideration of H.R. 5944. This important, bipartisan piece of legislation helps our National Guard and Air Force continue to evolve into the 21st Century as Remote Piloted Aircraft—or RPA's—become a modern tool in our efforts to defend our nation.

RPA's provide key intelligence, reconnaissance, close air combat support, and have become one of the most reliable tools in our toolbox as we fight terrorism abroad. Years ago, we could not have envisioned the advances in technology that now allow our soldiers and pilots to fly missions from a control center thousands of miles from the battlefield. Yet our

laws are unfortunately woefully outdated when it comes to the infrastructure that supports RPA's. Now is the time to update those laws and now is the time to update this critical infrastructure.

This bill allows our National Guard and Air Force stations on civilian airfields that operate and participate in RPA missions to remain eligible for nominal leases. Doing so will save our military millions of dollars that can be spent elsewhere—on soldiers and equipment.

Without this fix to federal law, estimates show that the National Guard would be forced to spend over \$155 million each year just to keep their leases for bases they are on now. That would be an additional \$155 million on top of the current costs. If faced with this enormous cost, bases would be forced to shutter their operations permanently and missions would be eliminated entirely.

This legislation not only saves dollars, it saves our current defense structure that helps protect our country, which in turn saves lives.

Nothing in this legislation creates a mandate for our airports or the military, rather it allows leases and current agreements to be renewed. Future agreements can be fairly negotiated without the risk of airfields losing FAA grant eligibility or the Guard losing their entire budget to lease payments.

I have many constituents that work at the Battle Creek Air National Guard Based in Michigan, which is just one of the many dual-use airfields that will immediately benefit from our legislation. Those servicemen and women support missions from cyberspace, on the ground, and in the air with our MQ-9 RPA mission that contribute to combat terror efforts overseas as we speak.

We cannot risk disturbing these critical missions by moving or eliminating the capability the Guard and Air Force provide simply because of outdated laws that could not have foreseen the technology we would be using to effectively carry out missions. Every Guard and Air Force base on a civilian airfield will have the certainty to continue their operations without the fear of losing the lease structure currently in operation. With our bill, airfields will have the certainty knowing they are still eligible for FAA grants and together, the Guard and the FAA can develop better agreements for the future of airfields across the nation.

H.R. 5944 prevents a disruption of our missions, saves taxpayer dollars, and allows our Guard to modernize for the 21st century and beyond.

I would like to sincerely thank the House Transportation and Infrastructure, Chairman SHUSTER and Subcommittee Chairman LOBIONDO, both majority and minority staff, Nick Bush on my staff, as well as the Federal Aviation Administration for working together on this bipartisan solution for our airfields across the country.

Providing for the national defense and supporting our troops around the country is one of Congress' foremost priorities and H.R. 5944 ensures that our military will continue to be the greatest in the world.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ZELDIN) that the House suspend the rules and pass the bill, H.R. 5944.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL AVIATION ADMINISTRATION VETERAN TRANSITION IMPROVEMENT ACT OF 2016

Mr. ZELDIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5957) to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Aviation Administration Veteran Transition Improvement Act of 2016".

SEC. 2. INCLUSION OF DISABLED VETERAN LEAVE IN FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

(a) IN GENERAL.—Section 40122(g)(2) of title 49, United States Code, is amended—

(1) in subparagraph (H), by striking "; and" and inserting a semicolon;

(2) in subparagraph (I)(iii), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(J) subject to paragraph (4) of this subsection, section 6329, relating to disabled veteran leave."

(b) CERTIFICATION OF LEAVE.—Section 40122(g) of such title is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

"(4) CERTIFICATION OF DISABLED VETERAN LEAVE.—In order to verify that leave credited to an employee pursuant to paragraph (2)(J) is used for treating a service-connected disability, that employee shall, notwithstanding section 6329(c) of title 5, submit to the Assistant Administrator for Human Resource Management of the Federal Aviation Administration certification, in such form and manner as the Administrator of the Federal Aviation Administration may prescribe, that the employee used that leave for purposes of being furnished treatment for that disability by a health care provider."

(c) APPLICATION.—The amendments made by this section shall apply with respect to any employee of the Federal Aviation Administration hired on or after the date that is one year after the date of the enactment of this Act.

(d) POLICIES AND PROCEDURES.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall prescribe policies and procedures to carry out the amendments made by this section that are comparable, to the maximum extent practicable, to the regulations prescribed by the Office of Personnel Management under section 6329 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ZELDIN) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ZELDIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5957.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ZELDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5957.

When Congress passed the Wounded Warriors Federal Leave Act last year, it inadvertently excluded new FAA employees from coverage under a new sick leave system. This bill corrects that omission.

Mr. Speaker, one-third of veterans who served after September 11 report having a service-connected disability, with more than two-thirds of those disabilities rating 30 percent or higher.

There are more than 35,000 veterans in my district alone, many of whom have the skill sets and background in aviation necessary to succeed in highly technical FAA positions. This bill will help ensure that a veteran's service to our Nation does not become a barrier to future employment.

I want to thank Aviation Subcommittee Chairman LOBIONDO and Subcommittee Ranking Member LARSEN for their leadership and bipartisan partnership on this simple, yet important fix to remove an unnecessary barrier to employment for our Nation's veterans.

Mr. Speaker, I urge my colleagues to support H.R. 5957.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5957, the Federal Aviation Administration Veteran Transition Improvement Act of 2016.

This bill, introduced by my colleague and Aviation Subcommittee Ranking Member RICK LARSEN, a distinguished Member, will provide newly hired disabled veterans at the FAA with the same entitlement to leave that disabled veterans receive at other Federal agencies. I am also proud to be a sponsor of this bill.

H.R. 5957 will close an important loophole and it will create parity between FAA-employed veterans with certain service-connected disabilities and veterans at other Federal agencies.

This bill is fair, it is necessary, and it is the right thing to do for servicemen and -women who have bravely served this great Nation.

Mr. Speaker, I yield such time as he may consume to the very distinguished gentleman from Washington State (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, today I rise in support of H.R. 5957, the FAA Veteran Transition Improvement Act of 2016.

Last November, after passing the House and the Senate by unanimous consent, the Wounded Warriors Federal Leave Act was signed into law. That legislation recognizes that no one who has sustained an injury due to military service should have to choose between earning a paycheck or receiving health care.

Specifically, that act provides up to 104 hours of upfront, disabled veteran leave during an employee's first 12 months on the job. The Wounded Warriors Federal Leave Act will apply to anyone hired on or after November 5 of this year.

However, that legislation only applies to Federal civilian personnel covered under title 5 leave provisions. Consequently, those not covered under title 5—including employees of the FAA—are not able to use these leave benefits.

Now, in my own State of Washington, there are more than 650 veterans who work at the FAA; and across the country, more than 15,000 veterans work for the FAA. From 2012 to 2016, the FAA hired between 150 to 350 veterans each year—men and women who have served our country but may be unable to get the health care that they need. So in an effort to expand these benefits to disabled veterans hired by the FAA, Representative LOBIONDO joined me in introducing this bipartisan bill earlier this month.

H.R. 5957 will ensure that newly hired disabled veteran FAA employees receive the same upfront disabled leave that personnel at other government agencies will receive. This legislation will help ensure that no newly hired disabled veteran FAA employee is faced with the choice between earning a paycheck or receiving health care, and finishes the laudable work that was started by the Wounded Warriors Federal Leave Act.

I want to thank all the advocacy organizations who support this legislation, including the Veterans of Foreign Wars, The American Legion, Paralyzed Veterans of America, American Federation of Government Employees, the Federal Managers Association, the FAA Managers Association, Professional Aviation Safety Specialists, General Aviation Manufacturers Association, and the National Air Traffic Controllers Association.

I also want to be sure to thank Representative LOBIONDO for working with me on this important legislation. Lastly, I want to thank and recognize Senator HIRONO, who has introduced companion legislation in the Senate, and I look forward to continue working to move this important bill past the finish line.

Last week, this bipartisan bill was unanimously reported out of the com-

mittee, and today I ask for this Chamber's support as well. Let's not keep these veterans waiting.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. ZELDIN. Mr. Speaker, I urge all Members to support H.R. 5957.

I yield back the balance of my time.

Mr. LOBIONDO. Mr. Speaker, H.R. 5957, the Federal Aviation Administration Veteran Transition Improvement Act, allows an important federal benefit to be extended to newly hired veterans at the FAA. This commonsense piece of legislation corrects an oversight in the Wounded Warriors Federal Leave Act that was passed last year. This act inadvertently excluded FAA employees from coverage.

One out of three veterans who served after September 11th report having a service-connected disability and more than two-thirds of those disabilities are rated 30 percent or higher. Mr. Speaker, just in my district, there are more than 40,000 veterans, of whom many have the skill-sets and aviation background needed to succeed in highly technical FAA positions.

This bill can help ensure that a veteran's service will not become an obstacle for future employment. I appreciate the leadership and partnership of Mr. LARSEN on this simple, important fix to an employment barrier for veterans in our nation.

I urge my colleagues to support the passage of H.R. 5957.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ZELDIN) that the House suspend the rules and pass the bill, H.R. 5957.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DIRECTING THE FEDERAL AVIATION ADMINISTRATION TO ALLOW CERTAIN CONSTRUCTION OR ALTERATION OF STRUCTURES BY STATE DEPARTMENTS OF TRANSPORTATION

Mr. ZELDIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6014) to direct the Federal Aviation Administration to allow certain construction or alteration of structures by State departments of transportation without requiring an aeronautical study, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REIMBURSABLE AGREEMENTS FOR CERTAIN AIRPORT PROJECTS.

The Administrator of the Federal Aviation Administration may enter into a reimbursable agreement with a State or local government agency to carry out a project at an airport as to which notice is required under section 77.9 of title 14, Code of Federal Regulations, if the agreement—

(1) includes measures for cost-effective completion of such project; and

(2) would not negatively affect the safety or efficiency of the national airspace system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ZELDIN) and the gentleman from Minnesota (Mr. NOLAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ZELDIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6014.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ZELDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6014. This bill clarifies that the Federal Aviation Administration may enter into an agreement with a State or local government agency to carry out a project at an airport in exchange for reimbursement by that State or local government agency.

The agreement to provide these services would have to include measures for cost-effective completion of the project and not negatively affect the safety or efficiency of the National Airspace System. The text before us includes a minor technical change to clarify that the legislation applies only to projects located at airports.

This bill does not create any new authority; rather, it clarifies the application of the Federal Aviation Administration's existing authority to provide in-kind services to State and local government agencies in exchange for payment.

I appreciate Mr. NOLAN's commitment to this issue and his willingness to work with the committee on a bipartisan basis.

Mr. Speaker, I urge my colleagues to support H.R. 6014.

I reserve the balance of my time.

Mr. NOLAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this commonsense, bipartisan measure. I would be remiss if I didn't thank Chairman SHUSTER and Subcommittee Chairman LOBIONDO, Ranking Members LARSEN and DEFAZIO and members of the committee for supporting this legislation.

What it does is it authorizes and clarifies that the FAA has the authority to enter into reimbursable contracts with the State and all of the States in this country. The reason and the rationale for it is that it dramatically reduces Federal bureaucracy. It saves the taxpayers a ton of money as well as investors and encourages private investments in our airport infrastructure, creating jobs and laying the

foundation for a good economic development in the future.

I would like to give one real quick illustration. These are two towers that are used for navigation at a regional airport in north central Minnesota, the town of Brainerd, Minnesota. They are about 25 feet high. A group of investors agreed to put \$1 million into a new hangar to accommodate corporate jets in this community—a very fast-growing economic community.

The FAA said: Well, we are going to have to do a feasibility study, and that will cost several \$100,000. And, oh, by the way, the airport and the investors will have to pay for that.

Then they said: Oh, by the way, we will select the contractor under the current rules, and that will cost another 4 or \$500,000. And, by the way, you will have to pay for that.

So, right away, there was resistance at the airport and in the business community because everybody in town knew at least two guys with a pickup truck and a backhoe that could have moved the two towers on a Saturday morning somewhere.

So I called the State Department of Aviation and said: Have you ever done anything like this before?

They said: Yeah, yeah. They said that they had done it.

I said: Have you done it in compliance with FAA standards for safety and navigation?

They said: Yes.

I said: Will you go up and take a look to see this particular project and give me an estimate on what you could do that for?

They did. They came back. And instead of three-quarters of a million dollars, they said: We can do it for about \$17,000.

So that is what we are talking about. We are talking about enormous savings for taxpayers, for investors, and stimulating investment. It is a good bill. I am grateful for the bipartisan support that it has received throughout the community and from the FAA, quite frankly.

So I strongly urge its adoption and thank the leadership for bringing this bill forward.

Mr. Speaker, I yield back the balance of my time.

Mr. ZELDIN. Mr. Speaker, I urge all Members to support H.R. 6014.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ZELDIN) that the House suspend the rules and pass the bill, H.R. 6014, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

BATHROOMS ACCESSIBLE IN EVERY SITUATION ACT

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5147) to amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bathrooms Accessible in Every Situation Act" or "BABIES Act".

SEC. 2. BABY CHANGING FACILITIES IN RESTROOMS IN PUBLIC BUILDINGS.

(a) *IN GENERAL.*—Chapter 33 of title 40, United States Code, is amended—

(1) *by redesignating sections 3314, 3315, and 3316 as sections 3315, 3316, and 3317, respectively; and*

(2) *by inserting after section 3313 the following new section:*

"§3314. Baby changing facilities in restrooms

"(a) ADDITIONAL REQUIREMENT FOR THE CONSTRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC BUILDINGS.—Except as provided in subsection (b) and subject to any reasonable accommodations that may be made for individuals in accordance with the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) restrooms in a public building shall be equipped with baby changing facilities that the Administrator determines are physically safe, sanitary, and appropriate.

"(b) EXCEPTIONS.—The requirement under subsection (a) shall not apply—

"(1) to a restroom in a public building that is not available or accessible for public use;

"(2) to a restroom in a public building that contains clear and conspicuous signage indicating where a restroom with a baby changing table is located on the same floor of such public building;

"(3) if new construction would be required to install a baby changing facility in the public building and the cost of such construction is unfeasible; or

"(4) to a building not subject to an alteration as set forth in section 3307.

"(c) DEFINITIONS.—In this section:

"(1) BABY CHANGING FACILITY.—The term 'baby changing facility' means a table or other device suitable for changing the diaper of a child age 3 or under.

"(2) PUBLIC BUILDING.—The term 'public building' means a public building as defined in section 3301 and controlled by the Public Building Service of the General Services Administration."

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by striking the items relating to sections 3314, 3315, and 3316 and inserting the following:

"3314. Baby changing facilities in restrooms.

"3315. Delegation.

"3316. Report to Congress.

"3317. Certain authority not affected."

(c) APPLICABILITY.—The requirement under section 3314(a) of title 40, United States Code,

shall apply in the case of a public building constructed, altered, or acquired by the Administrator of General Services on or after the date that is 1 year after the date of the enactment of this Act, beginning on that date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5147, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5147, as amended, the Bathrooms Accessible in Every Situation Act, or BABIES Act, would require restrooms in certain public buildings be equipped with baby changing stations that are safe and sanitary. Millions of American families visit Federal facilities every day. While the cost of changing stations is small, some Federal buildings open to the public do not have them.

□ 1945

This bill would cover those buildings controlled by the General Services Administration that are open for public use. This requirement would not apply to restrooms not publicly accessible, if there are other restrooms nearby with changing stations, or if it would require costly construction or alterations.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Chairman BARLETTA.

I also support this bill, as amended, which directs the GSA to install baby changing stations in restrooms in public buildings across the Nation.

I would like to commend my colleague, the gentleman from Rhode Island (Mr. CICILLINE), for his leadership on this issue, and for his willingness to work with us to bring this bill to the floor today. I am pleased that our committee worked closely with Representative CICILLINE to achieve the original purpose of the bill and to keep costs down to change public policy.

The amended bill directs GSA to include at least one baby changing station in the men's and the women's restroom on each floor of a public building. The requirements of this bill do not apply to any restrooms in Federal buildings which are not available to the public.

I urge my colleagues to join us in supporting this legislation.

I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

I want to begin by thanking Chairman SHUSTER and Ranking Member DEFAZIO for their support on this legislation. I would also particularly like to thank Congressman CARSON for his strong support in getting this bill to the Transportation and Infrastructure Committee, and thank Chairman BARLETTA for his support as well.

H.R. 5147, the Bathrooms Accessible in Every Situation Act, or the BABIES Act, would require that both male and female restrooms in public buildings be equipped with baby changing facilities that are physically safe, sanitary, and appropriate.

Federal public buildings belong to the people of this country, and they should be welcoming and appropriately accommodating. This legislation will ensure that there are appropriate and sanitary facilities in publicly accessible Federal buildings for parents and caretakers to change the infants and toddlers that are with them.

For example, in the office building where my office is located, Rayburn, there are no baby changing tables at all. That means that Rhode Islanders who come to visit my office have to try to find a changing station in another public building, or they will have to decide to change their baby on a bathroom floor, which is a terrible option, unsanitary for both the parents and the children. This same problem exists in Federal buildings all across this country.

Access to baby changing stations in restrooms in Federal buildings will help in protecting the health and safety of children and will encourage a family-friendly environment. Various cities and counties in the United States have passed similar laws requiring changing tables in men's and women's bathrooms for all of the same reasons.

Current GSA policy requires that the planning of new construction modernization alteration projects include family restrooms equipped with baby changing stations, but current policy does not apply to existing buildings. This legislation would impose the requirement for publicly accessible Federal buildings and facilities. The cost will be modest to install a baby changing station. This will go a very long way to ensuring the safety and comfort of families visiting Federal buildings all across this country.

I thank the chairman and ranking member for their support, and I urge my colleagues to support it as well.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5147, the "Bathrooms Accessible In Every Situation (BABIES) Act of 2016."

This is an important measure that would provide diaper changing facilities in male and female restrooms in public buildings.

This piece of legislation simply seeks to provide equal rights to both men and women caregivers.

According to a report released by the U.S. Department of Health and Human Services, fathers today are more involved with their children.

Fathers also need access to childcare facilities.

H.R. 5147 would apply to:

any public building constructed, altered, or acquired by the General Services Administration a year after the enactment of this measure; and any other public building, not described above, beginning two years after the enactment of this measure.

H.R. 5147 would not apply to:

public buildings where the restrooms are not for public use; and

restrooms in a public building with clear and conspicuous signage indicating where another restroom, male or female, is located within the same sector or corridor of said building.

In California, two similar state bills were struck down that would have provided equal access to changing tables for both men and women.

Positive reforms are, however, taking place around the country.

For example, Miami Dade County, Florida, requires that new and remodeled businesses have baby changing stations that are accessible by both men and women.

In San Francisco, California, planning codes require that new or renovated public buildings must install baby changing stations that are accessible to women and men.

Yet, there is no federal law or legislation to regulate the equal access of stations for men and women.

H.R. 5147 supplies that standard.

This legislation is long overdue.

We must support equal access to basic needs and bathroom changing stations for all men and women caregivers

For these reasons, I support H.R. 5147 the "Bathroom Accessible in Every Situation (BABIES) Act of 2016."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 5147, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUELSKAMP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

JUDGE RANDY D. DOUB UNITED STATES COURTHOUSE

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3937) to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the “Judge Randy D. Doub United States Courthouse”, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, shall be known and designated as the “Randy D. Doub United States Courthouse” during the period in which the building is utilized as a United States courthouse.

SEC. 2. REFERENCES.

With respect to the period in which the building referred to in section 1 is utilized as a United States courthouse, any reference in a law, map, regulation, document, paper, or other record of the United States to that building shall be deemed to be a reference to the “Randy D. Doub United States Courthouse”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3937, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3937, as amended, would designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the Judge Randy D. Doub United States Courthouse.

I would like to thank the gentlemen from North Carolina, Mr. JONES and Mr. BUTTERFIELD, for their leadership on this legislation.

Judge Randy D. Doub was in the private practice of law for 26 years in Greenville, North Carolina. From 1985 until 1990, he served on the North Carolina Board of Transportation. In 2006, he was appointed by the Fourth Circuit Court of Appeals as a United States bankruptcy judge and served as chief judge from 2007 to 2014.

Sadly, last year, Judge Doub passed away suddenly. He was a well respected bankruptcy attorney and jurist, which is exemplified by the fact that this bill was sponsored by the entire North Carolina delegation.

I think it is fitting to recognize his service to the law and the community by naming this courthouse after him.

I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I also support H.R. 3937, as amended, which designates a U.S. courthouse located in Greenville, North Carolina, as the Judge Randy D. Doub United States Courthouse.

I want to thank my good friend and colleague, G. K. BUTTERFIELD, for his work on this effort.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, in January 2015, one of my dearest friends suddenly passed away at the age of 59. Judge Randy Doub had been a friend of mine for years. He was a strong man who lived his faith. He loved his country, and he loved, very dearly, his wife, Toni, and sons, Alexander and Jameson. Randy was also very active in his church and passionate in his career.

As a Federal bankruptcy judge, he was respected by the lawyers who came before him, by the families whom he helped through financial difficulties, and by the dedicated and most loyal staff that he worked so closely with.

Psalm 106:3 says:

Blessed are they who observe justice, who do righteousness at all times.

Randy truly was a fair and caring judge who understood that the opportunity to serve in this capacity was a gift from God.

Mr. Speaker, while he achieved much in his career, one of Randy's prouder accomplishments was his work with the GAO on the Greenville Courthouse. He helped to design, create, and oversee a high-quality facility to better serve the residents of eastern North Carolina, all while keeping the project under budget. He took great pride in this building.

Mr. Speaker, for all of the reasons I have mentioned and more, it is right and justified to name this courthouse after Judge Randy Davis Doub.

I want to thank my dear friend, Mr. G. K. BUTTERFIELD, who knew Randy Doub as well as I did. Mr. BUTTERFIELD, as you know, is a former judge in State courts and is also an attorney. He and I worked side by side to get this legislation to the floor of the House.

I want to thank the committee of jurisdiction and I want to thank the subcommittees who are on the floor today for giving us this chance to remember a man who loved his country, who loved the Constitution, and who loved his family.

Mr. CARSON of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, let me begin this evening by thanking Mr. CARSON for yielding time, and thanking him for his extraordinary leadership not only on his committee, but for the great work that he does here in Congress. He is a leader of leaders, and I thank him so very much. I also thank Mr. BARLETTA for his work. I feel a sense of bipartisanship on this committee, and I want to congratulate both of them for their fine work.

Mr. Speaker, tonight I rise in support of my bill, H.R. 3937, which seeks to honor a great American jurist, a great public servant, and a great American, Judge Randy D. Doub of Greenville, North Carolina.

Randy was an outstanding jurist and a lifelong North Carolinian who is fondly remembered by many who appeared before his court, and by those in the Pitt County, North Carolina, community he loved so much.

Last November, I introduced this legislation, a bill that seeks to name the U.S. courthouse at 150 Reade Circle in Greenville, North Carolina, as the Judge Randy D. Doub United States Courthouse.

My good friend and colleague of many, many years, Congressman WALTER JONES, as he mentioned just a moment ago, has joined me in spearheading this effort. We have worked on it for a long time. I thank WALTER for his tireless work on this bill. We were joined by the entire North Carolina delegation, who signed on as original cosponsors.

I want to express my sincere appreciation to my colleagues—all of them, Democrat and Republican—from North Carolina for the strong bipartisan support for this bill.

I would also like to thank the majority leader, Mr. MCCARTHY, for working with me to put this bill on the floor. I asked Leader MCCARTHY if he would put it on the floor this week and he agreed.

Mr. Speaker, Randy Doub was born in Forsyth County, North Carolina, a little community outside of Winston-Salem called Pfafftown. In 1977, he graduated at the top of his class, magna cum laude, from East Carolina University, which is in Greenville, my congressional district. He then earned his law degree from the University of North Carolina at Chapel Hill in 1980. That is when I met Randy Doub. I passed the bar and graduated from law school in 1974; Randy did so in 1980, and after 1980 we became very good friends.

After law school, Judge Doub went into private practice, where he spent 26 years providing expert counsel to his clients and devotedly represented their interests in court.

After more than a quarter of a century in private practice, Randy was appointed as the United States bankruptcy judge for the Eastern District of North Carolina. As he ascended to the

bench, Judge Doub's reputation as a hardworking, fair, and compassionate jurist did not go unnoticed. In 2007, he was named chief judge, a position he held until last year.

Sadly, on January 24, 2015, Judge Doub passed away at the young age of 59 from a sudden heart attack. He left behind a wonderful family and community who loved and respected him so very much. He was well respected.

Judge Doub put his family and faith above all else. He was a devoted and loving husband to his wife of 29 long years, Toni, and a wonderful father to their two sons, Alexander and Jameson.

A man of strong conviction and faith, Judge Doub was a member of Unity Free Will Baptist Church in Greenville and was a dedicated and long-serving member of the church choir.

Mr. Speaker, while Judge Randy Doub is deserving of far more accolades than I have given him this evening, I am sure they will come with time. It is my great pleasure to offer this legislation that seeks in some very small way to honor the life and work of Judge Randy Doub.

□ 2000

In closing, there is no more fitting way to honor this legacy and the contributions of Judge Randy Doub than to name this courthouse the Randy D. Doub Courthouse in Greenville, North Carolina, where Randy served with such distinction and honor.

I thank my colleagues for their strong support. I urge my colleagues to vote "yes" on this legislation.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 3937, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the 'Randy D. Doub United States Courthouse'."

A motion to reconsider was laid on the table.

COMMUNITY COUNTERTERRORISM PREPAREDNESS ACT

Mr. McCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5859) to amend the Homeland Security Act of 2002 to establish the major metropolitan area counterterrorism training and exercise grant pro-

gram, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Counterterrorism Preparedness Act".

SEC. 2. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.) is amended by adding at the end the following new section:

"SEC. 2009. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—The Secretary, acting through the Administrator and the heads of other relevant components of the Department, shall carry out a program for emergency response providers to prevent, prepare for, and respond to the most likely terrorist attack scenarios, including active shooters, as determined by the Secretary, against major metropolitan areas.

"(2) INFORMATION.—In establishing the program under paragraph (1), the Secretary shall provide to eligible applicants—

"(A) information, in an unclassified format, on the most likely terrorist attack scenarios, including active shooters, which such grants are intended to address; and

"(B) information on training and exercises best practices.

"(b) ELIGIBLE APPLICANTS.—

"(1) IN GENERAL.—Emergency response providers in jurisdictions that are currently receiving, or that previously received, funding under section 2003 may apply for a grant under the program established in subsection (a).

"(2) ADDITIONAL JURISDICTIONS.—Eligible applicants receiving funding under the program established in subsection (a) may include in activities funded by such program neighboring jurisdictions that would be likely to provide mutual aid in response to the most likely terrorist attack scenarios, including active shooters.

"(c) APPLICATION.—

"(1) IN GENERAL.—Eligible applicants described in subsection (b) may apply for a grant under this section, and shall submit such information in support of an application as the Administrator may require.

"(2) MINIMUM CONTENTS OF APPLICATION.—The Administrator shall require that each applicant include in its application at a minimum, the following:

"(A) The purpose for which the applicant seeks grant funds, including a description of how the applicant plans to use such funds.

"(B) A description of how the activity for which the funding is sought will prepare the applicant to prevent, prepare for, and respond to complex, coordinated attacks.

"(C) A description of how the applicant will work with community partners located within the applicant's jurisdiction, such as schools, places of worship, and businesses, as appropriate, when conducting activities permitted under subsection (d).

"(D) Such other information as determined necessary by the Administrator.

"(d) PERMITTED USES.—The recipient of a grant under this section may use such grant to conduct training and exercises consistent

with preventing, preparing for, and responding to the most likely terrorist attack scenarios, including active shooters.

"(e) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not fewer than 24 months.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section \$39,000,000 for each of fiscal years 2017 through 2022."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following new item:

"Sec. 2009. Major metropolitan area counterterrorism training and exercise grant program."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. McCAUL) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

Mr. GOHMERT. Mr. Speaker, if no one is claiming time in opposition, I would like to claim that time.

The SPEAKER pro tempore. The Chair would inquire if the gentleman from New Jersey is opposed to the bill.

Mr. PAYNE. No, I am not.

The SPEAKER pro tempore. On that basis, the gentleman from Texas (Mr. GOHMERT) will control 20 minutes in opposition.

The Chair recognizes the gentleman from Texas (Mr. McCAUL).

GENERAL LEAVE

Mr. McCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCAUL. Mr. Speaker, I yield myself such time as I may consume.

As we stand here this evening, there are ongoing investigations into the terrorist attacks over the weekend in New York, in New Jersey, and in Minnesota. Details of these attacks and of those responsible continue to emerge. One thing is certain: we are thankful that there was no loss of life and we are thankful for our brave first responders who worked around the clock to keep our communities safe.

These brave men and women are doing their jobs in increasingly difficult times. The threat environment is as high as we have ever seen it since 9/11. Large-scale terror attacks have been replaced as the main threat by smaller attacks that seek to terrorize entire communities at an alarming pace. Whether it is a simultaneous, coordinated attack at multiple locations, as we saw in Paris last year, or attacks like the ones in New York, New Jersey, and Minnesota this past weekend, or an active shooter who targets law enforcement, as we experienced in my home

State of Texas against the Dallas Police Department, we must ensure that our communities and our first responders—our heroes—have the tools and training they need to best address today's threats.

That is why I introduced H.R. 5859, the Community Counterterrorism Preparedness Act. This bill authorizes \$39 million for first responders in major metropolitan areas to conduct training and exercises to prevent, to prepare for, and to respond to the most likely terrorist attack scenarios, like the IED attacks that we recently saw in New York and in New Jersey or active shooter attacks. The fiscal year 2016 Consolidated Appropriations Act included \$39 million for grants to address complex, coordinated terrorist attacks, like the attacks in Paris.

My bill authorizes the program, and it provides clear direction to the Department of Homeland Security, ensuring that emergency response providers receive the funding they need to address these emerging threats. First responders in any of the more than 60 jurisdictions that currently receive or have previously received funding under the Urban Areas Security Initiative are eligible for funding under this new program.

Mr. Speaker, as chairman of the Committee on Homeland Security, my main job is to support the establishment of policies and programs that will help keep the American people safe. This program that is established in my bipartisan bill will provide the additional resources to first responders so they can do just that.

I urge all Members to join me in supporting this bill.

Mr. Speaker, I yield 10 minutes of my time to the gentleman from New Jersey (Mr. PAYNE) and ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5859, the Community Counterterrorism Preparedness Act of 2016.

Mr. Speaker, over the weekend, a pressure cooker bomb exploded in the Chelsea neighborhood of Manhattan, New York. A second explosive was found only blocks away. Thankfully, nobody was killed, but 29 innocent people were injured. Over the course of the investigation, additional explosive devices were found in Elizabeth, New Jersey. All of these devices were ultimately connected devices that were found in Seaside Park, New Jersey, one of which exploded early Saturday morning.

Law enforcement's pursuit of the suspected terrorist ended in Linden, New Jersey, which is in my congressional

district. Yesterday, police successfully apprehended the suspect after a shootout in which two brave officers were shot. Thankfully, we understand that both injured Linden police officers have been released from the hospital. Officer Padilla and Officer Hammer have even made requests to go back to work.

Mr. Speaker, the events of this past weekend reflect the evolving nature of the terrorist threats that our communities are confronting. From home-made explosive devices that are planted in multiple densely populated locations throughout a region to active shooter incidents, today's threat environment demands that local law enforcement be prepared to respond to these complex attacks.

The Community Counterterrorism Preparedness Act would formally authorize the \$39 million Complex Coordinated Terrorist Attacks program funded in the fiscal year 2016 appropriations bill. The program would help our first responders access the training that is necessary to stay a step ahead of those who would do us harm and to keep our communities safe.

I also want to express my deepest appreciation for the first responders and New Jersey citizens who came together to quickly identify and apprehend the suspect in the bombings. By remaining engaged and vigilant, Linden and Elizabeth residents, law enforcement, and first responders kept our communities safe and prevented loss of life. I know a lot of people will not acknowledge the help we got from the Muslim community, but I specifically acknowledge their efforts to assist authorities in apprehending the suspect.

I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, I yield myself such time as I may consume.

One thing that all three of us who have spoken on this bill tonight share is a desire to protect our homeland. I know that absolutely, completely to each of our cores we want our homeland protected. The issue comes in how we go about doing that and what lessons have been learned from prior mistakes and prior deaths and injuries.

We continue to hear in the media about lone wolves. As Patrick Poole once said, They are not lone wolves. We keep finding that they are known wolves. It seems that, over and over, people who are killing in the name of Allah, killing in the name of the Islamic State and its leader, killing in the name of radical Islamic jihad have been questioned, have surfaced as a threat; yet, when they are investigated, they don't seem to be able to capture the fact that this is someone who has been radicalized and is going to go about killing people—killing Americans.

If we look at Orlando and now at New York City, we are training law enforcement officers to spot nonexistent Islamophobes. That is an expression—a word—that was coined by the organization of the Islamic Council, which has 57 members—or states—or 50 states. I forget. With the United States or the OIC, one of us has 57 states and the other has 50. Anyway, they are the ones who coined the phrases “Islamaphobe,” “Islamophobia,” and that is what is being taught.

As we have looked at how Homeland Security money has been spent in trying to prepare against radical Islamists—although they call it countering violent extremism, they don't want to say the words “radical Islam.” The gentleman from Texas has repeatedly said the phrase “radical Islam” because he understands that that is what it is. Unfortunately, the Homeland Security Department still can't quite grasp what radical Islam is.

For those who wonder is it even possible that money that we would appropriate under this bill, which makes clear on page 4 of the bill that, when applying for the money, at a minimum, the application has to say how the applicant will work with community partners—“community partners.” That is an interesting phrase in itself.

Where have we found that before?

We have found that with Homeland Security; we have found that with the FBI; and we have heard testimony in our Judiciary Committee from FBI Director Mueller on the community partnership that they have had with mosques and with different groups, like CAIR. In fact, CAIR, itself, and other Islamic groups have even been actually named as unindicted coconspirators in the Holy Land Foundation trial in which the principals were convicted of supporting terrorism.

□ 2015

There were numerous unindicted coconspirators. The only ones who objected to their listing as unindicted coconspirators brought their motion to be struck from the pleading before the Federal district judge in the case. He examined the evidence and indicated there was plenty of evidence to support them being named as coconspirators. They weren't satisfied with that; they appealed it to the Fifth Circuit Court of Appeals.

The Fifth Circuit Court of Appeals examined the evidence that was available and said, just on the evidence available, that these groups that are objecting to being listed as coconspirators, there is plenty of evidence to show that they are coconspirators. The names shall not be struck.

Yet, the FBI, the State Department, the Department of Homeland Security, the CIA, and our intelligence agencies continue to follow the instructions of the White House and, that is, to be

community partners with these groups that have ties to the Muslim Brotherhood.

As I have traveled in the Middle East and North Africa, repeatedly, I have been asked by leaders, once the cameras are out of the room: Why do you not understand the Muslim Brotherhood has been at war with you for decades? You keep helping the Muslim Brotherhood. You keep getting advice from the Muslim Brotherhood. When are you going to learn?

In Egypt, where the Muslim Brotherhood was born, Egypt has understood what a threat the Muslim Brotherhood is to Western civilization. They don't want to recognize our Constitution; they want it supplanted and replaced with Sharia law. We can live in peace with the vast number of Muslims in the world, but we need to be sure we recognize radical Islamic jihadists.

So how do we go about training? The Committee on Homeland Security is making a wonderful gesture: Here is money for law enforcement officers to be trained. What happens? Well, they are told they have got to reach out with community partners.

And I know from personally questioning former-FBI Director Mueller—I was chastising him for the fact that the United States was notified twice that the older Tsarnaev brother, the Boston bomber, had been radicalized and was going to kill people in the United States—they didn't do an adequate investigation.

The best that I can determine, from the information the FBI provided, they sent an agent to talk to Tsarnaev himself. Apparently, he indicated: Gee, I am not a terrorist.

Well, to be sure they did an adequate investigation, they went and talked to his mother. And his mother said, in essence, that he is not a terrorist; that he is a good boy. And the FBI checked the box that he is not a terrorist. He was a terrorist.

We also know, from our hearings from material that only a few of us in this Congress have examined that was purged from the FBI training material, they have purged information from the training that our FBI, our intelligence, our Homeland Security, and our Justice Department can have to learn about what radical Islam is.

We know that Osama bin Laden, for example, said that he was radicalized, and it began with his reading the Muslim Brotherhood Qutb's booklet called *Milestones*. The reading of that booklet helped radicalize Osama bin Laden.

I would bet that, of the FBI agents that have been trained under this administration, most of them have never heard of Qutb. So nobody would have known to ask Tsarnaev: Have you read *Milestones*? What do you think of *Milestones*?

I challenged Mueller that they had not even gone to the mosque to ask

questions: How is Tsarnaev acting? Is he becoming more stern, more religious? Has he talked about Qutb? Has he talked about *Milestones*? What is he reading?

I chastised him for not going to the mosque, and the best our FBI director could say was: We did go to that mosque in our outreach program.

Oh, yes, they took money that was appropriated to train and prevent terrorism, and they go out and have sit-down programs, probably have some meals. I don't know what all they do in their outreach program, but they are not learning to spot radical Islamists.

The Committee on Homeland Security has their heart in the right place. They are wanting to do the right thing. They are hearing from our Department of Homeland Security.

Block grants to these law enforcement will allow them to train to prevent—and the language is—they may use the grant to conduct training and exercises consistent with preventing.

That is where our training so far is going to help people—whether New York, Orlando, San Bernardino—to spot Islamophobes. That is why when a complaint is made in San Bernardino about the person that would go on to kill so many lives there, take so many lives there—yeah, they investigated, but they thought it was just an Islamophobe because that is what they have been trained to look for.

When the FBI got a heads-up on the Orlando shooter, they investigated, and they figured, oh, this is probably just Muslim haters. That is what they are spending their money to train for.

In New Jersey, they actually investigated Mr. Rahami after his own father reported him as a terrorist after he stabbed his own brother. What does the FBI do? They didn't go to his social media. If so, they would have learned he had been radicalized. They didn't bother to look at his travel records, as best we can tell, to see where he traveled, who he saw, where he went, or where he might have been radicalized. No. No. They eventually got from the father a recanting, so they let it go. As a result, countless people were nearly killed.

Why? It is not because law enforcement in New Jersey or New York don't want to do their jobs and do the best job they can and save lives. These are good law enforcement officers, just as they are in San Bernardino and Orlando. They want to do their job, but they haven't had the right training.

I would direct my friends to August 10 through 12 of 2011, Steve Coughlin, who used to brief the Joint Chiefs of Staff on radical Islam, along with some others who have spent their adult life studying radical Islam, was going to do a seminar for law enforcement training in the prevention of terrorist attacks or extremist attacks.

Two days before law enforcement around the country were going to go to

Langley to our intelligence agency and be trained on how to spot radical Islam, how to prevent these attacks—just like this money is going to be used here—someone with CAIR, the Council on American-Islamic Relations, from the story we got, called someone at the White House. Someone at the White House called Langley: Cancel that training.

They changed the guidelines so that only people who were going to train about Islamophobia and minimize the training about true radical Islam and how to spot it are now allowed to teach our law enforcement as long as this administration is here in place.

So my proposal was: Let's amend this language, and we could just say that none of this money can be used in correlation or coordinating with or to go to anyone who was named as a coconspirator in the Holy Land Foundation trial, or the Muslim Brotherhood and its affiliates, or CAIR and its affiliates.

This is a suspension bill; it cannot be amended. For that reason, I regretfully must oppose the bill and urge my colleagues to vote "no" until we can get a bill so law enforcement can be trained to spot radical Islamists and not dismiss those warnings of the radicals as nothing but a bunch of Islamophobes.

Mr. CARTER of Texas. Will the gentleman yield?

Mr. GOHMERT. I yield to the gentleman from Texas.

Mr. CARTER of Texas. Mr. Speaker, I listened diligently to the gentleman from Texas (Mr. GOHMERT), who is a friend and a colleague, both in the Judiciary and in the Appropriations Legislative Branch Subcommittee.

I am not going to address the gentleman from Texas (Mr. GOHMERT) by his first name because judges don't address opponents by their first name.

Mr. GOHMERT, your frustration level is extremely high, as I would argue most Americans' frustration level is extremely high.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. CARTER of Texas. Mr. Speaker, Mr. GOHMERT's frustration level is extremely high, as I would argue the American citizens' frustration level is extremely high.

For that reason, he is concerned about what people who are avoiding the intent of the law are doing to circumvent the laws in this country. So am I.

But does that mean, because we don't trust someone in the White House or someone in an agency to do the right thing, we shouldn't provide the additional training that will keep law enforcement officers from being killed because they weren't trained well enough to respond in a first responder situation or an active shooter situation?

We are trying to get additional funding to train up every person who enforces the law right in this country. I

understand Mr. GOHMERT's worry about these people who are circumventing the intent of the Congress. We all worry about that quite a bit. But it is not a reason to take down a piece of legislation that will provide needed resources for first responders and law enforcement across this great land.

Those people, the better trained they are, the better chance they have got to stay alive. If they stay alive, they can do their job.

Mr. GOHMERT. Mr. Speaker, reclaiming my time, since I know I have very little time left, let me respond.

When you can't trust the people in the White House to train properly to recognize radical Islam, then it is incumbent upon the Congress to put the language in our bill so they don't have a choice. It is not my level of frustration with people circumventing the law. It is the fact that we have the power to put in the bills who does the training, who will get the training, exactly what kind of training, and we are leaving it to this administration.

As a result, my frustration is that people are being killed and injured needlessly. Because, even as we stand here with the language in this bill, this administration has already shown that they will train—in order to prepare for and to prevent a terrorist attack, yes, I know they can get training for active shooting—but they are being trained to prevent and prepare for.

You have to learn about Islamophobia. Let's put the language in there so that this administration cannot prevent the true professors of radical Islam from teaching law enforcement on what to look for to know whether someone is radicalized.

I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Speaker, as I already seemed to have expressed fairly passionately with Mr. GOHMERT, I am very proud to support H.R. 5859, the Community Counterterrorism Preparedness Act, because this bill authorizes \$39 million to allow our first responders to conduct training and exercises to prevent, prepare for, and respond to terrorist attacks, including attacks that involve active shooters.

The Appropriations Subcommittee on Homeland Security has provided funds for this program, and I am glad to join the gentleman from Texas (Mr. MCCAUL) in pushing forward a formal authorization.

□ 2030

We have to do everything in our power to make sure our local law enforcement has the ability to respond during terrorist attacks or active shooter scenarios.

If you just watch those first responder-trained Dallas policemen as they went into that high-rise parking

garage, how they parked the cars, how they moved through the cars, that is first responder training and how it saves lives.

Time and again we have seen tragic accidents brought to an end by our law enforcement officers, and often they are the first ones on the scene. We must ensure that they have the training they need to do their job safely but effectively.

I have long supported similar training through the Department of Justice's VALOR program, which conducts training right in our backyard in Texas at Texas State University's ALERTT facility.

The President recently signed my POLICE Act, which will allow local law enforcement to access active shooter response training through the COPS grants. I am proud to support this similar legislation that once again gives more resources to our first responders and our law enforcement officers so we can save their lives and help them to save our lives.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Texas (Mr. GOHMERT), my good friend, stated one thing that was true in his speech, that he does not know what community outreach means. It is something that helps first responders, has helped; but obviously, he has had no experiences with that.

This talk and this notion about the White House and what they are and they aren't and what they do and they don't do—when our greatest enemy, Osama bin Laden, was in our sights, whoever or whatever at the White House said: Take that shot. So to continue to question certain people's resolve in keeping the homeland safe I think is disrespectful.

Mr. Speaker, nothing in this bill provides that any entity other than law enforcement will be eligible to receive grant funding. Only law enforcement will be eligible. This bill merely provides that community partners that law enforcement are being trained to protect are included in the efforts to prepare for complex and coordinated attacks. This is language I added, and I thank the chairman for his commitment to community preparedness.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PAYNE), my friend, who is on the Subcommittee on Emergency Preparedness, Response, and Communications with me, a subcommittee of Chairman MCCAUL's Committee on Homeland Security.

I rise in support of H.R. 5859, the Community Counterterrorism Preparedness Act. I am proud to be an original cosponsor of this bill that was introduced by the leadership of Chairman MCCAUL.

Mr. Speaker, we recently commemorated the 15th anniversary of the September 11 attacks. In the 15 years since that tragedy, first responders have taken steps—often with the help of Federal homeland security grant funding—to enhance their ability to prevent, prepare for, and respond to terrorist attacks. Much progress has been made in that time.

But the terrorist threat is evolving. As Chairman MCCAUL noted, terrorists have transitioned from the 9/11-type, large-scale attacks to smaller attacks that are either directed or inspired by overseas terrorist organizations. We must ensure that our first responders are prepared to counter changing terrorist tactics, and that is why this bill is so important.

H.R. 5859 will provide first responders in major metropolitan areas across our great Nation with funding to address the evolving terror threats facing our homeland, a need reinforced by this weekend's attacks in New York City and New Jersey.

On Saturday morning at 8:30 at a Marine Corps race honoring our veterans, a bomb exploded. Less than 12 hours later, in a busy, restaurant-filled section of Manhattan known as Chelsea, at 8:30, another explosion occurred. And the next evening in Elizabeth, New Jersey, at a train station, another bomb was discovered and eventually exploded as a robot tried to dismantle it. All three of these locations were picked because they are heavily traveled, there were many people there, and it could have caused great destruction. Twenty-nine people were injured in the Chelsea incident.

During the investigation that led to the apprehension of the villain who masterminded these attacks on our innocent citizens, Mr. Rahami, law enforcement tracked and detained associates of his while they were driving through my district, and it was Mr. PAYNE's district in which Rahami was apprehended. This is personal to us.

I recently attended a number of memorials for first responders from my district who made the ultimate sacrifice on September 11. When I was elected to Congress 16 short months ago, I requested to become a member of the Committee on Homeland Security so I could work with my colleagues to ensure that our first responders, those brave men and women, have the tools they need to ensure our communities are protected.

When the 2017 Presidential budget proposal cut the Urban Area Security Initiative grants in half, there were people on this floor, particularly people on the Committee on Homeland Security, who advocated for and restored those grants. I want to thank Chairman MCCAUL for his leadership and for introducing this bipartisan bill. I urge all Members to join me in supporting the legislation.

Mr. PAYNE. Mr. Speaker, I yield the balance of my time to Chairman McCaul to control.

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. McCaul) will control the time.

There was no objection.

Mr. McCaul. Mr. Speaker, may I inquire, how much time do I have?

The SPEAKER pro tempore. The gentleman from Texas has 5 minutes remaining.

Mr. McCaul. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I attended the 9/11 ceremony. It was a moving experience. I spent almost my entire career working with law enforcement, with Federal law enforcement and State and local law enforcement, as both a Federal prosecutor and a State prosecutor.

Today I released a report called the National Strategy to Win the War Against Islamist Terror. I would submit that nobody knows this issue better than I do. It is the reason I am chairman of this committee. I get the briefings. I understand the threat level. And, yes, it is radical Islamist terror.

I had an NYPD intelligence briefing after the 9/11 ceremony briefing me in a classified setting on how this threat has evolved from not just go to Syria to join the fight but, rather, kill and attack where you are. As I met with those brave men and women at NYPD, they said: Mr. Chairman, we need your help in this fight; we need the UASI funding; and, yes, we need funding to help us with the active shooter threat that is out there, with the IED threat that is out there, with the suicide bomber threat, targeting New York. And guess what. Just a few days later, we got hit again. Not just in New York, but in New Jersey and in Minnesota.

These funds, importantly, go to no one but law enforcement and first responders. It doesn't go to the people Mr. GOHMERT is talking about. It goes directly to police chiefs and to first responders and fire departments, who are our heroes, and we should have their backs. Day in and day out they protect the American people, and to suggest or even insinuate that these heroes, front-line defenders would in any way conspire with the Muslim Brotherhood or radical Islamist terrorists is an insult, and it is disgraceful to this body, to this Chamber. It is an assault on all law enforcement and first responders across this country. We shouldn't doubt our police chiefs, our law enforcement, our fire chiefs, our first responders. We should have their backs. Mr. Speaker, that is exactly what this bill is designed to do.

Mr. Speaker, I yield back the balance of my time.

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent to reclaim the balance of my time to respond to my remarks being disgraceful.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 2½ minutes.

Mr. GOHMERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there is nothing that I have said that impugns the integrity of any law enforcement officer. I have worked with law enforcement officers; I have been a prosecutor; I have been a judge. I know how tough their job is. There is nothing I have said that would impugn their integrity. There is nothing that is disgraceful except when a Congress refuses to learn from repeated killings, murders by radical Islamists.

I understand the intent. It is going to train for active shooters. But when the language in the bill says "such grant to conduct training and exercises consistent with preventing," then I can guarantee you because even though my friend says he knows more about this issue than anyone else, he doesn't know, apparently, what Homeland Security is doing with the money, doing with the training, didn't know about the changes that were made by this administration to who can teach about radical Islam.

And so I would simply say, we really do need to help our law enforcement learn what radical Islam is about, and the way to do that is put it in the bill so this administration cannot change what is done with the money. That is what we should be doing.

As far as community outreach, I know all about community outreach. I have been with Muslim friends at mosques. I know about community outreach. But I try to make sure I am not talking to the foxes that Homeland Security has brought into the henhouse. If you think I am wrong, look at the article published in Egypt by the Muslim Brotherhood, a pre-approved publication, that identified six Muslim brothers who were high consultants, including Elibiary. I warned about him for years in Homeland Security, and nobody in this body would help me on the committee to get Elibiary out. Finally, after Elibiary tweeted out that the international caliphate was inevitable, finally Homeland Security allowed him to rotate off of their advisory council. We have got foxes in the henhouse, and it is up to Congress to get them out. That is why I oppose the bill.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 5859, the "Community Counterterrorism Preparedness Act," for two reasons.

First, the bill will save lives. Second, the legislation is necessary to support the vital work of first responders in preparing for and responding to crises that may range from terrorist incidents to active shooter events.

As a senior member of the House Homeland Security Committee, I understand how

critical it is for our first responders to be prepared and well trained to manage a wide range of potential threats both conventional and unconventional.

September is National Preparedness Month, which serves as a reminder that we all must take action to prepare, now and throughout the year, for the types of emergencies that could affect us where we live, work, and also where we visit.

The recent events in New York, New Jersey, and Minnesota highlight the importance of H.R. 5859, which amends the Homeland Security Act of 2002 to establish the major Metropolitan Area Counterterrorism Training and Exercise Grant Program.

The legislation directs components of the Department of Homeland Security to conduct training programs for emergency response providers to prevent, prepare for, and respond to the most likely terrorist attack scenarios, including active shooters.

My congressional district, which is centered in the city of Houston Texas, which has a population of 2.2 million, is the fourth most populous city in the United States, trailing only New York, Los Angeles, and Chicago.

Houston, largest city in the South and the Southwest.

The city is a racially diverse and ethnically dynamic city comprised of Anglo (38.8 percent), Hispanic (35.9 percent), African American (16.7 percent), Asian (6.7 percent) and others.

More than 145 different languages are spoken in Houston, the third largest number of languages spoken in a U.S. city behind New York (192) and Los Angeles (185).

It is appropriate that we address how we can better coordinate preparedness training so that first responders can accomplish what we have seen over the last few days—in every city in the nation.

The Homeland Security Act created the Emergency Preparedness and Response Directorate within the Department of Homeland Security with the purpose of partnering with states, local and tribal governments to accomplish the following:

- promote the effectiveness of emergency responders through standards, training exercises, and funding;
- manage and coordinate specified federal resources;
- aid recovery in the event of an attack;
- build an intergovernmental national incident management system to guide responses;
- consolidate existing federal response plans; and,
- develop programs for communications.

There are over 1 million firefighters in the United States, of which 750,000 are volunteers.

Local police departments have about 556,000 full-time employees.

Sheriffs' offices reported about 291,000 full-time employees.

There are over 155,000 nationally registered emergency medical technicians (EMT).

H.R. 5859 provides an additional resource to first responders to do the work they have dedicated their lives to doing—saving lives.

Last year, the House passed my bill, H.R. 2795, the "First Responder Identification of Emergency Needs in Disaster Situations," (FRIENDS Act).

The FRIENDS Act embodies the important and fundamental idea that we have an obligation to ensure that the first responders who protect our loved ones in emergencies, have the peace of mind that comes from knowing that their loved ones are safe while they do their duty.

The FRIENDS Act reflects stakeholder input and bipartisan collaboration with the Majority. I am passionate about the work of those who dedicate themselves to public service.

I hold in high regard the service of firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals who are the ultimate public servants.

First responders are called to serve and few outside of their ranks can understand why they do the work that they do each day—placing their lives in harm's way to save a stranger.

A law enforcement officer, fire fighters, and emergency medical technicians make our lives safer, while often at the same time putting their own lives at risk.

I urge my colleagues to join me in supporting H.R. 5859, the "Community Counterterrorism Preparedness Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 5859, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GOHMERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 2045

BEALE AIR FORCE BASE TRAGEDY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise with sadness tonight.

In northern California, Beale Air Force Base conducts very important reconnaissance operations. This morning, we lost one of our U-2 aircraft as part of the mission process. Two flight members were part of that aircraft. Both were able to eject. One has passed away, and one is suffering from injuries.

I am asking tonight that those who are watching and have heard about this pray for their families, pray for the healing of that one flight member still alive, and pray for their colleagues.

Beale conducts very important reconnaissance missions in defense of our country. We are very grateful to all of them. Our hearts go out to the families of those two flight members.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today and the balance of the week on account of personal reasons.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 21, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6918. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's interim final rule — Sexual Assault Prevention and Response (SAPR) Program [DOD-2008-OS-0124; 0790-AJ40] received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6919. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Professional U.S. Scouting Organization Operations at U.S. Military Installations Overseas; Technical Amendment [Docket ID: DOD-2012-OS-0170] (RIN: 0790-AI98) received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6920. A letter from the Regulatory Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Treasury's Major final rule — Margin and Capital Requirements for Covered Swap Entities [Docket No.: OCC-2015-0023] (RIN: 1557-AD00) received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6921. A letter from the Secretary, Department of Health and Human Services, transmitting the report entitled "Health, United States, 2015", pursuant to 42 U.S.C. 242m(a)(1); July 1, 1944, ch. 373, title III, Sec. 308 (as amended by Public Law 100-177, Sec. 106(a)); (101 Stat. 989); to the Committee on Energy and Commerce.

6922. A letter from the Regulations Coordinator, National Institutes of Health, Department of Health and Human Services, transmitting the Department's final rule — Clinical Trials Registration and Results Information Submission [Docket No.: NIH-2011-0003] (RIN: 0925-AA55) received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6923. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's direct final rule — Removing Outmoded Regulations Regarding the Smallpox Vaccine Injury Compensation Program (RIN: 0906-AA84)

received September 15, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6924. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval/Disapproval; MS Infrastructure Requirements for the 2010 NO₂ NAAQS [EPA-R04-OAR-2014-0751; FRL-9952-33-Region 4] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6925. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Alabama; Volatile Organic Compounds [EPA-R04-OAR-2016-0473; FRL-9952-30-Region 4] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6926. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Infrastructure SIP Requirements for the 2012 PM_{2.5} NAAQS [EPA-R05-OAR-2015-0824; FRL-9952-42-Region 5] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6927. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; SC Infrastructure Requirements for the 2010 1-hour NO₂ NAAQS [EPA-R04-OAR-2015-0251; FRL-9952-28-Region 4] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6928. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Tennessee; Revision and Removal of Stage I and II Gasoline Vapor Recovery Program [EPA-R04-OAR-2016-0011; FRL-9952-50-Region 4] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6929. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ammonium persulfate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0237; FRL-9951-08] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6930. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Department of Pesticide Regulations [EPA-R09-OAR-2015-0807; FRL-9951-19-Region 9] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6931. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds Emissions from Fiberglass Boat Manufacturing Materials

[EPA-R03-OAR-2016-0304; FRL-9952-47-Region 3] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6932. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Iowa's Air Quality Implementation Plans; Correction [EPA-R07-OAR-2016-0501; FRL-9952-44-Region 7] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6933. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* strains TC16F, TC35C, TC38B, and TC46G; Temporary Exemptions from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0742; FRL-9951-44] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6934. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality Implementation Plans; NJ; Infrastructure SIP Requirements for 2008 Lead, 2008 Ozone, 2010 Nitrogen Dioxide, 2010 Sulfur Dioxide, and 2012 PM_{2.5}, 2006 PM₁₀, and 2011 Carbon Monoxide NAAQS: Interstate Transport Provisions [EPA-R02-OAR-2016-0389; FRL-9952-41-Region 2] received September 19, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6935. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 07-16, pursuant to the reporting requirements of Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6936. A letter from the Archivist, National Archives, transmitting the Archive's FY 2016 Commercial and Inherently Governmental Activities Inventory, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

6937. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rulemaking — Special Rights for Transferred Employees under the Dodd-Frank Act Regarding Federal Employees' Group Life Insurance (RIN: 3206-AM81) received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6938. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Civil Monetary Penalty Inflation Adjustment [Docket ID: DOD-2016-OS-0045] (RIN: 0790-AJ42) received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6939. A letter from the Deputy Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Fifth Circuit, *Richard Boeta v. FAA USDC No. EA-5744*; to the Committee on the Judiciary.

6940. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rules — Revised Medical Criteria for Evaluating Mental Disorders

[Docket No.: SSA-2007-0101] (RIN: 0960-AF69) received September 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6941. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Federal Agency Drug-Free Workplace Program Report to Congress, pursuant to 5 U.S.C. 7301 note; Public Law 100-71, Sec. 503(a)(1)(B) (as amended by Public Law 102-54, Sec. 13(b)(6)); (105 Stat. 274); jointly to the Committees on Appropriations and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5713. A bill to provide for the extension of certain long-term care hospital Medicare payment rules, clarify the application of rules on the calculation of hospital length of stay to certain moratorium-excepted long-term care hospitals, and for other purposes; with an amendment (Rept. 114-761, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5946. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games; with an amendment (Rept. 114-762). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. H.R. 5963. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; with an amendment (Rept. 114-763). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5037. A bill to authorize the establishment of a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts and employees of the District of Columbia Public Defender Service; with amendments (Rept. 114-764). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5785. A bill to amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers (Rept. 114-765). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5625. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes; with an amendment (Rept. 114-766). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE: Committee on Foreign Affairs. H.R. 5931. A bill to provide for the prohibition on cash payments to the Government of Iran and for other purposes; with an amendment (Rept. 114-767). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 5883. A bill to amend the Packers and Stockyards Act, 1921, to clarify the

duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes; with an amendment (Rept. 114-768). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 470. A bill to authorize the sale of certain National Forest System land in the State of Georgia (Rept. 114-769). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee on Agriculture. H.R. 845. A bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes; with an amendment (Rept. 114-770, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5957. A bill to include disabled veteran leave in the personnel management system of the Federal Aviation Administration (Rept. 114-771). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5873. A bill to designate the Federal building and United States courthouse located at 511 East San Antonio Avenue in El Paso, Texas, as the "R.E. Thomason Federal Building and United States Courthouse" (Rept. 114-772). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5011. A bill to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the "Tom Stagg Federal Building and United States Courthouse"; with an amendment (Rept. 114-773). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5147. A bill to amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities; with an amendment (Rept. 114-774). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5065. A bill to direct the Secretary of Homeland Security to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, and juice on airplanes, and for other purposes; with amendments (Rept. 114-775). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5943. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; with an amendment (Rept. 114-776). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 875. Resolution providing for consideration of the bill (H.R. 3438) to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; providing for consideration of the bill (H.R. 5719) to amend the Internal Revenue Code of 1986 to modify the

tax treatment of certain equity grants; and providing for consideration of motions to suspend the rules (Rept. 114-777). Referred to the House Calendar.

Mr. WOODALL: Committee on Rules. House Resolution 876. Resolution providing for consideration of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes (Rept. 114-778). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Natural Resources discharged from further consideration. H.R. 845 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 5713 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WILSON of South Carolina (for himself and Mr. ROGERS of Alabama):

H.R. 6068. A bill to prohibit funding for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in the event the United Nations Security Council adopts a resolution prohibiting activities counter to the object and purpose of the Treaty; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself and Mr. ROHRBACHER):

H.R. 6069. A bill to require a report on the designation of Pakistan as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Mr. ROHRBACHER, Mr. CALVERT, and Mrs. MIMI WALTERS of California):

H.R. 6070. A bill to amend the Fair Housing Act to better protect persons with disabilities and communities; to the Committee on the Judiciary.

By Mr. FLORES:

H.R. 6071. A bill making continuing appropriations for fiscal year 2017, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. CICILLINE, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. HONDA, Mr. CONYERS, and Mr. BISHOP of Georgia):

H.R. 6072. A bill to amend the Help America Vote Act of 2002 to promote accuracy, integrity, and security in the administration of elections for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Science, Space, and Technology, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mr. COHEN, Mr. CONYERS, Mr. RUSH, and Mr. BISHOP of Georgia):

H.R. 6073. A bill to direct the Secretary of Homeland Security to conduct research and development to mitigate the consequences of threats to voting systems, to amend the Help America Vote Act of 2002 to require the voting systems used in elections for Federal office to comply with national standards developed by the National Institute of Standards and Technology for operational security and ballot verification, to establish programs to promote research in innovative voting system technologies, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Science, Space, and Technology, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 6074. A bill to amend title 31, United States Code, to limit the payments from the Judgment Fund in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. KEATING:

H.R. 6075. A bill to clarify the United States interest in certain submerged lands in the area of the Monomoy National Wildlife Refuge, and for other purposes; to the Committee on Natural Resources.

By Mr. BABIN (for himself, Ms. EDWARDS, Mr. SMITH of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POSEY, Mr. BRIDENSTINE, and Mr. ABRAHAM):

H.R. 6076. A bill to require the Administrator of the National Aeronautics and Space Administration to establish a program for the medical monitoring, diagnosis, and treatment of astronauts, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. ABRAHAM:

H.R. 6077. A bill to provide a Federal share for disaster assistance provided to the State of Louisiana in connection with the major disaster declaration declared on March 13, 2016, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. AGUILAR:

H.R. 6078. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs efficiently furnishes certain records in the custody of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BURGESS:

H.R. 6079. A bill to amend section 416 of title 39, United States Code, to remove the authority of the United States Postal Service to issue semipostals except as provided for by an Act of Congress, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DESAULNIER:

H.R. 6080. A bill to provide for the availability of personalized handguns from federally licensed firearms dealers, and for other purposes; to the Committee on the Judiciary.

By Mr. HARDY:

H.R. 6081. A bill to provide for a land conveyance in the State of Nevada; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself, Mr. LOWENTHAL, Mr. TONKO, Ms. LEE, Mr. QUIGLEY, and Ms. MATSUI):

H.R. 6082. A bill to direct the Secretary of Energy to issue regulations regarding disclosure of oil data, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 6083. A bill to provide payment for patient navigator services under title XIX of the Social Security Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 6084. A bill to amend title XVIII of the Social Security Act to provide comprehensive cancer patient treatment education under the Medicare program and to provide for research to improve cancer symptom management; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HANNA, Mr. CICILLINE, Mr. BLUMENAUER, Mr. KILMER, and Ms. NORTON):

H.R. 6085. A bill to amend the Internal Revenue Code of 1986 to increase the national limitation amount for qualified highway or surface freight transfer facility bonds; to the Committee on Ways and Means.

By Mr. LAMBORN:

H.R. 6086. A bill to amend the Internal Revenue Code of 1986 to protect the religious free exercise and free speech rights of churches and other houses of worship; to the Committee on Ways and Means.

By Ms. MCSALLY (for herself, Mr. MCCAUL, Mr. ROUZER, Mr. LAMALFA, Mr. ZINKE, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. ROGERS of Alabama, Mr. DONOVAN, Mr. KING of New York, Mr. GIBSON, Mr. WESTERMAN, Mr. CULBERSON, Mr. YOUNG of Iowa, and Mr. BRADY of Texas):

H.R. 6087. A bill to require the completion of the digitization of all remaining paper-based fingerprint records for inclusion in the Automated Biometric Identification System (IDENT) of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENACCI (for himself, Miss RICE of New York, Mr. COLLINS of New York, Mr. HECK of Nevada, Mr. ENGEL, Mr. KING of New York, Mr. CRAWFORD, Mr. KATKO, and Mr. RYAN of Ohio):

H.R. 6088. A bill to delay for one year the release of the Overall Hospital Quality Star Ratings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALKER:

H.R. 6089. A bill to authorize members and former members of the uniformed services who are entitled to veterans disability compensation to continue to participate in the Thrift Savings Plan through the deduction and deposit of a percentage of their veterans disability compensation to the Thrift Savings Fund; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.R. 6090. A bill to provide that section 4108(5)(C)(iv) of the Elementary and Secondary Education Act of 1965 may be known as “Bree’s Law”; to the Committee on Education and the Workforce.

By Mr. TED LIEU of California (for himself, Mr. MULVANEY, Ms. GABBARD, Mr. AMASH, and Mr. JONES):

H.J. Res. 98. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of the Kingdom of Saudi Arabia of M1A1/A2 Abrams Tank structures and other major defense equipment; to the Committee on Foreign Affairs.

By Mr. HASTINGS:

H. Con. Res. 157. Concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process and oppose anti-Israel measures considered by the United Nations General Assembly; to the Committee on Foreign Affairs.

By Mr. MCKINLEY (for himself and Ms. ESHOO):

H. Res. 874. A resolution expressing support for designation of the month of September as “Rheumatic Disease Awareness Month”, in recognition of the costs imposed by rheumatic diseases, the need for increased medical research, and the quality care provided by trained rheumatologists; to the Committee on Energy and Commerce.

By Mr. DUNCAN of Tennessee (for himself, Mr. DESJARLAIS, Mr. COHEN, and Mr. ROE of Tennessee):

H. Res. 877. A resolution encouraging each State to enact legislation that increases the likelihood of survival after sudden cardiac arrest in our Nation’s schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KAPTUR (for herself, Mr. LEVIN, Mr. FITZPATRICK, Mr. ENGEL, Mr. QUIGLEY, Mr. ROSKAM, Ms. DELAURO, Mr. SMITH of Washington, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RUSH, Mr. HARRIS, Mr. HASTINGS, Mr. PALLONE, Mr. COSTELLO of Pennsylvania, Mr. LIPINSKI, and Mr. PASCRELL):

H. Res. 878. A resolution recognizing the 25th anniversary of Ukraine’s act of declaration of independence from the Soviet Union; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SMITH of Missouri:

H.R. 5659.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on which this bill rests is the power of Congress to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the

United States; but all Duties, Imposts and Excises shall be uniform throughout the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. TIBERI:

H.R. 5713.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority on which this bill rests is the power of Congress to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. WILSON of South Carolina:

H.R. 6068.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. POE of Texas:

H.R. 6069.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ISSA:

H.R. 6070.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 of the United States Constitution grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States;

Article I, section 8, clause 3 of the United States Constitution grants Congress the power to regulate commerce among the several states;

Article I, section 8, clause 18 of the United States Constitution grants Congress the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. FLORES:

H.R. 6071.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law” In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States” Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.”

By Mr. JOHNSON of Georgia:

H.R. 6072.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1—the times, places and manner of holding Elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof; but Congress may at any time make

or alter such Regulations, except as to the place of choosing Senators.

By Mr. JOHNSON of Georgia:

H.R. 6073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1—the times, places and manner of holding Elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the place of choosing Senators.

By Mr. FLEMING:

H.R. 6074.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7.

By Mr. KEATING:

H.R. 6075.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BABIN:

H.R. 6076.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with Indian tribes. and

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ABRAHAM:

H.R. 6077.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. AGUILAR:

H.R. 6078.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. BURGESS:

H.R. 6079.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls under Congress’ enumerated constitutional authority to regulate the postal system pursuant to Article I, Section 8, Clause 7.

By Mr. DESAULNIER

H.R. 6080.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. HARDY:

H.R. 6081.

Congress has the power to enact this legislation pursuant to the following:

“clause 2 of section 3 of article IV of the Constitution”.

By Mr. HUFFMAN:

H.R. 6082.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ISRAEL:
H.R. 6083.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ISRAEL:
H.R. 6084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6085.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LAMBORN:

H.R. 6086.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by the First Amendment of the United States Constitution, which states that, among other things, Congress shall make no law prohibiting the free exercise of religion.

By Ms. MCSALLY:

H.R. 6087.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section. 8, Clause 1—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article 1, Section, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RENACCI:

H.R. 6088.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. WALKER:

H.R. 6089.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 6090.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18

By Mr. TED LIEU of California:

H.J. Res. 98.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section I, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs; and U.S. Constitution, Article I, Section 8, which authorizes the Congress to: (1) "provide for the common Defense and general welfare of the United States," and (2) "make all Laws which shall be necessary and proper for carrying into execution the foregoing powers."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Ms. MOORE, Mr. ELLISON, Mr. DESAULNIER, Mr. COSTA, Mr. CICILLINE, Mr. SARBANES, Ms. JUDY CHU of California, Mr. TED LIEU of California, Ms. KUSTER, Mrs. BROOKS of Indiana, and Mr. PERRY.

H.R. 379: Mr. POMPEO and Mr. KEATING.

H.R. 525: Mr. TED LIEU of California.

H.R. 546: Mr. POLIQUIN.

H.R. 604: Mr. HENSARLING.

H.R. 687: Mr. PITTINGER and Mr. LAMALFA.

H.R. 745: Mr. DENT.

H.R. 746: Ms. MCCOLLUM, Mr. NORCROSS, and Mr. TONKO.

H.R. 771: Mr. BUCSHON.

H.R. 775: Mr. GUINTA.

H.R. 776: Mr. COOPER.

H.R. 802: Mr. POLIQUIN.

H.R. 846: Mrs. LOWEY.

H.R. 863: Mr. GIBSON.

H.R. 932: Mr. CICILLINE.

H.R. 1151: Mr. LATTA.

H.R. 1192: Mr. GROTHMAN, Ms. ADAMS, Mr. DOGGETT, and Mr. AGUILAR.

H.R. 1220: Mr. ROUZER.

H.R. 1258: Mr. PERLMUTTER, Mr. JOHNSON of Georgia, and Mr. RUSH.

H.R. 1342: Ms. SEWELL of Alabama and Mr. POLIQUIN.

H.R. 1552: Mr. NORCROSS, Mr. DOGGETT, and Mr. RUSH.

H.R. 1608: Mr. MURPHY of Florida, Mr. HECK of Nevada, Mr. ZINKE, and Mr. ASHFORD.

H.R. 1653: Miss RICE of New York.

H.R. 1686: Mr. ZINKE.

H.R. 1713: Ms. KUSTER and Ms. MENG.

H.R. 1728: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1736: Mr. ROSKAM and Mr. RYAN of Ohio.

H.R. 1943: Mr. AGUILAR.

H.R. 2063: Mr. SMITH of Washington.

H.R. 2096: Mr. FARENTHOLD.

H.R. 2170: Ms. JENKINS of Kansas and Ms. ESTY.

H.R. 2260: Mr. COURTNEY.

H.R. 2264: Mr. ISSA.

H.R. 2278: Mr. HENSARLING.

H.R. 2293: Mr. RUPPERSBERGER.

H.R. 2313: Mrs. MCMORRIS RODGERS and Mr. LOBIONDO.

H.R. 2342: Mr. DOGGETT.

H.R. 2368: Mr. CLAY and Ms. BORDALLO.

H.R. 2403: Ms. WILSON of Florida.

H.R. 2431: Mrs. NAPOLITANO.

H.R. 2532: Mr. COOPER.

H.R. 2566: Mr. STEWART.

H.R. 2660: Mr. LARSEN of Washington.

H.R. 2710: Mr. BRAT.

H.R. 2715: Mr. RUPPERSBERGER and Mr. PAYNE.

H.R. 2748: Miss RICE of New York.

H.R. 2752: Mr. HULTGREN.

H.R. 2858: Mr. MARINO.

H.R. 2889: Ms. LEE.

H.R. 2902: Mr. DENT, Mrs. LOWEY, and Ms. BORDALLO.

H.R. 2903: Mr. RIGELL.

H.R. 2948: Mr. KELLY of Mississippi.

H.R. 2957: Mr. AGUILAR.

H.R. 2991: Mr. MESSER.

H.R. 3012: Ms. LOFGREN.

H.R. 3119: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KILMER, Mr. RICHMOND, Mr. PETERS, Mr. JOHNSON of Georgia, Mr. COURTNEY, Mrs. LAWRENCE, Ms. MAXINE WATERS of California, Mr. SERRANO, and Ms. MENG.

H.R. 3130: Mr. FOSTER and Ms. EDWARDS.

H.R. 3185: Ms. BORDALLO.

H.R. 3198: Mrs. NAPOLITANO.

H.R. 3229: Ms. JENKINS of Kansas.

H.R. 3235: Mr. BRAT.

H.R. 3316: Mr. RUPPERSBERGER, Mr. DEUTCH, Mr. RUSH, Ms. CLARKE of New York, and Mr. NORCROSS.

H.R. 3355: Mr. KILMER and Mrs. ROBY.

H.R. 3410: Mr. HONDA and Mr. SCHIFF.

H.R. 3660: Mr. YOUNG of Alaska.

H.R. 3706: Mr. PALLONE, Ms. DUCKWORTH, and Mr. KILDEE.

H.R. 3742: Mr. HARDY, Mr. HANNA, Mrs. LUMMIS, Mr. ROSS, and Ms. ROS-LEHTINEN.

H.R. 3765: Mr. LAMALFA.

H.R. 3882: Mr. ELLISON.

H.R. 3924: Mr. CICILLINE.

H.R. 3943: Mr. LEWIS.

H.R. 3952: Mr. DOLD.

H.R. 3991: Mr. RUIZ and Mr. AGUILAR.

H.R. 4019: Ms. BROWNLEY of California.

H.R. 4030: Mr. BROOKS of Alabama.

H.R. 4184: Mr. DEUTCH, Mr. PAYNE, and Mr. DESAULNIER.

H.R. 4247: Mrs. MIMI WALTERS of California.

H.R. 4298: Ms. TITUS, Mr. JOHNSON of Georgia, Mr. HECK of Washington, and Mrs. LUMMIS.

H.R. 4559: Mr. ABRAHAM.

H.R. 4575: Mr. LUCAS.

H.R. 4603: Mr. SWALWELL of California.

H.R. 4625: Mr. JOYCE and Mr. AGUILAR.

H.R. 4626: Mr. COLE, Mr. NADLER, Ms. KAPTUR, Mr. MICA, Mr. LARSON of Connecticut, and Mr. VAN HOLLEN.

H.R. 4657: Ms. MCCOLLUM.

H.R. 4764: Mr. LOBIONDO, Mr. WITTMAN, and Mr. QUIGLEY.

H.R. 4773: Mr. RATCLIFFE and Mr. MEADOWS.

H.R. 4816: Mr. KLINE and Mr. TURNER.

H.R. 4818: Mr. PETERSON, Mr. BILIRAKIS, Mr. GOSAR, and Mr. LAHOOD.

H.R. 4863: Mrs. BROOKS of Indiana.

H.R. 4919: Ms. BROWNLEY of California, Mr. VAN HOLLEN, Mr. BUTTERFIELD, Mr. KEATING, Miss RICE of New York, Ms. WILSON of Florida, Mr. BLUMENAUER, Mrs. BEATTY, Ms. LEE, Mr. STIVERS, Mr. LANGEVIN, Ms. SCHAKOWSKY, Ms. JUDY CHU of California, Ms. JACKSON LEE, Ms. CLARKE of New York, and Mr. CONYERS.

H.R. 4927: Mr. HIGGINS.

H.R. 4980: Mr. FLEISCHMANN, Mr. GIBBS, Mr. BISHOP of Michigan, Mr. DUNCAN of South Carolina, Mr. HENSARLING, Mr. HARDY, Mr. WILSON of South Carolina, Mr. LATTA, and Mr. COLE.

H.R. 5009: Ms. SINEMA.

H.R. 5015: Mr. ISSA and Mr. LATTA.

H.R. 5090: Mr. KINZINGER of Illinois, Mr. BABIN, Mr. COURTNEY, and Mr. ABRAHAM.

H.R. 5177: Mr. YOUNG of Iowa.

H.R. 5182: Mr. DOLD and Mr. KELLY of Pennsylvania.

H.R. 5224: Mr. JONES.

H.R. 5292: Ms. LOFGREN.

H.R. 5321: Mr. MULVANEY.

H.R. 5410: Mr. FLEISCHMANN.

H.R. 5418: Mr. MCCLINTOCK, Mr. MCKINLEY, Mr. MARCHANT, and Mr. HUDSON.

H.R. 5432: Mr. ROONEY of Florida and Mr. GUINTA.

H.R. 5545: Mr. MARCHANT.

H.R. 5584: Mr. GIBSON, Mr. MCNERNEY, and Mr. SCHIFF.

H.R. 5589: Mr. FLEISCHMANN.

H.R. 5600: Mr. NUGENT.

H.R. 5628: Ms. BONAMICI.

H.R. 5650: Ms. BORDALLO.

H.R. 5689: Mr. POLIS.

H.R. 5692: Mr. LOWENTHAL.

H.R. 5721: Mr. MARCHANT.

H.R. 5727: Mr. WEBER of Texas and Mr. ZELDIN.

H.R. 5732: Mr. CARSON of Indiana, Mr. CROWLEY, Mr. STIVERS, Mr. HONDA, Mr. PRICE of North Carolina, and Mr. HURD of Texas.

H.R. 5765: Ms. DUCKWORTH and Ms. KAPTUR.

H.R. 5812: Mr. BRAT.

H.R. 5813: Mr. PETERS and Mr. ROUZER.

H.R. 5850: Mr. CICILLINE and Mr. POCAN.
 H.R. 5851: Mr. GRIJALVA, Ms. ESHOO, and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 5866: Mr. McNERNEY.
 H.R. 5883: Mr. ROGERS of Alabama and Mr. PITTENGER.
 H.R. 5904: Mr. HUELSKAMP.
 H.R. 5931: Mr. TURNER and Mr. WENSTRUP.
 H.R. 5941: Mr. ROUZER.
 H.R. 5942: Mr. COHEN, Mr. WILSON of South Carolina, and Ms. LORETTA SANCHEZ of California.
 H.R. 5961: Mr. PITTS and Mr. KINZINGER of Illinois.
 H.R. 5962: Mr. DONOVAN and Mr. HINOJOSA.
 H.R. 5963: Mr. BISHOP of Michigan, Mr. ROKITA, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Ms. STEFANIK, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Ms. ADAMS, Ms. BONAMICI, Mr. TAKANO, Mr. DESAULNIER, Mr. CÁRDENAS, Mr. HINOJOSA, Ms. BASS, and Mr. SMITH of Washington.
 H.R. 5965: Mr. FARR.
 H.R. 5980: Mr. NORCROSS, Ms. LORETTA SANCHEZ of California, Ms. ESHOO, Mr. GUTIÉRREZ, Mr. LOEBSACK, Mr. CARTWRIGHT, Mr. LOBIONDO, Mr. ELLISON, Mr. RANGEL, Mr. HECK of Washington, and Mr. LARSEN of Washington.
 H.R. 5989: Mr. SEAN PATRICK MALONEY of New York, Mr. COFFMAN, Ms. ROS-LEHTINEN, and Mr. MOULTON.
 H.R. 5996: Ms. BASS.
 H.R. 5999: Mr. HENSARLING, Mr. SEAN PATRICK MALONEY of New York, and Mr. FITZPATRICK.

H.R. 6010: Ms. GRAHAM.
 H.R. 6013: Mr. POCAN.
 H.R. 6016: Mr. SESSIONS.
 H.R. 6023: Ms. PLASKETT.
 H.R. 6030: Ms. MOORE.
 H.R. 6034: Mr. LAMALFA, Mr. GOSAR, and Mr. CHABOT.
 H.R. 6043: Mr. NADLER, Mr. CONYERS, Ms. CASTOR of Florida, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. POCAN, and Mr. YARMUTH.
 H.R. 6045: Mr. KELLY of Pennsylvania and Mr. WALBERG.
 H.R. 6061: Ms. KAPTUR and Mr. LEWIS.
 H.R. 6062: Mr. LANGEVIN.
 H.R. 6066: Mrs. COMSTOCK.
 H. Con. Res. 19: Mr. COSTELLO of Pennsylvania.
 H. Con. Res. 114: Ms. HERRERA BEUTLER.
 H. Con. Res. 133: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H. Con. Res. 140: Mrs. ELLMERS of North Carolina, Mr. LANCE, Mr. DOLD, Mr. MESSER, Mr. COLE, Mr. SMITH of Washington, Mr. WESTERMAN, and Mr. ROYCE.
 H. Con. Res. 143: Ms. SCHAKOWSKY and Mr. MCGOVERN.
 H. Con. Res. 150: Mrs. CAROLYN B. MALONEY of New York.
 H. Con. Res. 155: Mr. HUIZENGA of Michigan.
 H. Res. 94: Ms. LORETTA SANCHEZ of California.
 H. Res. 289: Mr. DOGGETT.
 H. Res. 403: Mr. COOPER.
 H. Res. 540: Mr. QUIGLEY.
 H. Res. 590: Mr. BISHOP of Michigan, Ms. TSONGAS, Mr. CRAMER, Mr. ELLISON, Mr. GUTHRIE, and Mr. ROE of Tennessee.

H. Res. 625: Mr. BISHOP of Utah.
 H. Res. 703: Mr. ROONEY of Florida.
 H. Res. 766: Mr. COHEN.
 H. Res. 782: Mr. BRADY of Pennsylvania.
 H. Res. 808: Mrs. CAROLYN B. MALONEY of New York.
 H. Res. 840: Mrs. NAPOLITANO and Mr. POCAN.
 H. Res. 853: Mr. MASSIE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative CICILLINE or a designee to H.R. 3438, the Require Evaluation before Implementing Executive Wishlists Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative POLIQUIN, or a designee, to H.R. 5461, the Iranian Leadership Asset Transparency Act does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

HONORING BOB BROWNSTEIN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. HONDA. Mr. Speaker, I rise today to honor Mr. Bob Brownstein. I am joined by my colleagues Congresswoman ZOE LOFGREN and Congresswoman ANNA ESHOO. Bob is retiring from his 17-year career as Policy Director of Working Partnerships USA, but his dedication and service to working families in the Bay Area has spanned over 40 years. His commitment to creating a better, more just future for Silicon Valley makes him a hallmark of leadership in our community.

A native of the Bronx, Bob grew up admiring the towering photograph of President Franklin D. Roosevelt that hung in his father's hardware store. To the young boy and his father, President Roosevelt represented a higher echelon of politician and public servant—one who devoted his career to empowering the underprivileged and the underserved. It was in the manner and legacy of President Roosevelt that Bob embarked on his own career in public service, driven by his steadfast faith in and vision of societal progress.

Bob Brownstein entered the California political scene in 1977, and his impact was immediately felt across the region. He changed local government and city politics as he led efforts to elect San Jose officials by district, giving greater representation for residents in City Hall. Later, he was instrumental in establishing the partnership between the city and San Jose State University to build the Martin Luther King Library.

Bob, a lifelong advocate for workers, was the driving force behind the 1998 movement for living wages. He led two campaigns to raise the minimum wage and worked closely to reform San Jose's rent control laws. He played a significant role in passing the Living Wage ordinance, which raised San Jose's living wage to what was then the highest in the nation while still creating an infrastructure for job growth. Most recently, Bob led an initiative to ensure part-time workers receive fair consideration for increased work hours.

As the Director of Policy and Research with Working Partnerships USA, Bob not only fought for the rights and agenda of the disenfranchised, but has become one of the most prominent voices in health care policy. He was the architect of Children's Health Initiative, making Santa Clara County the first in the country to provide health coverage to nearly every child. He has been the catalyst for profound reinvention in our community, bringing both tangible and institutional change—a rich legacy that will continue to impact lives for generations.

Mr. Speaker, I commend Mr. Bob Brownstein for his years of dedication and

commitment to our community both as an advocate for progressive values and as an outstanding public servant. His relentless pursuit to empower those in need will forever be remembered and appreciated by the many lives he has touched and will continue to influence.

40TH ANNIVERSARY OF THE RICHMOND COUNTY PIPES AND DRUMS

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. DONOVAN. Mr. Speaker, I rise today to commemorate the 40th anniversary of the Richmond County Pipes and Drums.

Formed in 1975, the Richmond County Pipes and Drums have been actively involved in the Staten Island community. They have marched in parades, played at community events, and participated in fundraisers for local causes, bringing joy to anyone who gets the chance to listen. In fact, the first parade they marched in was in March 1976 for America's Bicentennial, for which they were appropriately dressed in red, white, and blue uniforms. Furthermore, they perform at almost every Celtic event throughout New York City. They have even participated in hundreds of events in Upstate New York, Long Island, New Jersey, and Pennsylvania over the years.

Most importantly, however, is the work that the Richmond County Pipes and Drums do for those who put their lives on the line to protect others. They are enthusiastic and patriotic supporters of our military and our veterans, for whom they have performed on numerous occasions. They have paid tribute to our nation's servicemen killed or missing in action, as well as local firefighters and policemen. They have demonstrated tremendous support for our first responders, proving just how dedicated to giving back they are.

Mr. Speaker, the Richmond County Pipes and Drums are dedicated servants in the Staten Island community. I thank them for their great work and congratulate them on their 40 years of performance.

THANKING STARBUCKS AND THEIR UPSTANDERS SERIES FOR RECOGNIZING THE BALDWIN PROMISE

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to thank Starbucks and their Upstanders series for recognizing Baldwin

Community Schools and the Baldwin Promise. It is wonderful to see an organization highlight a caring community like Baldwin, which united to raise funds that will help their children pay for college.

The Upstanders series all began with an idea from Starbucks' CEO Howard Schultz and Executive Vice President Rajiv Chandrasekaran. It was created to showcase uplifting American stories and bring citizens across our nation together. Chandrasekaran stated the Upstanders mission well when he quipped, "Our goal is very simple: we want to connect with millions of Americans and inspire and engage them. That's it." If Starbucks is looking for an inspiring community, then they chose the perfect one in Michigan's second district with Baldwin.

Baldwin Community Schools was designated as a Michigan Promise Zone in 2009, meaning that every child in Baldwin has a tuition free path to a college education. Earning this designation took commitment and sacrifice from the entire Baldwin community. In order to be designated, the village of Baldwin had to privately fundraise over \$100,000. Baldwin looked within for donations, even though it is located in Lake County, where more than 24 percent of residents live below the poverty level. Nevertheless, the citizens of Baldwin banded together, giving whatever they could.

Baldwin exceeded their goal by 150 percent, raising more than \$160,000 to put a down payment on their children's future. Because of the community's sacrifice, Baldwin earned the Promise Zone designation. Now, any student who graduates from Baldwin High School is granted \$5,000 per year for four years to attend the college of their choice.

The people of Baldwin and their commitment to their community and one another truly exemplify what West Michigan is all about. I want to thank Starbucks for creating the Upstanders series and sharing Baldwin's story with the nation.

TRIBUTE TO CORPORAL LEE KARR OF THE CITY OF PUEBLO, COLORADO POLICE DEPARTMENT

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. TIPTON. Mr. Speaker, I rise today to honor Corporal Lee Karr of the City of Pueblo Colorado Police Department for his outstanding duty and assistance to the citizens of Pueblo. During his normal duties of the day, Corporal Lee Karr went above and beyond his call of duty to assist a victim of robbery.

On September 12, 2016, Corporal Karr, and a fellow officer, were called to assist a 51 year old woman who had been a victim of robbery at a bus stop in the City of Pueblo, Colorado.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Karr and the other officer carried out their protocol, and then Officer Karr took his commitment of public service to another level.

After comforting the victim, Karr placed her in a cool, air-conditioned police car and began assisting her with sorting out issues associated with the items that were stolen. The victim needed a new State of Colorado ID, bank and Medicaid cards—all the items that were stolen from her purse. Corporal Karr paid for these items out of his own pocket without any hesitation. Once the issue of her cards were resolved, Corporal Karr drove the victim to her destination and then, finally to her home.

Mr. Speaker, Corporal Karr went above and beyond the call of public service to assist a member of his community. I commend him on a job well done, and thank him for serving as an exemplary model of public service and safety. Each and every day law enforcement officers perform these selfless acts of kindness and generosity in their communities. I am proud to honor Corporal Karr and his commitment to the City of Pueblo and its people.

CONGRATULATING GERALDINE JONES ON BECOMING PRESIDENT OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Geraldine M. Jones, the seventh president of California University of Pennsylvania. This past April, the board of governors for Pennsylvania's State System of Higher Education concluded a year-long, nationwide search for the university's top position by unanimously selecting Mrs. Jones, who had been serving as the university's interim president.

President Jones is no stranger to the Vulcan community or to western Pennsylvania. She graduated in 1972 from then-named California State College with a bachelor of education degree, and later earned her master's degree in education at California in 1980. She was a school teacher to second-grade students in Uniontown, Pennsylvania, and later returned to her alma mater to serve as a program director for Upward Bound and chair the Department of Academic Development Services. She went on to serve as the associate dean of the College of Education and Human Services for two years before taking on the role of college dean from 2000–2008. In July of 2008, she was selected as provost and vice president for academic affairs, which she held until she was appointed as acting, and then interim, university president.

Somehow, she still finds time to pay it forward and be an active member of her community. She serves as a board member on local and regional community organizations, such as the Washington County Community Foundation and the Washington County Chamber of Commerce. She has been a lifelong member of Mt. Zion AME Church in Brownsville, PA.

California University will hold a formal installation ceremony for President Jones on Octo-

ber 14, 2016. President Jones has spent her whole life serving the educational community and the people of western Pennsylvania, and has been a living embodiment of the University's core values: integrity, civility, and responsibility. California University of Pennsylvania is fortunate to have her, and I am honored to be able to congratulate her on this momentous achievement.

IN TRIBUTE TO JOAN LIND VAN BLOM

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. LOWENTHAL. Mr. Speaker, in every sport, in every art, in every field of human endeavor, there are figures that impact history so deeply that the future is reshaped forever.

They are icons, pioneers, and trailblazers. Joan Lind Van Blom belongs among this pantheon.

A graduate of Wilson High School and California State Long Beach, Joan is widely considered the greatest American female athlete to have ever competed in the sport of rowing.

Joan was a trailblazer, paving the way for women in the U.S. to compete on the international rowing stage.

During her rowing career, she was the top single sculler in America for nearly a decade and won 14 national titles.

In 1976, she won a silver medal in the XXI Summer Games in Montreal, Canada, becoming the first U.S. woman to win an Olympic medal in rowing. Four years later, again a member of the U.S. Olympic team, she was the favorite to win the gold in Moscow, but the U.S. delegation boycotted the Moscow Games. In the XXIII Summer Games in Los Angeles in 1984 she returned to the medal stand earning a silver medal.

The same year she married coach, former Olympian, and National Rowing Hall of Famer John Van Blom, and for the last three decades the pair have enjoyed the title of the First Couple of Rowing.

She went on to be inducted in the Wilson High, Cal State Long Beach, Century Club, and National Rowing halls of fame. Joan still holds 11 indoor rowing world records.

Joan also served the Long Beach Unified School District for over three decades, 25 years of that as a teacher and then another decade as the district's first physical education curriculum leader. She was instrumental in winning a million-dollar grant to put rowing machines in each of LBUSD's nine high schools.

In 2014 she was given the prestigious Ernestine Bayer Award for her deep contributions to the entire sport of rowing.

One year ago she passed away in her Long Beach home at the age of 62.

Her smile and joy of life served as a beacon, drawing people from her past back to her, and her husband John said the last two years while Joan battled brain cancer were filled with reconnections and reunions with people from throughout their life.

In addition to her husband John, Joan is also survived by son John Jr. and her sisters, Loretta Madsen and Carol Hansen.

IN HONOR OF E15 DAY

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. BLUM. Mr. Speaker, I rise today in celebration of E15 Day on September 16th, when gasoline retailers can once again sell E15 to American consumers and to urge the Environmental Protection Agency (EPA) to remove regulatory barriers which prevent the sale of E15 year round.

The EPA first created the 1-psi waiver of the Reid Vapor Pressure (RVP) to increase the availability of 10 percent ethanol blends. As a result, nearly every gallon of gasoline sold in the United States contains ethanol. However, the EPA has been unwilling to provide a similar waiver for E15 gasoline blends. This means E15 cannot be sold during the summer months, causing many retailers to not carry the higher blend and restricting access to renewable fuels.

In response to these burdensome restrictions, I introduced H.R. 1944, the Fuel Choice and Deregulation Act. This legislation would extend the RVP waiver to include gasoline blended with more than 10 percent ethanol, allowing gas stations to sell E15 year round.

I urge the EPA to repeal these archaic and meaningless regulations and increase access to E15 gasoline.

I applaud Governor Branstad for recognizing E15 Day in Iowa, and I hope Congress continues to work on enacting policy which increases consumer access and savings at the pump.

I am proud of the vital role Iowa has in developing and providing America with cleaner energy sources. Drivers across the country are fueling their cars with Iowa grown ethanol. By allowing access to E15 year round, we can give consumers greater choice while helping our environment.

HAPPY DOUBLE TEN DAY

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. FARENTHOLD. Mr. Speaker, Monday, October 10 is Taiwan's National Day—also known as Double Ten Day. On the eve of this special occasion, I would like to offer my early wishes to the people and government of Taiwan.

Taiwan is a very close trade partner and security ally of the U.S. in the Asia-Pacific region. Formosa Plastics Corporation, a Taiwanese company invested in the congressional district I represent and create lots of job opportunities to my constituency. It sets a good example of Taiwan-U.S. economic relationship.

Last June, Eva Air, one of the biggest Taiwanese airline companies launched the direct flight route between Dallas, Texas and Taipei, Taiwan. The direct flight further facilitates the passenger and cargo movement between the two nations.

I am glad to see closer trade ties between Taiwan and the U.S. and I realize that Taiwan should be included in the International Civil Aviation Organization (ICAO), which works to secure the civil aviation throughout the world. The ICAO's 39th Triennial Assembly will be soon taking place shortly in Montreal, beginning on September 27. We hope that Taiwan will be invited to attend the Assembly as three years ago.

Again, I wish the people of Taiwan a Happy Double Ten Day, and I look forward to working closely with Taiwanese people to further enhance our bilateral relations.

IN HONOR OF THE 20TH ANNIVERSARY OF O'NEILL SEA ODYSSEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. FARR. Mr. Speaker, I rise today to mark the 20th anniversary of O'Neill Sea Odyssey, a remarkable science education organization based in Santa Cruz, California. It started as the brainchild of Jack O'Neill, the inventor of the modern wetsuit worn by surfers, divers, kayakers, and other water enthusiasts the world over. Now 93, Jack spent much of the last 60 years building the wetsuit company that bears his name into an internationally recognized brand of excellence.

Throughout that time, Jack retained and grew a deep commitment to protecting the oceans as well as an unbinding love for the Santa Cruz coast and the Monterey Bay that he has called home since 1959. In 1996, he founded O'Neill Sea Odyssey as a community based non-profit dedicated to educating school children about the ocean science and the ocean environment. The program is located in Santa Cruz Harbor and takes 4th, 5th, and 6th graders onto Monterey Bay on a specially equipped sail catamaran to teach the fundamentals of science and environmental stewardship.

Under the long term leadership of executive director Dan Haifley, the program has grown into an innovative education program that incorporates a curriculum in line with the latest Common Core and Next Generation Science Standards. The program's instructors enjoy a three to one ratio with students. They teach mathematics using navigation techniques; marine ecology, including the kelp forest, marine mammals, and human impacts on Monterey Bay; and marine biology, focused on examining and learning about plankton as a basis for study of the marine food web. Lessons taught during the ocean-going field trip are supplemented with in-classroom curriculum that participating students can use. Over 90,000 students have experienced this remarkable program since its inception, and that number grows every year.

In June of 2016, O'Neill Sea Odyssey entered into a partnership with Public Consulting Group's education department to distribute the OSO curriculum nationally through Pepper, PCG's online curriculum development tool for teachers. The goal is for teachers and district administrators to use the OSO curriculum for

their required continuing education units, helping teachers to reach their learning goals through marine science education.

In 2004, O'Neill Sea Odyssey earned the Governor's Environmental and Economic Leadership Award. Other awards and include: Senator BOXER's 2008 Environmental Champion award; the Adam Webster Memorial Fund received the Community Spinners award; and The Silicon Valley Business Journal's Community Impact Award, to name just a few.

Mr. Speaker, I know that I speak for the whole House in both congratulating and thanking Jack O'Neill, Dan Haifley, and the whole Sea Odyssey crew, from its board, boat pilot, and instructors to its interns and participating teachers. The world is a better place because of your efforts. Congratulations on 20 years of success. We look forward to many more.

HONORING THE 2016 NIPSCO LUMINARY AWARD RECIPIENTS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I rise to commend the recipients of this year's NIPSCO Luminary Awards. The Luminary Awards were created to honor prominent individuals or organizations for their exemplary leadership. This year's honorees include Barb Young, Jim Staton, Thomas Keon, and the Shirley Heinze Land Trust. For their outstanding contributions to the community in Northwest Indiana and beyond, the honorees will be recognized at a ceremony on Thursday, September 22, 2016, at NiSource Corporate Headquarters in Merrillville, Indiana.

Barb Young, president and chief executive officer of the Porter County Community Foundation, is the recipient of this year's Community Leadership Award. Barb will be retiring from her position at the end of 2016 after serving the last twenty years as the foundation's president. During her tenure, Barb assisted with the issuing of more than \$18 million in grants to non-profit organizations and scholarships for county residents. She was also heavily involved in the establishment of Empower Porter County, an organization created with the mission of fighting substance abuse. In addition, Barb has been instrumental in the development of a ten-year plan to end homelessness in Porter County. Barb Young is a leader in every sense of the word, and she is most worthy of this prestigious honor.

Jim Staton, Regional Director for the Indiana Economic Development Commission (IEDC), is the recipient of the Economic Development Award. Jim has been a trailblazer for economic development in Northwest Indiana since the early 1990s. Through his position with the IEDC, Jim is committed to bringing jobs and investment to Northwest Indiana through projects and organizations such as BP's \$4 billion plus expansion, Hoist Lift Trucks in East Chicago, Pratt Industries in Valparaiso, Alcoa in La Porte, Modern Forge in Merrillville, Green Sense Farms in Portage, and many, many more. This year, Jim was named one of

America's top 50 economic developers by Consultant Connect. For his outstanding contributions to the growth and development of Northwest Indiana and beyond, Jim Staton is worthy of the highest praise.

Chancellor Thomas Keon, of Purdue University Northwest, is the recipient of the 2016 Educator Award. Under his leadership and direction, Chancellor Keon works with the University to foster collaboration between business and education through innovation. Some examples of this partnership include the founding and creating of the Center for Innovation through Visualization and Simulation, the Energy Center, the Center for Business and Economic Development, and the Commercialization and Manufacturing Excellence Center. For his exceptional dedication to empowering individuals through education, Chancellor Thomas Keon is an inspiration to his students and the community and is truly deserving of this outstanding accolade.

The Shirley Heinze Land Trust is the recipient of the Environmental Stewardship Award. Since its founding in 1981, the Shirley Heinze Land Trust has worked to protect the habitats and ecosystems of Northwest Indiana and to educate residents about land conservation. Currently, it is managing more than 2,100 acres in Lake, Porter, LaPorte, and Saint Joseph counties. The organization works with a vast group of volunteers, professionals, and businesses to maintain and protect these grounds. Recently, the organization's first capital campaign raised \$4.6 million and will add 400 acres of preserved land, while restoring an additional 250 acres. For its truly important environmental work, the Shirley Heinze Land Trust is most deserved of this exceptional honor.

Mr. Speaker, I ask you and my other colleagues to join me in commending these remarkable leaders, innovators, and organizations. For their outstanding contributions to the community of Northwest Indiana and their unwavering commitment to improving the quality of life for its residents, each recipient is worthy of the honors bestowed upon them.

HONORING DR. KENJI HAMADA

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. ADERHOLT. Mr. Speaker, today I would like to recognize the contributions to North Alabama made by Dr. Kenji Hamada of Arizona.

Dr. Hamada is a highly regarded optometrist who has dedicated his life to helping preserve and restore eyesight to countless individuals. His care and concern has also extended to those in other states.

Several years ago through his service with Optometry Cares, Dr. Hamada met Alabama State Representative Johnny Mack Morrow and his wife, Dr. Martha Morrow, a fellow optometrist, who introduced him to North Alabama. At this time, Dr. Hamada was looking to develop a program for visually impaired children. Little did he know that a program was already in the works between the Helen Keller

Birthplace Foundation and Optometry Cares—The AOA Foundation. The first “Camp Courage: A Helen Keller Experience” for blind and severely visually impaired children was held in October 2013, and Dr. Hamada was immediately sold on the concept and became an advocate and funding supporter.

Since this initial meeting between the Morris and Dr. Hamada, he has dedicated a great deal of his time and resources to support programs to help visually challenged children in Alabama. Through his support and partnership with organizations like the American Optometric Association Foundation, many children have been assisted with or cured of their visual impairments. In addition to his support of optometry care, he has also financially supported other groups in Alabama such as the University of North Alabama Summer Theatre and the Alabama Music Hall of Fame.

I would like to commend Dr. Hamada for his service and dedication to the people of North Alabama. Therefore, Mr. Speaker, I believe it is fitting and proper that Dr. Kenji Hamada be an Honorary Ambassador for North Alabama for all his contributions and service to the region.

RECOGNIZING THE 100TH ANNIVERSARY OF THE CHAZY CENTRAL RURAL SCHOOL DISTRICT

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 100th anniversary of the Chazy Central Rural School District in Chazy, New York. The Chazy Central Rural School District was the first centralized rural school district in the United States. Since its founding in 1916, through the consolidation of eleven rural schools, Chazy Central has given children in the community the educational advantages they would receive living in a large city.

The new school opened its doors on November 14, 1916, and was soon recognized throughout the world as an extraordinary school for a town of 800 residents. The building itself stood five stories tall and supported a bell tower that was seventy-one feet higher than the fifth floor roof. The school consisted of forty-four rooms, and boasted an English room modeled in the Tudor style, an auditorium capable of seating 1100 people, and two gymnasiums and swimming pools. There was also a fully equipped nursing office and a dentist on staff to ensure that the students had access to the best healthcare.

At the time of its founding, Chazy Central had special departments in agriculture, industrial arts, household arts, library, music, and physical education. The student body consisted of eight grades and a four year high school program.

Today, the Chazy Central Rural School District consists of an elementary school and a junior-senior high school, and the school district remains committed to providing students with an excellent education and the resources they need to become successful adults. Begin-

ning in elementary school, students have access to computer labs and music and art classes, and as they grow, are afforded opportunities like travelling to Model United Nations Conferences and participating in different sports programs.

As the first rural school district in the United States, Chazy Central School District has successfully educated students for 100 years. Congratulations to the Chazy Central Rural School District. I want to wish its teachers, administrators, students, and alumni all the best in the future.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. PASCRELL. Mr. Speaker, on September 12, 2016, I missed the two roll call votes of the day. Had I been present I would have voted:

AYE—Roll Call No. 496—H. Res. 847, Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment.

AYE—Roll Call No. 497—H. Res. 835, Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment.

KENNETH RAY HOUSTON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. POE of Texas. Mr. Speaker, it is with great pride that I recognize Pro Football Hall of Famer, Kenny Houston, and pay tribute to his contributions to his alma mater, Prairie View A&M University. Kenny is one of the best football players to ever play the game; he is an outstanding member of our community, on and off the field.

Kenny was born and raised in Lufkin, Texas and attended Dunbar High School where he started his long career in one of Texas' favorite past times, football. After graduating from high school in 1962, he chose to play football for Prairie View A&M University. During his time at Prairie View, he was a standout All-American in the Southwestern Athletic Conference, and the Panthers won the 1963–1964 Black College National Championship Football title.

The Houston Oilers made Kenny their 9th round pick in the 1967 draft, once again keeping him close to Texas. He played six seasons with the Houston Oilers, four under head coach Wally Lemm. Houston fans were upset when the Oilers traded Kenny in 1973 to the Washington Redskins. He then went on to play eight seasons in the prime of his career until he retired in 1980. He played a total of

14 seasons and 196 games in the National Football League. In recognition of his tremendous talent, he played in ten pro bowls and was named to the NFL's 1970s All-Decade Team, the NFL's All-Time 75th Anniversary Team and in 1999, Sporting News named him one of the 100 greatest players in NFL history. He was inducted into the Pro Football Hall of Fame in 1986.

Despite his big league career and national stardom, Kenny has never lost the small town values that helped shape him. After his professional football career, he followed his passion to teach and coach and remains a strong advocate for students. He is a dedicated family man, having been married to his wife Gustie for 49 years, and he is also the proud father of two grown children.

On behalf of the Second Congressional District of Texas, I commend this remarkable leader for giving back to our community, being a role model for our youth, and helping the next generation of athletes achieve their dream of attending college and playing football at the collegiate level.

And that's just the way it is.

CONGRATULATING GEN. NORTON A. SCHWARTZ ON RECEIVING THE WILLIAM J. DONOVAN AWARD

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Gen. Norton A. Schwartz on receiving the William J. Donovan Award from the Office of Strategic Services (OSS) Society. This special honor is one shared with a select group of great men and women who have rendered distinguished service to the United States. Gen. Schwartz has earned this award through his unflagging service to the United States and the United States Air Force.

The William J. Donovan Award, administered by the OSS Society, recognizes men and women who have exemplified the distinguishing features which characterized General Donovan's life of service to the United States of America. With this achievement, Gen. Schwartz joins Presidents Eisenhower, Reagan, and George H.W. Bush, Prime Minister Thatcher, Adm. McRaven, and several other great men and women who have done a great service to our nation.

Gen. Schwartz's hard work, perseverance, and tireless service to the United States are exemplified in his receipt of this honor. His thirty-nine years with the Air Force, the last four of which as Chief of Staff of the Air Force, were marked by excellence. It is officers like Gen. Schwartz who remind us why we have the greatest military in the world.

Mr. Speaker, it is my honor to highlight the importance of this award and what it represents for Gen. Schwartz and our nation. I ask that my colleagues join me in congratulating Gen. Schwartz on receiving the William J. Donovan Award. I thank him for his service and wish him all the best in his future endeavors.

TRIBUTE TO REX PHARMACY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Rex Pharmacy of Atlantic, Iowa for its recognition as the National 2016 Pharmacy of the Year by McKesson Health Mart. Mark Walchirk, President of McKesson U.S. Pharmaceutical said, "Rex Pharmacy is dedicated to providing their customers with extraordinary service that improves patient care and demonstrates why community pharmacies continue to thrive."

Josh Borer, owner of Rex Pharmacy, said his approach is to be "proactive and helping improve patient outcomes." Rex Pharmacy provides services such as "no wait refills" and a program, "Rex Packs," which can package patient prescriptions into pouches that give the date and time they need to be taken. Josh Borer believes "the bottom line is patient care and convenience," and trying to find ways to help his customers achieve their best health results.

Mr. Speaker, I commend Josh Borer and Rex Pharmacy for providing dedicated, committed, and crucial health care to the Atlantic, Iowa area and the Cass County community. There is great work and service being accomplished every day at Rex Pharmacy. I urge my colleagues in the U.S. House of Representatives to join me in congratulating them for their service. I wish Josh Borer and the entire staff the very best in all their future endeavors.

H. RES. 810 HONORING THE LIFE AND WORK OF ELIE WIESEL IN PROMOTING HUMAN RIGHTS, PEACE, AND HOLOCAUST REMEMBRANCE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H. Res. 810, recognizing and celebrating the life and important work of Elie Wiesel in promoting human rights, peace, and Holocaust remembrance.

As an author of at least 60 books, plays, and essays, Elie Wiesel enlightened his readers and taught them lessons of history concerning injustice, intolerance, and indifference, pulling from his personal experience as a Holocaust survivor to give a first person point of view of the horrors the faced by Holocaust victims.

From 1933 to 1945, two-thirds of the Jewish population living in Europe at the time of World War II were brutally murdered by Nazis during the Holocaust.

Families were torn apart; children were separated from their parents; babies were ripped from the arms of their mothers.

The Jewish community suffered incredible losses, losses that will never be remedied.

Elie Wiesel is a heroic survivor who lived to share his experiences of loss and tragedy.

He lost his father at Buchenwald and his younger sister and mother to a gas chamber at Auschwitz, but he and his two older sisters survived.

Following the liberation of the concentration camp, Wiesel moved to France and worked as a journalist, becoming a U.S. citizen in 1963.

His first and one of his best known works, "Night", was published in 1958 and has been translated into more than 30 different languages, allowing the story of his family's deportation to reach millions around the world.

In addition to his publications, Elie Wiesel was commissioned to chair the President's Commission on the Holocaust in 1978, and they recommended the creation of the Holocaust Museum.

Following this, Elie Wiesel worked as the Founding Chairman of the United States Holocaust Memorial Council and put forth incredible efforts for the United States Holocaust Museum to open its doors in 1993.

In his desire to fight indifference, intolerance, and injustice, Elie and his wife Marion Wiesel founded the Elie Wiesel Foundation for Humanity.

Elie Wiesel was also passionate about teaching and served as a Visiting Scholar at Yale University and a professor at the City University of New York and Boston University, striving to provide insight and knowledge among students.

Elie Wiesel has been honored in many ways by receiving a variety of awards, such as the Nobel Peace Prize, Presidential Medal of Freedom, the United States Congressional Gold Medal, the National Humanities Medal, the Medal of Liberty, the rank of Grand-Croix in the French Legion of Honor, and the United States Holocaust Memorial Museum Award.

Elie Wiesel's passing on July 2, 2016 is saddening, but the legacy he leaves is one of honor, justice, and determination.

Elie Wiesel left behind a voice for the voiceless, ensuring the promotion of peace and tolerance and the fight against indifference, intolerance, and genocide.

This man was an inspiration, and though he may be gone, his light and impact remains.

I would like to extend my deepest condolences to the family members of Elie Wiesel who feel this heartbreak more than any other.

We promise to keep Elie Wiesel's memory alive; to prevent the recurrence of another Holocaust; and, ultimately, to never forget the lessons we as a people have learned from history and from Elie Wiesel.

**64TH NATIONAL PRAYER
BREAKFAST: PART ONE**

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. ADERHOLT. Mr. Speaker, on Thursday, February 4, 2016 I had the privilege of co-chairing the 64th Annual National Prayer Breakfast with Representative JUAN VARGAS. I would like to submit Part One of the transcript:

64TH NATIONAL PRAYER BREAKFAST: PART ONE

U.S. Representative JUAN VARGAS: Jesus once said, that when we lift up his name, it

would draw a crowd, and wow, it worked. Look at this group, unbelievable. What a miracle you are here this morning—elected and appointed officials, religious leaders, business leaders, entertainers, athletes, farmers, sons, and daughters, moms and dads, folks from all 50 states, and from more than 140 countries.

U.S. Representative ROBERT ADERHOLT: We are not here this morning to see a show, or to watch a ball game, or to participate in a political rally. Each and every one of us are here this morning with a single focused reason, and that is to pray. And what a holy moment it is, for not only Washington but also the entire world. We could not be more different. The thousands of you who have gathered here this morning, you know—just look around, everyone is different. But what we are seeking and what we are asking God to do is to bring us together in unity. Not just for today, but also for the days ahead, and not just for us that are in this room and that are hearing this message this morning, but for the entire world.

Rep. VARGAS: Now, to gather our hearts and point us in the right direction, I am honored to introduce Major General Julie Bentz, to offer our opening prayer. Her important job at the Pentagon, is figuring out how to protect American soldiers who are in harm's way around the world from so called improvised attacks. She is also part of a small group of members of the military who meet regularly to focus on the teachings of Jesus, General Bentz.

Major General JULIE BENTZ: Jesus, here we are gathered in your name from across this nation, in all corners of the earth, here to learn how to pray together, with and for one another. You ask all of us who are weary and are carrying heavy burdens, to come to you and find rest. You ask us to learn from you, who are gentle and humble of heart. You show us, our Heavenly Father, not only as holy and just, but also as good, loving, and merciful, full of tenderness and kindness. And so we have the courage to stand in the presence of Holy God and pray for a miracle of unity across borders, boundaries, and beliefs. We ask you, Father, to look favorably on those you have placed in our care, and on those who have elected us to our current positions. I ask specifically for your grace on behalf of our soldiers, sailors, airmen, coasties, and marines, our commander in chief, and all those in authority over us. In this year of mercy, Lord God, let us discover your generous love, and be transformed into patient, tolerant, and tender leaders. Enter into our actions, oh God. Remove our fear of suffering, our fear of humiliation, and our fear of failure. Lord, I acknowledge before you and before those present here, that I have failed, in my thoughts, in my words, and in what I have done, and in what I have failed to do, but I trust in your limitless mercy. You shower me and each one of us here abundantly with your goodness. Oh God, Heavenly Father, holy is your name. Your children yearn for your kingdom and pray that your will be done. We thank you for our daily sustenance, for forgiving us as we forgive others, you who direct our paths, and secure us from evil. Pour out your Spirit on us today, and in so doing, renew the face of the earth. Amen.

Rep. ADERHOLT: Well thank you so much General Julie, I like the sound of that. The President of the United States is on his way, and the First Lady, so at this time, please enjoy your conversation and your breakfast.

Speaker introducing the President: Ladies and Gentlemen, the President of the United States and Mrs. Michelle Obama.

Rep. ADERHOLT: We want to get started this morning. We have a great lineup here this morning at our head table, and we are excited that everyone is here. I am Representative ROBERT ADERHOLT from the state of Alabama, and I am privileged to be here with my co-chair for this event, my new best friend, JUAN VARGAS from the state of California.

Just so you know, over the past 13 months we have been praying, and we have been working, and we have been praying some more about what happens over the next 75 minutes. We prayed this head table together. We have prayed for you who are here in this ball room, for those that are in the overflow room—which are probably enjoying an even better breakfast than we are having. Some are out there watching it on a computer screen monitor, some are watching it by television. We pray for everyone that is listening, or that is in our presence, because we believe that Jesus and his reconciling power of prayer is so desperately needed these days. So thank you for showing up and for your prayers. Here is the most obvious thing that you will hear—and that is we all need all the help we can get.

I would like to introduce my co-chair, Congressman JUAN VARGAS. He served in the jungles of El Salvador as a Jesuit missionary, and now he serves in the jungles of the House of Representatives. He grew up on a chicken ranch, and quite honestly, that is a high qualification for government service in my district. He brings great joy and passion to his new responsibilities in the House of Representatives, and I wish all of you could just spend a couple of hours with him.

What is so maddening about the place where we work is that there is so much division and it prevents us from appreciating each other, and from understanding the wonderful strengths that 435 unique individuals have that we all work with. And if you are not all from around here, you might not know that JUAN is a progressive Democrat and that I am a conservative Republican. Our voting records are probably about as similar as our hairstyles. But I love him, and I know he loves me because we share a common friend in Jesus. JUAN, thank you.

Rep. VARGAS: Thank you. That is so true, I do love ROBERT and I appreciate it, but compared to ROBERT, I just got here. He has served 20 years in the House, which seems like 90 dog years I think, quite some time. Prior to coming here, he was a judge and I bet he was a great one. He is good at seeing things from all sides and all angles, and it is really a rare gift. I represent Southern California, and he represents northern Alabama. These places are very different according to most demographics, but they are alike in that they are both full of folks with really a very deep faith.

One of the landmarks of ROBERT's district is a beautiful 60 foot high sandstone bridge, called Natural Bridge, and like that bridge, ROBERT is able to connect people. He brings people together to get work done for America. ROBERT and I have the responsibility of facilitating a weekly prayer group of members of the House. The House has had such a group for over 50 years now. This group includes Republicans, Democrats, older members, younger members, women, and men and folks from different faith traditions. We have much yet to accomplish, but we are making progress by coming together in unity around Jesus. This morning's event is simply a big, public version of what we do intimately and privately every week that the House is in session. We hope we all make progress here today as well.

One idea we would like to plant in your minds this morning is, despite our very busy schedules and all our differences, we make time to come together every week and pray. Could you do that in your city, your workplace, your mission in life? If a lefty Chicano from California and a conservative judge from Alabama can do it, why can't you?

Rep. ADERHOLT: Now I would like to introduce to you those who will be leading this morning, and if you could, please hold your applause until I introduce the entire head table. Way down to my right is the hero of Alabama, Heisman Trophy winner, Derrick Henry of the University of Alabama, the national champion University of Alabama. Roll tide. He has got some big shoulders, so we have asked him to carry us all the way through the program this morning—he is going to finish with our closing prayer. You have already met Major General Bentz—thank you for being here. Next, we have our counterparts from that other chamber in the Capitol that are here with us, Senator TIM KAINE of Virginia, and Senator JOHN BOOZMAN of Arkansas—they will be sharing greetings from the Senate group just shortly. And you should know that in about an hour, they will start working on the 2017 breakfast; gentlemen, thank you for your leadership and as we hand the torch over to you in a few minutes.

Rep. VARGAS: Most important to me, I would like to introduce my beautiful wife of 25 years, Adrienne Vargas. Honey, you truly are a gift from God to me and I love you very much. Next is a distinguished member of the President's cabinet, the Secretary of Housing and Urban Development, which he has dubbed the Department of Opportunity. Prior to federal service, he was mayor of San Antonio, Texas. Secretary Julian Castro will be offering a prayer for unity and the needs of the poor. Next is the First Lady, Michelle Obama. And it is impossible to hold your applause for her, it really is. We love her. First Lady Michelle Obama is a lawyer, a writer, and the wife of the 44th and current president, President Barack Obama. She is the first African American First Lady of the United States and is a role model and an advocate for poverty awareness, higher education and healthy living.

Rep. ADERHOLT: Continuing down the table is our brand new Speaker of the House, PAUL RYAN of Wisconsin. We haven't cut the tags off of him yet, he is so new. And he is a great colleague with a lot of energy. He has a lot of knowledge, and he has a lot of faith, and we are honored to have him with us while he is still fresh. Sitting next to him is Democrat Leader and former Speaker of the House of Representatives, NANCY PELOSI of California. She has been a strong and gracious force on so many issues during her time serving in Congress, and she will offer a reading from Scripture. Next to her is my dear wife and best friend, Caroline Aderholt. We have been blessed by trying to put God in the center of our relationship each day, and so I appreciate her being here and her support through all of this. And by the way, Adrienne, Juan's wife, and Caroline informed Juan and myself that this does not count as a date.

Rep. VARGAS: We tried. Next, our keynote speakers who will be introduced in a little bit. Next is the Honorable Judge Robert R. Rigsby of the District of Columbia Superior Court. He has served our nation in so many ways, including service in the United States Army for 34 years. His service makes him the first District Judge ever deployed to a theater of War. ROBERT and I are blessed to have

Judge Rigsby as a member of the weekly prayer group. He will offer a prayer for national leaders. Next is the distinguished Rabbi Jack Bemporad. He is a great hero of ours because he has done about as much as anyone alive to try to bring people together, of all the world's great religious traditions to find common ground. He will offer a reading from the Scriptures.

Rep. ADERHOLT: Quite a group, isn't it? Thank you all for being here and for leading us this morning.

Rep. VARGAS: And finally, I would like to introduce a returning favorite artist to the Prayer Breakfast, Andrea Bocelli. Andrea Bocelli's voice and spirit has lifted hearts and souls all around the world. We are pleased to share his gifts with you this morning as he sings Panis Angelicus, 'Heavenly Bread'. He will be singing in Italian but listen to his words in English, they go like this: "Heavenly bread that becomes the bread of all mankind; bread from the angelic host that is the end of all imaginations and images. Oh miraculous thing, this body of God will nourish even the poorest, the most humble of servants, even the poorest, the most humble of servants. Amen." To share a few remarks and a song, please again welcome Mr. Andrea Bocelli.

[Mr. Bocelli sings Panis Angelicus]

U.S. Senator JOHN BOOZMAN: I am JOHN BOOZMAN from Arkansas, and I can promise you one thing—next year when TIM and I are running the show, we won't be following that; simply remarkable. How does anyone do that? It really is a pleasure to be with you all, and to be with my colleague, Senator TIM KAINE. I greatly appreciate his friendship and have had the pleasure of working with him this last year as co-chair of the Senate prayer breakfast. As the fellows who are going to put this event on next year, together we realize that we are a part of a very, very long, great tradition. It is humbling to think that the Prayer Breakfast that we are a part of has been meeting longer than either of us has been alive—and in my case that has been a while. It is exciting to think also that it will be going on a long time after we are gone. We meet, we pray, we have personal prayer requests. Someone shares their testimony or spiritual thought. Who would believe that an hour of fellowship per week centered on the teachings of Jesus could make such a difference? It is not logical; it is a matter of the heart. So I would encourage all of you as you go back to your communities, as you go back to the different countries that are represented here, to start a prayer breakfast. The example that we have today, the example that we have every week in the House and the Senate—that is how you change hearts, that is how you change the world.

U.S. Senator TIM KAINE: Good morning. What a wonderful occasion. It is truly good to be here with my friend, JOHN BOOZMAN. When I was young, I spent part of 1980 and 1981 living with Jesuit missionaries in a small community in Honduras. I learned from that experience the power of a small group in advancing your spiritual life. And it has been my blessing to have opportunities since—in my parish in Richmond, with a group of legislators when I was Lieutenant Governor and Governor and now in the Senate working with JOHN BOOZMAN and my other friends in the Senate and the Senate prayer breakfast tradition. We are here in a very, very large room and there is greatness in a large room, but I think a lot of us are here because there is greatness in small rooms, and small groups. And so like JOHN, I

would encourage you to advance your spiritual life by joining a small group that focuses on spiritual fellowship.

And now a word of introduction, when I came to the Senate in January 2013, within nine months the government of the United States shut down. Because I am Catholic, I was tempted to blame myself. When the government re-opened, we had a hard task on our shoulders, which was that Congress was charged with finding a budget deal by the end of the calendar year. And I am on the budget committee; and I got to watch my chair woman, my great friend, Senator PATTY MURRAY work with the then House budget chair, PAUL RYAN. I came to know, in that work by observation, PAUL is a person of strong principle, a person who knows that the American people send us here not to express our opinions louder than the next person but to be principled, but also respect and work with the principles of others, and we found a deal that enabled us to move forward.

I want to offer a prayer for the Speaker, from a letter of PAUL, a letter to the Galatians: "And let us not grow weary of doing good, for in due season, we will reap if we do not give up." Ladies and gentlemen, the Speaker of the House, PAUL RYAN.

U.S. Representative PAUL RYAN: That was quite nice. Thank you very much. First of all, I want to express my gratitude to my friends, ROBERT ADERHOLT and JUAN VARGAS for hosting us here today. Thank you. Thank you for what you have done. And I want to applaud their work to raise awareness of the plight of the persecuted Christians around the world. I also want to welcome all of you to Washington. You could not have come here for a better reason. This breakfast is a national tradition because prayer is a part of our national heritage. It goes all the way back to the Declaration of Independence. We believe that our rights come from God, and our job as office holders is to protect those rights. So it is only natural that we should ask for His guidance as we seek to do His will. I have noticed a growing impatience though with prayer in our culture these days. You see it in the papers, or you see it on Twitter. When people say "We are praying for someone or something," the attitude in some quarters these days, is "Don't just pray, do something about it." The thing is, when you are praying, you are doing something about it.

You are revealing the presence of God. Whenever people are in grief, or even when they are about to start some great undertaking, they feel the worst pain of all. They feel alone. How am I going to get through this? Why is this happening to me? My God, my God, why have you forsaken me? That is why there is nothing more comforting, or more humbling really than to hear someone say, "I am praying for you." Because when you hear that, you realize you are not alone—God is there. And hundreds, if not thousands, if not millions of people are all speaking to Him on your behalf. They are not praying for some abstract notion, they are praying for you, the person. You know it says a lot about our country, that people of both parties and of all faiths will drop everything and pray for their fellow Americans. What it says is "We believe in the dignity of the individual, of the human person," and that is why prayer should always come first. All Americans believe this; but as Christians, we can especially appreciate this truth. We believe in Jesus Christ. We believe God came down from heaven and became a man with a name and a body so that we

could know him, we could begin to understand. He walked among the poor and the lowly of this world so that he could raise us to new heights in the next. It is a miracle. It inspires us every single day, and that is why we should rejoice always, pray without ceasing, and in all circumstances, give thanks. Thank you, and welcome.

64TH NATIONAL PRAYER BREAKFAST: PART FOUR

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. HAHN. Mr. Speaker, on Thursday, February 4, 2016 I had the privilege of attending the 64th Annual National Prayer Breakfast chaired by Representatives ROBERT ADERHOLT and JUAN VARGAS. I would like to submit Part Four of the transcript:

64TH NATIONAL PRAYER BREAKFAST: PART FOUR

The PRESIDENT: Thank you so much. Thank you. You're very kind. Thank you very much. Well, good morning. Giving all praise and honor to God for bringing us together here this morning.

I want to thank everyone who helped organize this breakfast, especially our co-chairs, ROBERT and JUAN, who embody the tradition of friendship, fellowship, and prayer. I will begin with a confession: I have always felt a tinge of guilt motorcading up here at the heart of D.C.'s rush hour. I suspect that not all the commuters were blessing me as they waited to get to work. But it's for a good cause. A National Prayer Brunch doesn't have the same ring to it.

And Michelle and I are extremely honored, as always, to be with so many friends, with members of Congress, with faith leaders from across the country and around the world, to be with the Speaker, the Leader. I want to thank Mark and Roma for their friendship and their extraordinary story, and sharing those inspiring words. Andrea, for sharing his remarkable gifts.

And on this occasion, I always enjoy reflecting on a piece of scripture that's been meaningful to me or otherwise sustained me throughout the year. And lately, I've been thinking and praying on a verse from Second Timothy: "For God has not given us a spirit of fear, but of power and of love and of a sound mind." For God has not given us a spirit of fear, but of power and of love and of a sound mind.

We live in extraordinary times. Times of extraordinary change. We're surrounded by tectonic shifts in technology and in our economy; by destructive conflict, disruptions to our environment. And it all reshapes the way we work and the way we live. It's all amplified by a media that is unceasing, and that feeds 24/7 on our ever-shrinking attention spans.

And as a student of history, I often remind people that the challenges that we face are not unique; that in fact, the threats of previous eras—civil war or world war or cold war, depressions or famines—those challenges put our own in perspective. Moreover, I believe that our unique strengths as a nation make us better equipped than others to harness this change to work for us, rather than against us.

And yet, the sheer rapidity of change, and the uncertainty that it brings, is real. The hardship of a family trying to make ends

meet. Refugees fleeing from a war-torn home. Those things are real. Terrorism, eroding shorelines—those things are real. Even the very progress that humanity has made, the affluence, the stability that so many of us enjoy, far greater prosperity than any previous generation of humanity has experienced, shines a brighter light on those who still struggle, reveal the gap in prospects that exist for the children of the world.

And that gap between want and plenty, it gives us vertigo. It can make us afraid, not only of the possibility that progress will stall, but that maybe we have more to lose. And fear does funny things. Fear can lead us to lash out against those who are different, or lead us to try to get some sinister "other" under control. Alternatively, fear can lead us to succumb to despair, or paralysis, or cynicism. Fear can feed our most selfish impulses, and erode the bonds of community.

It is a primal emotion—fear—one that we all experience. And it can be contagious, spreading through societies, and through nations. And if we let it consume us, the consequences of that fear can be worse than any outward threat.

For me, and I know for so many of you, faith is the great cure for fear. Jesus is a good cure for fear. God gives believers the power, the love, the sound mind required to conquer any fear. And what more important moment for that faith than right now? What better time than these changing, tumultuous times to have Jesus standing beside us, steadying our minds, cleansing our hearts, pointing us towards what matters.

His love gives us the power to resist fear's temptations. He gives us the courage to reach out to others across that divide, rather than push people away. He gives us the courage to go against the conventional wisdom and stand up for what's right, even when it's not popular. To stand up not just to our enemies but, sometimes, to stand up to our friends. He gives us the fortitude to sacrifice ourselves for a larger cause. Or to make tough decisions knowing that we can only do our best. Less of me, more of God. And then, to have the courage to admit our failings and our sins while pledging to learn from our mistakes and to try to do better.

Certainly, during the course of this enormous privilege to have served as the President of the United States, that's what faith has done for me. It helps me deal with the common, everyday fears that we all share. The main one I'm feeling right now is that our children grow up too fast. They're leaving. That's a tough deal. And so, as a parent, you're worrying about will some harm befall them, how are they going to manage without you, did you miss some central moment in their lives. Will they call? Or text? Each day, we're fearful that God's purpose becomes elusive, cloudy. We try to figure out how we fit into his broader plan. They're universal fears that we have, and my faith helps me to manage those.

And then my faith helps me to deal with some of the unique elements of my job. As one of the great departed heroes of our age, Nelson Mandela, once said, "I learned that courage was not the absence of fear, but the triumph over it. . . . The brave man is not he who does not feel afraid, but he who conquers that fear."

And certainly, there are times where I've had to repeat that to myself while holding this office. When you hear from a parade of experts, just days after you're elected, that another Great Depression is a very real possibility—that will get your attention. When you tell a room full of young cadets that

you've made a decision to send them into harm's way, knowing that some of them might not return safely—that's sobering. When you hold in your arms the mothers and fathers of innocent children gunned down in their classroom—that reminds you there's evil in the world. And so you come to understand what President Lincoln meant when he said that he'd been driven to his knees by the overwhelming conviction that he had no place else to go.

And so like every President, like every leader, like every person, I've known fear. But my faith tells me that I need not fear death; that the acceptance of Christ promises everlasting life and the washing away of sins. If Scripture instructs me to "put on the full armor of God" so that when trouble comes, I'm able to stand, then surely I can face down these temporal setbacks, surely I can battle back doubts, surely I can rouse myself to action.

And should that faith waver, should I lose my way, I have drawn strength not only from a remarkable wife, not only from incredible colleagues and friends, but I have drawn strength from witnessing all across this country and all around this world, good people, of all faiths, who do the Lord's work each and every day, who wield that power and love, and sound mind to feed the hungry and heal the sick, to teach our children and welcome the stranger.

Think about the extraordinary work of the congregations and faith communities represented here today. Whether fighting global poverty or working to end the scourge of human trafficking, you are the leaders of what Pope Francis calls "this march of living hope."

When the Earth cleaves in Haiti, Christians, Sikhs, and other faith groups sent volunteers to distribute aid, tend to the wounded, rebuild homes for the homeless.

When Ebola ravaged West Africa, Jewish, Christian, Muslim groups responded to the outbreak to save lives. And as the news fanned the flames of fear, churches and mosques responded with a powerful rebuke, welcoming survivors into their pews.

When nine worshippers were murdered in a Charleston church basement, it was people of all faiths who came together to wrap a shattered community in love and understanding.

When Syrian refugees seek the sanctuary of our shores, it's the faithful from synagogues, mosques, temples, and churches who welcome them, the first to offer blankets and food and open their homes. Even now, people of different faiths and beliefs are coming together to help people suffering in Flint.

And then there's the most—less spectacular, more quiet efforts of congregations all across this country just helping people. Seeing God in others. And we're driven to do this because we're driven by the value that so many of our faiths teach us—I am my brother's keeper, I am my sister's keeper. As Christians, we do this compelled by the Gospel of Jesus—the command to love God, and love one another.

And so, yes, like every person, there are times where I'm fearful. But my faith and, more importantly, the faith that I've seen in so many of you, the God I see in you, that makes me inevitably hopeful about our future. I have seen so many who know that God has not given us a spirit of fear. He has given us power, and love, and a sound mind.

We see that spirit in people like Pastor Saeed Abedini, imprisoned for no crime other than holding God in his heart. And last year, we prayed that he might be freed. And this year, we give thanks that he is home safe.

We pray for God's protection for all around the world who are not free to practice their faith, including Christians who are persecuted, or who have been driven from their ancient homelands by unspeakable violence. And just as we call on other countries to respect the rights of religious minorities, we, too, respect the right of every single American to practice their faith freely. For this is what each of us is called on to do: To seek our common humanity in each other. To make sure our politics and our public discourse reflect that same spirit of love and sound mind. To assume the best in each other and not just the worst—and not just at the National Prayer Breakfast. To begin each of our works from the shared belief that all of us want what's good and right for our country and our future.

We can draw such strength from the quiet moments of heroism around us every single day. And so let me close with two such stories that I've come to know just over the past week.

A week ago, I spoke at a ceremony held at the Israeli Embassy for the first time, honoring the courage of people who saved Jews during the Holocaust. And one of the recipients was the grandson—or the son of an American soldier who had been captured by the Nazis. So a group of American soldiers are captured, and their captors ordered Jewish POWs to identify themselves. And one sergeant, a Christian named Roddie Edmonds, from Tennessee, ordered all American troops to report alongside them. They lined up in formation, approximately 200 of them, and the Nazi colonel said, "I asked only for the Jewish POWs," and said, "These can't all be Jewish." And Master Sergeant Edmonds stood there and said, "We are all Jews." And the colonel took out his pistol and held it to the Master Sergeant's head and said, "Tell me who the Jews are." And he repeated, "We are all Jews." And faced with the choice of shooting all those soldiers, the Nazis relented. And so, through his moral clarity, through an act of faith, Sergeant Edmonds saved the lives of his Jewish brothers-in-arms.

A second story. Just yesterday, some of you may be aware I visited a mosque in Baltimore to let our Muslim-American brothers and sisters know that they, too, are Americans and welcome here. And there I met a Muslim-American named Rami Nashashibi, who runs a nonprofit working for social change in Chicago. And he forms coalitions with churches and Latino groups and African Americans in this poor neighborhood in Chicago. And he told me how the day after the tragedy in San Bernardino happened, he took his three young children to a playground in the Marquette Park neighborhood, and while they were out, the time came for one of the five daily prayers that are essential to the Muslim tradition. And on any other day, he told me, he would have immediately put his rug out on the grass right there and prayed.

But that day, he paused. He feared any unwelcome attention he might attract to himself and his children. And his seven-year-old daughter asked him, "What are you doing, Dad? Isn't it time to pray?" And he thought of all the times he had told her the story of the day that Dr. Martin Luther King, Jr., and Rabbi Robert Marx, and 700 other people marched to that very same park, enduring hatred and bigotry, dodging rocks and bottles, and hateful words, in order to challenge Chicago housing segregation, and to ask America to live up to our highest ideals.

And so, at that moment, drawing from the courage of men of different religions, of a

different time, Rami refused to teach his children to be afraid. Instead, he taught them to be a part of that legacy of faith and good conscience. "I want them to understand that sometimes faith will be tested," he told me, "and that we will be asked to show immense courage, like others have before us, to make our city, our country, and our world a better reflection of all our ideals." And he put down his rug and he prayed.

Now, those two stories, they give me courage and they give me hope. And they instruct me in my own Christian faith. I can't imagine a moment in which that young American sergeant expressed his Christianity more profoundly than when, confronted by his own death, he said "We are all Jews." I can't imagine a clearer expression of Jesus's teachings. I can't imagine a better expression of the peaceful spirit of Islam than when a Muslim father, filled with fear, drew from the example of a Baptist preacher and a Jewish rabbi to teach his children what God demands.

For God has not given us a spirit of fear, but of power and of love and of a sound mind. I pray that by His grace, we all find the courage to set such examples in our own lives—not just during this wonderful gathering and fellowship, not just in the public piety that we profess, but in those smaller moments when it's difficult, when we're challenged, when we're angry, when we're confronted with someone who doesn't agree with us, when no one is watching. I pray, as Roma so beautifully said, that our differences ultimately are bridged; that the God that is in each of us comes together, and we don't divide.

I pray that our leaders will always act with humility and generosity. I pray that my failings are forgiven. I pray that we will uphold our obligation to be good stewards of God's creation—this beautiful planet. I pray that we will see every single child as our own, each worthy of our love and of our compassion. And I pray we answer Scripture's call to lift up the vulnerable, and to stand up for justice, and ensure that every human being lives in dignity.

That's my prayer for this breakfast, and for this country, in the years to come. May God bless you, and may He continue to bless this country that we love.

Rep. ADERHOLT: Thank you so much, Mr. President. Thank you for your encouraging and also your challenging word this morning. As you know, this breakfast began with one of your predecessors, Dwight Eisenhower; we appreciate you being with us all eight years.

And now, let us get ready for the world that awaits us outside the walls of this hotel, and let's hear again from our friend and our brother from Italy, Andrea Bocelli singing Amazing Grace.

[Mr. Bocelli sings Amazing Grace]

Mr. ANDREA BOCELLI: Thank you. Thank you very much. A few words in my terrible English. Ladies and gentlemen, and Mr. President, there is a dark shadow on the world in this period. Many children, elderly die under the bomb. The war is the worst incident of our intelligence. There is a very small word, an honorable word that is to the base of our tragedy. This word in Old Greek, is hubris. Hubris means pride. But there is also on the other side a big reason of happiness, a big reason to be optimist. This reason is the will to be all together and pray together. To be all together also for a moment, to put aside our opinions, our ideas, our different goals, and to be really very close and to pray. Thank you for this invitation. Thank you very much.

Rep. VARGAS: Wow, what a great morning. Better than what we ever imagined. Thank you, Jesus. Let's take away the right kind of pride in what we have experienced today, the right kind. As my mother often said, "Never be ashamed of your faith in Jesus because you never want him to be ashamed of you." As Democratic Leader PELOSI reminded us in her reading, Jesus prayed for us to be one and brought to complete unity, and we also heard that today with Mr. Bocelli. So here is my question to you, does Jesus get what he prays for? Let's work for unity. Jesus asked God to send us all together to be one.

Rep. ADERHOLT: In closing, let me challenge you with this. We have heard a lot about unity this morning, that is what JUAN and I wanted, just what we were hoping would be the case. Division is a great problem, so unity is our greatest need, and we believe that we need to pray our way to that unity. We cannot achieve unity on our own. Humanity has tried and humanity has failed for centuries. We have tried, and we have failed in this city, Washington D.C. Unity is a gift from God and Jesus says, "Seek and ye shall find, knock and the door will be open to you." Bring us the unity we need, Lord Jesus. And now to offer our closing prayer, Derrick Henry.

Mr. DERRICK HENRY: Good morning. I am so glad and honored to be here to do this closing prayer. We bow our heads, Lord Jesus, I thank you for gathering us here today, to hear from these great leaders and these great people, to hear God's word about unity and us being united as one, and how important it is. Jesus Lord I pray for the people who weren't able to eat breakfast today, people who don't have clothes on their back or shoes on their feet, but I pray that you make them find a way and have faith in you that they will receive better days. Father God, I pray for the people who have cancer, who suffer every day with pain and heartache and that you one day will heal them from all the suffering and all the pain. And Lord, I want to pray for my generation, that every day we wake up we seek you, Lord for guidance and wisdom, and one day that we can stand up here and be great leaders, be great people, men and women to speak on unity and united as one, and how important it is to this country and to this world. My Father God, I pray that us as people, great people in here, that we continue to use our platform to help others and inspire others. And last, I would like to pray on the food that we are eating today. I pray that we bless the hands that prepared this food, and let it be nourishment to our bodies. In Jesus' name we pray, Amen.

Rep. ADERHOLT: Thank you again. Paco and I are very happy that you have joined us here this morning for this breakfast. I think it was very successful. Again, let's give everyone at the head table a great hand.

That concludes our breakfast, and the President and the First Lady will be leaving shortly. If you could stay in your seats for the next few minutes, but we do appreciate them as they're leaving the building and their support for the National Prayer Breakfast. May God bless each of you that are here. May God bless the United States of America, and every country around the world. Thank you, and God Bless.

64TH NATIONAL PRAYER BREAKFAST: PART THREE

HON. JEFF DUNCAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. DUNCAN of South Carolina. Mr. Speaker, every week when the House of Representatives is in session, I like to attend the Weekly Members' Prayer Breakfast in the Capitol. The United States Senate also holds a Prayer Breakfast each week as well. This weekly meeting of Congressional Members of faith, gave birth to the yearly National Prayer Breakfast. On Thursday, February 4, 2016, I had the privilege of attending the 64th Annual National Prayer Breakfast chaired by Representatives ROBERT ADERHOLT and JUAN VARGAS. I would like to submit Part three of the transcript:

64TH NATIONAL PRAYER BREAKFAST: PART THREE

Mr. BURNETT: Yes, we are really fortunate and we are very grateful. But our faith has in fact led us to entirely build our TV careers and film careers on family friendly franchises. I mean shows like what was mentioned—The Voice, Apprentice, Shark Tank, Survivor. Often every week four nights out of seven, we have the number one show in America. It is a lot of leverage, which is what matters in Hollywood. We took that leverage and we told Hollywood we wanted to make a brand new series called The Bible. Yes, The Bible on prime time American TV.

Of course our friends told us we are going to destroy our great careers because mixing entertainment and religion is going to make people really angry. But worst of all, they said we were idiots because nobody is going to watch The Bible on prime time TV—they know the story and they can get that in church. Well, as the Americans in this room know, The Bible became the most talked about television show in America, the number one series that year, and 100 million of you watching.

And here is what is really great—The Bible was also shown in Canada but they showed it up against the first game for the National Hockey League—but head to head, The Bible beat hockey. I guess we do know now up in Canada we can officially say that hockey is not God.

Ms. DOWNEY: At that time, The Bible was also up against a show called The Walking Dead and we won, and my favorite headline ran on CNN, "God beats zombies." But far more important than the ratings were the stories of families sitting together in their living rooms watching The Bible. The stories of how God's love for us unfolded through the ages, moved them, and engaged them because faith was and is alive and well in America. The series helped to ignite a much larger conversation about God and faith in this country. We were also humbled that people were inspired to see us, a Hollywood couple of producers daring to speak out about our love of Jesus, daring to talk about our faith in God, and our sincere belief in the power of prayer. I can honestly say that I have never made a decision in my life, big or small, that I didn't pray about first. The Bible series began with a prayer that started as a whisper in our hearts. Our dear friend, Rick Warren had said to us once, "The most dangerous prayer you can pray is, Lord, use me, because then you have to be ready that He might just do so." All we did was ask him to use us.

Mr. BURNETT: And use us, he did, trust me. Yeah, it was a TV show but we are also still telling the story of the most sacred book of all time, the Bible, and we knew we had to get it right. It is a really important, huge responsibility on our shoulders. So the first thing that we did was sign up 40 scholars and advisors—by the way, many of you are in this room right now—you know who you are—you backed us from the very beginning and stood shoulder to shoulder with us. And we thank you so much, all of you in this room who backed us.

You know it was difficult to bridge all the theological gaps, the sway of denominations, but we prayed our way through the process and managed to create a series that brought people together and glorified God. I think it is fair to say—we have become Hollywood's noisiest Christians. You know at least 90 million Americans attend church each Sunday in this country; millions more find inspiration and hope in the person, the story, and the teachings of Jesus Christ. The Christian community is a mainstream community. They watch the NFL, they watch The Voice, they buy tickets to Star Wars and go to Beyonce concerts. It is a community that loves Jesus, loves their country, it is a very cool community made up of millions of young believers. Many who have tattoos, earrings, they ride skateboards, they surf, they tweet, they are entrepreneurs and are a vibrant part of the new American economy. It is a very broad audience indeed. It is a community that we are really proud to be a part of, and a community that has covered us in prayer—as to our own surprise we almost became the international spokespeople for the Bible.

Ms. DOWNEY: The making of The Bible series was covered in prayer every step of the way. I can still remember sitting in the Moroccan desert under the shade of a rock and reading Scripture with actors, or praying together with them as they prepared for a scene. When we were getting ready to shoot the crucifixion scene, I sent out an email requesting that prayers would be sent ahead of us to clear the way. There were emotional and spiritual challenges of filming such a scene, as well as the physical challenge because we had to hang an actor on a cross and that day the winds were very high and the sun was scorching, and we prayed for safety, and that God would use this series to open hearts to him. We had a man on the set whose job it was to wrangle snakes and scorpions from each of the locations, and normally he found about 1 or 2 snakes a day, but on the morning of the crucifixion, he removed 48 snakes from around the hillside of Golgotha and we believe that was the power of prayer at work—the symbolism of the snake wasn't lost on any of us. We also prayed as we cast the series. We were only a few months away from beginning filming and we still hadn't cast the most important role of Jesus.

So I sent out an email to all my contacts with a header "Looking for Jesus." We asked in prayer that the right actor would show up. Through a series of remarkable coincidences, we came across Portuguese actor, Diogo Morgado. As he walked up our garden path to meet us for the first time, I turned to Mark and said "There he is; there's our Jesus." He was an answer to a prayer, and his touching and affecting performance as Jesus helped to inspire millions of people around the world.

Mr. BURNETT: Yes, that role of Jesus was so important and it was last minute casting, and it was the answer to prayer, and the incredible Hispanic actor Diogo Morgado beautifully portrayed, as you saw on the screen,

Jesus in The Bible series. Everyone in the whole country was talking about this Hispanic actor. And it reminds me of a great story.

There are a couple of old men who are Christians, they lived next door to each other. One was an old black man; one was an old white man. They loved each other and they did everything together. In fact, they've only had one disagreement, the old black man was sure Jesus was black, and the old white man was just as sure that Jesus was a white man. Neither could ever convince the other. One day these great friends died together in a car accident. On their way up to heaven the old black man said "Buddy, we're about to find out I was right all along, Jesus is a black man." And the old white man said "I'm sorry you're going to have to find out this way, because when we meet him, you're going to see that Jesus in fact a white man." They got there in great anticipation and Jesus walked out to meet them, and he smiled at them and said, "Buenos dias."

Ms. DOWNEY: Well, you know I suppose when you think about it, Jesus could have been Irish. He lived at home until he was 30. He never got married, and his mother thought he was God. You know, as a husband and wife producer team, not only do we get to do what we love to do but we get to do it together, and we have fun, you can tell, we have fun. But we also know that being in media comes with responsibility, for to those to whom much is given, much is expected. We are so pleased that our step of faith has reinvigorated faith and family programming in this country, and has hopefully inspired a whole new generation of artists to invest their talent and content that inspires and unifies. This is why we named the company that produced The Bible, Light Workers Media, because we have always believed that it is far more effective to light a candle than to curse the darkness. Let me say that again, we believe it is far more effective to light a candle, than to curse the darkness, and that is what we try to do—to light as many candles as we can. We just keep lighting candles in this often very dark, hostile and hurting world.

Mr. BURNETT: It is very easy to divide people, and it is very difficult to bring people together. Did you know what we learned making The Bible? That just among Christians alone, there are over 30,000 denominations. When you think about that, it is crazy, right? And many have argued about their views of Jesus for thousands of years. So for us, working across the Protestant and the Catholic community, working in a very detailed way with the Jewish community, it was very, very challenging to make everybody happy as we told the story of The Bible. But we worked very, very hard, and as many people here advised us so closely, we learned to become bridge builders; and bridge building became our mission.

Ms. DOWNEY: Building bridges has become so much of our mission and I know the power of a bridge from my own life's journey growing up in war torn Ireland. But today, if you go to Derry, you will find something new there. Peace has been restored there and there is now a walking bridge built across the River Foyle, and it is aptly called The Peace Bridge. It stands in defiance of all that once divided us—our very own bridge over troubled water. Protestant and Catholic children now play together, but more than that, the old hurts are healing. The leaders in Northern Ireland finally sat down and talked to each other, and listened to each other,

and started to work things out together. We are at a time in the world's history where there is so much pain and fear, and division everywhere, and these divisions show up in race, and in religion, and in politics. The dividing lines are easy to find. The bridges to peace are harder to build. May we all find our dividing lines and work until we have built our own bridges of peace across them. On this day of the National Prayer Breakfast, we pray that with God's help, our world can heal some of the hurts that wound us and the confusion that divides us, but it begins with us and perhaps a good place to start is to simply see the image of God in the eyes of everyone you meet. As Jesus said, "By this everyone will know that you follow me, that you love one another." For in this spirit is the power of true faith that we learn to love each other. We know that television and film can be powerful ways of bringing inspiration and hope through emotional stories that open your heart. As my dear friend the late Maya Angelou said, "People will forget what you said. People will forget what you did. But people will never forget how you made them feel." Thank you so much, and may God bless you.

Rep. VARGAS: Wow, thank you so much. Muchisimas gracias. I have to say, thank you again, Mark. Thank you so much. Our purpose in this breakfast every year is to lift up Jesus as a solution to the problems of the world, and ask for the Lord's help. In that vein, we came together today to love and pray for the President of the United States, and his family, and we do this with all our hearts and we appreciate the message that you brought today to us, it was so uplifting. Mr. President, when we were in law school together, I had lunch with one of our smartest classmates, in fact I mentioned his name to you. And I asked him who he thought was really, really smart, and he said "This guy named Barack Obama; he's really, really smart; and he may even become a Supreme Court Justice some day." So there's still time, Mr. President. There's still time, you're a young man.

But all kidding aside, Mr. President, we honor you for your dignity. We honor you for your integrity. We honor you for your faith, the way you honor God with your life and your service to all of us. Ladies and gentlemen, for one last time at our National Prayer Breakfast, it is my honor to introduce the President of the United States.

64TH NATIONAL PRAYER BREAKFAST: PART TWO

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. VARGAS. Mr. Speaker, on Thursday, February 4, 2016 I had the privilege of co-chairing the 64th Annual National Prayer Breakfast with Representative ROBERT ADERHOLT. I would like to submit Part two of the transcript:

64TH NATIONAL PRAYER BREAKFAST: PART TWO

Rabbi JACK BEMPORAD: I think in these few days that we are together, there is such a spirit of love and joy, and affection. A sense that an environment is produced these days that elicits the very best in us and there is a constant struggle in everyone to find a way in which our best selves emerges. And the self that manifests the love of God, and the

love of one's fellow human being, and it calls us to something higher, to a calling that gives us the nobility of what it means to be a child of God.

In this spirit, I would like to read from the book of Isaiah, Chapter 58. It is a reading that is done every Yom Kippur, Day of Atonement, in every synagogue throughout the world. It is a day, incidentally, where Jews fast. And yet on this very day when Jews fast, they read this.

"Is such the fast that I choose, a day for a man to humble himself? Is it to bow down his head like a rush, and to spread sackcloth and ashes under him? Will you call this a fast, and a day acceptable to the Lord? Is not this the fast that I choose: to loose the bonds of wickedness, to undo the thongs of the yoke, to let the oppressed go free, and to break every yoke? Is it not to share your bread with the hungry, and bring the homeless poor into your house; when you see the naked, to cover him and not to hide yourself from your own flesh? Then shall your light break forth like the dawn, and your healing shall spring up speedily; your righteousness shall go before you, the glory of the Lord shall be your rear guard. Then you shall call, and the Lord will answer; you shall cry, and he will say, Here I am. If you take away from the midst of you the yoke, the pointing of the finger, and speaking of wickedness, if you pour yourself out for the hungry and satisfy the desire of the afflicted, then shall your light rise in the darkness and your gloom be as the noonday and the Lord will guide you continually, and satisfy your desire with good things, and make your bones strong; and you shall be like a watered garden, like a spring of water, whose waters fail not. And your ancient ruins shall be rebuilt; you shall raise up the foundations of many generations; you shall be called the repairer of the breach, the restorer of streets to dwell in."

Thank you.

The Honorable JULIAN CASTRO: Good morning. To President and Mrs. Obama, co-chairs Congressman VARGAS and Congressman ADERHOLT, and to all distinguished guests with us this morning. On this day of hope and of harmony, let us pray.

Dear Lord, we gather here as one, connected by the strength of our faith, by our pride in this great nation, and by our common bond as Children of God. Let us remember that each of us is beloved equally in the eyes of our Lord, and let us serve as instruments that spread your mercy to our brothers and our sisters. Jesus told the disciples in the book of Matthew that what we do unto the least among us, we do unto Him. So, just as the grace of God provides nourishment to our souls and sanctuary for our spirits, we must provide food to the hungry, care for the ailing, shelter to the poor. The Bible instructs us to find unity in our faith, and compassion for all men and women through the example of Christ.

And I pray that we will find inspiration from the second chapter of Philippians, which reads:

"So if there is any encouragement in Christ, any comfort from love, any participation in the spirit, any affection and sympathy, complete my joy by being of the same mind, having the same love, being in full accord and of one mind. Do nothing from rivalry or conceit, but in humility, count others more significant than yourselves. Let each of you look not only to his own interests, but also to the interests of others. Have this mind among yourselves, which is yours in Christ Jesus, who though he was in the

form of God, did not count equality with God a thing to be grasped, but emptied himself, taking the form of a servant, being born in the likeness of men." Amen.

Thank you and God bless.

U.S. Representative NANCY PELOSI: Good morning, Mr. President and Mrs. Obama, all of the distinguished guests gathered here in prayer. I know we all want to thank Congressman JUAN VARGAS and Congressman ROBERT ADERHOLT for their leadership in making this morning's breakfast such a success, and I thank them for giving me the opportunity to read the following from the Gospel of John. In the gospel of John, we see the golden rule that stands at the heart of the gospel. And as we hear these words from John chapters 13, 15 and 17 we know that this message, this command of love is not confined to the New Testament. The same message stands at the center of the Torah, and the teachings of the Prophet Mohammed. From the Torah, it says, "Love your neighbor as yourself." And from Mohammed, "None of you has faith until he loves for his brother or his neighbor what he loves for himself." And now from the gospel of John: "Now before the feast of the Passover, when Jesus knew that his hour had come to depart out of this world to the Father. . . .

"Jesus, knowing that the Father had given all things into His hands, and that he had come from God and was going to God, rose from the meal, took off his outer clothing and wrapped a towel around his waist. After that, he poured water into a basin and began to wash his disciples' feet, drying them with a towel. . . .

"When he had finished washing their feet, he put on his clothes and returned to his place. 'Do you understand what I have done for you?' he asks them. 'You call me teacher and Lord, and rightly so, for that is what I am. Now that I, your Lord and teacher have washed your feet, you should also wash one another's feet. I have set you an example that you should do as I have done for you. Very truly I tell you, no servant is greater than his master, nor is any messenger greater than the one who sent him. Now you know these things, you will be blessed if you do them.'"

A little while later Jesus said,

"As the Father has loved me, so I have loved you. Now remain in my love. If you keep my commands, you will remain in my love just as I have kept my Father's commands and remain in His love. I have told you this so that my joy may be with you and that your joy may be complete. My command is this: love each other as I have loved you. Greater love hath no one than this, to lay down his life for his friend."

And finally, listen to Jesus' prayer for us, he went on to say:

"My prayer is not for them alone, I pray also for those who will believe in me through their message that all of them may be one, Father, just as you are in me and I am in you. May they also be in us so that the world may believe that you have sent me. I have given them the glory that you gave me, that they may be one as we are one, I in them, and you in me, so that may guide to bring us to complete unity."

That is the gospel of the Lord. May the Lord guide us to answer this prayer of togetherness, unity, and love, that we may be from many faiths, we may be united by our service to God and to one another. Amen. Thank you.

The Honorable ROBERT RIGSBY: Good morning. Mr. President, our First Lady, this is truly the day that the Lord has made. Let us rejoice and be glad in it. Let us pray.

Thank you, Father, for allowing us to live in a country where we can come together in your precious name. In peace, fellowship, and communion offering you praise, glory and honor. Father, we ask that you watch over our President, Barack Obama, as he literally carries the weight of the world on his shoulders. Continue to lead and guide him, and bless him with the courage of David and the wisdom of Solomon. Bless all of our national leaders from all branches of our government. Father, bless the leaders from around the world who are charged with the great responsibility to bring hope in the midst of hopelessness, calm in the midst of chaos, and peace in the midst of war. Father, infuse in our leaders a call to action to protect those who cannot protect themselves. For as Dr. King said, our lives begin and end the day we become silent about things that truly matter. Father, let our leaders never forget that as a global community, or strength, our dignity, and our humanity are all closely linked to our willingness to help each other. Father, I pray that our leaders are led by faith because our faith lets us know you hear us. Father, because we have been granted this awesome responsibility to lead, we have the legal and moral obligation to strive to better conditions world wide. Father, your word and our faith provide us guidance. The Gospel of Matthew teaches that we must "first cast out of the beam out of thine own eye, and then shall thou see clearly to cast the moat out of thy brother's eye." Father, impress upon our leaders the profoundness of this passage. I pray that our leaders will understand that to earn our positions of leadership, we must constantly sit in judgment of ourselves. This is not an easy or a comfortable task, but it is one that is essential—whether it is at a prayer meeting or during times of self-reflection—we must examine our actions in the crucible of our faith. In First Kings, Solomon is reminded of the promise that God made to David, that is if our people remain faithful, then when in need, our God would hear them. Father, faith is essential to all we do, and faith has been vital to me. I am so proud to share my faith with our national leaders because this nation has invested so much in me. I am humbled and honored to have served in Afghanistan and Iraq as a United States Army officer. My unwavering faith sustained me while I served in a combat zone away from my wife and my son. But more importantly, my faith sustained me when I was paralyzed shortly after returning from Afghanistan. My wife Anna and I relied on our faith to sustain us and keep us. Without faith, I know I would not be standing here today. I literally would not be standing here today. Father, remind our leaders that you told us to have faith in all we do, not some of what we do, but all we do, not just when it is popular or convenient. Let our leaders know that it is through prayer and faith that our brave soldiers, sailors, airmen, and marines that work to secure our homeland will return home when war will be no more. Father, remind our leaders that faith will sustain them, faith will keep them and faith will guide them. For I know firsthand that it is because my faith and the power of prayer that I stand before you today. I also pray that with continued faith and perseverance, our president will be strengthened, fortified, guided and directed to lead this great nation, and be a beacon of justice and peace around the world. In the precious name of Jesus, I give thanks. Amen.

Rep. ADERHOLT: Thank you Judge Rigsby. And thank you God for answering our prayers, and we thank You again for this morn-

ing and we offer all of these prayers up to the Father. Mark Burnett and Roma Downey are two of television's most successful producers. They have made over 3,000 hours of American TV that airs in over 70 countries, and have received eight Emmy Awards. You know them from their productions of some of television's most iconic shows, including *The Voice*, *Shark Tank*, *Survivor*, *The Bible Series*, and their major motion picture, *Son of God*.

Mark Burnett is the president of MGM Television and Digital Group, and his wife, Roma is chief content officer of Light Works Media. Many of you also know Roma from her starring role as Monica in the long running hit TV show, *Touched by an Angel*. And to give you an idea of some of their work, we are going to look at a brief clip from their hit television series, *The Bible*.

[Video clip from *The Bible*]

Ladies and Gentlemen, please join me in welcoming the first husband and wife couple to ever address this breakfast, Roma Downey and Mark Burnett.

Mr. MARK BURNETT: Good morning, Mr. President, Madam First Lady, Senators, Congressmen, members of our armed forces, esteemed foreign representatives and guests. Roma and I are so grateful to be here this year. We are used to sitting out there, and have for many years and love this prayer breakfast. We are especially grateful this year to be speaking at President Obama's last prayer breakfast, it is such an honor. We are also really, really glad to be here to share with you a little of our story about immigrant, blue collar roots of coming to America.

Ms. ROMA DOWNEY: Yes, it is a great blessing also for us to be here as a married couple and to get to do this together. As we heard, we are the first husband and wife team ever to speak at the National Prayer Breakfast. Mark and I have been working together, side by side for years, and most couples we know can't even do yard work together without arguing. And yet we have been together every day, producing *The Bible* and *AD*, and the soon to be released, epic feature film, *Ben Hur*. And I just have to acknowledge Mr. Morgan Freeman, who is here today, who is one of the stars of *Ben Hur*.

Spending so much time together as a husband and wife, is a blessing and a challenge, and perhaps the real miracle is that we are still speaking to each other. As business partners, we have different styles and approaches. I might tap gently on a door, and my husband might kick the door down. And both can be effective, and like all partnerships, we have learned to work as a team. And there is an art, of course, to public speaking. It should feel like a graceful dance, and speaking today, we will try not to step on each other's toes. I am reminded of some of the great dancers from the past, like Fred Astaire and Ginger Rogers, and they moved so well together. And remember that Ginger did everything Fred did, but she did it backwards and in high heels. Of course you may be able to tell from our accents, I am Irish, my husband is English—but we don't hold that against him.

Mr. BURNETT: Okay, I admit it. I was born in England but I am very lucky now, as is Roma now, to be an American citizen—so we can officially celebrate the 4th of July. I do know I am also lucky; I am the only person in the room who is married to an actual angel. Yeah, I know what you are thinking. Yes, I have been touched by an angel. Well, we are married.

Ms. DOWNEY: I was born and raised in Derry City, Northern Ireland near the bog

side section, and Derry is the second city of the North and as you all know it was home to a great deal of violence and unrest, particularly in the 1970s and 1980s. Our city was divided by a river, which flowed through the middle segregating the communities; and Catholics lived on one side, Protestants lived on the other, and never the twain did meet. We hardly ever crossed the river to the other side. Those were scary and often dangerous times when shootings and bombings became a way of life. When I was just 10 years of age, my mother died and I remember going to visit her grave when a fierce gun battle broke out in the cemetery. I narrowly missed being shot, the bullet hole singed the coat I was wearing and missed my head by inches. Surely I must have had an angel watching over me that day. Through my teenage years I can remember sitting in my little bedroom on the street where we lived, looking out at the rain and listening over and over to one of the only cassettes that I owned. It was Simon and Garfunkel's Greatest Hits and I loved the lyrics, for they created a poetic world where you could hear the sounds of silence and it seemed possible that you could really build a bridge over troubled waters. The lyrics painted a picture for me, a picture of America and a seed was planted. The American dream represented freedom, and opportunity, and there as a young Irish teenager, an American dream was born in my heart. Like so many immigrants before us, this great country has provided us with the opportunities to make our dreams reality.

Mr. BURNETT: Yet we both came seeking that same American dream. Thirty years ago, I left the British Army Parachute Regiment and I moved to Los Angeles with zero skills, but I did need a job and a place to live and I had a friend from home who lived in Beverly Hills and worked as a chauffeur for a rich family. He suggested a chauffeur might be a good job—at least I could drive a car—but there were no chauffeur jobs available. But there was a job advertised and it sounded great. It was a live in position in Beverly Hills; got paid 125 dollars a week and the job did come with a room, a car, and even cable TV. The trouble was there were two words right at the front of the job description, which made no sense for a guy from the parachute regiment. Those two words were: child care. My friend Nick told me it was a waste of time even going to the interview but I remember him saying "Mark, come on, how are you going over being the commando yesterday to Mary Poppins tomorrow, really?" But I knew I was desperate. So I showed up that night at 624 North Beverly Drive in Beverly Hills for a job interview. It was crazy. Keep in mind I was 22 years of age, I had just come out of the army. Irving, the husband, began by asking what on earth I was doing there. Here he had a 3-year-old from this marriage, a 17-year-old and a 19-year-old from the previous marriage, and what did he possibly need another 22-year-old kid for? What Earl said he needed was a nanny and a housekeeper. Just then his wife, Patty cut him off and said "Wow, you have an accent, where are you from?" I said "Ma'am, I'm from London." She said "Oh, we love London." Earl did not crack a smile, he was just annoyed so he started drilling me to get rid of me. He said, "This job isn't just about chasing a 3-year-old around a Beverly Hills estate—you need to do some cleaning. Can you clean Mark?" I said "Sir, I just left 4 years in the British army. They came around with a white glove to inspect our lockers every day. No one ever found a speck of dust on my locker." Patty

smiled and Earl got even more annoyed. Then he asked me "Okay, can you do laundry?" I said "Sir, laundry? We have to do all our own washing and ironing, I could iron a shirt with a crease so sharp you could shave with it." Patty was loving this. But then Irving finally got me when he said "Mark, can you cook?" I said "Sir, I'm British. My mom can't even cook."

Anyway, I thought I wasn't getting the job—but a few hours later, Patty called the number I had left where my friend Nick lived and said, "It's a very soft sell, but you got the job. Can you start tomorrow?" And then I began the next day in America as a domestic help/nanny/housekeeper at 624 North Beverly Drive, Beverly Hills. This was really amazing. Last year, Roma and I, as a lot of you know, merged our company into MGM, which made me the president of MGM Television. And I was given an office on the top floor of MGM, right next to Gary Barber, the Chairman and CEO of MGM. I walked in there and looked at this incredible view of Los Angeles—the Hollywood sign, Beverly Hills and it dawned on me. The address of this building is 245 North Beverly Drive. I looked out the window up Beverly Drive and I could actually see the house where I was a nanny at 624 North Beverly Drive. You have to know, this can only happen in America. It's the American dream.

Ms. DOWNEY: Yeah, there are certain things that could only happen in America. Back when I emigrated from Ireland, I lived in New York City, and the very first job I had there was checking coats in a very fancy Upper West Side restaurant. The meals were lovely but so expensive and I never could have afforded to eat there myself. When I checked a coat, I used to get maybe a quarter a coat or sometimes a dollar on average. One night I checked the coat of Regis Philbin. He was the very first celebrity that I ever met, and he gave me a 20 dollar tip and I thought I died and went to heaven. Just a few years later, I was living in Los Angeles, starring on a TV show called Touched by an Angel and the show had millions of viewers each week and it was a big hit on CBS. Soon I was invited to fly back to New York and be a guest on the Regis Philbin Show. Checking coats one moment, starring on television the next—only in America. And I remember I told Regis that story and he laughed, and he laughed, and he was just so glad that he hadn't stifled me.

Anyway, for almost 10 years I had the privilege of playing the angel, Monica on television opposite the great Della Reese, and we were undercover angels who showed up at a crossroad in people's lives, often when they had hit the bottom, and in their brokenness, they had reached out to God for help. Every week I got to deliver a message of God's love on national television to millions of people. As a believer myself, this was such an honor to share with the audience that there is a God, that he loves us, and that he wants to be part of our lives. Before we filmed these angel revelation scenes each week, we would pray a very simple prayer, "Less of me, God, more of you; less of me, more of you." And we prayed because we hoped we would be used to touch people's hearts and to open their lives to God—and thankfully that happened thousands of times. Both Mark and I have been so blessed with our careers here in the United States, and we are both so fortunate and incredibly grateful.

HONORING THE LIFE OF MS. MARIA LOURDES GUTIERREZ

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. COSTA. Mr. Speaker, I rise today along with my colleague, Mr. BECERRA to honor the life of Ms. Maria Lourdes Gutiérrez of Los Angeles, California. Maria passed away on May 19, 2016 after a year-long battle with cancer. She led a prolific career and will be greatly missed by her family, friends, and entire community.

Maria L. Gutiérrez was born on September 23, 1954, in Los Angeles, California to Jose and Manuela Gutiérrez. As the only child of immigrant parents, Maria's story is a testament to the American Dream. She grew up in East Los Angeles, graduated from Loyola Marymount University with a Bachelor's degree in history and political science, and did graduate work at the University of Southern California. She worked for a short time as a station manager of KMEX in Los Angeles before moving to Fresno in 1998, to serve as the General Manager for KFTV. Her hard work and determination allowed her to rise quickly to the position of Senior Vice President and Regional Director of Local Media for Univision until her retirement in 2012.

Under Maria's leadership, KFTV became a leading force in local news. She worked to raise the level of the local Spanish-language television stations during her career and she never stopped working to do so. With her guidance, KFTV won several awards for outstanding journalism, becoming the leading Spanish-language television station in the San Joaquin Valley and earned recognition and honors from various news associations.

After her retirement, Maria continued to serve her community. Maria served on the boards of the Fresno State Bulldog Foundation, Fresno State Art and Humanities, the San Joaquin Debate Committee, the National Parks Conservation Advisory Board, and El Agua es Asunto de Todos, highlighting the importance of having a reliable and secure water supply in California. She was also the chairman for the Complete Count committee for Census and was the President for both the Loyola Marymount University Latino Alumni Association and the National Association of Broadcasters Board.

Maria's faith and love for family, public service, and her community was guided by her strong belief in shining a light on issues that impact the quality of life in the Central Valley. Her hard work led her to be honored by several groups, including the Girls Scouts of Central California South, The National Women's Political Caucus of Fresno County, and The Fresno Area Hispanic Chamber of Commerce. Maria received various awards, including "Women of Influence," "Humanitarian Award," "Hispanic Woman of Promise Award," and the American Advertising Federation's Silver Medal Award. Maria was passionate about her work and was a fantastic leader, mentor, and friend.

Mr. Speaker, it is with great respect that Mr. BECERRA and I ask our colleagues in the U.S.

House of Representatives to honor the life of Ms. Maria Lourdes Gutiérrez. The positive difference Maria made in the lives of others and her community will never be forgotten.

DAUGHTERS OF THE AMERICAN
REVOLUTION RECOGNIZE THE
229TH ANNIVERSARY OF THE
DRAFTING OF THE CONSTITUTION

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. FITZPATRICK. Mr. Speaker, the 229th anniversary of the drafting of the Constitution of the United States was nationally noted on September 17, 2016. The Constitution, the greatest framework of human liberty, incorporates the principles of freedom, equality and justice. Constitution Week, September 17–23, was initiated by the Daughters of the American Revolution in 1955 to promote the observance of the U.S. Constitution. The organization also created the DAR Constitution Hall in Washington D.C. as a memorial to the enduring document. The DAR encourages patriotism, education and historic preservation in communities across America and has continued this mission, honoring and celebrating the Constitution and encouraging observance of Constitution Week throughout the nation, and in communities and classrooms, encouraging adults and children to study and discuss the Constitution. In recognition of this magnificent document and this important annual event, I congratulate the Daughters of the American Revolution for their ongoing commitment to our unique American history.

TRIBUTE TO LUELLA AND
CLARK HERZBERG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Luella and Clark Herzberg of Clarinda, Iowa, on the very special occasion of their 70th wedding anniversary. They were married in Oakland, California and celebrated their anniversary on July 16, 2016.

Luella and Clark's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

INTRODUCING HOUSE CONCURRENT
RESOLUTION EXPRESSING
THE SENSE OF CONGRESS THAT
THE UNITED STATES SHOULD
CONTINUE TO EXERCISE ITS
VETO IN THE UNITED NATIONS
SECURITY COUNCIL ON ANTI-
ISRAEL RESOLUTIONS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a House Concurrent Resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process and to oppose anti-Israel measures considered by the United Nations General Assembly and other United Nations bodies.

As we all know, Israel is routinely the subject of unfair attacks at the United Nations. Israel is one of our nation's great allies—a free and open democratic society in a region that is anything but—yet it is the only country in the world that has to defend its very right to existence on a daily basis. International bodies unfairly target Israel regularly, and it's shameful.

For instance, the United Nations Human Rights Council (UNHRC) has voted to condemn Israel 62 times since its creation in 2006. Earlier this year, the UNHRC named Israel as the world's top human rights violator.

Here's another example. Resolution 1, adopted during the 29th session of the Commission on the Status of Women last year singled out Israel as the only nation responsible for women's rights violations. You heard that right. Not Syria, where an entire ethnic group, the Yazidis, have seen their women and girls sold off as sex slaves; not Saudi Arabia, with its strict laws on modesty, where women can neither drive nor own property; and not Sudan, where young girls are married off at the age of 10 and where many of them are forced to undergo female genital mutilation.

Earlier this year, the government of France convened a conference in Paris on the Israeli-Palestinian conflict. Notably, representatives from Israel and the Palestinian Territories were not invited. That is no way to negotiate. If the government of France takes the plan to the United Nations Security Council, it would effectively force a "solution" upon Israel at an arbitrary deadline, putting the entire country at risk. This is unacceptable. We have all seen the wave of terrorism that has swept through Israel in recent months. Israel must be allowed to maintain its security.

Mr. Speaker, it is imperative that we, the United States of America, continue to stand up for Israel at the United Nations. We all want to see a resolution to the Israeli-Palestinian conflict, but we know that it can only happen if both sides come together, sit down, and negotiate. My friend, Prime Minister Bibi Netanyahu has offered to meet anywhere at any time, without any precondition, to continue negotiations. The Palestinian leadership, unfortunately, has refused or made excuses, and in-

stead turned to international bodies. In doing so, they have turned from the peace process and focused instead on castigatory measures that will, in the long run, get them nowhere. And that is a shame.

The United Nations can't force peace. A resolution to the conflict requires difficult conversations, and even painful concessions through mutual bilateral discussion. This is what needs to happen, and the United States must send this signal clearly and unequivocally. I urge this body to pass the resolution, which will do just that.

HONORING JEANELLE NORMAN

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Jeanelle Norman, who was recently named Citizen of the Year by the Greater Decatur Chamber of Commerce.

Jeanelle is perhaps most known for her work as the president of the Decatur branch of the NAACP, where she has spent the past few years fighting tirelessly for the inclusion and equality of all people in the greater Decatur area.

However, Jeanelle is no stranger to activism. In 1998, she saw a need for leadership in her community and began her campaign as the first black woman to run for mayor of Decatur. Although unsuccessful, she was later elected as the first black president of the Decatur School Board where she saw firsthand the needs of parents and children in Decatur's public schools.

Using her years of experience and advocacy on the School Board, Jeanelle channeled her desire to make a difference into the creation of the Area Leaders and Education Response Team, whose focus is to improve relations between Decatur's community members and its law enforcement. This 11-member team works to spread accurate information in the event of high-profile incidents involving police and the black community.

For decades, the Decatur community has benefitted immensely from Jeanelle's positive influence. I am very proud of Jeanelle for all of her accomplishments that have earned her the distinction of Citizen of the Year. She is truly an inspiration and I congratulate her on receiving this honor.

IN CONGRATULATING MARIELA
MELERO ON BECOMING A 2016
SAMMIES FINALIST

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Mariela Melero on being selected as a 2016 Samuel J. Heyman Service to America Medals finalist. This honor is one shared with a select group of other federal employees who have achieved excellence in their work to help

others. Ms. Melero has earned this recognition through imparting her passion and commitment to improving immigration services for anyone seeking a better life in the United States.

By enhancing the experience for those who seek help obtaining legal immigration status, Ms. Melero has simplified a sometimes complicated process. As the daughter of Cuban parents who sought refuge in Puerto Rico, Ms. Melero understands how important it is to give support to those looking for a better life. She has significantly aided those seeking immigration help by developing an online portal and virtual assistant to help provide answers and resources to countless migrants. These cutting edge tools have distinguished Ms. Melero in her work. As a nation of immigrants, it cannot be understated how important it is to help individuals who are seeking avenues to legal immigration the proper advice that they need.

Ms. Melero's hard work and perseverance are exemplified in her receipt of this honor. We need to encourage more federal employees, like Ms. Melero, who work hard and dedicate their lives to helping those seeking a better life for their families.

Mr. Speaker, it is my honor to highlight the importance of this recognition and what it represents for Ms. Melero and our district. I ask that my colleagues join me in congratulating Ms. Melero on being a 2016 Samuel J. Heyman Service to America Medals finalist. I wish her all the best in her future endeavors.

RECOGNIZING THE 50TH ANNIVERSARY OF THE CENTER FOR THE STUDY OF CANADA AND THE CANADIAN STUDIES PROGRAM AT SUNY PLATTSBURGH

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 50th Anniversary of the Center for the Study of Canada and the Canadian Studies Program at SUNY Plattsburgh. The Center is dedicated to providing comprehensive scholarly professional development programs on Canada for residents of the United States.

The Canadian Studies Program at SUNY Plattsburgh was founded in 1966. Nine years later the Center for the Study of Canada was established in 1975 and was recognized as a Title VI National Resource Center by the United States Department of Education in 1983. The Center offers the most comprehensive Canadian Studies undergraduate program in the United States, and spearheaded the CONNECT program, which works to promote Canadian Studies in American academic institutions.

The Center's Canadian Studies Program gives students the opportunity to learn about Canada's rich multiculturalism and its vital role as one of the largest trading partners with the United States. The Center offers students multiple outreach programs, such as the Distinguished Canadian Address, K-12 Initiatives, and Teaching Canada. These programs, as

well as opportunities to study abroad in Canada, enable the Center's students to learn more about our northern neighbor.

Congratulations to the Center for the Study of Canada and the Canadian Studies Program at SUNY Plattsburgh on the 50th anniversary of its formation. I want to wish the Center and its students and faculty continued success in the future.

TRIBUTE TO ADA GOSHORN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ms. Ada Goshorn on the occasion of her 100th birthday on August 19, 2016.

Our world has changed immensely during Ada's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Ada has lived through seventeen United States Presidents and twenty-four Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Ada Goshorn in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Ada on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

DAY OF RECKONING—PAKISTAN IS NOT A TRUSTWORTHY ALLY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. POE of Texas. Mr. Speaker, Pakistan is not America's trustworthy ally.

For years, Pakistan has been aiding and abetting the enemies of the United States of America. These are not enemies who simply profess to hate us. These are groups and individuals with American blood on their hands.

However, the United States continues to give billions of money to Pakistan.

Frankly, Pakistan has been playing both sides on the war on terror. Pakistan openly supported the Taliban both before and after they came to power in Afghanistan. They provided the radical extremists with cover, cash, and weapons to conduct attacks. Senior Taliban leaders still live in Pakistan to this day. They are not all hiding in remote caves in the mountains far from the eyes of Pakistani officials. Some of these terrorist leaders are known to live in Pakistan's capital, Islamabad. It came as no surprise that the leader of the Afghan Taliban was killed by a U.S. drone strike while in Pakistan in May.

In fact, Mr. Speaker, the worldwide Taliban headquarters is . . . in the Pakistan city of Quetta.

Pakistan is not America's trustworthy ally.

There is more. The Pakistan Inter-Services Intelligence (ISI) Agency fosters close, cozy ties with the Taliban leaders, directly assisting them to carry out a terrorist agenda approved by Islamabad. Documents leaked in 2010 revealed direct meetings between the ISI and the Taliban to organize and orchestrate attacks on American soldiers in Afghanistan. Pakistan's security services also maintain illegal ties to the Haqqani network, a rabid criminal terrorist syndicate that has claimed responsibility for numerous bloody attacks against American and NATO forces.

Admiral Mike Mullen, the former chairman of the Joint Chiefs of Staff, testified in 2011 that Pakistan supported many Haqqani network attacks in Afghanistan, including an assault on the U.S. Embassy. Admiral Mullen even called the Haqqani network "the veritable arm of Pakistan's Inter-Services Intelligence Agency." Five years later, little has changed. This summer, the Department of Defense announced that it could not certify that Pakistan has taken action against the Haqqani network. Therefore, Pakistan lost hundreds of millions of dollars of U.S. aid.

Pakistan is not America's trustworthy ally.

Yet another terrorist group protected by the ISI is Lashkar-e-Taiba, the perpetrators of the 2008 Mumbai, India massacre. This murderous rampage claimed the lives of 166 individuals and left over 600 wounded. This group arrogantly operates freely within Pakistan. Its founder Hafiz Muhammad Saeed is an open public figure in the country despite a \$10 million dollar U.S. bounty on his head. Pakistan has even maintained contact with the perpetrators of the most devastating attacks on our homeland, al-Qaeda. In fact, in 1998 Pakistani nuclear scientists met with senior al-Qaeda leaders to discuss the possibility of the terrorist group developing a nuclear weapon.

Following the terrorist attacks of September 11, 2001 and the invasion of Afghanistan, outlaw leaders of al-Qaeda and the Taliban knew just where to find a hideout—across the border to Pakistan. Home sweet home.

Evidence emerged in 2005 and 2008 that Pakistan's ISI was working hand in hand with al-Qaeda operatives to purchase arms. Further evidence shows the bandit groups moved Arab fighters to fight against Americans trying to bring peace to Afghanistan.

Finally, Pakistan has harboring public enemy Number 1, the coward Osama bin Laden, in a luxurious home near a military compound. American Navy SEALs brought justice upon his head in 2011.

These are well established facts that even the Administration has acknowledged Pakistan's despicable record of combatting terrorism. The most recent edition of the State Department's Country Reports on Terrorism plainly states that Pakistan "did not take substantial action" against terrorist groups nor did it limit their ability to attack U.S. interests in neighboring Afghanistan. It details the ongoing capabilities of terrorist groups to "operate, train, organize, and fundraise in Pakistan."

Pakistan is not America's trustworthy ally.

In spite of this overwhelming evidence, the State Department still perversely and blissfully maintains that Pakistan is a "critical counterterrorism partner." This simply does not make

sense. The American people demand an explanation. Is Pakistan a friend or a foe in the fight against terrorism?

My bill, the Pakistan State Sponsor of Terrorism Designation Act of 2016, will require the Administration to answer this question. The President must issue a report in 90 days detailing whether or not Pakistan has provided support for international terrorism. Thirty days later, the Secretary of State must issue a follow-up report containing either a determination that Pakistan is state sponsor of terrorism or a detailed justification as to why Islamabad does not meet the legal criteria for designation.

A day of reckoning has arrived. Fifteen years after September 11, 2001, we have more than enough evidence to determine whose side Pakistan is on. And it's not America's.

And that's just the way it is.

50TH ANNIVERSARY OF THE
ROUND ROCK WOMAN'S CLUB

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the 50th anniversary of the Round Rock Woman's Club. Since its inception, the RRWC has been heavily involved in the Round Rock community. From beautifying downtown Round Rock to hosting their Soup and Bread fundraiser which brings in over 800 people each year, these committed public servants know how to bring the community together.

Founded in 1966, the Woman's Club has exemplified the strength of community that Round Rock so proudly boasts. Their Soup and Bread luncheon and silent auction allows the Woman's Club to donate thousands of dollars to various charities in not only Round Rock but also throughout all of Williamson County. The Woman's Club also awards two \$1,000 academic and community service scholarships each year to carefully selected students at Round Rock High School's Sub-Junior RRWC Club, also known as the Sweethearts.

The purpose of the Round Rock Woman's Club is to further any interests that enrich women's lives as well as remain actively engaged in community participation and service, and they do a great job at that. I am proud to say that these ladies represent the core values of the great city of Round Rock and am especially proud of the remarkable work they have done for us. Happy 50th birthday ladies and here's to 50 more.

CELEBRATING EAST PENN MANUFACTURING'S 70TH ANNIVERSARY

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. DENT. Mr. Speaker, it is an honor to join with my colleague from Pennsylvania,

Representative RYAN COSTELLO, to recognize the 70th Anniversary of East Penn Manufacturing, a family-owned business located in Lyons, Pennsylvania that exemplifies the American spirit of hard work and ingenuity.

As veterans returned home at the end of World War II, they were looking for reliable and affordable car batteries. DeLight Breidegam Jr., an Air Force veteran, and his father, DeLight Sr., responded to the growing demand for batteries in 1946 by starting a business to collect and rebuild old batteries.

The following year, in 1947, Karl Gasche joined the Breidegams and was named the company's Vice President. Gasche was an engineering graduate from the Massachusetts Institute of Technology, and as modern materials became more available after the war, he designed a line of new batteries for the company. This line, which was named "Deka," is now one of the best known battery lines in America.

East Penn has shown an exemplary commitment to environmental stewardship during the past seven decades. That commitment has been ingrained in the company's identity and operations since day one through an extremely successful battery-recycling initiative. Today, East Penn recycles approximately 30,000 batteries per day. Furthermore, East Penn is making advances in emerging technologies, such as hybrid electric vehicles and smart grid services, which help to conserve energy and protect our environment.

Since its inception 70 years ago, East Penn has grown to become one of the world's leading battery manufacturers with more than 8,000 employees and 450 product designs. Mr. Speaker, it is a pleasure to offer our congratulations to the talented and hard-working employees at East Penn Manufacturing, as well as the entire Breidegam family, as they celebrate 70 years of success and innovation in the Berks County area and beyond. May they enjoy continued prosperity.

S. CON. RES. 46

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise in support of S. Con. Res. 46, Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

The Holocaust resulted in the murder of two-thirds of the Jewish population in Europe at the time of World War II.

In addition to this, more Jewish people fled in the face of extermination and left behind friends, personal items, homes, and much more in the effort to preserve their own lives.

To this day, there are approximately 500,000 Holocaust victims still alive around the world with 100,000 Holocaust victims currently living in the United States.

Of this large number of Holocaust survivors, tens of thousands are 80 years or older and 50 percent will pass away within the next decade while the living victims will experience increased health needs as they become frailer.

Even if age were not a factor, many Holocaust victims still alive suffer from permanent and psychological disabilities and live with emotional scars from the systematic genocide of the Jewish people.

Furthermore, Holocaust survivors often experience trauma when their emotional and physical circumstances force them to leave their homes and enter into either institutional or other group living residential facilities, and the emotional and psychological scars are heightened in the elder age of these Holocaust victims.

Many Holocaust victims are currently living below the poverty line and cannot afford basic necessities such as healthcare, food, transportation and other needs so that they may live their remaining time in comfort and dignity.

The government often steps in to assist with these Holocaust victims given that many lack family support networks and therefore require additional support of social services.

Additionally, the spokesperson for Chancellor Angela Merkel has stated that Germany accepts full responsibility for the Holocaust and effects thereof.

Germany has also acknowledged that the support and funds they have been providing are insufficient to these increased needs of the Holocaust victims, and Germany agrees that resources and support must be expanded to meet these needs.

These Holocaust victims have suffered enough, and it is the moral and historical responsibility of Germany to comprehensively, permanently, and urgently provide support and resources for medical, mental health, and long-term care needs of all Holocaust victims.

Because of this, we stand in support of working to ensure that all Holocaust victims in the United States and around the world are able to live in dignity, comfort, and security throughout their remaining years.

TRIBUTE TO
FLORIDACHARACTER.ORG

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. JOLLY. Mr. Speaker, I wish to recognize FloridaCharacter.org for promoting morality in schools, families, communities and workplaces throughout our community.

FloridaCharacter.org helps young people everywhere strive to be ethical and engaged citizens irrespective of their backgrounds. They are a nonprofit organization that works with districts, schools and other organizations to help foster a culture where young people thrive both academically and morally. They provide the necessary resources for educators, community activists, workplaces, and parents to create a productive environment.

Due to the extraordinary success of their model, FloridaCharacter.org provides tutorials to organizations across the world who wish to

institute similar values in their communities. This template is named "The 11 Principles of Effective Character Education" which appropriately sums up their philosophy on character education. FloridaCharacter.org also helps people exchange ideas and resources through a network of organizations, schools, and individuals while discussing potentially beneficial approaches to further their work.

I would like to thank FloridaCharacter.org for being such an upstanding organization that works to encourage integral values such as honesty and respect, in parallel to an exemplary education. I thank FloridaCharacter.org for their passion and exceptional work, and ask that this body join me in recognizing them as well.

TRIBUTE TO GUTHRIE COUNTY
STATE BANK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa business, Guthrie County State Bank of Guthrie Center, Iowa as they celebrate their 85th anniversary.

Founded on October 17, 1931, Guthrie County State Bank (GCSB) has grown from one bank location to a banking group that has branched out to realty, investment and abstracts. Its focus has never wavered from customer service and providing community service in Guthrie County.

Mr. Speaker, over the last 85 years GCSB has left an indelible mark on the banking industry and Guthrie County, Iowa. I commend Guthrie County State Bank and their employees for a job well done. I ask that my colleagues in the United States House of Representatives join me in honoring Guthrie County State Bank for its unwavering commitment to agriculture and the state of Iowa. I wish Guthrie County State Bank and their employees nothing but continued success in their future endeavors.

CONGRATULATING DAVID A.
HINDIN ON BECOMING A 2016
SAMMIES FINALIST

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize David Hindin on being selected as a 2016 Samuel J. Heyman Service to America Medals finalist. This honor is one shared with a select group of other federal employees who have achieved excellence in their work. Mr. Hindin has earned this recognition through imparting his passion and commitment to improving regulatory compliance with the Environmental Protection Agency's Office of Enforcement and Compliance Assurance.

Through using modern technology and practical policies, Mr. Hindin has helped to in-

crease regulatory compliance with EPA regulations, keeping our air and waterways clean. Mr. Hindin recognizes the need not merely for regulation, but also for compliance with existing policies. By holding industries accountable for their actions and improving transparency, Mr. Hindin and his office have encouraged companies to reduce the amount of pollution that they produce. The application of these cutting edge tools and ideas has distinguished Mr. Hindin in his field.

Mr. Hindin's hard work, perseverance, and excellence are exemplified in his receipt of this honor. We need to encourage more federal employees like Mr. Hindin who work hard and dedicate their lives to helping the environment. I look forward to Mr. Hindin's continued success and innovation in his work.

Mr. Speaker, it is my honor to highlight the importance of this recognition and what it represents for Mr. Hindin and our district. I ask that my colleagues join me in congratulating Mr. Hindin on being a 2016 Samuel J. Heyman Service to America Medals finalist. I wish him all the best in his future endeavors.

CELEBRATING THE 60TH ANNIVER-
SARY OF THE ARC LOS ANGELES
AND ORANGE COUNTIES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate The Arc Los Angeles and Orange Counties (The Arc LAOC) on its 60th anniversary, which is being celebrated on September 24th. Thanks to its advocacy and its array of services, intellectually and developmentally disabled individuals in my district have found new opportunities to participate in community life. I salute this dynamic organization, and all those it serves, on 60 years of hard work, progress, and triumph.

The Arc LAOC has a rich legacy of promoting self-determination, dignity, and a high quality of life for all individuals. It was founded in 1956 by a handful of dedicated and resourceful parents seeking educational and employment opportunities for their sons and daughters. Today, its programs and services assist more than 200 individuals with intellectual and developmental disabilities in Los Angeles and Orange Counties. With the organization's help, these individuals set and accomplish goals relating to learning, living, working, and socializing.

The past decade has been a time of substantial growth for The Arc LAOC. Its latest addition, the Community Integrated Training Program (CIT), offers opportunities in the arts, culture education, hobby development, and community experiences to participants aged 22 to 49. Other developments have included the October 2014 opening of the Just-A-Buck store in Long Beach, and the renovation of Downey's Reagan Banquet and Conference Center, named in loving memory of Bennie and Annie Reagan.

The organization marked another milestone this past March, when it celebrated its 20th Annual Arc Walk for Independence. The Walk

is a yearly opportunity for thousands of people from surrounding communities to gather in support of independence for individuals with developmental disabilities.

I hope my colleagues will join me in celebrating the 60th anniversary of The Arc Los Angeles and Orange Counties. Its decades-long record of service and success is a powerful reminder that wonderful things can happen when we offer help and hope to our fellow Americans. Thanks to its strong partnerships with local agencies, leaders, and businesses, I have no doubt that it will continue to evolve as a leading community organization.

CULVER CITY CENTENNIAL
CELEBRATION

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. BASS. Mr. Speaker, the City of Culver City kicks off a year of festivities this Saturday that will culminate in celebration of the 100th anniversary of its incorporation on September 20, 1917. Real estate developer and promoter Harry Culver saw a huge opportunity in the former Rancho La Ballona, and bought 93 acres of barley fields nestled at the foot of the Baldwin Hills. His plot was conveniently located at the junction of three major transportation routes on the Pacific Red Car as they traveled between burgeoning downtown Los Angeles and the new resort developments at the beach, and early advertising claimed that "all roads lead to Culver City."

The city seal proclaims Culver City "The Heart of Screenland," and many movies attributed to Hollywood were actually filmed there, going all the way back to the Triangle Motion Picture Company in 1915, Thomas Ince Studio in 1918, and Hal Roach Studios in 1919.

Over the years, those same movie lots have been home to Metro-Goldwin-Mayer, DeMille Studios, RKO-Pathé, Desilu and other well-known production companies. Sony Pictures Studios, among others, now carries on the tradition of over a century of continuous movie-making.

In addition to film and television business, Culver City has played host to a variety of industries and entrepreneurs, whose products ranged from stoves to macaroni in the early years, to the famous Helms Bakery, whose former home still attracts business as a design hub. Howard Hughes opened Hughes Aircraft there in 1941, and the city is currently home to many thriving enterprises, including Symantec, Beats by Dre, NFL Media and NPR West.

Culver City's residents are justifiably proud of their schools, parks, museums and theatres, and their small-town feel within the metropolis of Los Angeles. Economically prosperous, environmentally conscious, education-minded and civically engaged, the people of Culver City have much to celebrate. I would like to wish all the best to Mayor Jim Clarke and the other members of the City Council, to the city's staff, and to its entire population as they embark on the city's next century.

TRIBUTE TO RAY MABBITT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Ray Mabbitt of Council Bluffs, Iowa on his recent retirement as a Captain with the Council Bluffs Police Department after 33 years of service. He joined the Council Bluffs Police Department on January 24, 1983.

Ray Mabbitt served as a uniform patrolman, detective, polygraph examiner, internal affairs, and officer in the criminal investigation units. He also served as the interim police chief after the retirement of Police Chief Ralph O'Donnell. Ray said, "Joining the police force was something I had wanted to do since high school." He said he enjoyed coming to work every day because he always did something different. Ray said that he will miss his co-workers and city residents who have shown their support for him and the police department.

Mr. Speaker, Ray Mabbitt made a difference by helping and serving others. It is with great honor that I recognize him today. I know that my colleagues in the U.S. House of Representatives will join me in recognizing his accomplishments. I thank him for his service to the City of Council Bluffs and wish him all the best in the future.

H.R. 3471, THE VETERANS
MOBILITY SAFETY ACT**HON. VERN BUCHANAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. BUCHANAN. Mr. Speaker, I rise today to express my concerns about certain aspects of the Veterans Mobility Safety Act (H.R. 3471) as reported from the Veterans Affairs Committee. Thousands of disabled veterans each month are provided exterior vehicle lifts for their motorized scooters or wheelchairs and/or fully modified vehicles, depending on the degree of their mobility limitations. These serve as essential tools to ensuring that veterans have the freedom they deserve and help them live their lives to the fullest. While it is important to ensure that vehicles are operating safely after they receive VA-funded accessibility benefits, this legislation, which creates a new regulatory regime for the VA to implement, would benefit from some minor improvements.

I am pleased that the Veterans Affairs Committee stated that in approving this legislation, Congress intends for the VA to preserve access to residential installations and service of exterior vehicle lifts, which is essential for our veterans. Veterans with limited mobility, as opposed to no mobility, often have an exterior lift installed on their vehicles via a standard trailer hitch that allows for the transport of a scooter or power wheelchair. Currently, the vast majority of these lifts are installed in the driveway of the veteran's home in as little as 30 min-

utes, as opposed to an equipment dealer's place of business, which is far more convenient for veterans and their families. These simple modifications significantly differ from modifications to the structure or controls of a vehicle, which are not done at a veteran's home and can take days or even weeks.

And while the bill would permit manufacturers of vehicle lifts to continue to certify dealers and their employees as compliant with safety requirements, I would like to have seen a more robust conflict of interest provision related to the use of a third party certification organization for the new safety standards. The bill should also have explained more clearly how the new regulatory regime should differentiate between simple modifications, such as the addition of an exterior lift, and complex modifications, which affect the structure and/or operation of the vehicle. These simple changes to the bill could increase veterans' safety while ensuring against unintended consequences that could limit choices and access for our veterans.

H.R. 3471 authorizes the VA to allow third party organizations (other than manufacturers) to certify that vendors are meeting the standards created by this bill but only instructs VA to "minimize" conflicts of interest. I am troubled because even a "minimal" conflict of interest could give segments of the automotive adaptive market a competitive advantage. I am particularly concerned that a trade group, which is dominated by and representative of a fraction of the industry, is seeking to become a certifying organization and could be in a position to certify (or not) the competitors of its members. Accordingly, I am pleased that the Committee Report notes that Congress "expects VA to take all appropriate steps to minimize the potential for conflicts of interest, particularly if a third party organization who stands to unreasonably gain from designating quality standards high enough so that only the organization itself can certify providers of modification equipment is selected as a certifying body."

NATIONAL DAY OF TAIWAN

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today to note the upcoming National Day of Taiwan, which falls on October 10, and is referred to on Taiwan as Double Ten Day. I extend my best wishes to the people of Taiwan as they prepare for this important day, and also offer my best wishes for the day itself.

As a Member of Congress, I am proud of the actions we have taken through the Taiwan Relations Act (TRA) and the Six Assurances in helping to make it possible for the people of Taiwan to build the strong, prosperous, and democratic society they enjoy today. I would also note the excitement generated by the election of the first woman to the Taiwan's presidency, whom I had the honor of meeting recently. Our bilateral relationship is as strong as ever, and I am confident it will continue to be in the years to come under President Tsai's leadership.

In May Congress passed H. Con. Res. 88, reaffirming the TRA and the Six Assurances as the linchpin of our relationship and earlier in the 114th Congress, the House passed legislation regarding Taiwan's participation at the World Health Assembly and INTERPOL. With the passage of H. Con. Res. 88, the people of Taiwan may be assured that Congress will continue to develop and grow our prosperous relationship.

I encourage my colleagues to join me in a message of continuing friendship to the people of Taiwan, and in wishing them a Happy Double Ten Day

IN HONOR OF LOUDOUN
FIRST RESPONDERS**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize the tremendous work of some of my constituents at the Loudoun First Responders. The Loudoun First Responders exemplify the very best of the traditions of public service to their community. Their dedication to a high standard of conduct allows them to remain fearless while making a positive impact in the lives of their neighbors.

Becoming a First Responder takes unwavering devotion. The Loudoun First Responders answer the calls of their neighbors in need with a limited amount of equipment, all while providing efficient and immediate care to ill and injured patients. These individuals are responsible for the protection and preservation of life, property, and the environment. They constantly adapt to function in uncommon situations in order to keep my constituents safe.

Within the Loudoun First Responders, the Loudoun County Sheriff's Office, the Leesburg Police Department, the Middleburg Police Department, the Purcellville Police Department, the Department of Fire, Rescue, and Emergency Management, our healthcare providers, as well as 16 volunteer fire-rescue corporations operating out of 19 stations all work tirelessly to protect our citizens. These individuals' dedication and skills greatly impact the community in which they serve. We readily commend them for their hard work and sacrifice.

Mr. Speaker, I now ask that my colleagues join me in thanking the Loudoun First Responders for the outstanding service they have provided, and continue to provide, to our great Commonwealth. I wish them the best as they continue to serve and protect all in Virginia's 10th Congressional District

TRIBUTE TO JOYCE AND
DEAN OLSON**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Joyce and Dean

Olson of Minden, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on July 16, 1966 at the United Church of Christ in Minden, Iowa.

Joyce and Dean's lifelong commitment to each other and their children, Bonnie, Pam, and Dee, and six grandchildren, truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion

OGDENSBURG INTERNATIONAL AIRPORT GRAND OPENING

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the Ogdensburg International Airport located in St. Lawrence County, New York. The airport is owned by the Ogdensburg Bridge & Port Authority and has undergone a major expansion project.

The sizeable expansion of the Ogdensburg International Airport is impressive in its scope and the time within which the project was completed. The runway of the airport has been extended to accommodate larger planes, and the terminal and parking lot have been modernized and expanded for increased use and traffic. These additions and improvements have allowed the Ogdensburg International Airport to partner with new airlines and offer additional flights, and will strengthen both the direct and indirect economic impact of the facility on the community.

This expansion project will enable airlines partnering with the Ogdensburg International Airport to offer low cost airfare, making travel to the North Country easier and more convenient. It is my hope that this airport will act as a signal to investors, both in and out of the area, that Ogdensburg can support growing industries and expanding businesses. These improvements will provide returns on investments for the future, and will help establish a North Country presence beyond upstate New York.

Congratulations to St. Lawrence County, the City of Ogdensburg, the Ogdensburg Bridge & Port Authority, and the Ogdensburg International Airport. I wish you all the best for continued success in the future.

U.S.-U.K. TRADE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. POE of Texas. Mr. Speaker, in the days leading up to the Brexit referendum, the Presi-

dent told our friend, Britain that if they were to leave the European Union, they would end up at the "back of the queue" for a trade deal. What an absurd statement to make to our most important ally. Throughout history we have worked side by side with the U.K. to overcome global crises. After the disastrous foreign policy for the last eight years, America has few true friends left in this world. A free trade agreement between the U.S. and the U.K. should not be at the back of the line, but at the front.

The U.S. and Britain share a common heritage and values. We also have a deep and longstanding trade relationship grounded in our complimentary economies. The U.S. exported over \$76 billion in planes, helicopters, spacecraft, and aircraft parts to the U.K. in 2014. Our inability to work towards a trade agreement with the U.K. will negatively affect more than 40 Aerospace companies in Texas alone. We are Britain's most important trading partner. The U.S. imports over \$56 billion in goods every year from Britain and 20 percent of our exports bound for the EU end up in the U.K. market. We are also a major investor in the British economy, with U.S. foreign direct investment nearing \$588 billion in 2014. Unlike the Transatlantic Trade and Investment Partnership (TTIP), a trade deal with the U.K. would be simple to broker. It could be as easy as expanding NAFTA to include the U.K., or creating a new model for more simplified trade agreements with individual countries in the future. A trade agreement with the U.K. would not only deepen our close friendship, but would also chip away at non-tariff regulatory barriers that are being built around the European Union, such as the different requirements for testing the safety of cars and drugs. A more streamlined and efficient trading relationship would reap benefits for both Washington and London.

Britain's exit from the EU should be looked at as an American opportunity. The prospect of a bilateral U.S.-U.K. trade agreement is exciting; such an agreement would promote economic freedom, champion national sovereignty, and create a new model for other bilateral trade agreements.

We have entered a strange time in politics—one in which free trade has never been more unpopular. Brexit presents a unique opportunity to demonstrate the positive impacts of free trade with one of our closest allies. We have already seen what can happen to global markets if the U.K. appears isolated: in the wake of the Brexit referendum the British pound plummeted by 7.6 percent against the dollar. Britain's continued seclusion will only cause more harm than good for the rest of us. And it doesn't end there. Economic disaster in London will translate into a reassessment of military and diplomatic relations in Washington. For the Administration to ignore both these risks and opportunities is a disservice to both our interests and those of our friends across the pond.

And that's just the way it is.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 50th anniversary of the U.S. District Court for the Eastern District of California. Fifty years ago on September 18, the Eastern District of California opened its doors to serve the people of counties across California, including those who live in my hometown of Sacramento. Over the last half-century, the judges, attorneys, and staff of the Eastern District have worked tirelessly to ensure that justice is served, that cases are adjudicated efficiently and fairly, and that the law is respected and upheld.

Throughout its history, the Eastern District of California has been fortunate in the quality of its leadership. Judge Myron D. Crocker served as the District's first Chief Judge, followed closely thereafter by Judge Thomas J. MacBride. Judge MacBride served in that capacity for eleven years, making him the longest-serving Chief Judge in the history of the Eastern District. Judge Philip C. Wilkins followed Judge MacBride as Chief Judge in 1979, and was in turn succeeded as Chief by Judge Lawrence Karlton in 1983. In 1990, Judge Robert E. Coyle became the court's fifth Chief. His term ended in 1996, when the duties of Chief were assumed by Judge William B. Shubb. Judge Shubb remains on the bench as a Senior District Judge to this day. He was succeeded as Chief by Judge David F. Levi, who held the post for four years until resigning his commission to train the next generation of legal minds as Dean of Duke University School of Law. Judge Garland E. Burrell served as Chief from 2007 to 2008, when he was succeeded by Judge Anthony W. Ishii. After Judge Ishii's tenure as Chief concluded in 2012, Judge Morrison C. England, Jr. assumed the reins of the District Court's leadership. The current Chief Judge of the Eastern District is Judge Lawrence J. O'Neill.

The Eastern District of California has, from its inception, been one of the hardest-working district courts in the United States. Today, the court has the heaviest weighted caseload in the Ninth Circuit. The fact that the Eastern District's docket carries more cases than most other courts in the country means that the judges, attorneys, staff, and volunteers of California's Eastern District are some of the most dedicated and effective people in our country's entire judicial system. I am proud to represent so many who do the critically important day-to-day work of adjudicating cases, dispensing justice, and upholding the rule of law.

Mr. Speaker, I ask all my colleagues to join me in recognizing the Eastern District of California on the occasion of its 50th anniversary.

IN RECOGNITION OF THE LIFE OF
PAM HILLERY

HON. RYAN K. ZINKE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. ZINKE. Mr. Speaker, I rise today to commemorate the life of Pam Hillery of Havre, Montana. After a four-year battle with Lou Gehrig's disease (ALS), Pam passed away peacefully in the presence of her family late Wednesday night, September 15, 2016. This was a profound loss, not only for Havre, but for all of Montana.

I was truly saddened to hear the news Thursday morning. I only had the privilege of meeting Pam and her husband Paul once, but they left a lasting impression on me and my staff. Last year, Paul and Pam made the long trek from Havre to Washington to advocate for legislation that would prioritize finding cures for chronic diseases like ALS. At the time, the House was still crafting and debating a solution. I remember kneeling down next to Pam and listening to her story. Despite being bound to a wheelchair, her passion and dedication were truly inspirational. She knew her fate, but was still striving for a better future with those afflicted with this terrible disease. In Pam's own words, "I'm not hopeful, but I'm not hopeless." It was this fervent spirit that led me to cosponsor and help pass the 21st Century Cures legislation in the House of Representatives.

While I only knew Pam for a short time, it became immediately and abundantly clear why her passing is such a loss to Havre, Montana, and our nation. Her honest passion had the ability to inspire people to action. The town of Havre knows this better than anyone else. Pam epitomized what it means to be an active participant within the local community. She served on the Havre City Council for nine years, even after being confined to a wheelchair and losing her ability to speak. She was politically active, fighting for the causes close to her heart. From Missoula to Helena, she was constantly in motion no matter what it took. Most importantly, she was a loving and dedicated mother and wife to her children and husband. Pam leaves behind her husband Paul and children Caroline and Dolan. To each of them, you have mine and Lola's sincerest condolences.

Mr. Speaker, although Pam is no longer with us, I call upon this Congress to commemorate her lasting impact. Whether serving her community as part of the Havre City Council or navigating the halls of Congress for causes close to her heart, she made a positive impression at every single turn. She will be sorely missed by us all.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took of-

fice, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,520,012,359,884.18. We've added \$8,893,135,310,971.10 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO SHANNON SMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Shannon Smith for being honored as Iowa's Adviser of the Year for the Future Business Leaders of America. She is a business instructor at Creston High School in Creston, Iowa.

Future Business Leaders of America helps over 230,000 members prepare for careers in business and related fields. Its mission is to bring business and education together in a positive working relationship through innovative leadership and career development programs. Ms. Smith was nominated by her students and recognized with this award at the 2016 National Leadership Conference.

Mr. Speaker, I know that my colleagues in the United States Congress join me in commending Shannon Smith for her service as a teacher to students at Creston High School and congratulate her on this award. It is an honor to represent Shannon in Congress, and I wish her nothing but the best in her future endeavors.

RECOGNIZING THE SUNY PLATTSBURGH UPWARD BOUND 50TH ANNIVERSARY

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 50th anniversary of the State University of New York at Plattsburgh's Upward Bound Program. Upward Bound prepares high school students for success in college and professional careers. Since its founding in 1966, nearly 1500 students in the Plattsburgh area have completed the program.

Through Upward Bound, high school students are afforded the opportunity to attend career fairs, shadow jobs, and complete internships. Each year, participants of the SUNY Plattsburgh Upward Bound Program provide over 6,000 hours of community outreach in Plattsburgh. This specific Upward Bound Program gives students the incredibly unique opportunity to take part in leadership experiences such as ocean classroom sailing, Adirondack wilderness trips, and participation in the National Leadership Congress.

SUNY Plattsburgh's Upward Bound is one of the oldest Upward Bound Programs in the country. In the past fifty years, over eighty per-

cent of Upward Bound Alumni across the United States have pursued secondary education immediately after high school graduation and more than fifty percent of those students have been able to complete their post-secondary education.

Upward Bound Plattsburgh offers programming throughout the school year and during the summer as well, encouraging students to participate with their families. During the school year, the program offers college visits and bi-weekly counseling sessions, while in the summer, more than 45 classes are offered daily, covering every subject from math to history, foreign languages and the sciences. In addition to these classes, cultural experiences and leadership opportunities are offered every week.

The SUNY Plattsburgh Upward Bound Program has done a tremendous job of empowering and uplifting high school students since its founding in 1966. I want to wish its teachers, administrators, students, and alumni continued success in the future.

CELEBRATING THE NATIONAL DAY
OF TAIWAN

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. SESSIONS. Mr. Speaker, as a member of the Congressional Taiwan Caucus, I would like to take this chance to celebrate the National Day of Taiwan.

Taiwan has and continues to be a staunch ally of the United States, one who shares our common values of freedom, human rights, and civil society. I have personally had the privilege of visiting Taiwan and have seen, first hand, its proud democracy and strong economy.

As a part of their push for global integration, Taiwan has been seeking inclusion into international organizations. My colleagues and I understand the need for Taiwan to be a part of the global conversation and have passed legislation to help Taiwan receive observer status in international organizations such as: the World Health Organization (WHO), the International Civil Aviation Organization (ICAO), and the International Criminal Police Organization (Interpol).

I am pleased that for the last eight years, the World Health Assembly has continued to include Taiwan. Taiwanese experts have taken this opportunity to share their experiences with their counterparts from other countries around the world and they continue to make contributions to the global health network.

As a key aviation hub in East Asia, I would encourage the International Civil Aviation Organization (ICAO) to utilize Taiwan's expertise. Close to fifty eight million people each year enter, leave, or pass through the Taipei Flight Information Region. In addition, Taiwan is connected to over 100 cities around the world with hundreds of air-passenger and air-freight routes. In 2013, Taiwan was invited to attend the triennial ICAO assembly as a guest of the ICAO chair of the Executive Committee. It

would be beneficial to Taiwan and the international for Taiwan to be included in ICAO meetings.

As Taiwan's National Day approaches, I would like to encourage the ICAO to welcome Taiwan's meaningful participation in its Assembly this month, and I hope that we as a Congress continue to incorporate the Taiwanese into the global network.

IN RECOGNITION OF LOVETTSVILLE ELEMENTARY SCHOOL BEING NAMED ONE OF AMERICA'S HEALTHIEST SCHOOLS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge Lovettsville Elementary School on being named one of America's Healthiest Schools. Lovettsville Elementary has shown dedication to getting its students active and promoting a fit and healthy lifestyle.

Lovettsville Elementary was awarded a silver medal by the Alliance for a Healthier Generation. This honor requires schools to meet stringent guidelines for serving healthier meals, pushing students to become active, offering physical and nutritional education, as well as empowering school leaders to become healthy role models. Students who attend healthy schools perform better academically, and have overall better attendance and attitudes towards school. Each of the students at this Lovettsville Elementary was challenged to live a healthier lifestyle over the course of the school year and the results were remarkable. In addition to the silver medal from the Alliance for a Healthier Generation, Lovettsville Elementary also received an Active Schools National Award from Let's Move.

Coming from a family of educators, I understand how important a strong education is to the future of our nation. It is schools like Lovettsville Elementary that will continue to help shape the United States' role in the evolving global economy, while at the same time producing many of our nation's future leaders. Lovettsville Elementary School has clearly shown that it cares about developing our children and has given them the tools to succeed.

Mr. Speaker, I ask that my colleagues join me in congratulating Lovettsville Elementary School for this achievement. I wish them all the best in their future endeavors.

RECOGNIZING MAYOR MORRISSEY ON HIS RETIREMENT

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to commend Mayor Larry Morrissey as he leaves office after 12 years of service to the great people of Rockford, Illinois.

Larry Morrissey began his career after winning an ambitious campaign for mayor in

2005. During his past three terms, he's brought people together to fight for Rockford's future and move our community in a positive direction. Mayor Morrissey's commitment to improving lives all across Rockford can clearly be seen through his many accomplishments.

Through his leadership, Rockford was the first city in the nation to reach a functional zero for veteran homelessness. Mayor Morrissey also realized that a strong infrastructure was necessary for a strong economy, and made necessary investments in Rockford's roads, bridges and water infrastructure. Perhaps most importantly, he was committed to creating a promising future for Rockford's kids—and brought together community organizations to advocate for school improvements and impactful educational programs.

Mr. Speaker, I am proud to recognize Mayor Morrissey's tireless dedication to the people of Rockford. I wish him the best in his future endeavors and thank him for his invaluable service to our region.

H. RES. 660

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. KINZINGER of Illinois. Mr. Speaker, I rise in strong support of this resolution. Eight years ago this summer, Russia violated the sovereignty of our key ally in the Caucasus: the Republic of Georgia.

It seems that nothing has changed with Russian behavior as South Ossetia and Abkhazia are still under Russian occupation as a result of its military aggression. As we are seeing around other areas of Eastern Europe, particularly Ukraine, there is no end to the belligerence of Vladimir Putin.

The development of Georgian democracy has served as a powerful example to the region and has drawn a stark contrast with a revanchist and increasingly authoritarian Russia.

It is critical that the United States continues to stand with its democratic allies in the region in order to thwart further aggression from a ruthless dictator like Putin.

That's why Congress must send this strong message: we will never recognize the occupation of Georgia and we will continue to urge Russia to immediately withdraw from South Ossetia and Abkhazia.

Mr. Speaker, I am proud to be a cosponsor of this legislation, and I urge my colleagues to join me in voting for this important resolution.

RECOGNIZING DEPUTY LARRY RAYBURN

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Deputy Larry Rayburn, a deputy who has served for more than seven years in the Macoupin County Sheriff's Department. Deputy Rayburn's quick and he-

roic actions earlier this summer literally saved a life.

Early in the morning of May 27, Deputy Rayburn responded to a call at Otter Lake Campground that a young man was experiencing an asthma attack. The young man was on a camping trip and found himself without an inhaler.

Deputy Rayburn, who had previously served as an emergency medical technician arrived at the scene 10 minutes after receiving the call from the young man's mother. He concluded that the asthma attack had closed off the young man's airway, and used a plastic airway device from his squad car to reopen it.

The deputy's quick actions helped restore the victim's skin color and allowed him to continue breathing until the local paramedics arrived and were able to put him on a ventilator.

The Macoupin County Sheriffs Department recently awarded Deputy Rayburn with their "Lifesaving Award," and I stand here today to honor him for his courageous actions that morning and to thank him for his service.

TRIBUTE TO JOYCE AND STANLEY KOENIG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Joyce and Stanley Koenig of Council Bluffs, Iowa on the very special occasion of their 50th wedding anniversary. They were married on April 30, 1966 at St. John's Lutheran Church in Council Bluffs.

Joyce and Stanley's lifelong commitment to each other and their children, Kirk and Lisa, and their grandchildren, truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

CELEBRATING THE 125TH ANNIVERSARY OF ROYALTON BOROUGH

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. DENT. Mr. Speaker, I have the distinct privilege and honor to recognize the 125th Anniversary of Royalton Borough, located in the southern portion of Dauphin County in Pennsylvania.

The history of Royalton is extensive and substantial, dating back to several native groups that called the area home, including the Susquehannocks, Conoys, Nanticokes,

Conestogas, and the Shawnees. Both Captain John Smith and William Penn explored the area surrounding the Susquehanna River. In 1608, Penn deemed the area to be so impressive that he proposed a city that would eclipse Philadelphia. Unfortunately, the shallow water of the river would prove to be a deterrent from Penn's grandiose plans; however, Port Royal—which would officially be deemed Royalton in September 1891—served as an active and important trading post.

The Pennsylvania Canal would open to public use in 1834, running through Lower Royalton. The canal's opening provided a new transportation option and facilitated trade by providing a route from Philadelphia to Pittsburgh, carrying goods such as anthracite coal, salt, and iron. When transportation preferences shifted to rail travel, Royalton also evolved and a large number of residents either worked for the railroad or its associated industries.

Throughout their history, Royalton's residents have consistently demonstrated an unsurpassed resilience and commitment to strengthening and evolving their community together. Today, the borough continues to be made up of hard-working people with a heart for their neighbors and their community.

I ask that the House join me in celebrating with Royalton Borough on the joyous occasion of its 125th Anniversary.

IN RECOGNITION OF THE 20TH
PASTORAL ANNIVERSARY OF
REV. DAVID N. HARRINGTON

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Rev. David N. Harrington of Good Hope Baptist Church in Asbury Park, New Jersey on his 20th pastoral anniversary. Rev. Harrington continues to provide outstanding spiritual leadership to the greater Asbury Park community.

Rev. Harrington received his Masters of Divinity Degree from New Brunswick Theological Seminary. Installed as Pastor of Good Hope Baptist Church on September 15, 1996, Rev. Harrington's background has helped him lead his congregation. Prior to his service to Good Hope Baptist Church, Rev. Harrington was an Associate Minister for three years at St. Paul Baptist Church and was also a member of the Trustee Board. A basketball player at Delaware State University, Rev. Harrington was also President of the Fellowship of Christian Athletes.

In addition to his service to Good Hope Baptist Church, Rev. Harrington is an active member of his community. As a member of the pastoral staff at Jersey Shore University Medical Center and the Drug Prevention Coordinator for the Long Branch Housing Authority, Rev. Harrington continues to offer guidance and support to the greater community.

Currently residing in Neptune, New Jersey, Rev. Harrington and his wife Cecelia are blessed with two children, a daughter, Ivy and a son, Seth. Rev. Harrington is a graduate of

Middletown High School South and earned his undergraduate degree in Business Administration from Delaware State University.

Mr. Speaker, once again, please join me in celebrating the 20th Pastoral Anniversary of Rev. David N. Harrington. His leadership, service and dedication to the church and community are truly deserving of this body's recognition.

PERSONAL EXPLANATION

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. COURTNEY. Mr. Speaker, I unfortunately missed a vote during a vote series on September 14, 2016. Had I recorded my vote, I would have voted:

"No" on roll call no. 510, on the passage of the Regulatory Integrity Act of 2016 (H.R. 5226).

IN SUPPORT OF H.R. 295—TO REAUTHORIZE THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 295, to Reauthorize the Historically Black Colleges and Universities Historic Preservation Program.

H.R. 295 would authorize the appropriation of \$10 million annually from 2017 through 2023 for the Historic Preservation Fund to provide aids for the restoration and preservation of historic structures at Historical Black Colleges (HBCUs).

As a member of the Bipartisan Congressional HBCU Caucus which promotes and protects the interest of HBCUs by: creating a national dialogue, educating Members of Congress and their staffs about the issues impacting HBCUs, drafting meaningful bipartisan legislation to address the needs of HBCUs, and supporting students and graduates of HBCUs by increasing access and career opportunities.

The Historically Black Colleges and Universities Preservation Program works to preserve, and stabilize historic structures on HBCU campuses through projects such as structural stabilization, repairing damaged masonry, replacing antiquated electrical and plumbing systems, abating environmental hazards such as asbestos, repairing termite damage, fixing leaking roofs.

Too much of the history of African Americans has been lost due to it not being considered important enough to note by historians outside of the community, and the fact that much of it is held in the records of black churches that may have been destroyed by arson.

This is why the HBCU preservation project is so important.

Since 2009, no funds have been appropriated for this program to support the preservation and stabilization of HBCU structures.

Just as I have supported previous efforts to preserve and repair HBCUs, I also support this measure to reauthorize the Historically Black Colleges and Universities Historic Preservation program.

I stand with and thank my colleague Representative JAMES CLYBURN for the introduction on this important bill, which encapsulates the sentiments I have about the importance of Historically Black Colleges and Universities.

I am proud to count Texas Southern University as an institution within my constituency, a great HBCU—located in my Houston, Texas Congressional District.

Texas Southern University has a rich history with nine academic units, 1,000 dedicated staff members, and over 9,200 esteemed students.

I have continuously partnered with Texas Southern University (TSU) to promote education opportunities and collaborate on community projects.

I led the initiative to get more than \$13 million in Financial Aid Relief for the students and campus of Texas Southern University.

I continue to keep the TSU university community informed about major issues impacting citizens within the 18th congressional district and throughout the U.S.

For example, I initiated the digitization projects for former U.S. Members of Congress Barbara Jordan and Mickey Leland, both of whom have permanent archives at Texas Southern University.

I helped established the Barbara Jordan Medallion to be awarded each year at a ceremony held at Texas Southern University to an individual who advocates for the community.

I also assisted with the establishment of several scholarship Endowments at Texas Southern University.

I created a partnership with Comcast at TSU's School of Communication, which offers scholarships, internships and in-kind marketing.

I established the Center for Transportation, Training and Research in TSU's College of Science, Engineering, and Technology.

HBCUs have worked diligently to be where they are today.

Martin Luther King once said,

The function of education is to teach one to think intensively and to think critically. Intelligence plus character—that is the goal of true education.

Since the 1980s and continuing for more than 25 years, the National Park Service has awarded over \$40 million in matching grants and \$15 million in earmarked grants to more than 80 Historically Black Colleges and Universities (HBCUs) to assist them in repairing historic buildings on their campuses.

On September 18, 2009, former Secretary of the Interior Ken Salazar announced the 20 HBCUs that were the beneficiaries of historic preservation grants aimed at providing assistance in the repair of historic buildings on their campuses.

President Barack Obama signed the American Recovery and Reinvestment Act to jumpstart our economy, create or save millions of jobs, and put a down payment on addressing

long-neglected challenges so our country can thrive in the 21st century.

Included in this act was \$15 million that was competitively awarded to HBCUs for the preservation of campus buildings listed in the National Register of Historic Places.

HBCUs do not just educate—HBCUs have and will continue to fill an important role in education opportunity and engagement for millions of young people from diverse backgrounds.

I ask my colleagues to join me in voting for H.R. 295, to support Reauthorization of the Historically Black Colleges and Universities Historic Preservation Program.

**275TH ANNIVERSARY OF UPPER
HANOVER TOWNSHIP**

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. FITZPATRICK. Mr. Speaker, Upper Hanover Township is celebrating an important date this year—the 275th anniversary of its establishment as a township in Montgomery County. As part of the original William Penn Land Grant, this southeastern Pennsylvania community, once part of the greater Hanover Township, was settled mostly by Germanic people who left their European homes in search of religious and social freedom—the story of America.

On the anniversary of the township's 275th founding, it is only fitting we recognize the township's heroes who sacrificed to ensure the most precious freedoms, which the township's founders valued and yearned for, would be preserved for future generations of Americans.

Today, Upper Hanover is dedicating military seals in recognition of those individuals who served, sacrificed and sadly, those who paid the ultimate sacrifice.

Veterans of World War I and II called Upper Hanover home. And, just like their forefathers it was the rich fertile land that attracted them. Their diligent work ethic made agriculture the leading industry in the early period. Centuries later it has grown with many families and residents actively participating in the community, government and business.

I offer my heartiest congratulations to Upper Hanover Township on this milestone year.

**WEST LOS ANGELES LEASING ACT
OF 2016**

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. TED LIEU of California. Mr. Speaker, I rise today in support of H.R. 5936 the West Los Angeles Leasing Act of 2016, which would authorize the Department of Veterans Affairs to enter into leases in order to construct permanent supportive housing on the West Los Angeles VA Medical Center campus. As a member of the Air Force Reserve, I under-

stand the sacrifice our veterans make in service to our country and I'm committed helping them get the services they need.

There is a critical need for long-term supportive housing on the West Los Angeles Campus, and enhanced use leases would allow the Department to work with community and state organizations toward the goal of ending veteran homelessness in Los Angeles. If enacted, this legislation will enable the VA to construct 1,200 units of housing for homeless veterans and offer new robust services on the campus such as vocational training, recreation and spiritual support. The legislation also ensures that all leases on the campus principally benefit Veterans and strengthen the partnership between the VA and leaseholders. The bill allows the VA to renew any lease entered pursuant to these provisions after giving Congress 45 days' notice of the intent to renew.

I want to acknowledge the leadership of VA Secretary Bob McDonald and the tireless work of his team this past year in developing the Master Plan. I also want to thank Senator DIANNE FEINSTEIN for her leadership in authoring companion legislation in the U.S. Senate, and House Veterans Affairs' Committee Chairman JEFF MILLER and Acting Ranking Member MARK TAKANO for helping to guide this legislation to passage in the House. I am confident Senator FEINSTEIN will now take this legislation across the finish line in the Senate.

And I especially want to recognize the contributions of vital local stakeholders, including veterans, veterans service organizations, the plaintiff partners, providers, and the community for their collaborative effort and unprecedented support this past year. Without this co-operation, the Master Plan and progress on this legislation would not have been possible. Today's actions help us move forward on our unwavering mission to honor the debt we owe our nation's veterans.

**IN RECOGNITION OF
BARBARA MEIGGS**

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. KEATING. Mr. Speaker, I rise today in recognition of Barbara Meiggs, a resident of Hanson, Massachusetts, who will soon be celebrating her 101st birthday, and who is a recipient of the Boston Post Cane, presented to the oldest citizen of a town in a proud New England tradition.

Barbara was born on October 17, 1915 in Brockton, Massachusetts and later moved to Whitman, Massachusetts where she graduated from Whitman High School at 18 years old. Shortly thereafter, she married Carlton Meiggs and was happily married for 67 years. In the intervening years, Barbara and Carlton raised their two sons, Russell and Weston, who in turn grew to have wonderful lives of their own, making her a grandmother and then great-grandmother.

In addition to her accomplishments as a mother, Barbara was a dedicated volunteer in the Jordan Hospital community. First joining the information desk in 1978, and then becom-

ing a fixture in the "Bonnet for every baby" program at Jordan Hospital, Barbara's acts of kindness were often the first to welcome children into the world. For her outstanding service, Barbara was presented an official citation from the Commonwealth of Massachusetts in 1994, and the President's Call to Service Award a decade later.

Mr. Speaker, I am proud to honor what has already been a distinguished and well lived life. I ask that my colleagues join me in recognizing her life and community service.

**IN HONOR OF THE BOSTON LIGHT
ON ITS 300TH ANNIVERSARY**

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. LYNCH. Mr. Speaker, I rise today in honor of the Boston Light, the first American Aid to Navigation, on its 300th anniversary.

As was originally proclaimed even before our nation's birth:

"Whereas the want of a Lighthouse at the entrance of the harbor of Boston, hath been a great discouragement to Navigation, by the loss of the lives and estates of several of His Majesties subjects," an Act for building and maintaining a lighthouse at the entrance of the harbor of Boston was passed by the Great and General Court or Assembly of His Majesties Province of Massachusetts Bay in New England in 1715 for prevention whereof.

The Boston Light was first lit on September 14, 1716, almost 60 years before the Declaration of Independence was signed.

Since then, the lighthouse has stood a faithful watch over Boston Harbor, helping the City of Boston to become a thriving international port and laying the foundation for the U.S. Coast Guard's Aids to Navigation mission.

Among its many missions as the maritime service responsible for the safety, security, and stewardship of American waterways, Aids to Navigation is the Coast Guard's oldest mission, and that mission started with the Boston Light.

That lone lighthouse on Little Brewster Island gave rise to the world-class system of U.S. Coast Guard Aids to Navigation that includes more than 48,000 buoys, beacons, ranges, sound signals, and electronic aids that safely guide thousands of vessels a day sailing on our nation's 25,000 miles of waterways.

Around the nation, the Coast Guard's system of Aids to Navigation keeps the American economy on course by enabling marine cargo transportation that generated \$4.6 trillion of economic activity and accounted for more than a quarter of the U.S. Gross Domestic Product in 2015.

The Boston Light is also the Coast Guard's only lighthouse that still has a Keeper assigned. For the last 13 years, that has been Sally Snowman, the 70th Boston Light Keeper and the first woman to hold the position in three centuries. This Weymouth, Massachusetts native proudly keeps the light shining today.

Sally is among the more than 2,500 Aids to Navigation Professionals, made up of Active

Duty Coast Guardsmen and Coast Guard civilians serving at the U.S. Coast Guard Headquarters, Area, District, and Sector Waterways Management Offices. In addition, Aids to Navigation professionals are aboard 75 cutters, and at 64 Aids to Navigation Teams across the nation who maintain the Aids to Navigation that save lives, protect property, and enable commerce by ensuring safe, secure, and resilient waterways.

Mr. Speaker, the Boston Light has served our nation well for 300 years and the men and women of the Coast Guard proudly uphold its legacy of light today.

It is my distinct honor to take the floor of the House today to honor the Boston Light on its tri-centennial anniversary and to honor the U.S. Coast Guard personnel who continue to guide our mariners through our vital waterways.

**TUESDAY'S IN TEXAS:
RICHARD KING**

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. POE of Texas. Mr. Speaker, Richard King is one of the many faces who shaped the ethics of hard work and endurance that define Texan values. He is the founder of King Ranch, but started his career as a river man, steamboat businessman, and later a livestock capitalist. He was born in New York City in 1824 to a poor Irish family. At only nine years old, Richard was indentured to a jeweler. However, he soon escaped as a stowaway on the *Desdemona*, a massive ship headed to Alabama. Once arriving, he spent the majority of his on the Alabama river learning from other boaters, and by the time he was 16 years old, he was a steamboat pilot.

Richard joined the army in 1842 to fight the Seminole War in Florida, and it is there that he met Mifflin Kenedy, who eventually became a longtime business partner. During the war, Richard King started and commanded the "*Colonel Cross*" to transport troops and supplies down the river. When peace was made, Richard became a partner of M. Kenedy and Company, Mr. Mifflin Kennedy's steamboat company.

But he didn't stop there. Richard began to expand his property, and after years scattered with trials, failures, and finally success, he became a master businessman. This aspiring gentleman's purchases and income grew greater and greater by the day. In several partnerships, he bought land in the Nueces Strip in 1853, when he purchased the 15,500-acre Rincón de Santa Gertrudis grant from the heirs of Juan Mendiola, then 53,000-acre Santa Gertrudis de la Garza grant from José Pérez Rey. These pieces of at first barren land became the birthplace of King Ranch.

With expansions and renovations, this land increased, and by the time of his death in 1885, King had made over sixty major purchases of land and amassed some 614,000 acres. Every good Texan knows of the trails to northern markets and Ft. Worth stock market. Richard sent more than 100,000 livestock up

these trails, taking it upon himself to expand the Texas ranching industry.

Richard King was not only a rancher, river man, and businessman, but a man of generosity and service to his country, using his resources as he could in every battle. He symbolizes the heart of the American dream, rising from an indentured servant and runaway boy, to one of the wealthiest and most powerful men of the West.

He died at the Menger Hotel in San Antonio. His last instruction to his lawyer was, "Not to let a foot of dear old Santa Gertrudis get away".

And that is just the way it is.

**TRIBUTE TO THE STEVE AND
CHANTELLE JENNETT FAMILY**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate The Steve and Chantelle Jennett family of Blockton, Iowa for being recognized as a 2016 Way We Live Award winners at the Iowa State Fair.

The Way We Live Award recognizes Iowa families for their hard work and love of farming. Steve started farming with his father in 1989 and after marrying Chantelle, purchased more farmland where they have raised their three children. Their farm enterprise includes row crops, broiler chickens, and wean to finish hogs. Each family member helps with the daily chores and they are also involved in Pork Producers, Taylor County 4-H, and a number of other community activities.

Mr. Speaker, the example set by the Jennett family demonstrates the rewards of harnessing one's talents and sharing them with the world. Their hard work embodies the Iowa spirit and I am honored to represent them in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating the Steve and Chantelle Jennett family for their achievements and wish them nothing but continued success.

**JOHNSTOWN'S 50 PLUS CLUB 50TH
ANNIVERSARY**

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 50th Anniversary of the Johnstown's 50 Plus Club in Johnstown, New York. Established in 1966 at the Shirley J. Luck Senior Citizens Center, the mission of the club is to promote healthy and active lifestyles to its members while giving them a safe place to congregate and socialize.

The staff at the Center is always looking for new ways to engage the members by providing activities and programs that interest them. Members of the club gather for their

weekly meetings, meals, day and weekend trips and weekly walks. In addition to social programs, the Center offers informational programs to ensure that seniors know and understand the different options available to them in today's ever changing world.

Congratulations to the town of Johnstown and the Shirley J. Luck Senior Citizens Center on establishing this group and continuing to provide activities to our senior citizens over the past fifty years. I want to wish the staff of the Shirley J. Luck Senior Center and the members of the 50 Plus Club continued success in the future.

**RECOGNITION OF GOVERNOR
EDWARDS' BIRTHDAY**

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to recognize the 50th birthday of Governor John Bel Edwards of Louisiana. One of eight children, Governor Edwards learned the importance of helping others at a very young age, which he's shown through his profound strength and leadership in governing our great state of Louisiana. A retired Airborne Ranger for the United States Army and a diligent public servant, Governor Edwards has always put his community and nation first.

Within his first 8 months in office, Governor Edwards has focused on the state's crippling budget crisis, led our recovery from the historic floods that destroyed more than 100,000 homes, and worked to bring the community together after two tragic shooting incidents. Through it all, he has focused on the positivity in our citizens and the need for rebuilding our state.

Governor Edwards has faced every task and issue with an optimistic attitude, always believing that better days would be coming for Louisiana. I am proud to wish my friend a happy birthday.

**CELEBRATING THE LIFE OF
MAXIE BROADDUS**

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. WITTMAN. Mr. Speaker, I rise today with the sad news that Mr. Maxie Broaddus, a lifelong resident of Caroline County, Virginia passed away on December 31, 2015. As a fourth generation farmer, Maxie spent his entire life farming the land in and around his native county. At the young age of 16, he dedicated his life to hard work and his family, starting with only 650 acres of land.

Maxie Broaddus was a businessman, role model, and friend to so many. At the time of his passing, he farmed 7,000 acres spanning the counties of Caroline, Essex, and Richmond, making him the executive of one of the largest growing operations in all of Virginia. He was always open to new ideas and technology, allowing his business to thrive.

As a member of Salem Baptist Church, he enjoyed fellowship as he walked in faith every day. He also had a passion for helping the children of the area. He donated both time and talent to countless children's events and was often heard saying, "It's all about the kids." Maxie was never one to seek out recognition for his good works. He was known and respected for his dedication and will continue to inspire the members of the Caroline community.

Maxie loved the people of Caroline County, he loved our great Commonwealth of Virginia, and he loved his country. He always gave of himself to make the lives of others better.

He is survived by his daughters, Mindy Broaddus, Jessica Broaddus, and Danni Broaddus; his mother, Pat Homes; his brother, Mike Broaddus; his half-brother, Leo Mitchell; his grandsons, Weston James, and Own Wade Parker and his aunts, Mary Scott Haley and Jackie Dean.

Mr. Speaker, I ask you to join me and countless others as we recognize the many contributions of Maxie Broaddus.

TRIBUTE TO HELEN AND
RICHARD FORRESTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Helen and Richard Forrester of Carson, Iowa on the very special occasion of their 50th wedding anniversary. They were married on July 16, 1966 at Hazel Dell Methodist Church in Crescent, Iowa.

Helen and Richard's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

COMMEMORATING THE NATIONAL
DAY OF THE REPUBLIC OF CHINA

HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. BRAT. Mr. Speaker, I rise today to commemorate the National Day of the Republic of China (Taiwan) this upcoming October 10th, 2016. This day commemorates the beginning of the end of China's Qing Dynasty and the subsequent establishment of the Republic of China.

In 1979, the U.S. Congress passed the Taiwan Relations Act, which was signed into law one month after being introduced. Today the

TRA is the cornerstone of the robust relationship between the people of the United States and the people of Taiwan.

Taiwan is a good friend to the United States. Our shared values include respect for market institutions, democracy, free elections, and human rights. Taiwan is also an important strategic partner, promoting peace and stability in the region. Our economic relationship continues to grow, with benefits for both countries. According to the U.S. Department of Commerce, U.S. trade in goods with Taiwan reached \$66 billion last year. Impressive for a population of only 23 million people, Taiwan has become America's ninth largest trading partner. Taiwan is also the ninth largest export market for the Commonwealth of Virginia, and its fourth largest export market in Asia.

In addition, the 39th Assembly of the International Civil Aviation Organization (ICAO) will take place soon in Montreal, Canada, beginning on September 27, 2016. Congress passed a law in 2013 calling for Taiwan's participation in the triennial ICAO assembly as an observer. With wide international support, Taiwan was invited to attend the 38th ICAO Assembly in 2013. Considering the Taipei Flight Information Region (FIR), which is administered by Taiwan and provides over 1.53 million instances of air traffic control services, handles 58 million incoming and outgoing passengers in 2015, and serves as an indispensable part of the global air transport network, I hope to see that Taiwan will be invited to observe again this year.

I wish the people of Taiwan a Happy Double Ten Day. I look forward to further strengthening this important relationship in the years to come.

NO MORE EXCUSES, NO MORE
LIES. RESTORE THE VOTE

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to address the ongoing problem of voter suppression in this country and the pressing need to restore the vote.

The American people are tired. Tired of the lies, tired of the excuses and tired of being silenced. Our country was founded on the strong values of democracy and those principles are embedded throughout the Constitution. Why then must we continue to fight and ask the leaders of this country to support an essential right—the right to vote? Instead of making changes, Republicans in Congress are making excuses—excuses to justify suppressive voting laws and false alarms of an alleged concern of voter fraud. This is an election year and there is too much at stake. Enough is enough.

Following the 2013 Supreme Court decision in *Shelby v. Holder*, states all across the country put in place new suppressive voting laws including new regulations for voter IDs under the guise of fighting against the problem of voter fraud. Mr. Speaker, too often a lie can be viewed as truth simply because the lie is repeated over and over and over again. But

here is the truth—one of the most comprehensive studies to date found that between 2000 and 2014, out of nearly one billion votes cast in America, there were only 31 possible cases of voter impersonation fraud. 31 out of one billion. Is voter fraud truly a problem in this country? The numbers and facts reveal quite the opposite.

The cost/benefit analysis simply doesn't add up. Hundreds of thousands of eligible voters are potentially being blocked from the ballot box because of these new suppressive voter ID laws. The voter fraud myth has been used as a pathetic excuse to justify the silencing of select Americans nation-wide. Where there is no vote, there is no voice. We can no longer allow Americans to be silenced and subjected to these charades.

Republican leaders cannot continue to say they support voting rights, while refusing to restore the Voting Rights Act. They cannot continue to say they disavow racism, while refusing to restore the Voting Rights Act and protect against racial discrimination at the polls. The hypocrisy has to stop. The repeated lies need to end. We are in desperate need for immediate action in this country. These threats to our democracy and civil rights bar thousands of Americans from their right to the voting polls. I am committed to push for improving and strengthening voting rights legislation that makes voting easier, not harder for the American people.

On this Restoration Tuesday, I give us all the charge to battle against the continued suppression of the American vote and stand strong by our principles of democracy, liberty and justice for all. Mr. Speaker, my Republican colleagues should join the 168 members of Congress and support H.R. 2867—the Voting Rights Advancement Act of 2015. Let's restore the Voting Rights Act of 1965. It is the right thing to do.

HONORING THE SERVICE OF MRS.
LYDIA DE LA VINA DE FOLEY TO
THE CONGRESSIONAL CLUB OF
WASHINGTON, D.C.

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to honor an outstanding individual, Lydia de La Vina de Foley, who will step down this month as Executive Director of the Congressional Club after more than four decades of service to this important federally chartered institution.

Lydia first began her work at the Congressional Club as a volunteer illustrator of the Club's Bicentennial Congressional Club Cookbook in 1975. In 1977, she was asked to come on full time as Secretary to the Club. In the 1990s Lydia became Administrative Assistant to the President of the Club, and then became its Executive Director in the 2000s.

Throughout her tenure, Lydia has served under twenty-two Club presidents and, as she aptly describes, "lived through thirty-nine First Lady's Luncheons, the Club's premiere annual event honoring the nation's First Lady. She

has been part of the Congressional Club's continued growth and development as a key center of bipartisan comradery in the Nation's capital.

Lydia has been a Life Member of the Club since April 10, 1981 and became a member through her father-in-law and mother-in-law, the late Honorable John Foley and Lucy Foley of Maryland.

Founded in 1908, the original purpose of The Congressional Club was to provide a non-partisan setting for friendships among the

spouses. Although the scope of the Club and the breadth of its activities have increased over the years, its purpose remains the same. The Congressional Club is rich in history and tradition, and we can thank Lydia for being an integral part of it.

I also want to commend Lydia's family who has stood by her all of the years she has helped to lead the Congressional Club including her husband, John (Jackie) and her children, Bryan Juan Carlos and Nicole Vivianne.

Lydia says that her most memorable experiences as part of the Club are "the friendships forged with many members and presidents of the Club." Her dedication and commitment can be summed up as "be willing to do everything and work hard." Mr. Speaker, Lydia has been a friend to hundreds of Congressional spouses over these past four decades, and because of her dedication, she has truly made Washington, D.C. and the Congress a better place. Lydia, we will miss you. We honor her on this day with love and good wishes.

SENATE—Wednesday, September 21, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, we wait in reverence before Your throne. Cleanse us from our sins, creating in us clean hearts while renewing a right spirit within us.

Help our lawmakers today to discern Your voice and do Your will. Give them the ability to differentiate Your guidance from all others, permitting You to lead them to Your desired destination. Grant them, O God, minds to know, hearts to seek You, wisdom to find You, and conduct to please You. Speak to them through Your Word, guide them with Your Spirit, and sustain them with Your might.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

CONTINUING RESOLUTION

Mr. McCONNELL. Mr. President, yesterday the Senate took the next step in allowing us to eventually pass a continuing resolution. While negotiations are ongoing, I want to thank colleagues on both sides for their cooperation in voting to proceed to the bill that will be used as a shell for the CR-Zika legislation. This will allow us to start work so that when we have an agreement, we will be able to review and debate it.

We all know how important these funds are for combating Zika and supporting our veterans. Let's continue to work quickly so we can eventually pass an agreement as soon as possible.

OBAMACARE

Mr. McCONNELL. Mr. President, on another matter, my friend the Democratic leader has a favorite saying. He

often says that the definition of insanity is doing the same thing over and over and expecting a different result. I am not sure his fellow Democrats got the memo.

At a time when ObamaCare is raising health costs dramatically and chasing competition out of the health industry and collapsing on itself, Democrats just rolled out a brandnew health care idea to fix the problem that even they grudgingly admit is plaguing families. And what is their answer? More ObamaCare. No, this is not a joke. Democrats actually introduced legislation last week calling for ObamaCare 2.0, a new government-run health plan. It is not as if this is even a new idea. It is just a stale leftover from the health care debate back in 2009, an idea many Democrats once deemed so bad that it was cut from the final ObamaCare bill, but now it is their Hail Mary.

It is beyond tone deaf, and there are good reasons that so many in their own caucus will not support it. It is insulting to millions of Americans who continue to watch their premiums spike after Democrats said they would be lower. It is insulting to the millions of Americans who continue to watch their out-of-pocket costs shoot ever higher after Democrats said it would be affordable. I am sure Democrats will make plenty more promises to sell their latest bad idea; I am just not sure the American people are in a mood to listen anymore.

Health care costs just rose last month by the largest amount in over three decades. Deductibles are outpacing wages, premiums are spiking by double digits just about everywhere and could even increase as much as 60 percent in some places. This is ObamaCare's legacy. It is a direct attack on the middle class. It is ruining lives and making life even harder for those who struggle already.

I have a message for our friends across the aisle: Remember what your leader likes to say about doing the same thing over and over. Stop denying reality, stop pretending this is somebody else's fault, own up to what you have done to the middle class, and then work with us to build a bridge away from it. ObamaCare is scary enough for America's middle class. The last thing Americans need now is some government-run sequel.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, my entire caucus got the message. We understand Einstein's definition of insanity is doing the same thing over and over again, and the over and over again, my friend should understand, is the fact that Republicans have voted 70 times to repeal ObamaCare, each time with the same result. My friend should know that every one of my Senators got the memo, as he said.

If someone would spend a minute each day flipping through the newspapers about health care, they would understand that ObamaCare has changed America for the better. Twenty million people now have the opportunity to go to the doctor when they are sick or to the hospital when they are hurt. That wasn't the way it used to be, and the American people are beginning to realize that the constant carping about ObamaCare from the Republicans is wrong. It is wrong for a number of reasons. The American people are beginning to realize that with just a little bit of help, ObamaCare could be made even better. A report came out yesterday that premiums for ObamaCare are still less than employer programs. It is about 3 percent lower than the company-run plans.

The marketplace is what it is all about, and that is what is determining what is happening with ObamaCare. The disabled can get insurance, young men and women can stay on their parents' insurance until the age of 26. Insurance companies are limited in how they can punish people, as they did in the past. They can't set an arbitrary limit as to how much insurance they would provide. If somebody was hurt in a serious accident, they would just terminate them from the insurance, not to mention all of the other things. We were at their mercy. Obviously Republicans want to go back to that same system, and it is not a good system.

DONALD TRUMP

Mr. REID. Mr. President, I learned a long time ago here in the Senate that the rules of the Senate do not allow pictures, graphs, and things of that nature to go in the CONGRESSIONAL RECORD, and that is really too bad. I wish I had the time this morning—I read the paper this morning—to blow up this cartoon by the syndicated cartoonist of the Washington Post, Tom Toles. I have talked to him a couple of times over the past many decades because he is really good, and today's cartoon is about as good as it gets.

This is a picture that Tom Toles sketched of Donald Trump. I would like

everyone to take a look at it. I wish I could put it in the RECORD. It is a cartoon of Donald Trump, and he is saying: "Maybe we need to start 'profiling' huckster haircuts, beady eyes, blowhard lips, unhealthy orange glow, obvious self-dealing"—and he has money pouring out of his pockets—"overweight, underhanded, ever-shifting positions." And, as Toles always has in every cartoon, there is a little person down in the bottom generally making some snide remark about the cartoon, and what that little person says today is that there is a "body of evidence"—the body of Donald Trump, and he is the one who should be profiled, not the people he wants to have profiled.

A little more about Donald Trump—Mitt Romney and I agree on one thing, and that is one thing for sure. There are other things we would agree on, but let's talk about one thing that Mitt Romney and I agree on, and that is that Donald Trump should release his tax returns. But Trump will not release his tax returns. He refuses to release his returns, and he comes up with one excuse after another to not release his tax returns. It is a little odd because the Donald Trump we are talking about is not known for cautionary restraint; he is the most unhinged and reckless Presidential candidate ever.

Let's consider just a little bit of his track record. We have seen Trump refer to women in the most crude and derogatory manner. We have seen Trump call immigrants murderers and rapists. We have seen Trump fearmonger against Muslim Americans, even the parents of one of our proud soldiers who lost his life fighting for our country. We have seen Trump mock someone with a disability on more than one occasion. We have seen Trump impugn a Federal judge. Why? Because his parents were Hispanic. We have seen Trump continue to question President Obama's country of origin. We have seen Trump casually raise the specter of an assassination against Hillary Clinton on more than one occasion. This is the Donald Trump we know. Donald Trump will do and say anything regardless of the consequences.

Why does Trump refuse to produce his tax returns? Why is this the one time in his life that he exercises caution? Why does he maintain absolute silence on his taxes? The answer is very simple—because Trump's tax returns would further destroy his Presidential candidacy. Production of his tax returns would again prove that he is a fraud. If the American people had access to Donald Trump's tax returns, they would show he is not the billionaire he claims to be. Trump wants us to believe that in spite of all of his bankruptcies and litigations that have been going on for decades, he is the incredibly wealthy, successful businessman that he portrays himself to be.

But he is not, and his tax returns will prove he is far from a wealthy Trump.

Donald Trump's tax returns will also prove that he avoids paying his fair share of taxes. On the rare occasion that Donald Trump's tax returns have been made public—that was on one occasion some time ago—they showed that he paid nothing in income taxes. As the Washington Post reported earlier this year:

The last time information from Donald Trump's income-tax returns was made public, the bottom line was striking: He paid the federal government \$0 in income taxes.

Donald Trump is afraid that if his supporters discover that he has avoided paying taxes, they will see him for what he is—someone the IRS should charge with a crime and investigate, or at least do something. He deserves all the scrutiny he can get because he doesn't want us to see what he has in his so-called income.

Perhaps the most damning evidence of Trump's tax records would be that he lives off the American taxpayer. Donald Trump is a freeloader. Even though Trump refuses to pay his share of taxes, he is content to use other taxpayers' hard-earned money.

Yesterday we learned that his charity—they don't put money in it. He gets other charities to donate to his charity, and then he goes out and tries to be a big shot by donating other people's money. Even though Trump refuses to pay his share of taxes, he is content to use other taxpayers' hard-earned money.

One news outlet has reported that over the last three decades Donald Trump has received \$885 million in tax breaks. Let's put that in perspective. In 2014, the entire State of Ohio received \$686 million in Federal funding to provide benefits for needy families. That money helped almost 120,000 people in Ohio. Trump received \$885 million, and the entire State of Ohio received only \$686 million. There is no question about it: Donald Trump is a welfare king, but the welfare king doesn't want voters to see that he doesn't pay taxes even as he uses a billion of taxpayer dollars to keep his bankrupt companies afloat. Trump doesn't want Americans to see that he claims middle-class tax credits.

This is a report in the New York Daily News:

The flame-throwing Republican contender for the White House appears to be the only New York City billionaire who snagged a tax break aimed at middle class homeowners, raising even more questions about his alleged billions.

Continuing to quote:

An analysis of property records for 38 Big Apple billionaires on the 'Forbes 400' list conducted by Crain's New York Business found Trump was the only one to receive the STAR tax credit. That credit . . . gives those entitled to around \$300 off their tax bill.

So is he a billionaire? I doubt it.

Donald Trump, this self-purported billionaire, has been falsely claiming a

\$300 tax break for years. He has done it for a number of years. Like a sponge, Donald Trump soaks up all the taxpayer money he can find while at the same time not paying his fair share of taxes.

Remember, the same Donald Trump, who once said:

The problem we have right now, we have a society that sits back and says we're not going to do anything. And eventually the 50 percent cannot carry, and it's unfair to them, but cannot carry the other 50 percent.

I think Donald Trump is confused about who is carrying whom. He is the one relaxing, playing golf at his golf courses, many of which are largely paid for by taxpayer dollars, and depending at the same time on the American taxpayer to bankroll his company and his golf game, but Trump doesn't seem to care. In fact, he brags about how he uses other people's hard-earned money.

Here is what he said yesterday:

It's called OPM: Other people's money. There's nothing wrong with doing things with other people's money. That's what I do.

How could Speaker RYAN, Senator MCCONNELL, and other congressional Republicans endorse this man for President or endorse him for anything? How can they continue to support Donald Trump as he shuns transparency and refuses to release the most basic information about his taxes and income?

Hillary Clinton has posted all of her tax records for the last four decades for the world to see. Donald Trump shows us nothing. He is afraid to.

Mr. Trump, prove to every American that you are the wealthy, successful man you claim to be.

Mr. Trump, prove to every American that you have paid your fair share of taxes.

Mr. Trump, prove to every American that you are not mooching off the American taxpayer.

Mr. Trump, release your tax returns. Prove me wrong. Prove Mitt Romney wrong.

I dare you to come clean and show us your tax records.

But he won't.

Mr. President, I see my good friend, the Senator from Illinois, the assistant Democratic leader, on the floor.

I now ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5325, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

The PRESIDING OFFICER. The Senator from Illinois.

WELLS FARGO

Mr. DURBIN. Mr. President, every morning paper and most of the newscasts this morning focused in on a hearing of the Senate Banking Committee yesterday. It was a hearing where the President of the Wells Fargo bank was called on to testify. At issue was a recent disclosure that over a period of many years, Wells Fargo bank was enrolling its customers, without their knowledge, in the ownership of bank accounts and credit cards. Many times they faced penalties and charges which they did not understand because they had not asked to be enrolled in these programs. The employees at Wells Fargo bank did it in an effort to win favor within their corporate ranks and even to receive bonuses.

This defrauding of thousands of Wells Fargo customers was finally unearthed by the media and by the Consumer Financial Protection Bureau. As a result, a substantial fine of millions of dollars was paid by Wells Fargo bank, and the President, Mr. Stumpf, was called before the committee yesterday to explain the situation. He faulted the over 5,000 employees of Wells Fargo bank, who he said were not honest in their dealings with their customers, and they were dismissed. There were questions asked of Mr. Stumpf about the responsibility of the management of Wells Fargo bank for this terrible miscarriage of justice and apparently very few, if any, managers were held accountable.

One particular woman who was in a management capacity had been allowed to leave the bank under extremely positive circumstances. She was given a golden parachute of over \$100 million when leaving the bank. So while 5,300 people, making around \$12 an hour, were being dismissed because of their lack of ethics, this managing woman was, in fact, rewarded with a golden parachute of over \$100 million as she left.

Questions were raised by many of my colleagues, including Senator BROWN, and even Republican colleagues were skeptical of this Wells Fargo presentation. Senator ELIZABETH WARREN was particularly poignant in her remarks that so many of the lower echelon employees were found morally culpable and paid a heavy price, while those at the highest ranks, including Mr. Stumpf himself, were compensated grandly for their leadership during this terrible time. It is an indication of what it takes to bring real justice to a free market system.

I am a person who believes America is lucky to have the economy it has,

but I also know that throughout history, there have been excesses where people have had to step in—sometimes the media with disclosure and many times the government with oversight and regulation—to right the wrongs which occur in runaway, rampant capitalism. We saw it, of course, in the recession that hit our country in 2008. Many of the largest banks in this country took advantage of individuals and families and businesses. At the end of it, many people lost their savings, their homes, and their jobs because of the greed of Wall Street, but what we are talking about in the area of justice doesn't just apply to financial institutions, it applies to health insurance as well.

AFFORDABLE CARE ACT

Mr. President, on a regular basis now, the leadership on the Republican side of the aisle has come forward to condemn the Affordable Care Act. It apparently is a big issue which they want to take into the election in November. I hope the American people listen carefully to what we have just heard from Senator MCCONNELL, the Republican leader in the Senate.

Day after day, week after week, month after month, and year after year, for the last 5 years, Republicans have come to the floor and said: Let's abolish ObamaCare. Let's end the Affordable Care Act. I am still waiting for the first Republican to come to the floor and say: And here is what we will replace it with.

There is a saying in downstate Illinois—I will clean it up a little bit—that any mule can kick down a barn door, but it takes a carpenter to build one. In this situation, the Republicans can't wait to kick down the Affordable Care Act, but they don't have any plans to build a replacement.

So here is what they want to do. They want to go back to what they consider the good old days of health insurance in America.

Six years ago, let me tell me colleagues, health insurance in America was no picnic for most American families. Not only was there a steady increase in premiums year after year, but health insurance companies were very picky about the people they would insure. If you happened to be the parents of a child who had weathered the storm and survived cancer treatment, your child had a preexisting condition. If you could get health insurance, you paid a lot for it. The same thing was true if your wife had survived a heart attack, for example, and was now on the mend and doing well. She had a preexisting condition.

So preexisting conditions became the basis for discriminating against American consumers. Who among us comes from such a perfect family without any health record that we can say there are no preexisting conditions in my family. If you don't have one today, you might have one tomorrow.

One of the things about the Affordable Care Act is, we said health insurance companies cannot discriminate against people because of preexisting conditions. In the bad old days, which the Republicans would return to, they could. Under the Affordable Care Act, they cannot.

We also said that lifetime limits on health insurance policies were unacceptable. So \$100,000 may sound like a lot of money until you are diagnosed with cancer, and then you realize the course of treatment is going to blow through that \$100,000 before you are ultimately going to get what the doctor has ordered. So we eliminated the lifetime caps on these policies that were, in fact, creating poverty among many Americans families because of medical diagnoses.

We also eliminated discrimination based on gender. Why was it that a man applying for a health insurance policy was paying less than a woman applying for a health insurance policy? That discrimination was allowed under the bad old days of health insurance that the Republicans want to return to.

We went further and said: If you are parents and have a young son or daughter, they can stay under your family health insurance plan until they reach the age of 26. Why is this important? Because kids out of college are still looking for work. They may not get a full-time job, they may not get health care benefits, but families want the peace of mind to know they are covered until age 26, until they can have a chance to develop their own health insurance coverage. Under the bad old days, that coverage was not there. The Republicans would like to go back to that. That is a mistake as far as I am concerned.

We also basically said as well that if you are a senior citizen in America, you are not going to be burdened by what was known as the doughnut hole. People in Medicare are given a benefit for prescription drugs, but as the law was originally written, there was a gap in coverage in that benefit called the doughnut hole. You would be covered for the first few months of the year on expensive drugs; then you would be on your own to either pay out of your savings or not take the drugs for several months before coverage started again. We are closing the doughnut hole as part of the Affordable Care Act. The Republicans would take us back to the days of the doughnut hole, where individual retired Americans would face expenses of \$2,000 or more for drugs each year. We are in the process of closing that doughnut hole. The Republicans would take us back to the bad old days when we didn't have that closure.

They would eliminate the coverage of health insurance brought on by the Affordable Care Act for over 20 million Americans—20 million Americans. Senator MCCONNELL would say: Sorry, we

are going back to the bad old days. You and your family don't get health care coverage.

There is something we discovered. Even families without health insurance get sick, and when they do get sick and, in the worst of circumstances, turn up at the doctor or the hospital, they are treated, and many times can't pay for it. Who pays for that care? Everyone else. Everyone else who is paying health insurance will pay for it.

We think it is better under the Affordable Care Act. We achieved this: More and more Americans have their own health insurance, both for care when they are sick as well as for preventive care. We provide preventive care under the Affordable Care Act, particularly for senior citizens so they will avoid serious illnesses that get very expensive down the line.

So what has been the net result of this? Not only are there 20 million more people who have health insurance in America because of the Affordable Care Act, but also the fact is, the rate of increase in costs in health care has slowed down—slower than at any time in recent records or modern memory. It has extended the life of Medicare for another 12 or 13 years because the cost of health care is not rising as quickly as we thought it might.

The Republicans would take us back to the bad old days when the cost of health care was going up even more rapidly. I don't think most Americans would sign up for that.

We also understand that when it comes to the Affordable Care Act, there are ways to improve it. I signed on to one of the provisions that Senator MCCONNELL took exception to this morning. It is a provision for us to consider a public option when it comes to health insurance. I am all for private health insurance companies competing, doing their best, trying to win the support and the enrollment of American families, but what is wrong with creating a Medicare-like proposal that is a not-for-profit entity providing health insurance along the style of Medicare?

Senator MCCONNELL was pretty critical of that this morning. He hadn't asked most Americans what they think about Medicare. He should. Many of them thank God we have it. For many of them, it meant health insurance when they had no place to turn. The creation of Medicare over 50 years ago was liberating to many seniors. Now they finally have affordable, quality health care after they retire. So putting that on as a public option to be considered by those who are signing up for health insurance would let them shop and let them compete. That to me is consistent with what we want to achieve when it comes to health care in this country.

So we listen time and again to these attacks and critiques of the Affordable Care Act. We have yet to see the Re-

publican alternative. The only alternative they suggest is going back to the bad old days when health insurance cost too much, when health insurance discriminated against people with pre-existing conditions, and when health insurance was a gamble as to whether you would have it from this year to the next.

There are ways to improve the Affordable Care Act. I won't come to argue and will be the last to say that it is perfect as written, but in order to improve it, we need bipartisan cooperation, which we don't have. On the Republican side of the aisle, there have been 60 or 70 votes to abolish it, but not 1 vote to step up and try to improve it, which I would be happy to join in on a bipartisan basis. That is what the American people expect of us.

The last point I would like to make on the issue of health care is to state for the RECORD of the U.S. Senate that we had a meeting yesterday on medical research. This is a good news story, and there aren't a lot of them on Capitol Hill. But we moved forward on a bipartisan basis to make substantial increases in the medical research budgets of the National Institutes of Health. This is the premier medical research facility for the world, and we are lucky to have it right here in the Washington area.

Dr. Francis Collins heads it up. He told me years ago that if he could get 5-percent real growth in medical research for a number of years, we could make dramatic advances when it comes to medical research and cures for diseases. I took him up on that, and I enlisted a joint effort—first with PATTY MURRAY, my colleague from the State of Washington, who is in a key position on the Appropriations Committee and the authorizing committee in the area of medical research and is totally committed to the effort, and on the Republican side Senator BLUNT of Missouri and Senator ALEXANDER of Tennessee. Then Senator LINDSEY GRAHAM of South Carolina joined me to co-chair the NIH Caucus.

Here are some things you may not know about medical research and how important it is. There was a briefing yesterday on diabetes. I didn't realize until I walked into that briefing that one-third of the annual expenditure for Medicare is for the treatment of diabetes. In addition to that, 20 percent of the annual expenditure for Medicare is for Alzheimer's. So for two diseases, diabetes and Alzheimer's, more than 50 percent of our Medicare budget is being spent each year. If we could develop new drugs, new treatments, new approaches that deal with diabetes and Alzheimer's, it would not only spare the people from the suffering they are going through and from the need for medical care, but it would greatly help our Medicare Program to be more solvent for years to come.

Is medical research a good investment? I think it is the best investment. We have seen it pay off over and over and over again. Do you remember not too long ago when we were talking about people who were making their last trek down to Plains, GA, in the hopes that they would see former President Jimmy Carter for the last time because of his cancer diagnosis? Then, do you remember when President Jimmy Carter held a press conference and said: I am cancer-free. It was because of the development of drugs and medical treatments through medical research. That has given him back his life. For many Americans, it is the same story every day.

We may do a lot of things wrong in Washington, but let's not get medical research wrong. Let's get it right. Let's make it bipartisan, and let's invest in it. I can't think of a better investment for future generations in this country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. COTTON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 17 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the 147th time in my series of speeches urging the Senate to wake up to the consequences of climate change and also to the motives of the outside forces that lull the Senate into persistent somnambulism.

Outside this Chamber, every major scientific society, every one that I know of, of my colleagues' home State universities, all of America's National Labs, our military and security professionals, and NOAA and NASA all agree on the basic science of climate change and broadly support responsible climate action. There may be uncertainty about exactly what year sea level rise will hit what floodmark, for instance, but on the basic idea that climate change is causing seas to rise and floods to come, it is game over.

NASA reported that August 2016 was the warmest August in 136 years of recordkeeping. August tied July as the hottest month the world has seen in the 136 years we have been measuring. More notable, August marked the 11th record-setting month in a row in NASA's data set. Why, in the face of all of that, does this Chamber slumber? Thank the dark influence of the fossil fuel industry.

For years, Big Oil and its allies funded outright denial of manmade climate

change. The Union of Concerned Scientists issued this report last year: "The Climate Deception Dossiers: Internal Fossil Fuel Industry Memos Reveal Decades of Corporate Disinformation." The report documents how the big polluters contributed to front organizations and paid scientists to put out junk science contradicting what real, peer-reviewed science and even the industry's own experts knew about how burning fossil fuels affects the environment.

Take ExxonMobil, for example. According to the company's own documents, as recently as 2015, ExxonMobil was still funding organizations that promote climate science disinformation, including the American Legislative Exchange Council, which peddled legislation to State legislatures that included a finding that human-induced global warming "may lead to . . . possibly beneficial climatic changes."

At the Hoover Institution, a senior fellow, not a climate scientist, argued that climate data since 1880 supports a conclusion that it would take as long as 500 years to reach a 4-degree centigrade of global warming.

At the Manhattan Institute of Policy Research, a senior fellow writing about climate change said: "The science is not settled, not by a long shot."

The CEO of the so-called National Black Chamber of Commerce claimed that "there has been no global warming detected for the last 18 years." Tell that to NASA.

Let's not forget the Pacific Legal Foundation, where a senior attorney attacked EPA's authority to even regulate CO₂, in part because it is a "ubiquitous natural substance essential to life on Earth."

All of those pronouncements by Exxon-backed organizations, as reports in both InsideClimate News and the Los Angeles Times have confirmed, run counter to what real scientists know. Yet, according to the public affairs guy at ExxonMobil, the company has supported mainstream climate science for decades. Their PR guy said: "Frankly, we made the call that we needed to back away from supporting the groups that were undercutting the actual risk" of climate change. Well, that doesn't actually seem to be true.

ExxonMobil's campaign of falsehoods has the attention of several attorneys general, and in today's newspaper, it is revealed that it also has the attention of the Securities and Exchange Commission. Their questions are not unreasonable: Is ExxonMobil actively advancing the notion that its products have little or no effect on the Earth's environment, while at the same time suppressing its own internal research on the effects of carbon pollution, deceiving consumers into buying ExxonMobil products based on false claims? Is the company misleading its

investors about its developable oil reserves and long-term prospects in a climate-changed world? It breaks the law to knowingly mislead consumers and shareholders about something material, and climate change is certainly material to ExxonMobil.

As Senator WARREN and I recently wrote in the Washington Post, investigations by States attorneys general are making ExxonMobil nervous, and their Republican friends in Congress are riding to the rescue. House Science, Space, and Technology Committee chairman LAMAR SMITH and his fellow committee Republicans have issued subpoenas demanding that the attorneys general fork over all materials relating to their investigations.

I asked the Congressional Research Service, and as far as they could find, no committee has ever subpoenaed documents in an ongoing State AG investigation.

Setting aside the federalism problem of Congress going after States in a sovereign State function, if they tried this stuff with our Federal Attorney General, they would be rebuffed.

The committee subpoenas also targeted eight organizations, including the Union of Concerned Scientists, the Rockefeller Family Fund, and Greenpeace, ordering them to turn over their internal communications related to what Chairman SMITH describes as "coordinated efforts to deprive ExxonMobil of its First Amendment rights."

Take a moment to absorb that. States attorneys general are investigating whether a fraud has been committed—something State AGs do every day. As Rhode Island's AG, that is what I did. Sometimes we would uncover fraud and sometimes not. Ultimately, if the evidence warranted it and if the attorney general pursued the case to trial, the question of fraud would be resolved in open court.

Instead of praising the State AGs for doing their jobs within our system of checks and balances, congressional Republicans have leapt in to obstruct the investigation before any evidence becomes public. So far, both the subpoenaed attorneys general and the eight organizations have refused to comply with those subpoenas. I say, good for them. If the committee moves to enforce its subpoenas, the matter will then come before a judge. If that happens, I hope those attorneys general will question whether the committee subpoenas reflect a legitimate governmental effort or are issued on behalf of a private party—indeed, the very private party which is the subject of those attorney general investigations. The law is clear that a legislative committee may pursue even an unworthy legislative purpose, but it is not clear that a legislative committee can lend itself to a private party. Let the court determine whether the House com-

mittee is acting as the de facto agent of ExxonMobil.

What might that court consider? Well, first, this is a committee whose chairman has received nearly \$685,000 in campaign contributions since 1989 from the oil and gas industry. The remaining committee majority have received over \$2.9 million in campaign contributions. I expect that is admissible evidence.

What else might the court consider? The committee asserts ExxonMobil has a First Amendment right that it needs to step in to protect. Interestingly, the shoe has been on the other foot when an attorney general of Virginia was tormenting a climate scientist—indeed, tormenting him so badly that the University of Virginia took that attorney general all the way to the Virginia Supreme Court to make him stop. The committee took no interest in that. Theirs is a First Amendment concern that only surfaces when the fossil fuel industry is the subject of investigation.

What else might the court consider? How about that the entire First Amendment argument the committee makes is a crock. Ken Kimmell, president of the Union of Concerned Scientists, noted that the committee "makes no allegation that UCS violated any laws or regulations, and [the] claim, that providing information to attorneys general infringes on ExxonMobil's rights, is nonsense." Mr. Kimmell is right. It is well-established law that there is a clear line between fraud and First Amendment-protected speech. The dean of the Yale Law School has published an article explaining this. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, June 24, 2016]

EXXON-MOBIL IS ABUSING THE FIRST AMENDMENT

(By Robert Post)

Global warming is perhaps the single most significant threat facing the future of humanity on this planet. It is likely to wreak havoc on the economy, including, most especially, on the stocks of companies that sell hydrocarbon energy products. If large oil companies have deliberately misinformed investors about their knowledge of global warming, they may have committed serious commercial fraud.

A potentially analogous instance of fraud occurred when tobacco companies were found to have deliberately misled their customers about the dangers of smoking. The safety of nicotine was at the time fiercely debated, just as the threat of global warming is now vigorously contested. Because tobacco companies were found to have known about the risks of smoking, even as they sought to convince their customers otherwise, they were held liable for fraud. Despite the efforts of tobacco companies to invoke First Amendment protections for their contributions to public debate, the U.S. Court of Appeals for the D.C. Circuit found: "Of course it

is well settled that the First Amendment does not protect fraud."

The point is a simple one. If large corporations were free to mislead deliberately the consuming public, we would live in a jungle rather than in an orderly and stable market.

ExxonMobil and its supporters are now eliding the essential difference between fraud and public debate. Raising the revered flag of the First Amendment, they loudly object to investigations recently announced by attorneys general of several states into whether ExxonMobil has publicly misrepresented what it knew about global warming.

The National Review has accused the attorneys general of "trampling the First Amendment." Post columnist George F. Will has written that the investigations illustrate the "authoritarianism" implicit in progressivism, which seeks "to criminalize debate about science." And Hans A. von Spakovsky, speaking for the Heritage Foundation, compared the attorneys general to the Spanish Inquisition.

Despite their vitriol, these denunciations are wide of the mark. If your pharmacist sells you patent medicine on the basis of his "scientific theory" that it will cure your cancer, the government does not act like the Spanish Inquisition when it holds the pharmacist accountable for fraud.

The obvious point, which remarkably bears repeating, is that there are circumstances when scientific theories must remain open and subject to challenge, and there are circumstances when the government must act to protect the integrity of the market, even if it requires determining the truth or falsity of those theories. Public debate must be protected, but fraud must also be suppressed. Fraud is especially egregious because it is committed when a seller does not himself believe the hokum he foists on an unwitting public.

One would think conservative intellectuals would be the first to recognize the necessity of prohibiting fraud so as to ensure the integrity of otherwise free markets. Prohibitions on fraud go back to Roman times; no sane market could exist without them.

It may be that after investigation the attorneys general do not find evidence that ExxonMobil has committed fraud. I do not prejudge the question. The investigation is now entering its discovery phase, which means it is gathering evidence to determine whether fraud has actually been committed.

Nevertheless, ExxonMobil and its defenders are already objecting to the subpoena by the attorneys general, on the grounds that it "amounts to an impermissible content-based restriction on speech" because its effect is to "deter ExxonMobil from participating in the public debate over climate change now and in the future." It is hard to exaggerate the brazen audacity of this argument.

If ExxonMobil has committed fraud, its speech would not merit First Amendment protection. But the company nevertheless invokes the First Amendment to suppress a subpoena designed to produce the information necessary to determine whether ExxonMobil has committed fraud. It thus seeks to foreclose the very process by which our legal system acquires the evidence necessary to determine whether fraud has been committed. In effect, the company seeks to use the First Amendment to prevent any informed lawsuit for fraud.

But if the First Amendment does not prevent lawsuits for fraud, it does not prevent subpoenas designed to provide evidence necessary to establish fraud. That is why when a libel plaintiff sought to inquire into the

editorial processes of CBS News and CBS raised First Amendment objections analogous to those of ExxonMobil, the Supreme Court in the 1979 case *Herbert v. Lando* unequivocally held that the Constitution does not preclude ordinary discovery of information relevant to a lawsuit, even with respect to a defendant news organization.

The attorneys general are not private plaintiffs. They represent governments, and the Supreme Court has always and rightfully been extremely reluctant to question the good faith of prosecutors when they seek to acquire information necessary to pursue their official obligations. If every prosecutorial request for information could be transformed into a constitutional attack on a defendant's point of view, law enforcement in this country would grind to a halt. Imagine the consequences in prosecutions against terrorists, who explicitly seek to advance a political ideology.

It is grossly irresponsible to invoke the First Amendment in such contexts. But we are witnessing an increasing tendency to use the First Amendment to unravel ordinary business regulations. This is heartbreaking at a time when we need a strong First Amendment for more important democratic purposes than using a constitutional noose to strangle basic economic regulation.

Mr. WHITEHOUSE. As the attorney general of New York correctly states, "Fraud is not protected by the First Amendment."

A number of high-profile legal scholars sent a letter last week to Chairman SMITH, condemning the subpoenas as "misguided." The letter argues that the subpoenas are "invalid and constitutionally impermissible." It turns out, according to these scholars, that the First Amendment actually works the other way:

The Subpoenas, and the threat of future sanctions, themselves threaten the First Amendment—directly inhibiting the rights of their recipients to speak, to associate and to petition state officials without interference from Congress.

A copy of the legal scholars' letter to Chairman SMITH can be accessed at the Yale Law School website at <http://tinyurl.com/yaleletter>.

Rhode Island attorney general Peter Kilmartin and his colleagues have also urged Chairman SMITH to withdraw the subpoenas. "Your interference in our colleagues' work ignores a 'vital consideration' under our constitutional system of dual sovereignty; the preservation of comity between the federal government and the states."

Mr. President, I ask unanimous consent that a copy of the Attorney General's letter to Chairman SMITH be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF MARYLAND,
OFFICE OF THE ATTORNEY GENERAL,
Baltimore, MD, August 11, 2016.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: We write to express our profound concern with the subpoenas issued on July 13, 2016 to our colleagues, the

attorneys general of Massachusetts and New York. Through these subpoenas, which we understand you issued without a vote of the Committee, you seek the production of materials developed by the attorneys general in the course of their ongoing respective investigations of potential violations by the ExxonMobil Corporation of state securities and consumer protection laws. You have framed this intervention as "vigorous oversight" of state attorneys general and their investigative work. Such oversight would exceed Congress' constitutional authority, and the July 13 subpoenas should therefore be withdrawn.

Your interference in our colleagues' work ignores a "vital consideration" under our constitutional system of dual sovereignty: the preservation of comity between the federal government and the states. See *Younger v. Harris*, 401 U.S. 37, 44-45 (1971). "Comity," Justice Black wrote for the Supreme Court in *Younger*, means "a proper respect for state functions, a recognition of the fact that the entire country is made up of a Union of separate state governments, and a continuance of the belief that the National Government will fare best if the States and their institutions are left free to perform their separate functions in their separate ways." *Id.* Any claim of a congressional right to "oversee" the work of state constitutional law enforcement officers in fulfilling their core responsibilities under state law disrupts this comity and tears at the essential fabric of our national Constitution.

As attorneys general, we each hold offices established in our states' constitutions or statutes. Our offices are critical to the functioning of our states' governments, and they have deep historical roots. Some of us, like the attorneys general of Massachusetts and New York, hold offices whose origins precede the founding of our country. The state attorney general has been described by the Florida courts, for example, as "the attorney and legal guardian of the people. . . . His duties pertain to the Executive Department of the State, and it is his duty to use means most effectual to the enforcement of the laws, and the protection of the people, whenever directed by the proper authority, or when occasion arises." *State of Florida v. Exxon Corp.*, 526 F.2d 266, 270 (5th Cir. 1976) (quoting *Attorney General v. Gleason*, 12 Fla. 190, 212 (Fla. 1868)) (holding that Attorney General of Florida had legal authority to pursue federal antitrust action against Exxon and other oil companies without authorization of government agencies allegedly injured by conduct at issue). Several state supreme courts, recognizing the broad discretion conferred on state attorneys general by state constitutions, have aptly described the office of attorney general as a "public trust." See, e.g., *Gleason*, 12 Fla. at 214; *Attorney General v. Morita*, 41 Haw. 1, 15 (Haw. Terr. 1955); *Commonwealth v. Burrell*, 7 Pa. 34, 39 (1847).

In fulfilling this public trust, we are each accountable in multiple ways to the people of our states. Most of us were elected directly to our offices by the people we serve. State legislatures write and enact most of the laws that our offices enforce, including securities and consumer protection laws like the ones that give rise to the investigations in New York and Massachusetts that you have proposed to "oversee." Moreover, we are accountable to the courts of our states, which, on innumerable occasions over the course of our states' histories, have ruled both for and against us and our predecessors on issues of federal and state constitutional law, on issues of statutory interpretation, and on other issues.

"[O]ur Constitution establishes a system of dual sovereignty between the States and the Federal Government." *Gregory v. Ashcroft*, 501 U.S. 452, 457 (1991). Under that system, the federal government is one of limited powers, and, under the Tenth Amendment, "[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." It is fundamental to our system of dual sovereignty that, as the Supreme Court has said, "States are not mere political subdivisions of the United States." *New York v. United States*, 505 U.S. 144, 188 (1992). Indeed, "State governments are neither regional offices nor administrative agencies of the Federal Government. The positions occupied by state officials appear nowhere on the Federal Government's most detailed organizational chart. The Constitution instead 'leaves to the several States a residuary and inviolable sovereignty.'" *Id.* (quoting *The Federalist* No. 39).

In light of our nation's commitment to the preservation of a system of dual sovereignty, it is not surprising that, despite centuries of investigative and prosecutorial activity by state attorneys general in which constitutional objections have been raised, you have not identified a single valid precedent, from any period of our country's history, for the "vigorous oversight" of state attorneys general that you are now proposing to undertake. Difficult enough are cases where Congress proposes to regulate subject matters arguably reserved to the states, and where there may be some analytical difficulty entailed in drawing "distinction[s]" between what is truly national, and what is truly local." *United States v. Morrison*, 529 U.S. 598, 617 (2000). Your investigation, though, would go further. The stated purpose of your investigation is to oversee state constitutional officers themselves and the manner in which they fulfill their responsibilities under state law. Who oversees state officials is a matter "of the most fundamental sort for a sovereign entity," because it is "through the structure of its government" that "a State defines itself as sovereign." *Gregory v. Ashcroft*, 501 U.S. at 460 (holding that Congress could not, through laws prohibiting age discrimination, regulate the retirement age for state judges). Our national Constitution and our respective states' constitutions neither anticipate nor tolerate a structure under which Congress arrogates to itself the authority to oversee investigations conducted by state attorneys general.

Your proposed "vigorous oversight" does not merely interfere with our work and the work of our colleagues. You also purport to supplant the role of state legislatures and state courts. We cannot understand on what basis you seem to assume, for example, that state courts in Massachusetts will be unable to resolve the constitutional objections that ExxonMobil, through skilled counsel, has already lodged there. State courts, not Congress, are the appropriate arbiters of any state law claims brought by the attorneys general of Massachusetts and New York against ExxonMobil and of any constitutional objections that ExxonMobil might assert.

The Constitution establishes "a system in which there is sensitivity to the legitimate interests of both State and National Governments, and in which the National Government, anxious though it may be to vindicate and protect federal rights and federal interests, always endeavors to do so in ways that will not unduly interfere with the legitimate

activities of the States." *Younger*, 401 U.S. at 44. Your proposed oversight of state constitutional officers cannot be squared with these essential principles of federalism, nor can your attempt to oversee the resolution of alleged constitutional issues arising from the ongoing investigative activities of state attorneys general undertaken under state law. We therefore urge you to withdraw your subpoenas, refrain from attempting to exercise further oversight, and allow state attorneys general and state courts to perform their constitutionally prescribed roles.

Sincerely,

Brian E. Frosh, Maryland Attorney General; George Jepsen, Connecticut Attorney General; Douglas Chin, Hawaii Attorney General; Jim Hood, Mississippi Attorney General; Peter F. Kilmartin, Rhode Island Attorney General; Kamala D. Harris, California Attorney General; Karl A. Racine, District of Columbia Attorney General; Janet T. Mills, Maine Attorney General; Ellen F. Rosenblum, Oregon Attorney General; William H. Sorrell, Vermont Attorney General; Mark R. Herring, Virginia Attorney General; Bob Ferguson, Washington Attorney General.

Mr. WHITEHOUSE. Congressional investigations and hearings have a unique ability to focus a nation's attention and bring facts of public importance to light. These subpoenas, however, appear intended to impede lawful State investigations. They do not advance the First Amendment, they trample on it.

Senator WARREN and I offered a suggestion to the House committee in our Washington Post piece:

If this House Committee is so concerned about the First Amendment rights of ExxonMobil, call a hearing, invite ExxonMobil executives to testify, and give them the opportunity to speak. What better way to protect a person's right to speak freely than to give that person a forum to speak, right here in Congress?

They can come in, say whatever they want to say, and answer questions. I know I would love to hear what they have to say.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

TRIBUTE TO DAVID DOSS AND NICOLE HEBERT

Mr. VITTER. Mr. President, I rise to honor two of my longest serving staff members who have been tremendous team leaders in our office: David Doss, my State director, and Nicole Hebert, my deputy State director. They are both, sadly, departing the Senate later this month to start exciting new careers.

Nicole Hebert started with our team when I was first running for the U.S. Senate in 2004. Nicole is a Lafayette native and a native of the Acadiana region—or, Cajun country, as it is known—which was a key battleground in our election in 2004, in part because we were running against a local Cajun candidate in our jungle primary who was supported by my predecessor who was also from Acadiana. With Nicole's

help, we shocked the entire State that year, winning with over 50 percent of the vote in the primary, forgoing the need for any runoff and winning Acadiana against a Cajun candidate—and Nicole was a big, important part of that victory.

Nicole and her husband Tommy and Nicole's parents Lynne and Joey Durel were all incredibly helpful then and ever since then in helping me navigate the region and have always made me—as a guy from southeast Louisiana—feel right at home in that important part of the State.

Nicole, Tommy, and Lynne have all been on my staff at one point or another, and all of them were just great at helping me loosen up, take off my tie, and relax. They were also great at helping explain the Boudreaux and Thibodaux jokes that everyone was laughing so hard at and I could barely even understand them.

In Acadiana politics, you are nobody unless you are invited to a supper hosted by somebody named Trey, T-boy—or something like that, and I can't even count how many of those informal suppers I have been to and enjoyed with Nicole and her family. I will tell you, I have experienced some of the best food in the world at those great events—boudin, crawfish pie, etouffe, and alligator sauce piquante—and, of course, all the festivals in Acadiana. I have been on so many pickup trucks and firetrucks—including an infamous one that broke down in the mud—for all of those Acadiana festivals: the Rice Festival, the Sugar Festival, the Frog Festival, the Crawfish Festival, and the Shrimp and Petroleum Festival. The fun list goes on and on.

Even though it is technically work, I certainly enjoyed all that time with Nicole and the Hebert family, and often found myself with a stomach cramp when I left the region, not because I ate or drank too much—although that happened too—but because I was always laughing so hard in their company.

Nicole and Tommy, their parents, and their two girls Hannah and Meredith, whom I have really enjoyed watching grow up, have all been a huge part of our Vitter family life. Wendy and I count them as dear friends, and we certainly will keep up with them through the rest of our lives.

David Doss, our State director, was one of my earliest hires when I was first elected to the U.S. House. He is my State director and before that served as my district director in the U.S. House. I know all of our colleagues here can attest to the fact that having a great State director on top of things, really managing the State offices properly, is a key element of success in any Senate office.

State directors are on the frontlines of everything. They always have to

know what is on constituents' minds and what is happening around the State, and David has proven one of the great State directors in the country.

We have dealt with more than our share of disasters in Louisiana, and there is no one else I would have guiding our office through all that than David. Following Katrina, he organized a mobile office so our State staff could get around to impacted areas. That continued following other disasters. After the BP oilspill, David organized an incredibly effective and efficient casework operation to help assist people with those important claims.

David does it all. He has never been above any task, from seeing casework all the way through to the best possible outcome, to answering phones, to sorting through the mail when necessary, even to helping drive and getting me around the State.

David manages our seven State offices—which, by the way, is more than any other Senator from our State has ever had. We have an office in the seven biggest metropolitan locations around the State. So that is no easy task for him to manage. He has to coordinate our staff's driving schedule from New Orleans to Lake Charles, to Shreveport, to Monroe—all that in the same day sometimes—to get me to every parish, every Congress, for town-hall meetings, a pledge I made when I first ran for the Senate in 2004.

Others have chosen to fly on private jets to get around the State, but David always organized for us to drive each leg of each journey to save taxpayer dollars and so we can see what is really happening on the ground in every parish of our great State. Sometimes David would be doing that driving himself.

There was one time, of course, when we had to take away David's driving privileges for a while after he backed into a street sign with me in the car, but don't worry, no injuries—except possibly to David's pride for a while. Other than that minor accident, I would describe David's leadership of our State staff as really steady—a great leading, guiding influence, always a steady hand, always has an open line of communication, always listens well, always leads with that reassuring, steady hand.

There are very few community meetings, ribbon cuttings, or luncheons, or events all around our State where we don't have our State staff in attendance, and David has really helped build and run that well-oiled State staff machine and that well-oiled constituent service machine.

I have often said, the most fulfilling parts of my career are the relationships and friendships Wendy and I have built, including with our great staff. Wendy and I often consider staff an extension of our family. That is absolutely true for David and his wife Anne

Mary and their daughters Julie and Jennifer.

We wish them all the best as they start an exciting part of their lives. I thank Nicole and David for their wonderful service to Louisiana and for their friendship. We wish them all the best again as they start new parts of their careers. They are great individuals, they are great team leaders, and they are also great representatives of a wonderful State staff.

I mentioned before we have seven offices around Louisiana. Each office has a strong presence in their regions and their communities. I think our State staff, in that presence, has created the gold standard for constituent service, in part because of David and Nicole's leadership, but we have also built a great team, without exception, in all seven of those offices. To me, success in Congress is not measured by how many bills or amendments you introduce or pass but how many people you help and impact in a positive way. And our staff has countless success stories through their important casework—really important casework wins—which sometimes actually changes people's lives in a major way for the better. It is because of this gold standard that our great State staff has developed that we decided to memorialize what we have collected as best practices in terms of constituent service. We are putting that into a guidebook related to constituent service, and I will be sending that guidebook to all of the major candidates who are running to fill this Senate seat. In the guidebook, we will go through those best practices on constituent casework, on helping people and organizations in the State navigate the Federal process applying for grants and the like. As to the important need of being open and accessible, how a Senate office can do that effectively, and maintaining constant lines of communication with our fellow Louisiana citizens, all of those best practices and good ideas will be going into this guidebook that will be available to my successor.

Again, I want to thank David and Nicole and our entire State staff team for their years of dedicated service and success serving, really going above and beyond in serving the people of Louisiana.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Nebraska.

THE ECONOMY

Mrs. FISCHER. Mr. President, I rise today to call attention to a very troubling issue, and we hear about it often. Sadly, there is a lack of leadership from the executive branch with regard to it. I am talking about the state of the American economy. Many families across Nebraska and across our Nation are worried. Whether they are hard-working parents trying to make ends meet or grandparents who are con-

cerned about their grandchildren's future, there is no shortage of anxiety.

As many of my colleagues have pointed out, the economy is not recovering quickly enough. In fact, we are slogging through the slowest economic recovery since the 1960s. By way of reference, in 1961 Kennedy was President, a gallon of gas cost 31 cents, and Roy Orbison was in Billboard's top five.

In every economic recovery since that time, the American economy grew an average of 3.7 percent per year. Since 2009, however, this growth has averaged a mere 2.1 percent per year. This year, it slowed to just 1 percent. Last quarter, the economy grew by a pitiful 1.2 percent. Again, things are not getting better quickly enough.

There are some real obstacles before us. The share of Americans in the workforce has fallen below 63 percent. That is nearly three percentage points below where we were when the recovery began. Another concern is the growing number of expensive and burdensome regulations. Rulemaking under the Obama administration has skyrocketed. Federal regulations cost an estimated \$1.9 trillion per year. That is more than \$15,000 for each American household. These figures are worrisome.

Here is one that should truly be frightening for us. At the same time, we have seen our national debt reach a staggering \$19.5 trillion. Just last year, the United States spent \$223 billion, or 6 percent of the Federal budget, to pay interest on that national debt. This year, the nonpartisan Congressional Budget Office estimates that our deficit will be \$590 billion. This means that we are going to be spending almost \$600 billion more than we take in.

If we don't change course, the CBO estimates that these deficits are going to skyrocket over the next decade, reaching \$1 trillion in 2024, and they will only continue to grow from there. These numbers paint us a very dark picture, but I do have some good news. There is still time for us to change course. In fact, this body has taken several good steps.

Since taking office, I have worked with my colleagues to reduce some wasteful spending and some burdensome regulations. In 2015, I introduced the Grants Oversight and New Efficiency Act, or the GONE Act. This bill, which was signed into law in January, will save millions of dollars by closing expired grant accounts and increasing oversight over Federal grant programs.

I have also introduced and pushed for votes on several waste-cutting amendments during the appropriations process, including one to wind down an outdated and ineffective stimulus-era program. These are good steps, and here are a few others. We passed a highway bill, which will provide much needed certainty for States, businesses, families, and the traveling public. By

prioritizing our infrastructure, we are investing in our economy's ability to grow.

In the same vein, last week, we passed the Water Resources Development Act. This is another key infrastructure bill that will enable our economy to grow by modernizing our ports and our waterways. So we do have tools available for us to meet these fiscal challenges.

We have to exercise restraint, and we have to exercise that restraint among ourselves. The appropriations process is a critical way for us to do this. It is the only way that our citizens can truly hold their elected representatives accountable for this spending. It allows the American people to see the true priorities of their elected representatives.

There is one last point before I close. Reducing the national debt does not mean that we stop investing. It simply forces us to make smarter choices. Some things we need to prioritize, and we know what those are. We need to keep our families and our communities safe. We must invest in infrastructure to promote commerce and grow this economy. We must reduce wasteful spending and prioritize prudent spending. We must reduce the national debt. We must get government out of the way so opportunities can be created for our families and for our young people, but we have to be responsible stewards of taxpayer money. We must make those responsible choices.

I believe that our very best days as a nation are before us, and that is because of my unwavering faith in the fundamental goodness, tenacity, and the creativity of the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MOTION TO DISCHARGE—S.J. RES.

39

Mr. MURPHY. Mr. President, on behalf of Senator PAUL and pursuant to the Arms Export Control Act of 1976, I move to discharge the Foreign Relations Committee from further consideration of S.J. Res. 39, relating to the disapproval of the proposed foreign military sale to the Government of Saudi Arabia.

The PRESIDING OFFICER. The motion is now pending.

Under the previous order, there will be 3 hours of debate on the motion, divided between the proponents and opponents, with the Senator from Kentucky controlling 30 minutes of pro-

ponent time and the Senator from Connecticut controlling 15 minutes of proponent time.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent that the time during quorum calls on the motion be equally divided between the proponents and the opponents.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I am going to speak briefly in support of the resolution. Senator LEE, a cosponsor of this resolution, is on the floor, and he will speak after I do.

Let me say at the outset that I believe in a strong U.S. global presence. I believe the United States is at its best when it is a global leader. We can and we should be a force for good and for peace in the world.

I also believe, quite frankly, that peace comes through strength. I don't apologize for the size of our military budget, nor do I think it would be wise for this Congress to give up this country's massive military edge over every global adversary and friend. Having the world's biggest, baddest military keeps us safe, and, frankly, it keeps a lot of our friends safe as well.

My last stipulation before I talk about the resolution would be this: I also believe there are times when we should use that military power. There are times when war or military action is just. If you want to provide safe harbor for terrorists who plan a massive attack against this country, such as the Taliban in Afghanistan, then they can expect a visit from the U.S. Army.

But increasingly we all have to reconcile with the fact that there are more and more limitations on the effectiveness of U.S. military power. Today, our adversaries and our enemies practice something we call asymmetric warfare, which means they concede our conventional military advantage and use other means and methods to exert power and project strength. China does it through economic aid, Russia does it through bribery and the extension of its natural resources to its neighbors, and ISIL does it through terror and through the perversion of religion. Yet this country and this Congress continue to believe that most conflicts around the globe can be solved with just a little bit more American military hardware.

That is what brings us here today to talk about this arms sale to Saudi Arabia, particularly in the context of the ongoing conflict inside Yemen—a civil war inside Yemen in which the United States has become a participant.

This is a picture from war-ravaged Yemen—an ongoing humanitarian disaster. We don't have the full extent of the numbers, but there have already been thousands of civilians killed. If we talk to Yemenis, they will tell us that this is perceived inside Yemen as not a

Saudi-led bombing campaign, which it is broadly advertised as in the newspapers, but as a U.S. bombing campaign or, at best, a U.S.-Saudi bombing campaign.

There is a U.S. imprint on every civilian death inside Yemen which is radicalizing the people of this country against the United States. Why is this? Well, it is because, while the conflict inside Yemen started as a civil war—the Houthis overrunning the government inside Sana'a—the Saudis and a coalition of other Gulf States have entered the conflict, largely through air operations, to try to push the Houthis back, and they have asked for our assistance, which we have given, and we have given it in substantial means and methods. We provide the bombs, we provide the refueling planes, and we provide the intelligence. There really is no way this bombing campaign could happen without U.S. participation.

The United States is at war in Yemen today. The United States is at war in Yemen today, and this Congress has not debated that engagement. This Congress has not debated that war. It is yet another unauthorized U.S. military engagement overseas.

But the scope of this disaster for the purposes of U.S. security interests is not just the radicalization of the Yemen people against the United States or the thousands of people who have been killed but also the fact that this war has given ground—an opportunity for Al Qaeda and ISIS to grow—grow by leaps and bounds.

Let's be honest. Our first responsibility here is to protect this country from attack, and the most likely arm of Al Qaeda that would have the means or the inclination to attack the United States is the branch that exists inside Yemen. Their recruitment has grown by multiples over the course of this conflict. For a period of time, AQAP was able to use this conflict to grab control of a major port city inside Yemen, which radically changed the ability of AQAP to recruit and to grow their capacity to do harm outside of Yemen, because they had control of resources and taxation inside this city.

One would think that if the United States was providing all of these resources to the Saudi-led coalition, that some of them would be used to try to push back on ISIS's growth or AQAP's growth inside Yemen, but the exact opposite has happened. None of the Saudi bombs are dropping on AQAP; they are all dropping on Houthi targets and civilian targets. So we are arming the Saudis to fight an enemy—the Houthis—whom we have not declared war against, and the Saudis are not using those weapons to fight our sworn enemy whom we have declared war against: Al Qaeda. So the civilian casualties mount, ISIS and Al Qaeda grow, yet this is the first time we have had the opportunity to discuss the wisdom of this engagement.

We begged the Saudis to change their conduct. We have asked them to target Al Qaeda. To the extent that Al Qaeda is shrinking a bit, it is not because the Saudis have targeted them, it is because other players in the region—the Emirates—have targeted them. We begged the Saudis to stop bombing civilians. Yet in a 72-hour period earlier this summer, the Saudi-led coalition bombed another Doctors Without Borders facility, a school, and the principal's house next door. We give them targets that they should stay away from because they are key parts of routes to bring humanitarian relief in a country that is ravaged by famine, and they still hit those targets even after we told them to stay away. We begged the Saudis to change their behavior inside this war, and they haven't listened.

But it is not the only time they haven't listened. The fact is, if you are serious about stopping the flow of extremist recruiting across this globe, then you have to be serious about the very real fact that the Wahhabi-Salafist branch of Islam that is spread around the world by Saudi Arabia and their Wahhabi allies is part of the problem.

In 1956, there were 244 madrassas in Pakistan; today there are over 24,000. These schools are multiplying all over the globe. Conservative Salafist imams and mosques are spreading all across the world. Don't get me wrong, these schools and Mosques by and large don't teach violence directly. They aren't the minor leagues for Al Qaeda and ISIS, but they do teach a version of Islam that leads very nicely into an anti-Shia, anti-western militancy. We begged the Saudis to stop setting up these conservative Wahhabi operations in parts of the Middle East, in the Balkans, in Indonesia. Again, they haven't listened.

Just take the example of Kosovo. Kosovo 10 years ago would never have been a place that ISIS would have gone to recruit people into the fight inside Syria, but today it is one of the hotbeds of recruitment. It is not a coincidence that during the same period of time the Saudis and Wahhabis spent millions of dollars there, trying to convert Muslims to their brand of religion—a brand of religion that essentially says that everybody who doesn't believe what we believe is an infidel, that the crusades never ended, and that the obligation of a true Muslim is to find a way to fight back against any brand of the religion that doesn't match ours.

So for those who are going to vote for this arms sale, who are essentially going to endorse our current state of the relationship with Saudi Arabia and our Gulf State allies, just ask yourselves if we can really defeat terrorism if we remain silent on the primary progenitor of this brand of Islam that

feeds into extremism. How can you say you are serious about strangling ISIL when the textbooks that are produced inside Saudi Arabia are the very same textbooks that are handed out to recruit suicide bombers?

If we really want to cut off extremism at its source, then we can't keep closing our eyes to the money that flows out of Saudi Arabia and the Gulf States into this conservative Salafist missionary movement around the world.

This arms sale is relevant to both of these questions—changing the war inside Yemen and sending a message that this export of the building blocks of extremism cannot continue. Why? Because the main part of this arms sale is a replacement of battle-damaged tanks—tanks that were likely in part damaged in the conduct of this war. It represents a piece of a very long ramp-up of arms sales into Saudi Arabia.

The numbers are pretty staggering. This administration has sold about six to eight times the number of arms to Saudi Arabia than the last administration did, and the Saudis do listen. They do pay attention to what we say here. They don't like the fact that there are Republicans and Democrats critiquing this relationship. They will not like the fact that there will be votes against this arms sale. So even if it ultimately doesn't become law—which is unlikely, given the fact that even if it passes, the President could veto it—this could impact both of these questions, the conduct of the war in Yemen and the conduct of the export of Wahhabism around the globe.

Lastly, let me make the case that rejecting or voting against this arms sale is not going to end or even permanently damage our relationship with Saudi Arabia. We are allies. We will continue to be allies. Our common bond was forged during the Cold War when American and Saudi leaders found common ground in the fight against communism. The Saudis helped ensure that the Russians never got a meaningful foothold in the Middle East. Today, this unofficial detente that exists between Sunni nations and Israel in the region is part of the product of Saudi-led diplomacy. There have been many high-profile examples of deep U.S.-Saudi cooperation in the fight against ISIL and Al Qaeda, notwithstanding these critiques. More generally, our partnership with Saudi Arabia, the most powerful and richest country in the Arab world is an important bridge to the Islamic community—a testament to the fact that we can seek cooperation and engagement with governments in the Middle East and people worldwide, which is a direct rebuttal to this idea the terrorists spread that asserts we are at war with Islam.

This is not an either-or question, but we are strategic allies, which is dif-

ferent from being a values-based alliance. That means that when our strategic goals occasionally depart from one another, then we shouldn't be obligated to continue our cooperation on that particular front. The Saudis' guiding foreign policy goal is to gain regional supremacy over Iran. We certainly prefer a Middle East with more Saudi friends than Iranian friends; there should be no doubt about that. But our guiding foreign policy goal in that region is not for the Saudis to win the broadening proxy war with Iran; it is to protect our country from attack by terrorist groups that are metastasizing in Syria, Iraq, and now at worrying rates inside Yemen.

Today, our participation in the war inside Yemen is making us more vulnerable by attacks from AQAP and ISIS, not less vulnerable. Our bombs, our intelligence, our spotters, and our refueling planes are certainly helping the Saudis project power in the region, but it is fueling an arms race between Shia and Sunni nations that has no logical end other than mutual destruction, increasing chaos, and more ungovernable space for groups that want to attack the United States.

Said another way, is this really the right moment for the United States to be sending record numbers of arms into the Middle East?

Do we have any evidence from past conflicts in Afghanistan or the Iran and Iraq wars that more U.S. weapons end up in less, rather than more, bloodshed—an abbreviated rather than an elongated war?

It is time for the United States to press pause on our arms sales to Saudi Arabia. Let's make sure that the war in Yemen doesn't continue to spiral downward, jeopardizing U.S. national security interests. Let's press the Saudis to get serious about spending more time as firefighters and less time as arsonists, as they say, in the global fight against terrorism.

Let's ask ourselves whether we are comfortable with the United States getting slowly, predictably, and all too quietly dragged into yet another war in the Middle East. What will it take for this country to learn its lesson?

I thank the Presiding Officer and the body for the time, and I yield back.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I thank Senator MURPHY, Senator PAUL, and Senator LEE for their leadership on this very important issue.

Since the Saudi-led coalition started a bombing campaign in Yemen in 2015, there has been an average of 13 civilian casualties each day, according to the Office of the United Nations High Commissioner for Human Rights. This means that thousands of civilians have been killed or wounded in the U.S.-backed war in Yemen. This is unacceptable. People all across this country

have been outraged at how the Saudis have conducted this war and believe that the United States should not acquiesce or support such conduct.

Over the last decade, the United States has sold the Saudis over \$100 billion in arms. The United States has also supported the Saudi-led coalition with air-to-air refueling sorties, intelligence sharing, and military advisory assistance. That kind of support should not go along with acceptance of the Saudi disregard for innocent human lives and innocent civilian lives.

The legislation we will be voting on later today is a disapproval resolution regarding a \$1.15 billion arms sale. The very fact that we are voting on it today sends a very important message to the Kingdom of Saudi Arabia that we are watching their actions closely and that the United States is not going to turn a blind eye to the indiscriminate killing of men, women, and children.

Again, I would like to thank Senators MURPHY, PAUL, and LEE for their leadership, and I urge my colleagues to support this important piece of legislation.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise today to lend my support and urge my colleagues to lend theirs to S.J. Res. 39, offered by my friend Senator RAND PAUL of Kentucky. The purpose of this particular resolution is to reconsider the billion-dollar arms sale between the United States and Saudi Arabia that was negotiated by the two governments earlier this year.

Under U.S. law, any arms sale approved by the State Department will go into effect within 30 days after that deal has been finalized, absent passage of a resolution of disapproval to prevent it from taking effect. That is exactly what Senator PAUL's resolution aims to do. If passed by the Senate and the House, the resolution would raise formal objections to the sale of \$1.15 billion worth of weapons and military equipment to the Government of Saudi Arabia.

Notice that there are Senators from both sides of the aisle working to pass this resolution of disapproval, supporting it in speeches and voting on it hopefully later today. It was introduced by a fellow Republican, and I am proud to join three of my Democratic colleagues as original cosponsors: Senator CHRIS MURPHY from Connecticut, from whom we heard just moments ago; Senator AL FRANKEN of Minnesota, from whom we heard after we heard from Senator MURPHY; and Senator MARTIN HEINRICH of New Mexico.

Some might call us strange bedfellows—two conservative Republicans and three liberal Democrats working together to achieve the same goal. But

this observation misses the point entirely. Each one of us may have their own unique justification for supporting this resolution, but there is nothing strange about that; it simply proves that there are many reasons to consider and to reconsider this deal with Saudi Arabia.

One of those reasons and the basis for my support of Senator PAUL's resolution is that there is no conclusive evidence that the Saudi arms deal will in fact advance the strategic and security interests of the United States. In fact, there is evidence that points in the opposite direction. We know that Saudi Arabia is heavily involved in the civil war that is raging at this moment in Yemen—a conflict that has left a humanitarian crisis of staggering proportions in its wake and continues to do so. We know that the Saudi military will use the equipment included in this deal—everything from machine guns to grenade launchers to armored vehicles and tanks—to increase its own engagement in that seemingly intractable conflict. What we don't know is exactly how America's involvement in the civil war in Yemen serves our national security interests and protects the American people.

I have no problem in principle with the United States approving the sale of weapons and military equipment to foreign governments when it is in our interest to do so. I certainly am not categorically opposed to selling arms to the Saudi Government. Saudi Arabia has long been an American ally in a very volatile region of the world, and I believe strengthening that alliance should be a priority for our foreign and military policy in the Middle East, but the fact that Saudi Arabia is an ally with whom we have a track record of selling arms is not in and of itself a sufficient reason to endorse this particular deal. It is not a reason that this deal should move through, should take effect without so much as a whimper from Members of Congress who might feel the need to raise possible concerns—concerns that relate to our own national security.

Yes, we want our allies to be strong. Yes, we want our allies to be capable of defending themselves. Yes, sometimes this means that we should offer them assistance in times of need. But the first and most fundamental responsibility of the U.S. Government is not to satisfy the requests of our allies reflexively, unflinchingly, and without asking acute questions; rather, the fundamental responsibility—the first job of the U.S. Government—is to protect the lives and liberties of the American people. That is where we need to be focused.

Now, the Government of Saudi Arabia clearly believes that intervening in this civil war in Yemen and participating in the decades-long sectarian conflict underlying that civil war in

Yemen is in the best interest of the Saudi people. I don't doubt that, and it is not my place to question it, even if I did doubt it.

That is why the Saudi military has been fighting in Yemen since it first launched its intervention in March 2015. But can the same be said of the U.S. Government? Is intervening in this civil war a national priority for the American people? Is intervening in that civil war in our national security interest? Is it something that is going to make the American people safer?

Astoundingly, these are questions that have never been fully discussed and certainly have never been fully debated in this institution—an institution that likes to call itself and loves to be referred to as the world's greatest deliberative body.

This is more of an abdication of responsibility by Congress. It is more than just that. It is a national security hazard. It is not just that we are abdicating. It is not just that we are not doing something we are supposed to do. We are making things more dangerous than we need to.

The Framers of our Constitution gave important and exclusive foreign policy powers to the legislative branch because our Framers believed that the process of defining America's national interests and developing a foreign policy to pursue those interests must involve the participation of the people's representatives in Congress.

But alas, in recent years, Congress, in general, and the Senate, in particular, have happily taken a back seat to the executive branch in debating, developing, and defending to the public our Nation's foreign policy and grand strategy in the Middle East. That explains how it is possible that our military has actively supported the Saudi military's intervention in Yemen, including hundreds of air-to-air refueling sorties at a time when our military leaders unanimously contend that they are suffering from readiness and personnel shortfalls. It explains how it is possible that the U.S. military would be actively involved in the civil war in Yemen, even though many security experts point out that by supporting Saudi Arabia in Saudi Arabia's fight against the Houthis, we could be unintentionally assisting Al Qaeda in the Arabian Peninsula and ISIS affiliates in Yemen.

I urge my colleagues today to support this resolution of disapproval. Let us pause our intervention in this foreign conflict and show the country—show our country—that the legislative branch can fulfill its obligations to the American people faithfully, that we can openly and thoughtfully evaluate our interventions abroad, and that we are focused on protecting the security, safety, and interests of the American people above all others.

The PRESIDING OFFICER (Mrs. ERNST). The majority leader.

Mr. McCONNELL. Madam President, today the Senate will consider a motion to discharge a resolution of disapproval from the Foreign Relations Committee. I oppose that motion because I believe it would harm our Nation's long-term strategic interests in the Persian Gulf and in the broader Middle East.

It would further damage our alliance and our partnership with the Kingdom of Saudi Arabia at a time when our moderate Sunni Arab allies are questioning whether our Nation is able to meet our traditional commitment to the region. The resolution would also ignore the shared interests we have with Saudi Arabia in combating Al Qaeda and ISIS.

Were this resolution of disapproval ever to be adopted, it would further convince the world that the United States is retreating, not only from its commitments but also as the guarantor of the international order we worked to create after the Second World War.

I will move to table this motion and encourage all of my colleagues to support the motion. We are nearing the end of the Obama administration. The next President will have a stark choice upon assuming office—whether to continue the drawdown of America's conventional military power across the globe or to restore our warfighting capabilities to both renew our alliances and restore America to its position as the guarantor of the international security order.

After nearly 8 years, the President's approach to foreign policy has become all too clear—to end the war on terror, to draw down our conventional forces and capabilities, and to deploy special operations forces in economy-of-force train-and-assist missions across the globe.

The essence of this foreign policy was captured in his speech at West Point in May of 2014. In that speech, the President described a network of partnerships from South Asia to the Sahel, to be funded by a \$5 billion counterterror partnership fund for which Congress has yet to receive a viable plan. In those cases where indigenous forces prove insufficient and a need for direct action arises, the President announced his intention to resort to the use of armed unmanned aerial vehicles for strikes, as has been done in Yemen and Somalia.

So by deploying special operations forces for train-and-equip missions, the President hoped to manage the diffuse threat posed by Al Qaeda in the Arabian Peninsula, Boko Haram, terrorist networks inside of Libya that now threaten Egypt, the al-Nusra Front, the Taliban, ISIL, and other terrorist groups.

The concept of operations allowed the President to continue the force structure cuts to the conventional

forces and sought to manage the threat from global terrorism. He envisioned no need to reverse the harmful damage of defense sequestration, to rebuild our conventional and nuclear forces, or to accept that leaving behind residual forces in Iraq and Afghanistan was a means by which this Nation preserves the strategic gains that we have made through sacrifice.

The threat of some of these Al Qaeda affiliates, associated groups, or independent terrorist organizations has outpaced the President's economy-of-force concept. In some cases, the host nation's military which we had trained and equipped had proven inadequate to defeat the insurgency in question, as was the case with AQAP, the Taliban, or ISIL.

The Obama administration never answered the question: What was to be done when the host nation's force we trained for counterterrorism was incapable of counterinsurgency—Iraq, Libya, Yemen? The efforts of the Department of Defense to train a moderate Syrian opposition never provided sufficient reasons for the President to rethink the basic strategy.

The President's concept of operations countenanced a persistent, enduring terrorist threat from AQAP, the Taliban, and other groups in those countries where insufficient ground combat power could be generated by the force that we trained.

In Riyadh, our traditional long-standing ally Saudi Arabia warned of Iran's efforts to arm and support Shia proxies in Syria, in Yemen, and in Lebanon and to foment unrest across the region, all of which was lost on the White House.

Instead, they were called "free riders," and Saudi Arabia's concerns with what a Muslim Brotherhood government in Cairo, instability in Libya, and the slaughter of Sunnis within Syria would mean for the region were completely ignored. The Obama administration has sounded an uncertain trumpet, but the words that resounded in Saudi Arabia and across the region were the commitment to our allies—that in negotiating with Iran to end its nuclear weapons program, no deal is better than a bad deal.

Well, this proved not to be true. The administration accepted the bad deal, and in its negotiation with Iran, the administration made concession after concession after concession: allowing Iran to retain a nuclear enrichment program, allowing for the retention of working centrifuges and a research and development program, providing financial relief and support, and lending legitimacy to the world's chief state sponsor of terror.

Under any net assessment, Iran has emerged from the nuclear deal with the Obama administration stronger—stronger than before the deal. The funds derived from the lifting of sanc-

tions enable Iran to invest in proxy forces and conventional capabilities, such as advanced air defense systems, and to threaten Israel and Saudi Arabia.

Even more consequential is the fact that the Obama administration's single-minded pursuit of achieving and preserving the deal has held the other elements of our foreign policy toward Iran hostage. Iran is free to harass American vessels within the Persian Gulf, to test ballistic missiles, and to fund proxy forces.

After agreeing to the Joint Comprehensive Plan of Action, the President gathered the leaders of the Gulf Cooperation Council at Camp David. At that meeting, our President made commitments to those allies that we would help them in building their respective defense capabilities.

A vote in support of this resolution today undermines that commitment made by the President to help the Saudis. Our allies in the region, especially Saudi Arabia and the United Arab Emirates, came to understand that after the fall of the Mubarak government, the decapitation of the government in Libya, and civil war in Syria, they must act in pursuit of their own sovereign interests, whether the United States would lead or not.

The specific foreign military sale in question here is for Abrams tank structures to Saudi Arabia. We have been selling ground combat equipment to Saudi Arabia for decades—for decades. There is no evidence—none—that the Saudis have used the Abrams tanks in ground combat within Yemen. These systems have been used along the Saudi Arabia border to defend against Houthi incursions.

The United States is actively working to improve Saudi targeting capability and to deliver humanitarian relief to the people of Yemen. So let us also remember that denying the sale of Abrams tank structures will simply lead some of our allies to pursue weapons systems from other countries.

Let me say that again. The Saudis don't have to buy this equipment from us. They can buy it from somebody else. So this motion comes at a singularly unfortunate time and would serve to convince Saudi Arabia and all other observers that the United States does not live up to its commitments.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Madam President, let's be clear about what the arms sale is all about. It is about giving a nation that is under attack by an Iranian-sponsored militia the arms that it needs to defend its people and its territory.

The Houthi militia, which is Iran's proxy in Yemen, is attacking Saudi Arabia's southern border. It has carried out hundreds of cross-border raids into Saudi Arabia and has fired numerous missiles deep into Saudi territory.

Make no mistake, this aggression is fueled by the Iranians.

Earlier this year, the United States seized a shipment of arms bound for the Houthi militia. Have no doubt that the Houthi militia are the clients and the stooges and the agents of Iran, which is attempting to take over control of Yemen, which is an important nation, particularly because of its geographic location on the Straits of Hormuz.

Have no doubt about what the situation would be strategically if the Iranian-sponsored Houthis controlled Yemen. Have no doubt about the threat that it is to the United States of America and to freedom of navigation.

Houthi aggression against Saudi Arabia has displaced over 75,000 Saudis and killed hundreds of civilians. If militias were attacking our borders and launching missiles into our territory and our friends refused to help us defend ourselves, we would certainly question the value of that friendship. This is why this sale is more important than just a sale. It is a message.

The sale will give Saudi Arabia tanks it has used to defend its own country from Houthi attacks. The United States has no evidence that Saudi Arabia has used the tanks outside of Saudi territory. In fact, 20 of the tanks in the case would be intended to replace those damaged by Houthi artillery while the tanks were on Saudi territory, deployed in defensive positions to counter offensive Houthi cross-border raids. These tanks will be reviewed and monitored like all U.S.-origin defense articles to ensure they are used in the manner intended or consistent with legal obligations and foreign policy goals and values.

I say to my colleagues that blocking this sale of tanks will be interpreted by our gulf partners—not just Saudi Arabia—as another sign that the United States of America is abandoning our commitment to the region and is an unreliable security partner. That is what this vote is all about. The nations in the region already have that impression because President Obama has reneged on his promise made at the U.S.-Gulf Cooperation Council meeting at Camp David in May of 2015 to fast-track arms transfers.

As we support the Saudis in the defense of their territorial integrity, we do not refrain from expressing our concern about the war in Yemen and how it is being conducted. We remain concerned by the high number of casualties resulting from the fighting. We have repeatedly expressed our deepest concern about the ongoing strikes that have killed and injured civilians, the heavy toll paid by the Yemeni people, and the urgent and compelling need for humanitarian assistance. There has been some progress, including the establishment of the Joint Incident Assessment Team, a commission to investigate civilian casualties.

But we cannot forget that an Iranian-backed, Houthi-controlled Yemen will be a chaotic, unstable place ripe for exploitation not only by Iran but also by Al Qaeda in the Arabian Peninsula and ISIL. That is why it must be our goal and the goal of the international community to arrive at a political solution to bring stability and security back to Yemen. Saudi Arabia has been seeking such a solution.

The Saudis were cooperative and participated in good faith in the peace negotiations in Kuwait before those talks, unfortunately, broke down over Houthi intransigence. They have shown considerable restraint in not responding with airstrikes to Houthi cross-border attacks, which continue.

In the meantime, we must continue to support an important regional partner against Iran's destabilizing behavior in Yemen and beyond.

I say to my colleagues, this vote is more important than the sale of tanks. This vote is a message to our friends and our enemies alike. This message is that we will continue the commitment President Obama made at a meeting in 2015 with the nations in the region that we would expedite arms sales to them, not prohibit them. This is a message that one of the strongest forces against Al Qaeda in the region and other terrorist organizations is going to be allowed to acquire weapons with which to defend their sovereign nation.

This vote will resonate throughout the entire Middle East. That is why I hope my colleagues will understand that the importance of this vote transcends anything to do with military equipment. I urge my colleagues to vote against this resolution, and I urge my colleagues to vote overwhelmingly.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I wish to speak for 10 minutes, and I request that the Presiding Officer let me know when that time expires.

This body, the Senate, is going to have a vote in a couple of hours about whether we should approve an arms sale to our friends in Saudi Arabia. I use the term "friends" because that is what I think they are when it comes to the efforts to win the war against terror.

Internal problems in Saudi Arabia are real. They need to modernize the way they do business. They have had double-dealing in the past of helping terrorist organizations. At the end of the day, the Mideast is a very complicated place, but here is what is not

complicated: Saudi Arabia has shared intelligence with us that has made Americans safe. They have allowed us to use their air bases in times of conflict. They are all in against ISIL, and they are great allies against the ambitions of the Iranians. When you add up the pluses and the minuses of the relationship with Saudi Arabia, in my view, it is not close—the pluses outweigh the minuses.

To those who wish to sever this relationship, be careful what you wish for. Saudi Arabia is the center of gravity of the Islamic world. Most holy sites in Islam are in Saudi Arabia. I have met with the King, the Crown Prince, and the Deputy Crown Prince. They have shown a willingness to work with us at a time when we need partners. If you drive this good partner, Saudi Arabia, away, you will one day regret it.

This is what is going on in the Mideast. Iran is marching through the Mideast with terror. They are destabilizing the entire region. The Saudi Kingdom is not perfect, but they are aligned with us on the big issues when it comes to terrorism and pushing back against Iran.

The Iranian regime is controlled by a radical Ayatollah who openly chants and tweets that the State of Israel must be destroyed. This regime is in the hands of a religious Nazi. The Ayatollah in Iran controls everything. There are no moderate voices left there.

Since the deal with Iran has been signed regarding their nuclear program, they have test-fired four missiles in violation of U.N. resolutions. One of the missiles basically had in Hebrew "Israel must be destroyed." They constantly threaten our ally Israel. They have taken over four Arab capitals.

The Houthis, who threw out a pro-American government in Yemen by force of arms, is being supplied arms by the Iranians.

The \$150 billion the Iranian regime will receive in sanctions relief is finding its way into the hands of terrorist organizations. Hezbollah, a mortal enemy of Israel, has been provided up to 300 new missiles with precision-guided technology by the Iranians to threaten the Jewish State. Assad wouldn't last 5 minutes without Iranian support. They have disrupted all of our gains inside of Iraq. They are influencing Baghdad in a very bad way.

When it comes to Yemen, when it comes to Iraq, and when it comes to Syria, Iran is creating havoc.

This body has a choice. We are talking about a \$1 billion package of armaments that will upgrade the Saudis' capability to fight common enemies such as Al Qaeda and ISIL more aggressively, and it will give them the military capability to challenge the increased threats to the region from of Iran.

If we say no to the Saudis, not only will that be seen as a sleight by the

Saudis, they will buy their arms somewhere else.

And if you want to talk about a body that would have things ass backwards, this would be the moment in history where you will be seen in history as not understanding the world. There are some of my colleagues on the other side who are worried about how the Saudis are using military force inside of Yemen to protect their borders from an Iranian intrusion that is being basically carried forward by the Houthis. There is an effort to bring about peace in Yemen, but Iran has empowered the Houthis to displace a pro-American, pro-Western government, creating havoc for the Saudis. They have dropped bombs on civilians. There is no way to conduct war without mistakes being made. We are trying to sell them new equipment, precision-guided weapons that will lessen civilian casualties when Saudi Arabia has to defend themselves.

I think it would be pretty odd for Members on the other side of the aisle, who almost unanimously supported the Iranian nuclear agreement, to give sanctions relief to an Ayatollah who on the day of the vote said he hopes to destroy Israel in 25 years and deny a weapons sale to somebody who is in the fight with you. Talk about ass-backwards: flush the Iranian regime with capabilities they have dreamed of to pursue a nuclear deal that I think is a nightmare for the region, and in the same context, within a matter of months, start denying Arab allies who are willing to fight the capability to fight.

If you want to send a signal to the Ayatollah that America is out of the fight and we no longer are a reliable ally, stop helping Saudi Arabia and the Gulf Arab States, who have been helping us, as imperfect as they may be. What a world we live in, where this body wants to be tough on Saudi Arabia because they are in a shooting war in Yemen, sponsored by the Iranians, right on their border, that we want to cut off military aid to them because of human rights violations, when the people on the other side are watching Iran destroy the Mideast, threaten us, and create the possibility of a second holocaust for the Jewish people. Not one person on the other side has risen their hand to say: You know, maybe we should revisit sanctions on Iran based on what they have done since we signed the deal.

So here is the answer. The Iranians have test-fired four ballistic missiles, after signing the Iranian nuclear agreement with us, in violation of U.N. resolutions, and our response is to cut off weapons to Saudi Arabia. We haven't done a damn thing to send a signal to the Ayatollah: Hey, man, you are going to pay a price if you keep doing this.

The Iranians are shipping weapons to the Houthis, who have destroyed a pro-

American government, creating havoc in the region inside of Yemen, and our response is to cut off weapons to the Saudi Arabians.

If you want to change the Mideast forever, do this. If you really want to tell everybody who has fought with America you are no longer a reliable ally, do this. If you want to tell the Russians we are going to cede authority and power to them, do this. The Russians are pulling for us. The Russians would like nothing better than for America to cut off arms sales and alliances with the Gulf Arab States, particularly Saudi Arabia, because that would give them the opportunity of a lifetime. If you care about the American homeland, you better put Iran in a box as soon as you can.

Here is my belief about the Iranians. Not only are they trying to take over four Arab capitals—and they have—they are developing ballistic missiles to deliver something. They are not going to put the Ayatollah in space, though I would like to do that myself. They are going to put something on top of that missile and I know exactly what it is and all the Arabs know what it is and the Israelis know what it is.

So at a time of great and clear conflict—and it is clear to me the Iranians are the bad guys and our allies in the Arab world, though imperfect, are still our allies—that we are going to send a signal to the radical regime in Tehran that we are going to roll back supporting our allies and do nothing about their provocative behavior would be a mistake for the ages.

I wish the body would have a different debate than we are having today. I wish somebody would come and talk about reimposing sanctions on the Iranians. They have captured American sailors and humiliated them. They are allies of Bashar Assad, who has butchered 450,000 of his own people. They are empowering Hezbollah, the mortal enemy of Israel. They are humiliating every force of good, and our response is to stand up and undercut an ally.

What a world we live in, where the United States Senate is considering stopping selling arms to somebody who would fight with us at a time when we are doing nothing to a country that has called us the Great Satan—and if they could, they would destroy us—and have killed American soldiers by providing radical groups inside of Iraq with IEDs that have killed hundreds of American soldiers. Talk about a body and an idea that is ass-backwards, this is one for the ages.

To my friends inside of Saudi Arabia, I will push you to do better, and you need to look in the mirror about who you are, but I understand there are more pluses than there are minuses. To our enemies in Iran—who are not the Iranian people, it is the Ayatollah—as long as I am here with my colleagues,

we are going to push back against you more, not less, we are going to help our Arab allies more, not less, as long as you are doing what you are doing.

To those who want to vote today to suspend this aid to Saudi Arabia, people in Iran will cheer you on.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

MR. CORNYN. Madam President, while he is still on the floor, I just want to tell the Senator from South Carolina how much I appreciate his remarks. I agree with virtually everything he said. He is one of the most knowledgeable and articulate Members of the Congress on national security matters. He knows whereof he speaks and he speaks the truth.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Madam President, I have come to the floor a few times this last week to talk about another piece of legislation called the Justice Against Sponsors of Terrorism Act, known as JASTA. This might as well be known as the justice for the 9/11 families bill.

I support the position articulated by the Senator from South Carolina and will vote against the resolution of disapproval to block the Saudi arms sale. I believe that is the same position articulated by the distinguished chairman of the Committee on Armed Services, Senator MCCAIN, and the majority leader, Senator MCCONNELL, and I find myself in agreement with each of them. Some might say: Well, how can you agree to maintain the relationship with Saudi Arabia when it comes to providing them with the necessary arms they need in order to fight this proxy war by Iran against the Gulf State allies and at the same time support this Justice Against Sponsors of Terrorism Act, which some say may be focused on the Saudis. I would like to explain that.

First of all, let me just say that when I think about the Senate, I am reminded of the comments made by Robert Byrd, the distinguished Senator from West Virginia who is no longer with us. He wrote books on Senate procedure. He wrote a history of the United States Senate. He was truly a remarkable man. He was also former majority leader of the Senate and a force to be reckoned with. When I came to the Senate, Senator Byrd said, among other things: In the Senate, you have no permanent allies. In the Senate, he said, you have no permanent enemies.

I believe what he meant by that was that on a case-by-case basis, people who come from different regions of the country, different States with different interests, will work together where their interests are aligned, and when they are not, they are going to differ—respectfully, I would hope—but they are not going to always do the same thing or see the world in exactly the

same way. That doesn't mean we are enemies. That doesn't mean we are adversaries. That is just the way it works.

As I think about our relationship with countries such as Saudi Arabia—but it is not just Saudi Arabia, it is all of our international relationships—we are going to agree with them on matters of principle when our interests are aligned. We are. And certainly in the case of this arms sale, our interests are perfectly aligned.

Saudi Arabia finds itself in a very rough neighborhood, subjected to violence and war perpetrated by Iran, frequently through proxy groups such as Hezbollah, the Houthis, and other forces, but it is very much in the U.S. interest that Iran not continue to dominate the whole region in the Middle East. Obviously, they have made great strides in dominating and influencing Iraq.

Unfortunately, as a result of the misguided nuclear deal negotiated by the White House, Iran is now on a pathway toward a nuclear weapon. One can imagine what our other allies, such as Saudi Arabia and the other Gulf States, are thinking. If our No. 1 adversary in the region is going to get a nuclear weapon, we may need to defend ourselves. By what? Well, by getting nuclear weapons. That makes the world a much more dangerous place.

My point is, when it comes to relationships between Senators from different States, representing different regions and different interests, even though we sometimes agree with each other, sometimes disagree with each other, that is just the way the Senate works, and that is the way I believe the world works. When our interests are aligned with countries such as Saudi Arabia, we will stand with them, and we hope they will stand with us. When they diverge, we are going to take a little different approach.

I believe it is absolutely imperative we override the forthcoming veto of the Justice Against Sponsors of Terrorism Act so the families who suffered so much and lost so much on 9/11 can go to court and make the case, if they can, to hold whoever was responsible accountable. That is just as basic as anything in our system of justice. That is not for us to decide. We are not a court of law. The rules of procedure and the rules of evidence don't apply here. Sometimes I wish they did. In court, you can't just introduce hearsay or conspiracy theories and not back them up. They have to be based upon reliable testimony as determined by a judge.

That is what the 9/11 families are going to get, is the opportunity to make their case, if they can. I don't know if they are going to be successful, but I do believe one of the most fundamental things about our system of government is the opportunity to try. If

you think you have a case to make, present it to the judge and try to make your case. You may win. You may lose.

I spent 13 years of my adult life as a trial judge and on an appellate court, the Texas Supreme Court. Maybe I just became too familiar with how courts operate. Maybe I have more confidence in the ability of the courts to sift through these matters and get to the bottom of them than some of my other colleagues do, but I have confidence, by and large, in the Federal judiciary, and I believe under the oversight of a good Federal judge, they are going to enter the appropriate sort of protective orders necessary to protect people sued against overreaching and fishing expeditions when it comes to discovery, for example. The judge is going to make sure everybody plays by the rules and does not take unfair advantage.

So enough about that. But I believe, unlike a few of my colleagues whose comments I have read about, the Justice Against Sponsors of Terrorism Act does not target a specific country. As I have mentioned time and time again, we don't even mention a specific country in the legislation. All it does is extend a law dating back to 1978—the Foreign Sovereign Immunities Act—and it says that in a narrow set of facts, you may be able to sue a foreign government. In this case, if you sponsor or facilitate a terrorist attack on American soil, you will have been deemed by law to have waived your sovereign immunity and you will be held accountable in court.

Again, I have read the 28 pages that remain classified from the 9/11 report. I have read other responses from our law enforcement and intelligence authorities. I can't talk about that here. I will not talk about that here.

I believe the families do deserve an opportunity to make their case, and I trust that we will override the President's veto once it arrives here after Friday. But it is absolutely imperative that we keep our promises to our allies like Saudi Arabia, particularly where it serves our own national security interests. They live in the region. They are working as a counterbalance and a check on Iranian hegemony. As the Senator from South Carolina noted, Iran is the biggest troublemaker, not only in the Middle East but maybe on the planet. They have been trying to wipe Israel off the map using proxy forces like Hezbollah and Hamas. Obviously, they have been working their mischief in Iraq. After Saddam Hussein was deposed, President al-Maliki was put in place, but unfortunately because of his favoritism toward the Shia Muslims and his opposition to Sunni Muslims, he essentially joined common cause with Iran. Now we find ourselves in the unenviable position, as U.S. military forces that are training and assisting Iranian security forces—as they march forward to Mosul to take

that back from the Islamic State, we are literally going to be fighting side by side with Iranian militias directed by the No. 1 state sponsor of terrorism. It is outrageous that we find ourselves in this situation.

I encourage our colleagues to vote against the resolution of disapproval. This bill would keep the United States from supporting Saudi Arabia in ways that benefit our country strategically. As we have heard, that includes tanks and other equipment to help the Saudis maintain control of their border in a very dangerous and tumultuous part of the world and most importantly to help them protect themselves from an emboldened Iran that is awash in cash as a result of the President's misguided, bad nuclear deal in lifting sanctions on the Iranians.

In the long run, I think voting for this bill would actually help Iran and strengthen its hand, and I certainly cannot and will not support that.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DONNELLY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUICIDE PREVENTION

Mr. DONNELLY. Madam President, I rise today in recognition of suicide prevention, to continue to shine a light on the impact of suicide and to discuss the importance of efforts to strengthen mental health care. Sadly, too many Hoosiers and Americans are taken from us by suicide, shattering families and communities. Today, I want to talk about suicide prevention as it relates to our servicemembers, our veterans, and their families.

Last year, sadly, for the fourth straight year, more U.S. troops were lost to suicide than in combat. In 2015, 475 servicemembers took their own lives. Prior to that, we lost 443 servicemembers in 2014, and 474 servicemembers in 2013. We are painfully aware of the statistic that an estimated 20 veterans a day take their own lives.

These numbers allude to hundreds upon thousands of individual tragedies that have rocked our families, our communities, and our Nation. These numbers represent sons and daughters, brothers and sisters, and husbands and wives who have dedicated their lives to the service of this Nation and have succumbed to invisible wounds. These numbers illustrate the simple, terrible fact that we are losing too many of our servicemembers and veterans to suicide. These numbers demand that we keep efforts to improve military and veterans mental health services and suicide prevention efforts at the top of our to-do list in the Senate.

Despite gridlock in Congress, this is an issue where we have solid bipartisan consensus. I have seen it firsthand, working year after year with my colleagues, Republicans and Democrats, to work to improve military mental health care.

In 2014, my bipartisan Jacob Sexton Military Suicide Prevention Act was signed into law. The Sexton act, named for a young Hoosier whom we lost far too soon, established for the first time a requirement that every servicemember—Active, Guard, and Reserve—receive an annual mental health assessment.

Building on the success of the Sexton act, last year we had provisions of my bipartisan Servicemember and Veterans Mental Health Care Package signed into law, which helped expand access to quality mental health care for servicemembers and delivered mental health care in a way that meets the unique needs of servicemembers and veterans, whether through the Department of Defense or civilian providers right in our home communities.

While passing these laws is a step in the right direction, it will take a consistent, concerted effort to bring the number of servicemember suicides down to zero. We need to ensure that the laws we have passed, including the Sexton act and the care package, are implemented correctly so the services reach the troops and the veterans who need them the most. We need to keep working on smart legislation that streamlines access and strengthens the quality of mental health care.

This has been a top priority for me since I first introduced the Sexton act in 2013—my first bill as a U.S. Senator. It remains a top priority for me today.

This year, the final provision of my bipartisan care package passed the Senate as part of the national defense bill. It expands the ability of physician assistants to provide mental health care evaluations and services for servicemembers and their families. The bill establishes a pilot program to expand the use of physician assistants specializing in psychiatric care to help address the mental health care provider shortage.

This legislation can help make a difference for our servicemembers in Indiana and across the entire country. I urge Congress to come together on a final defense bill that can be sent to the President and signed into law.

There is no single solution that ends suicide. We may never fully understand the internal battles that lead to an individual taking his or her own life. However, this much is clear: We must do more to help prevent military and veteran suicides. Throughout September, we will recognize Suicide Prevention Month, but this issue demands our attention and our efforts every single day of the year.

To our servicemembers and veterans struggling with mental health chal-

lenges and to your loved ones, we are here for you, and we will not stop working until you receive the care you deserve and the support you need. We will be there with you every step of the way.

Mr. President, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Ms. HEITKAMP. Mr. President, you wouldn't think that I would have to keep coming here to talk about how it is our responsibility to do everything in our power to grow American manufacturing jobs, keep manufacturing jobs, and make sure American manufacturers are competitive in the global economy.

When young people come to my office to talk about the future, the one thing I tell them—and it is critical that you never forget this—is that 95 percent of all potential consumers in the world today do not live in this country. If you want to be successful in the future, you are going to have to be competitive and you are going to have to be innovative and do everything you can to grab that market share. That is how our economy is going to grow. It is what brings new wealth to our country, and that gives us the opportunity to advance an economic and political agenda that will move our country and the values we have in this democracy forward.

What do we do? We stall out by saying that even though 90 or 80 other countries have export credit agencies that can assist in financing those manufacturing jobs and those purchases, we, the United States of America, are going to tie the hands of a 70-year-old institution that has functioned incredibly well to bring jobs and wealth to our country. We are going to do it not because the will of this body and this Congress hasn't been expressed—in fact, it is the opposite.

When we reauthorized the Export-Import Bank, we were able to secure almost 70 percent of the Senate and over 70 percent of the House. It sounds like a mandate to me. It sounds like an understanding that most of the people in this institution understand the importance of a credit export agency. Guess what. We have now told our export agency: We are not going to give you the structure or the power to function. If you want to do a deal that is more than \$10 million, we won't be there. We will not be there to provide assistance or guarantees, and we will not be able to help American businesses be competitive internationally.

A lot of people will say: Well, those are just the big guys. Those are the Boeings, GE's, and Caterpillars of the world.

That totally ignores how American manufacturing is done. American manufacturing is done in small shops all across this country, small businesses that have been a part of that supply chain for decades and have relied on the corporate innovation and selling of large aircraft, large construction equipment, and large gas turbines and generators.

Do you know what is going to happen when those manufacturers or assemblers do not have export financing? Guess what they do. They say: I have to move someplace else where I can get it. If I am going to sell my products in the global market, I have to be able to qualify for export financing, and that means I have to move those manufacturing jobs—manufacturing gas turbines or manufacturing small parts—to France, where there is an environment and government that understands the importance of providing this important trade resource.

As we sit here today collectively worried about the middle class and America's competitiveness in manufacturing and trying to grow our global presence and our global exports, we take one critical piece of trade infrastructure and say: Can't use it. It is not because people here don't think so or because the American people don't think that is a good idea.

When you talk about this with the American people, they say: That is crazy. Something that returns dollars to the Treasury and provides this resource to grow American jobs and we are not going to do it?

And I say: We are not going to do it because the conservative think tanks in Washington, DC, whose influence is outsized from their ideas and political support, decided it is not a good idea—whether it is Club for Growth, the Heritage Foundation, CATO, or whichever one comes forward and says it is not a good idea.

We are talking about American jobs and American manufacturing, and we can do something about it with a simple act, which in this CR we have to do because we can't move on the nominee who would give us a quorum on the Ex-Im Bank, and that is what is holding us up. The Ex-Im Bank operates like a lot of banks. It has a board of directors. When that board of directors doesn't have a quorum, they can't make decisions on credits over \$10 million. We have \$20 billion worth of business we could be doing internationally that is held up by the lack of a quorum.

I get it. We are about regular order, right? I don't know what regular order says about not sending a nominee out of a committee so we can vote him up or down. This is the argument I get: We have never had a debate. Really? I

can't tell you how many times I have stood in this spot debating the Ex-Im Bank and the values and importance of the Export-Import Bank, but they say we haven't had a debate.

I said: If you want to have a debate, move the nominee to the floor and let's have a debate. You don't want to have a debate because you could lose.

They don't want to have a debate because they will, in fact, lose in this body if that nominee comes up.

I recognize there is support for regular order, if we can call it that. To me, regular order means getting your job done. It doesn't mean stalling out and stopping American innovation and American exports.

Let's say we go to regular order. Now we are working on trying to change the quorum rule so that people can actually make a decision and move these credits forward and get Americans back to work and get us back to exporting.

Where are we right now? Well, we read in the press that once again the outsized—for their political support—interest groups in this town are saying: Don't do it.

American manufacturing is hurt, and American manufacturing is calling and saying: We must do it, and we can't wait until the end of the year. We can't wait to do this credit.

The last time I came here, I brought what I call a payloader, a front-end loader. I brought a loader here, and I talked about the manufacturing of that piece of equipment in my State. I talked about a huge credit and a huge deal we could do that involved international credit with a dealership, which would include manufacturers in Iowa, Kansas, and North Dakota—all American jobs. It obviously didn't influence anyone or we would have gotten it done.

So now I am asking that everybody who says they are for American workers, American progress, and American exports to call leadership. This is something we have to do. It is bipartisan and it is nonpartisan. I know the Democrats have put it on their list of asks, but it shouldn't be a Democratic-Republican issue. I have good allies on the other side of the aisle who want to move this forward as well. When we can't move a piece of legislation and an idea that has supermajority support, that is when the American public says: Guess what. This is a broken institution. This is an institution that doesn't function for the American people.

When American jobs and when American workers get pink slips because we aren't doing our job here, that is a sad day for the Congress, and it is a sad day for what we do here.

Standing on principle is one thing. You fought the fight and the Bank was reauthorized. Let's get the Bank fully functioning. Let's get a resolution and a provision in the continuing resolu-

tion that actually provides for reviving and moving the Ex-Im Bank forward.

As I have said before in this very spot, I don't go to bed worried about the CEOs of major companies. They have options. They can move those jobs overseas. They will function just fine. They are a part of multinational businesses. I go to bed worried about that worker who has to come home with a pink slip because there is no longer the opportunity to sell what is being manufactured. Don't think that is not happening right now in the United States of America because it is. Those pink slips are on us. Those pink slips are happening because we have an institution that does not function in a majority fashion and for the people of this country and certainly for the middle class.

Everybody who says they are for the middle class, why don't we just quit engaging in lipservice and start taking action that tells American manufacturers, American workers, and American business that we are going to stand with them as they innovate, export, and grow the economy of this country?

When everybody says our economic growth is sluggish, I look at them and say: Do you know how we can amp it up? By exporting. Do you know why we are not exporting \$20 billion worth of goods in this country? Because we do not have a fully functioning Ex-Im Bank.

There is no way anyone could look at this logically and say this is good public policy.

I couldn't be more distraught or more sympathetic about what is happening to American workers. It is time we all work together.

I know the Presiding Officer is very interested in moving the Bank forward as well, and we all need to make sure we get this problem taken care of before we leave in October.

With that, I yield my time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I rise to speak about the vote that is going to take place at 2:15 p.m., and I urge my colleagues to vote to table this motion. The motion itself would keep us from being able to follow through on a sale of arms to Saudi Arabia.

It is my belief that the appropriate policy here is to table this motion, and let me take a few moments to share why I feel that way.

First of all, this is not a subsidized sale; this is a sale where a country is

trying to buy U.S. weaponry with its own money. This is not the United States giving foreign aid to another country. This is a situation where an ally that is certainly an imperfect ally—they are very aware they have public relations issues within our own country for lots of reasons, but they are an ally nonetheless—has looked around and decided and feels it is the best thing for them to do relative to the purchase of the tanks and other weaponry listed here. By the way, they already own tanks like this already, and they can go someplace else to purchase them.

Let me start out by saying that we had a huge debate in the Senate about the Iran nuclear deal. We ended up in different places. Fifty-eight people decided they didn't like it, but I think everyone probably has concerns about Iran and what they are doing in the Middle East.

During that timeframe, the administration met at Camp David with Saudi Arabia and some of our other Arab friends in the region and mentioned that in order to counter the nefarious activities Iran is involved in—and I think everyone in this body would agree they are involved in nefarious activities; they are a country we stated is a state sponsor of terrorism—in order to counter that, we would expedite sales to friends like Saudi Arabia and the UAE and other countries in the region, and this is a part of that. In essence, for us to back away from this would be saying we do not want to counter the nefarious activities of terrorism Iran is conducting in the region.

I understand my friend from Kentucky has heartfelt concerns about some of the aid we have provided other countries, and we have had very responsible discussions. Again, this is not aid. This is an ally we are utilizing in our alliance as a balance of power against what Iran is doing in the region. In essence, by not following through on sales to friends like Saudi Arabia and other countries, what we are really saying is, we want to undermine the balance of power that is created there in the region.

Let me say something else. I have noticed in this body that people are far less willing to want to commit U.S. troops in foreign places. There is a range of feelings about that, but I would say, generally speaking, I don't think there is any question that Americans are far less willing to commit massive ground troops to efforts in the Middle East. If we know that to be the mood of the public today, the last thing we would want to do is to not provide the armaments necessary for countries that might be willing to counter terrorism in the region.

Again, to me, this is one of those cases where I think the sponsors of the legislation and those who are advocating for it are well-meaning people,

but it is a case where I think we are cutting our nose off to spite our face. I don't understand any policy objective we can be achieving by saying we have a country that wants to buy our equipment with their money—no foreign aid involved whatsoever—and we are unwilling to sell it to them.

Let me make one last point. We have an infrastructure in our country that is utilized to protect us in tough times. These are lines of building equipment that we utilize if we ever have to gear up, and I hope that is not the case again in the near future. If we ever have to gear up again for operations in other countries, we rely upon these alliances. So what other countries do in purchasing equipment from us is they keep those lines and keep those employees and keep that technology building in such a way that it is useful for us in the future.

Again, I cannot identify a single policy objective we can achieve by blocking a sale to someone who has been an ally. Although not perfect, they are an ally. They are helping us with the balance of power. They are helping us in the fight against some of the efforts that are underway with Iran now in Yemen—we are not involved in that directly; they are helping us with that—and they are a country that again is willing to buy U.S.-made equipment that helps us keep in place the infrastructure that is necessary for us over time to protect our country.

I am glad we are having this debate. I hope we table this motion overwhelmingly to send a message that again we see no good policy objective in carrying out the blocking of this sale.

Mr. LEAHY. Mr. President, I want to address the issues at the heart of S. J. Res. 39, the resolution introduced by Senators PAUL, MURPHY, LEE, and FRANKEN regarding the sale of \$1.15 billion in military equipment to the Government of Saudi Arabia.

Despite obvious differences in our systems of government and concerning the rights of women and other issues, the United States and Saudi Arabia have a longstanding partnership that has benefitted both countries. For roughly six decades, security cooperation has been an important part of the relationship, fueled by military sales to Saudi Arabia under both Republican and Democratic administrations. For its part, the Government of Saudi Arabia has pledged to work with the United States in countering terrorism in the region.

But what has been unfolding in Yemen since the spring of 2015 should concern all Senators. There have been frequent, credible reports of Saudi Arabian armed forces indiscriminately attacking civilian-populated areas, targeting civilians, and otherwise misusing U.S.-origin weapons; of humanitarian access being impeded; and of a lack of serious investigations of, and

accountability for, those who have alleged to have caused civilian casualties.

I am not opposed to training and equipping our allies or selling them the weapons they require to combat terrorism. But the conditions under which we provide such support must include a commitment to avoid civilian casualties and to ensure that if egregious harm is done to the civilian population there are thorough investigations, punishment if warranted, and assistance is provided to the victims. We should also be confident that the strategy and tactics of our allies are achieving goals that we share.

Since the earliest reports of harm inflicted by Saudi forces on the civilian population in Yemen, I have repeatedly raised this issue with the Department of State. Although the Department and Saudi officials have offered assurances that effective steps are being taken to avoid civilian casualties and to investigate when they occur, the attacks and casualties have continued. Efforts by the UN High Commissioner for Human Rights to conduct an independent investigation into war crimes in Yemen have to date been rebuffed by the Saudi Government. There is scant evidence that the assurances reflect a meaningful change in strategy or tactics or that the Saudi military operations in Yemen are achieving their goals.

That is why I cannot support the provision of military equipment, particularly on this scale, to any country as long as legitimate concerns regarding the manner in which such equipment is being used remain unaddressed. It is inconsistent with the laws of war, and it implicates, at least indirectly, the United States. I need to be convinced that the Saudi Government is taking effective steps to reduce civilian casualties, to address the harm caused by its operations, and to support the unimpeded flow of humanitarian aid to those in need.

Therefore, I will support the resolution and oppose the motion to table.

Mr. CORKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PAUL. Mr. President, today the Senate will discuss questions of war and peace. Today the Senate will do its constitutional duty for a change. Let's be very clear, though. The Senate does this under duress.

The Senate has abdicated its role in foreign policy for too long. We have been at war nearly continuously for 15 years and the initiation, conclusion,

and resumption of war has not had debate in this body. The last time we voted on whether we should be at war was the Iraq war, which was a very emotional vote. It is a war that has long been over.

There is now a new war in Iraq and Syria, but there has been no congressional authorization. Therefore, it is illegal and unconstitutional.

Today's debate will attempt to debate whether or not we should initiate war in Yemen. It is an indirect vote because they won't allow a direct vote. In fact, they would not have allowed this debate had I and several others not forced it. But this is a bipartisan coalition that has brought this issue to the floor and said: We should debate issues of war.

I know young men who have lost limbs in the war. I know young men and their families who have sacrificed their lives. They deserve to have the country debate when and where we should be at war. It should never be something that we slide into.

Now, some will say: No, we are debating over whether to sell arms to Saudi Arabia. Yes, but I would also argue that we are at war in Yemen. Whether or not we sell arms to Saudi Arabia for the war in Yemen is something that should be debated because it is not just about selling arms. It is about whether we will be complicit in a war in Yemen.

If there is no debate in Congress, if there is no debate in the public, are we ready to spend lives, money, and treasure on another war in Yemen? People will say: Oh, no big deal, we are not really at war in Yemen. Well, yes, we are. We are refueling Saudi bombers that are dropping bombs in Yemen. There is said to be over 3,000 innocent people who have died in Yemen from Saudi bombs. What do you think happens to those families when 100 people die in a wedding in Yemen? What do you think happens to those families? Do you think they have a warm, fuzzy feeling for Saudi Arabia and the United States, which is helping to pick the targets and fuel the planes? Don't you think we as a country ought to have a debate before we go to war? Don't you think we ought to read the Constitution?

Our Founding Fathers had a significant, detailed, and explicit debate over war. They explicitly took the power to declare war, and they gave it to the legislature. Madison wrote that the executive is the branch most prone to war. Therefore, with studied care, the Constitution took the power to declare war and vested it in the legislature. This is repeated throughout the Federalist papers. It is repeated by all of our Founding Fathers that the power to initiate war was too important to place in the hands of one individual.

But over the last decade and a half, we have been at war in Libya without the permission of the American people

or Congress. We have been at war in Syria and Iraq without the permission of the American people. Now we are at war in Yemen without the approval of Congress or the American people.

So this is a twofold debate today. It is a debate over whether the United States should be at war without a vote of Congress. I think our Founding Fathers were clear on this. It is absolutely certain that it was supposed to be a prerogative of Congress, but there are also practical concerns.

Some have come to the floor and said: Well, Saudi Arabia is an imperfect ally. Well, I would go a little bit further. Saudi Arabia has often done things that have not been good for America, have not been in our national interest, and have not been consistent with our understanding of human rights.

Let's give a few examples. The girl of Qatif was raped by seven men. Saudi Arabia put her in prison for the crime of being alone with a man. You see, it is the woman's fault because women don't get to testify. The testimony comes from her attackers, and the woman of Qatif was given 7 years in prison and 200 lashes.

There is a poet who was writing in Indonesia who is Saudi Arabian and who was picked up by Interpol and taken home to be given the death penalty for possible criticism of the state religion.

There was a young 17-year-old man who is a Shia, a minority, who was a protester at a rally. I think he is 21 now. He has been in prison for 4 years. His uncle was beheaded by the government 1 month or 2 ago and was, by all appearances, a religious leader, not a collaborator, not an espionage perpetrator. The man is now 21, has been in prison for 4 years, and faces beheading in Saudi Arabia.

You might say: Well, human rights just aren't important. We need to do what is right for us in the region. We have given Saudi Arabia \$100 billion worth of weapons—\$100 billion. OK, we didn't give it to them; we sold it to them. But you know what. I think the taxpayer owns our weaponry. We have an ownership interest in our weaponry. This is not the free market. The weaponry was developed with taxpayer money and with explicit reservations that we in Congress can control who it is sold to. So we do need to ask, and it is an important debate, and we should be having it here in this body instead of leaving it up to the President. Let's have the debate.

Is Saudi Arabia a good ally?

Well, we have had this war in Syria for some time now. It is a messy war, a sectarian war. Most of the rebel groups are Sunni Muslims and the government is more allied with the Shiites. In this war, there have been hundreds and hundreds of tons of weapons—some by us, but maybe 10-fold

more by Saudi Arabia and Qatar. There has been public report after public report after public report saying that these weapons that are being poured into the country by Saudi Arabia have been given indiscriminately. They have been weapons about which some would say: Oh, they are being given to the pro-Americans. One group said that when they were done with Assad, they would go after Israel. It doesn't sound like people who are necessarily our friends.

According to public reports, many of these weapons that Saudi Arabia has bought from us and channeled into Syria have gone to al-Nusra, an off-branch of Al Qaeda. They used the justification to go to war in Syria—the 9/11 justification that said we would go after those who attacked us. I thought that was Al Qaeda. Are we now giving arms to Saudi Arabia, which is giving arms to Al Qaeda and al-Nusra? There have been some reports that the arms have gone directly to ISIS.

I think it has been indiscriminate, inexcusable, and not in our national interest.

How do we know what is in our national interest? We have to have a debate. Instead, Congress wants to be a lap dog for an imperial Presidency—Republican or Democrat, rubber-stamped. Here you go—not even a rubberstamp. There is no vote, no discussion, nothing. We are forcing this debate against the wishes of both parties, because both parties are complicit in this. This is not a Republican versus Democrat issue. This is a bipartisan foreign policy consensus that says that we should always give weapons without conditions, indiscriminately. It is \$100 billion of weapons to Saudi Arabia—more than any other President. President Obama has given more.

You say: Why does he do this? Well, because we released about \$100 billion worth of Iranian assets, and the Saudis bug him and say: Well, Iran is getting all this money. We need weapons, too. So it fuels an arms race over there.

But here is the great irony of this. It is something that is so ironic that this body cannot overcome it. Unanimously, this body voted to let 9/11 victims sue Saudi Arabia. Now, why would we let them do that unless the people who voted unanimously actually believe that there is a possibility Saudi Arabia had something to do with 9/11? So the body that voted unanimously that there is a possibility that Saudi Arabia had something to do with 9/11 is now going to vote overwhelmingly to send weapons to the country they think might have had something to do with 9/11?

Is Saudi Arabia an ally or an enemy? I sometimes call them "frenemy." I am not arguing that they never do anything that is good for us. They do on occasion. They also do many things that aren't good for us. As we look

through the list of things and we look to the arms that have been channeled into this region, we wonder: Will we be better off? Will our national security be better off or worse off?

For example, as to the weapons that Saudi Arabia poured into Syria, they pushed back Assad, and there occurred a vacuum in the Syrian civil war. Guess who came to occupy that vacuum? Guess who grew stronger and stronger in the absence of Assad and in the chaos of the civil war? ISIS.

In Yemen, you have several factions fighting. It is maybe not quite as complicated as Syria, but you have Salafis, people who believe in the primitive, intolerant form of Islam that Saudi Arabia practices. These people are allied with Saudi Arabia. They are fighting against rebels they call the Houthi rebels. The Houthi rebels are allied with Iran and in all likelihood are supplied by Iran. They fight each other. It is somewhat of a proxy war between Saudi Arabia and Iran.

You say: Don't we hate Iran so much that we have to be involved everywhere to stop Iran? I don't know. Saudi Arabia funds hatred around the world. Does Iran fund madrassas in our country? That is a really good question. I don't think I heard anybody ask it.

I am not apologizing for Iran, by any means, but Iran, to my knowledge, does not fund madrassas in our country. Saudi Arabia does. Saudi Arabia funds madrassas around the world that teach hatred of America, hatred of the West, and hatred of Christianity. By the way, if you are a Christian, don't bother trying to go to Saudi Arabia. You are not allowed in Mecca, you are not allowed in Medina, and God forbid you bring a Bible into their country. This is whom we want to send more weapons to?

What of the Yemen war? What happens as the weapons pour into Yemen? Is it possible that ISIS and Al Qaeda in the Arabian Peninsula sit by laughing and rubbing their hands, watching the war between the Houthis and the Salafis, and then step into the breach? It is what happened in Syria.

Are we not to learn the lessons of the Middle East? Are we to completely stick our heads in the sand and say: We must always give weapons, and if we don't give weapons, that is isolationism. That is, literally, what people are saying. It is isolationism not to send \$1 billion worth of weapons. To send \$1 billion less would somehow be isolationism. Well, perhaps it would send a message.

There have been people who have described Saudi Arabia as both arsonists and firefighters—throwing fuel and adding fuel to the flames and at times being our friend and being helpful, maybe giving us some information or some intelligence.

As to the Syrian civil war, nothing good has come from that civil war.

Arms have been plowed into that country from both sides, and there is nothing good. But one concrete thing has come from the Syrian civil war—millions of refugees, millions of displaced people. They have flooded Europe, and they are wanting to come to America also.

What do you think will happen in Yemen if we put more weapons in there? What do you think happens in Yemen if we put more arms into Yemen? More or less refugees? There will be millions of refugees coming. They will be flooding out of Yemen, if they can get out of there, as the war accelerates.

Does Saudi Arabia help with the refugees? Does Qatar help? Do any of the Gulf States take any refugees? Zero. Saudi Arabia has taken zero refugees. So while they fan the flames, while they send arms into Syria and arms into Yemen and bombs into Yemen, they take zero refugees from Yemen or from Syria. Somehow it always seems to be America's responsibility to pay for everything and to absorb the brunt of the civil wars throughout the Middle East.

I think there is another answer. I am not saying that we can't be allied with Saudi Arabia, but I am saying that they need a significant message sent to them. I am saying they need to change their behavior, and I am saying there needs to be evidence that Saudi Arabia has changed their behavior. This evidence needs to be that they quit funding madrassas that preach hate; that they come into the modern world and quit beheading people when they don't like what they say; that they quit beating and imprisoning the victims of rape.

I think we should think long and hard about war. I think war should always be the last resort, not the first resort. I don't think it should be easy to go to war. I think our Founding Fathers understood that. They did not want to give one man or one woman the power to declare war, the power to initiate war. That power was specifically and explicitly given to Congress.

There is something to be said about the corrupting influence of power. Lincoln said: If you want to test a man, give him power. The true test is whether a man can resist the allure of power. I think this President has, on many occasions, failed that allure, whether it is privacy or whether it is issues of war.

President Obama once was a defender of privacy and once was a defender of the Constitution, but for some reason, the power of the office has caused him to forget the constitutional restraints that disallow even him from creating, causing, engaging in war without our permission.

But there is blame to go around. For partisan reasons, we want to blame the other party sometimes, but if you look at the blame and who is to blame,

there is a great deal of blame to go around—the President for taking us to war without our permission, but even more so, Congress for its abdication of our role, our responsibility.

The last vote on going to war was for the Iraq war in 2002. We have not voted to go back to war. We have abdicated our responsibility.

There is a young man in the military currently who is actually suing over an order he was given to go to war because he said it is not constitutional for him to go to war without the permission of Congress. The President once understood this.

This is a proxy debate over whether Congress has a role, whether we are relevant in foreign policy, and whether we will stand up and do our duty. We should be debating on this floor with every Member present whether the President will be authorized to fight a war in Syria and Iraq.

We should also have that same debate on Yemen because we are involved in the war in Yemen, and everyone who loses their life there believes that it is not only Saudi Arabia that is bombing them, they believe it is us. We are refueling the bombers in midair, we are helping to choose the targets, and we have people embedded within this war zone. So make no mistake, we are at war in Yemen. We are at war illegally and unconstitutionally and without the permission of Congress.

We should immediately stop everything we are doing and debate a use of authorization of force for the Middle East. Everybody says they are for it on both sides, yet it never happens because it is messy. It is messy also because I think the American people might wake up to the facts. They might wake up to the fact that ISIS grew in the midst of a Syrian civil war. They might wake up to the fact that our involvement in the Yemen war may well make Al Qaeda stronger, may well make ISIS stronger.

This is a twofold debate. It is a debate over whether you can go to war without the authority of Congress, but it is also a debate over selling arms and whether that will be in our national interest. I think we still do own these arms. Those arms are not privately owned by a company. We paid for the research for them. They are owned by the taxpayer, and by law there are restrictions as to where they can be sold.

I don't believe Saudi Arabia is an ally we can trust. The fact is, they continue to support schools in our country—schools that preach hatred of our country, preach hatred of Israel, and preach hatred of civilization, as far as I am concerned. I just don't see how we send them the correct message by saying: You can have unlimited arms from us.

Some say this is too far. I say this is too little. But I think there will be something that occurs today. It will

occur despite what the majority wants. This is a debate, but this is not the end of the debate. If we lose the battle on the vote, we will have begun the debate over whether Congress is relevant. Whether or not we go to war without the permission of Congress, this is the beginning of the debate. Part of the victory is that we are having this debate, but mark my words—we are having this debate only because it has been forced upon Congress. No one on either side of the aisle wants this debate. If they could, this would be shuffled under the rug. It has occurred only because the law mandates that they allow it to occur. But this should be occurring on moments of war, on issues of war, and I regret that we don't do it.

I hope in the future this will be a lesson to the American people and to the Senate that it is our duty, and there is no duty above our duty to decide when and where we go to war.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Tennessee.

Mr. CORKER. Madam President, I have respect for my friend from Kentucky. We have had numbers of conversations about this. I think he is aware that I am holding up, as chairman of the Foreign Relations Committee, subsidies going to Pakistan in their purchase of F-16s. I do so because I don't believe we should be subsidizing a country that has been so duplicitous with us in so many ways.

So there are some issues we agree with, including the fact that I am glad to be having this debate. I do think Congress is playing a role today. Regardless of how you vote, Congress is exercising itself. I am glad that is occurring. I just think it is cutting our nose off to spite our face to block a sale—a sale. This is not being subsidized.

Saudi Arabia is not a perfect ally, but they have chosen to pursue and purchase U.S. equipment versus Russian equipment or Chinese equipment or some other equipment. This is a sale that benefits us. It benefits our country in a number of ways. If I may, I will lay those out one more time.

No. 1, one of the things that have occurred with the Iran deal is that we have upset, to a degree, perceptually the balance of power in the Middle East. Even the President, who brought forth the Iran deal that I opposed and the majority of people on the floor opposed, realized that was going to be a problem. He convened Saudi Arabia and the UAE and some of our other Arab allies at Camp David and suggested that we would expedite sales to these countries in order to push back against the nefarious activities that we know Iran is conducting. All of us agree with that. They are a state sponsor of terror.

So, in essence, if we block a sale to a country that we have agreed, in order to strengthen our alliance with them

and to counter what Iran is doing—all we are doing is cutting our nose off to spite our face.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. CORKER. Yes.

Mr. MCCAIN. Is it correct that in Yemen, the Houthis are a proxy for Iran?

Mr. CORKER. No question.

Mr. MCCAIN. It is true that weapons supplies from Iran have been intercepted?

Mr. CORKER. We have interdicted them several times.

Mr. MCCAIN. Is it true—would you estimate, given your knowledge of the issue, that if Saudi Arabia had not intervened in Yemen, it would now have become a client state and would have been taken over basically by the Iranians?

Mr. CORKER. I don't think that is even debatable.

Mr. MCCAIN. So you agree—

Mr. CORKER. That is correct.

Mr. MCCAIN. Isn't it true that in all conflicts—one of the great tragedies of conflicts is that innocent civilians are slaughtered?

Mr. CORKER. No question. As a matter of fact, we have actually demarched, in some ways, Saudi Arabia because we felt in some ways, using what we might call "dumb bombs," that civilians were being killed in inappropriate ways. They have moved to using other weaponry, smart bombs, and other kind of things to move away from that.

So we don't think Saudi Arabia has been perfect in Yemen. No doubt civilians have been killed. But the facts that you are stating about pushing back against an Iranian proxy are true. Had they not done that, the country would have fallen into their hands, no question.

Mr. MCCAIN. Could I ask again the chairman of the Foreign Relations Committee: Suppose that, unimpeded, the Houthis, the clients of the Iranians, had taken over the country of Yemen. What would that do? Would that, indeed, pose a threat to the Straits of Hormuz, where they are already harassing American naval vessels?

Mr. CORKER. It creates greater instability in a region that already has had tremendous amounts of it. But no question—I mean, it borders the Straits. Again, it puts more of that in Iranian hands, no question.

Mr. MCCAIN. Would it be accurate to state that your committee has held hearings on human rights, your committee has advocated improvements of human rights in Saudi Arabia, and it is the thinking of almost all of us that we want to see more progress in that direction? But at the same time, isn't it true that when we look at what Bashar al-Assad is doing, when we look at the slaughter of 400,000 people in Syria, 6

million refugees, would one assume that maybe this priority of the sponsors of this amendment might be a little bit misplaced?

Mr. CORKER. Look, I was speaking earlier about this issue, which no one knows more about than the Senator from Arizona, but one of the basic national interests that we have in the Middle East is the balance of power.

As you know well, people in our country have been far more reticent to have our own men and women on the ground in the Middle East. I mean, that is just a fact. We know that. If that is the case, then if you have a country like Saudi Arabia that is willing to push back against these efforts which, again, further Iran, it seems to me that we would want to allow them to buy equipment to be able to do that. So it helps us with the balance of power. It helps us with an ally. It helps us push back against Iran, and the thing I know you care so much about is our own readiness in the United States. It also keeps the lines of building equipment open. That could be very useful to us down the road. So I don't understand what policy objective could possibly be achieved by blocking this sale.

Mr. MCCAIN. May I ask one more question concerning the so-called 28 pages that recently have been declassified? Isn't it true that information implicates individual Saudis as having been responsible for 9/11? Isn't it true that no one disagrees with that?

Mr. CORKER. That is correct.

Mr. MCCAIN. But isn't it also true that the Government of Saudi Arabia has not been implicated by these so-called 28 pages that were going to reveal the vast conspiracy that the Government of Saudi Arabia allegedly for years had—the adversaries, shall I say, had alleged that somehow the Saudi Government was involved in? Isn't it true that the 28 pages show they were not?

Mr. CORKER. That is right. One thing that is sad about this in some ways is that everything you have said is true. But in addition to that, there are some intelligence community affidavits that go on top of these and explain even more fully that that is the case. Yet those documents, because they are classified, likely will not be made available to the U.S. public. But I have seen them, you have seen them, and others here have seen them. There is a huge misunderstanding, if you will, about what these 28 pages contain. Then, what has come after that by other intelligence agencies within our own country further state with even greater strength some of the things that you just said. There is just no evidence.

Mr. MCCAIN. So, if this proposal or this piece of legislation were passed, I would ask my friend: What message is sent? What message would be sent, sup-

posing that we voted in favor of this misguided resolution that we are now debating?

Mr. CORKER. I think it sends—

Mr. MCCAIN. Not only to Saudi Arabia—

Mr. CORKER. Yes.

No, I think it sends a signal.

Look, I don't think anybody can debate—we have had these discussions in our Foreign Relations Committee. I know you have had them in Armed Services, where you are the distinguished chairman.

I think everyone on both sides of the aisle understands what a blow to our credibility—this is not a pejorative statement—has occurred to us since August–September of 2013. People understand in the region and in the world our credibility has diminished over the redline. This is just sending a signal to people even more fully that we cannot be counted upon; that the objectives we lay out to achieve a balance of power, to help our friends, to counter the nefarious activities that everyone acknowledges Iran is conducting cannot be conducted. It is another stake in the heart about what we value most about our Nation; that is, our credibility to others.

I hope this is defeated.

I appreciate my friend from Kentucky and his feelings about this particular issue. I don't look at this as a proxy for some other issue relative to the declaration of war. That, to me, is a stretch. This is about a direct relationship and other relationships that you are referring to and—basically—demonstrating that we as a nation cannot be counted upon.

Mr. MCCAIN. I thank the Senator, the chairman of the Foreign Relations Committee, for his stewardship of the Foreign Relations Committee, for his indepth knowledge and advocacy for a strong America and strong alliances.

I think the voice you have added to this debate should have an effect, I hope, on both sides of the aisle. I thank the Senator.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, there is probably no greater issue before Congress at any time in our lives or any time in our service than whether we should go to war. I think it is a mistake to slide into war. I think it is a mistake to allow the power to declare war to default to one person. Our Founding Fathers were very clear throughout the Federalist Papers, explicitly in the Constitution, that the power to declare war shouldn't go to one person; that the power to declare war should be determined by a vote of Congress. We have abdicated that role, and the vote today is a vote over whether we should try to reclaim that power.

Some will say: Well, it is just arms, and if we don't sell them, somebody else will.

Well, you know, I don't think of national security as a jobs program. I don't think of whether we create jobs here at home. I think about the young man who lives down the road from me who lost both legs and an arm, OK? I think about the human toll of war. I think about whether there is a national security interest, but I think nothing at all about whether any jobs are created.

If we make weapons and we have a weapons industry, that is good for our country when we make them for ourselves, but when we are selling weapons around the world, by golly, we shouldn't sell weapons to people who are not putting them to good purpose. What we have found is that Saudi Arabia is an irresponsible ally.

One of the great ironies that nobody here can quite explain is that this body has voted unanimously to let the people of 9/11 sue Saudi Arabia. So we are going to let the person who we think might have had something to do with Saudi Arabia have more weapons? What kind of signal is that to Saudi Arabia?

Would Saudi Arabia be bereft of weapons if we held \$1 billion out? No. We have already sold them \$99 billion worth. They have enough to blow up the Middle East 10 times over. I think it might send them a message.

Do you know what. Stop the sale, send them a message. Do you know what the message might be? Quit funding madrasas that teach hate in our country. Don't tell us you are going to stop doing it.

Saudi Arabia, tomorrow, stop funding madrasas in America that teach hatred, that teach intolerance. Stop putting Christians to death. Stop putting people who convert to Christianity to death. Stop beheading protesters.

The one young man who is a protestor in Saudi Arabia is scheduled to be beheaded and crucified. Does that sound like somebody who is a great ally with a great human rights record?

The young woman who was raped by seven men—she was put in prison. She was told it was her fault for being alone with the man. She was publicly whipped.

Poets have been picked up around the world and brought back to Saudi Arabia to be whipped for what they write.

Do you trust Saudi Arabia to do the right things with your weapons? These weapons are owned by the American taxpayer. We built them. We did the research into them. Private companies make money off of them, but it isn't about them making money. It isn't about them getting to sell the weapons instead of Russia selling the weapons. It is about our national security.

Saudi Arabia's indiscriminate placement of weapons into the Syrian civil war has led to the rise of ISIS. ISIS grew stronger as Saudi Arabia was flying weapons to al-Nusra, Al Qaeda, and likely some of them to ISIS.

We now have a war in Yemen. Yes, we are directly involved in the war. Yes, this is a vote not just about weapons, this is a vote about whether we should be at war in Yemen. We are refueling the Saudi bombers in midair. Our military planes are, in a sophisticated fashion, refueling their planes. Do you think the Yemenis think: Oh, no big deal. You know, 3,000 citizens have died. When you go to a wedding in Yemen and you get a bomb dropped on you from Saudi Arabia, do you think you have warm, fuzzy feelings for our great ally, Saudi Arabia?

Absolutely, we should be telling Saudi Arabia what to do. These are our weapons. Do you know when they are willing to listen? It is when we argue from a position of strength.

Do you know what is the ultimate weakness? Give them what they want. Giving the arms industry what they want is the ultimate weakness. We look weak, and we look bowed before and cowed before the Saudi Arabians.

As they sit back in their long robes sipping tea, refugees bob about the Mediterranean. People are starving and displaced in Yemen. Not one of them will come to Saudi Arabia, not one of them will be allowed in the country.

Yes, this is a debate about war, and this is a debate about whether you want to be at war in Yemen. It is not just a debate about sending and selling another \$1 billion of weapons, it is about should we be at war in Yemen. It is about should we be at war anywhere without the permission of Congress.

This is not a small occurrence. This is not a small happening. This is a big deal. This is the most important vote that any legislator will ever have. Should we be at war or shouldn't we be at war?

Those who want to make this about a jobs program, about we are going to get some sales of tanks—no, it is not a jobs program. It is about young men and women dying in a war. It is about whether it is in our national interests. It is about whether we are going to be safer. Shouldn't we have a debate over whether the war in Yemen is making us safer?

We certainly should have had a debate about the war in Libya. Did that make us safer? Once Qadhafi was gone, chaos ensued. ISIS controls one-third of Libya after the war as a result of the war.

We are now bombing in Libya. We are bombing the replacement to the government we bombed. So we bombed Qadhafi into oblivion. We don't like the people who replaced him either so we are bombing them. Does anybody think that maybe it is a mistake?

This is what this debate is about. What should American foreign policy be? Should Congress lie down and be a lapdog for the President—let him do whatever he wants? That is what a vote on this will mean if you let the Presi-

dent have what he wants, if you let the arms industry have what they want because they can make a buck selling tanks into a war that is a catastrophe.

In the Wall Street Journal, Simon Henderson wrote that the chaos and violence in Yemen is such that it would be an improvement to call it a civil war.

It is hard to know who is friend and foe. Even our former Ambassador to Syria has said, in Syria, it is almost impossible to know friend from foe.

People have repeatedly written that Saudi weapons in Syria have gone to the wrong people. It is not like: Whoops, Saudi Arabia is sometimes wrong, and they are not that bad. They have a horrific human rights record. There are people who believe them to be complicit in 9/11. This body voted unanimously to let the 9/11 victims sue them, and now this body wants to give them weapons? Does no one sense the irony?

As we move forward on this vote, everyone should understand that this is a proxy vote for whether we should be at war in the Middle East because neither side—the leadership on neither side—will allow a vote on whether we should authorize force. Neither side will let the constitutional debate occur on whether we should be at war.

I see my colleague from Connecticut. Would he like to have the last word?

THE PRESIDING OFFICER. The Senator from Connecticut.

MR. MURPHY. I thank the Senator.

Madam President, I do think this is an important moment. As I said in my opening remarks, I don't think a vote in favor of this resolution fundamentally breaks the alliance with Saudi Arabia.

They remain an incredibly important partner. We will still cooperate with them with respect to other counterterrorism measures. We understand the importance of the role they play in the Middle East with respect to providing some sort of detente between Sunni nations and Israel, but friends also have the ability to part ways. Friends have the ability to call each other out when their friend isn't acting in their interests.

As we have talked about over the course of the last few hours, there is no way to read the war in Yemen as in our national security interests. There is no way to understand how the growth of Al Qaeda and ISIS inside Yemen, as a result of a bombing campaign that is funded by the United States, is in our national interests.

I hope we have a good vote because I think it will send a strong message to the Saudis that their behavior has to change, but I hope we are able to find other ways where Republicans and Democrats can come together to talk about these issues because Senator PAUL is right. We are not doing our constitutional duty. We are not performing our constitutional responsibility when we acknowledge multiple

conflicts in the Middle East that are unauthorized today—when we don't come to the floor of the Senate and do what we used to do, which is debate matters of war and peace.

Maybe war looks different today than it did 20 years ago or 50 years ago or 100 years ago, when conventional armies marched against each other, but this smells, this looks, and this sounds like war. We are providing the ammunition. We are providing the targeting assistance. The planes couldn't fly without U.S. refueling capacity.

We may not be—American pilots may not actually be pulling the trigger to drop the bombs, but we are pretty much doing everything else that is necessary for this war to continue. It sounds like we should have a say, as a coequal branch, as the article I institution, as to whether this is in U.S. national security interests.

At the very least, by saying it is time to put a pause on these arms sales—which, by the way, are happening at a pace that is unprecedented. There are unprecedented levels of arms sales, not just to Saudi Arabia but to the region at large. By saying it is time to put a pause on arms sales, we send a strong message to our ally, Saudi Arabia, that if the conduct of this war doesn't change inside Yemen, if their continued export of Wahhabism to the world doesn't change, then we all have to rethink this partnership.

Friends occasionally disagree. I think this is a moment of important disagreement. This doesn't fracture the partnership with Saudi Arabia. Ultimately, it may make our partnership stronger.

I thank Senator PAUL for leading us, and I encourage my colleagues to support this resolution.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I think it would be wonderful to debate many of the things, at any time, that any Senator wishes to debate, but to use this as a proxy for something totally unrelated, to me, is a most unusual way of approaching the other issues that have been discussed.

This has nothing to do with a declaration of war. This has nothing to do with any of those things. This is about whether we want to consummate a sale, a purchase—an arm's length purchase—between two countries that we have said, as a national policy, would help strengthen our own U.S. national interests.

If we will remember, the President actually convened—by the way, in a bipartisan way, we supported this—convened these countries to share with them that we were going to be willing to expedite the sale of arms to counter Iranian influence in the region and to continue to have the balance of power that is on the ground.

Again, I think, today, based on just the conversations I have had, Repub-

licans and Democrats are going to come together overwhelmingly to table this motion that is definitely, from my standpoint, not in U.S. national interests. I do think what they are speaking to is going to occur. My sense is, there is going to be an overwhelming vote to table this because people realize that while the optics of it—you know, Saudi Arabia, people are wondering about them, which is true—at the end of the day, a vote for this resolution, again, cuts our nose off to spite our face.

We are here to do those things that are in our own country's national interest, and I hope today we will bind together and continue to do that by tabling this motion.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I move to table the motion to discharge and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: The Senator from South Dakota (Mr. THUNE).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. Kaine) would vote "yea."

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 71, nays 27, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—71

Alexander	Daines	Menendez
Ayotte	Donnelly	Merkley
Barrasso	Enzi	Mikulski
Bennet	Ernst	Moran
Blunt	Feinstein	Murkowski
Boozman	Fischer	Nelson
Brown	Flake	Perdue
Burr	Gardner	Peters
Capito	Graham	Portman
Cardin	Grassley	Reed
Carper	Hatch	Risch
Casey	Heitkamp	Roberts
Cassidy	Hoeven	Rounds
Coats	Inhofe	Rubio
Cochran	Isakson	Sasse
Collins	Johnson	Schumer
Coons	King	Scott
Corker	Lankford	Sessions
Cornyn	Manchin	Shaheen
Cotton	McCain	Shelby
Crapo	McCaskill	Sullivan
Cruz	McConnell	

Tillis
Toomey

Vitter
Warner

Whitehouse
Wicker

NAYS—27

Baldwin
Blumenthal
Booker
Boxer
Cantwell
Durbin
Franken
Gillibrand
Heinrich

Heller
Hirono
Kirk
Klobuchar
Leahy
Lee
Markey
Murphy
Murray

Paul
Reid
Sanders
Schatz
Stabenow
Tester
Udall
Warren
Wyden

NOT VOTING—2

Kaine

Thune

The motion was agreed to.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that I be given 1 minute so I can give a short speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

NASA LEGISLATION

Mr. NELSON. Mr. President, we just passed a NASA bill in the Commerce Committee, and we are going to Mars. We are going to Mars in the decade of the 2030s with humans, and the bill sets the goal of having a colonization of other worlds. This is a new and exciting time in our Nation's space exploration program and particularly now with the human exploration program. I thought that would be good news for the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DOUGLAS WILSON

Mrs. SHAHEEN. Mr. President, I am on the floor today to raise my concern about another nominee who has been on hold in this body for months. I am sad to say that this has been an ongoing issue with the Senate. People have been nominated—good people who are very well qualified—and then their nomination doesn't get acted upon.

One of those people is Douglas Wilson, who has been nominated to serve on the U.S. Advisory Commission on Public Diplomacy. This is probably a Commission that most people don't even know exists, and yet Mr. Wilson has been on hold since June 13, when his nomination was referred to the floor. He actually was nominated by the President in March.

He is eminently qualified. He is a noncontroversial nominee. The Republican Vice Chairman of the Commission, William Hybl, has urged the Senate to confirm Mr. Wilson, and yet his confirmation remains blocked for reasons that seem completely unrelated to the nominee or his qualifications.

I believe it is time for the Senate to confirm Mr. Wilson so that the Commission can be fully constituted to carry out its important mission. Surely, these days when there are so many hotspots around the world, when there is so much going on, it would be helpful to have the Advisory Commission on Public Diplomacy in place and fully staffed up to be able to help advise on so many of the conflicts that we see going on in the world.

Doug Wilson has had a distinguished career of more than three and a half decades in the public and private sector. After graduating from Stanford University and the Fletcher School of Law and Diplomacy, Doug became a Foreign Service officer serving in posts throughout Europe and later with senior positions with the U.S. Information Agency. During the Clinton administration, he served as Deputy Assistant Secretary of Defense for Public Affairs under Secretary Cohen. Most recently, from 2010 to 2012, he was Assistant Secretary of Defense for Public Affairs, serving as a principal adviser to the Secretary of Defense.

He is a three-time recipient of the Department of Defense Distinguished Public Service Award, the Pentagon's highest civilian honor. Since 2013, he has been a senior fellow and chair of the board of advisers at the Truman National Security Project. In 2009, he was the founding chair of the board of directors at Harvard's Public Diplomacy Collaborative. I think there is no question that Doug Wilson is extremely qualified. He has worked in a bipartisan way over the years.

I have had the great pleasure of knowing Doug for more than 30 years. When I first met him, he was a foreign policy adviser to then-Senator Gary Hart. He worked in that role again when Senator Hart ran for President in 1984.

The fact is that the work of the U.S. Advisory Commission on Public Diplomacy has never been more important and urgent. One of the great foreign policy challenges of our day is countering the poisonous ideology of violent extremist groups. Another is countering Russian propaganda and Russian meddling in Europe and central Asia. The Commission plays an important role in helping our Nation address these challenges, and we need people with the right experience and the right judgment to serve on that Commission—people like Doug Wilson.

I am disappointed that this nomination of someone so eminently qualified—someone who has support on both

sides of the aisle and from the Republican Vice Chairman of that Commission, Mr. Hybl—continues to remain on hold before this body. I don't know why. For some reason someone has objected to this moving forward. We don't know who that is. We don't know what their objections are.

That is one of the challenges we have in this body that needs to change if government is going to operate the way the people of this country expect.

So I am going to keep coming to the floor. I am going to keep trying to move Doug Wilson's nomination, as I have since June. I am hopeful that at some point the majority will hear these concerns and agree that we should approve him and make sure that this Commission is fully functioning.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that I be recognized, and following my remarks, Senator CASEY from Pennsylvania be recognized, followed by Senator SANDERS from Vermont, followed by Senator WARREN from Massachusetts, and followed by Senator ALEXANDER from Tennessee.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 1878

Mr. ISAKSON. Mr. President, this is somewhat of an unorthodox way to ask for a UC, but we are going to go through a process this afternoon talking about a bill called the Pediatric Rare Disease Priority Review Voucher Act, which expires on September 30 of this year.

All of those names I just mentioned have a stake in this particular debate and I am going to lead it off. Then, I am actually going to refer to my colleague from Pennsylvania, Senator CASEY, my friend and coauthor of this legislation for the purposes of the UC motion, and then we will go from there.

Mr. President, I fell in love with my wife in 1968 and married her 48 years ago. We have had a great marriage. But in 2004, I fell in love with Alexa Rohrbach, the young lady to my left who you can see on the screen here.

Alexa had neuroblastoma, an incurable cancer of the brain. She came to Washington, DC, lobbying us to try to accelerate the research into rare diseases for children and to try to find cures for them. I got interested, and I went to the Children's Hospital of Pittsburgh, PA, where Senator CASEY is so active. I am active in children's health care in Atlanta, and I saw many of the breakthroughs for cancer and other diseases of children. BOB CASEY and I got very interested in seeing what we could do to further the development of new drugs coming into the marketplace to save lives and make the quality of life better. Such was my

desire to be, hopefully, the guy who prompted some researcher somewhere to develop a new program that would research neuroblastoma and would correct it so that Alexa Rohrbach could sit by me today.

Five years after I met her, Alexa Rohrbach died, but my passion for trying to meet the request that Alexa had lobbied for did not go away. It actually burned brighter. So Senator CASEY and I got together and developed the FDA Rare Pediatric Disease Priority Review Voucher Act, and passed it 5 years ago. That bill provided, as an incentive for companies to develop breakthrough drugs, a priority review voucher for future drugs that would incentivize them to work harder to develop new drugs. Such has been the case in a number of things that have happened, and I am very proud that took place.

But that program is expiring September 30. I want to see to it that it is extended. It is an incentive that incentivizes the right thing to happen for the right people for it to happen for, and it doesn't cost the taxpayer any money, but saves lives and it makes their quality of life better.

There will be objections that you will hear from Senator SANDERS and Senator WARREN and maybe others about this—that or the other, in terms of pharmaceutical companies or in terms of trying to do a package of bills together—but there is no reason whatsoever to object to a unanimous consent to adopt the extension for 5 years for this proven program.

Some of those who will object have written letters to the FDA encouraging programs like this to exist—one of them being Senator WARREN from Massachusetts, who on the April 15 of this year signed this letter to the FDA, urging the acceleration of development of a breakthrough drug for Duchenne disease. By the way, on Monday of this week the Sarepta Therapeutics company in Boston, MA, was approved by the FDA for the development of a new drug that is the first drug to treat Duchenne muscular dystrophy, a disease that affects 1 in 3,500 boys who are born, limits the quality of their life, and, in many cases, causes death. That process was developed through the work of a company. We want to make sure that companies are incentivized to make those types of breakthroughs again. There are so many companies where, if given the right incentive and the right opportunity, breakthroughs can be developed. Lives can be saved, and the quality of life can be better.

We will hear all kinds of arguments about pharmaceutical companies, and you will hear arguments about this, that, and the other. The facts of this matter are clear. This bill is an incentive that for 5 years has incentivized the development of new breakthrough drugs to cure diseases and ailments that affect children in America. It is an

incentive that is right, it is not an incentive that is wrong, and it works.

Any objection to it for any reason whatsoever—such as that it ought to be included with another package of drugs or that because pharmaceutical companies develop breakthroughs, we shouldn't do it, is a bogus argument.

I will be glad to debate anybody, anyplace, anywhere if you are talking about a philosophical difference, but by golly, I will not debate them about delaying something that can expedite a cure being developed in the United States of America for a disease that kills children.

So when BOB CASEY and I ask for unanimous consent today to approve the bill, it is only approving an extension for 5 years of a bill that is in place and has worked. It doesn't cost the American taxpayer a dime but may save the life of an American taxpayer and their children. That is a good thing for us to be here for. That is the reason I am still here today at age 71. It is to see to it that I make some contribution to the furtherance of health and the quality of life for every child in America.

It is my hope that at some point in time in this debate before we get to the end of the year, those who have adversarial reasons to object to a unanimous consent for an extension of 5 years will come to the reality that we are doing the right thing for the right reasons. It is not partisan. It is not political. It is practical, and it is right.

I publicly want to thank Senator BOB CASEY from Pennsylvania for being my partner throughout this development, and I encourage every Member in the Chamber, when they have the opportunity, to vote for the health of our children, to vote for the extension of their lives, to vote for the development of new cures coming through and the research and development and incentives to cause that to happen.

With that said, I yield to Senator CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to thank my colleague from Georgia for his good work to advance the process. I offer the following consent request:

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 415, S. 1878; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Thank you, Mr. President.

Mr. President, it goes without saying, to pick up on Senator ISAKSON's point, that there is nobody in this body who does not want to see cures as quickly as possible for the terrible diseases that are taking the lives of children in this country. That is not the debate. Nor I think is it the debate that we need research and development to get us a cure of cancer, to get us a cure of Alzheimer's disease, to get us a cure of diabetes, and so many other diseases that are shortening the lives of people in our country and around the world. We must work together to make that happen.

In my view, if we understand that it is imperative that we try to come up with cures to these terrible diseases, there is no debate, I would hope, that the U.S. Government and institutions like the National Institutes of Health and the Food and Drug Administration must play, as they have historically done, a major role in finding cures for these diseases, easing suffering and expanding life expectancy. I don't think there are too many people here who would disagree with that.

But in order to do that, it is clear that we are going to require a well funded National Institutes of Health and a well-funded Food and Drug Administration. I must say, it is beyond my comprehension that year after year, my Republican colleagues appear to work overtime to provide tax breaks to billionaires yet refuse to adequately fund the NIH or the Food and Drug Administration. What set of priorities can anyone have that makes sense to anybody in this country that says: Yes, we are going to give tax breaks to billionaires and large corporations. But no, we are not going to adequately fund the major institutions in this country that are leading the effort to find cures of the terrible diseases that impact our children, our seniors, and everybody in this country.

I would hope that my Republican colleagues listen to the American people and get their priorities right. Poll after poll says no more tax breaks for the rich. Let's invest in health care. Let's invest in cures for the children's diseases that Senator ISAKSON talked about—cancer, Alzheimer's, and all the rest.

Second of all, just ironically and incidentally, I just asked through my Web site for the American people to send me information on what is going on in their lives with regard to prescription drugs. Every so often, we do that. We sent out an email, and we do Facebook so they can tell me what is going on with regard to their life and prescription drugs. Not surprisingly, the vast majority of the comments we received—and we received about 1,000 comments from people all over this country—are from people who are outraged by the high costs of prescription drugs in this country—a cost that is going up every single day.

People are walking into their pharmacies today and seeing the price of medicines that they have had for 20 years double, for no explanation other than the fact that the drug companies can do it and are doing it so they can make outrageous profits.

In this country, we pay the highest prices in the world for prescription drugs. Senator ISAKSON talked about the terrible diseases facing our kids. He is right, but do you know that every year there are thousands of people in this country who are dying because they cannot afford to pay the highest prices in the world for prescription drugs, while last year the pharmaceutical industry made \$50 billion in profit? The top five companies made \$50 billion in profit.

One out of five people in this country, Senator ISAKSON, when they go to the doctor's office and they get a prescription, you know what, they can't afford to fill that prescription. Talk to the doctors in Georgia. Talk to the doctors in Tennessee. This is what they will tell you: We write the prescriptions, but working class people can't afford to fill them. We have received letters from oncologists all over this country who tell us their cancer patients cannot afford the outrageously high costs of the medicines people need to stay alive.

Maybe, just maybe, it might be time for the Senate to stand up to the pharmaceutical industry and all of their lobbyists here and all of their campaign contributions and say: We are going to stand with the American people who are sick and tired of being ripped off by the drug companies.

Let me read just a few—I am not going to read 1,000 letters, just a few—to give an indication of what is going on in America.

Mark from Plainville, CT, wrote to us and said that his drug for Crohn's disease went up from \$75 a month to \$700 a month. Is anyone here concerned about that? He is worried that he may die. This is what he writes to me:

I am no longer treating my Crohn's disease. I am in a lot of pain and will eventually develop colorectal cancer and die. I am 39 with a wife and two daughters. We simply cannot afford this medication any longer. I have had to leave my job and I am now trying to freelance from home with no success for 4 months. Our home is about to be foreclosed. Is that of interest to my Republican friends or is that not important?

Amanda from Bartlesville, OK, shared this story of her husband's gout medication:

He pays more than \$300 a month for a medicine that was \$4 in 2010.

Maybe someone can explain to me how a medicine that was \$4 in 2010 is \$300 a month now.

He is now disabled because he cannot afford the medicine he needs.

Heather in Taos, NM, cannot afford her EpiPen. We have heard a whole lot

about the high price of EpiPens. She said:

I basically haven't had one in years that is not expired. Just hope I don't get stung or I will die.

John in Anchor Point, AK, cannot afford his insulin, which jumped from \$1,400 to \$1,600. He said:

I skip buying groceries when picking up meds. Went home and scraped by. Sold possessions to make ends meet so we can buy food.

Jerry from Lincoln, NE, cannot afford Gabapentin for shingles. It was \$35, and it is now \$75.

Trish from New Jersey stopped taking her breast cancer medication because it went from \$25 to \$225 for a 3-month supply. Is anyone concerned about that?

Of course we want new drugs to cure diseases, but those new drugs won't do anybody any good if people can't afford them.

We have seen scandal after scandal in the last few months and years. Gilead sold Sovaldi, a drug for hepatitis C, for \$1,000 a pill. Mylan raised EpiPen prices by 500 percent over the last several years, to more than \$600. Martin Shkreli raised the price of Daraprim, a lifesaving AIDS medication, by 5,000 percent. Are we concerned about that? I hope some of us are.

Above and beyond the fact that the pharmaceutical industry is ripping off the American people, the FDA itself tells us that this voucher approach doesn't work. The Government Accountability Office released a report in March that found that there is no evidence this program works to incentivize drug development. Not only does the program not work, it actually slows down the review time of drugs that are clinically important. When one of these vouchers is used, that means FDA staff must take time away from reviewing priority medication in order to review drugs that have bought a pass to the front of the line. By moving one drug faster, more important drugs may move slower.

What we do know is that these vouchers sell for hundreds of millions of dollars. One recent example from last year is that a drug company, United Therapeutic, sold a priority review voucher to another major drug company, AbbVie, for \$350 million.

While nearly one in five Americans cannot afford to fill their prescriptions, the top five drug companies made a combined \$50 billion in profits last year.

There are many reasons why we pay such outrageous prices, but one reason is we continue passing laws written by the pharmaceutical industry and their lobbyists year after year after year. I believe the American people should know that the pharmaceutical industry has spent more than \$3 billion on lobbying since 1998. How is that? Democracy at work. Drug companies charge

us the highest prices in the world, and the pharmaceutical industry spent \$3 billion on lobbying. They are all over this place, high-priced lobbyists trying to get us to pass pharma legislation. Just last year the pharmaceutical industry spent \$250 million on lobbying and campaign contributions and employed some 1,400 lobbyists. Maybe the working families of this country need some protection against these lobbyists.

I certainly want to do everything I can to see that this country comes forward with cures for children's diseases and diseases that impact so many Americans of all ages, but we are going to have to have the courage to start taking on the pharmaceutical industry and representing the American people. So I am offering an amendment, along with Senator WARREN, which I hope will pass, which will extend this program, which is going to expire at the end of September, to the end of the year. That will give us an additional 3 months to work together to come up with some serious legislation that addresses not only children's issues but the health care and needs of millions of Americans in general.

I look forward to working with my friends on the other side to come up with a good solution to protect the American people from the outrageously high cost of prescription drugs in this country.

Reserving the right to object, would the Senator modify his request to include the Sanders amendment which is at the desk?

The PRESIDING OFFICER. Is there objection to the modification?

The Senator from Tennessee.

Mr. ALEXANDER. Reserving the right to object, as chairman of the Senate Health Committee, I will object, but I will work with the Senators from Pennsylvania, Georgia, Massachusetts, and Vermont to do what we need to do during the rest of the day so that the Senate will be able to adopt an extension of this important program to the end of the year, which I think we should be able to do.

I will reserve the remainder of my remarks until the Senator from Massachusetts has a chance to speak.

I object.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Mr. SANDERS. Yes, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise in support of Senator SANDERS' objection and amendment. Massachusetts is home to many of the Nation's best scientists and most innovative biomedical companies. I believe we have a moral imperative to save money and save lives by expanding medical innovation in the United States.

I have been here for almost 4 years. I have spent nearly the entire time working both publicly and privately to try to fix the broken medical innovation system in this country. I will be blunt: It has been maddening because we know what we need to do to fix this problem. We know that medical cures come from taxpayer investments in basic research, followed by private industry making its investments to turn that research into viable treatments. Nobody in Congress seriously disputes that.

Every single person I have talked to here says they support increasing funding for the National Institutes of Health. Yet for over a decade Congress has decimated the NIH's budget. It has effectively been cut by nearly 25 percent. Those cuts are singlehandedly choking off support for the projects that could lead to the next major breakthrough against ALS, Alzheimer's cancer, and rare pediatric diseases. Those cuts are driving scientists out of the country or out of research entirely. Those cuts are discouraging a whole generation of brilliant young researchers who see no path to launch the work that could save millions of lives. Only in Washington can every single elected official say they are committed to fix something and then do nothing.

Newt Gingrich and I do not agree on much of anything, but we teamed up last year to plead with Congress to address this travesty. Newt Gingrich said: "To allow research funding to languish at a time of historic opportunity when you could be saving lives and saving money takes a special kind of stupidity that is reserved for this city." I agree.

For 2 years, Republicans in the Senate have claimed loudly that they want to do something about this. For a year they talked to Democrats about a comprehensive, bipartisan package that would include investments in NIH and FDA. Then one day they stopped talking and instead started pushing a bunch of small, piecemeal bills through the committee, all without a single dime of new money for medical research, and then declared themselves the conquering heroes of medical innovation.

Now, look, I support some of these bills. I helped write some of these bills. Others, like the Advancing Hope Act, I have serious concerns about. But without new funding for medical research, this bundle of bills will not move the needle on medical innovation. The Advancing Hope Act is an example. I support getting more transformative cures for pediatric rare diseases, but the Advancing Hope Act doesn't put a dime of additional money into medical research or approval—not one dime. This bill just hands drug companies vouchers so they can jump to the front of the line at the FDA. The drug companies

love it. Most of them have turned around and sold off their vouchers, sometimes for hundreds of millions of dollars. But the FDA has said there is no evidence this program is effective at incentivizing drug development for rare pediatric diseases.

Who knows what breakthrough cancer or Alzheimer's treatment now takes longer to approve because some giant drug company uses a voucher to move something more lucrative but less important to the head of the line. I am not opposed to these vouchers under any circumstances, but without more, these vouchers cynically ask people with diabetes and people with breast cancer to fight the parents of children with rare pediatric diseases over who gets approved first.

I want cures, and to get them, we need to put more money into the NIH so that we can cure more diseases. We need to put more money into the FDA so they can approve everything that is worth approving as quickly as possible.

Senate Democrats have made their position clear. Whatever our views on these individual policies, we do not support moving piecemeal bills without a real, bipartisan agreement on new investments. Every Democrat on the HELP Committee has cosponsored a serious proposal to provide \$50 billion in new mandatory NIH and FDA funding. Republicans have put no proposal on the table—nothing. Chairman ALEXANDER said publicly that he understood the importance of getting this done, but it has been months and we have seen nothing.

The supporters of this expiring voucher program want to extend it to the end of December. I am willing to do that. I will join Senator SANDERS in that.

I believed Chairman ALEXANDER's promise to work in good faith on a bipartisan package that will actually fix medical innovation in this country. Despite months of silence, I still believe it. I want to give him every opportunity to keep that promise.

If Republicans want to ignore the real problems here and play political games instead, if they want to cynically use sick children and desperate moms in the runup to an election as a political football to avoid actually doing the right thing by these families, I cannot stop them, but I will not play along.

We are losing an entire generation of scientists and researchers because Congress will not face the hard fact that medical research takes money. We are forfeiting cures and treatments that could help people all across this country because Congress will not make the investments in basic research. We are losing our mothers, our fathers, our sons, and our daughters because Congress plays politics with people's lives. I will not play along, and I will do every single thing I can to get the

funding we need to support real medical innovation in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. First, Mr. President, I congratulate Senator CASEY and Senator ISAKSON for doing a terrific job of being excellent Senators and coming up with legislation a couple of years ago that has helped children.

We have now heard from the only two U.S. Senators in the whole body, so far, who have voted against this bill this year. We have 22 members on our HELP Committee—Health, Education, Labor, and Pensions. We voted to extend this bill another few years because it has been so successful. The vote was 20 to 2.

You just heard from those very eloquent Senators. They don't like Republicans, they don't like drug companies, they don't like billionaires, and they asked the question: Well, is anybody listening?

I am listening. Whom do we care about? Let's talk about these 7,800 children at St. Jude's Hospital in Memphis. These are children who are very sick. Many of them will die prematurely. Every single one of them has free care at St. Jude's Hospital thanks to the contributions of many people.

This is what the doctors at St. Jude's Hospital say about the proposal Senator ISAKSON and Senator CASEY have made that has been in the law since 2012 and received 20 votes in our committee against the two votes of the Senators who are on the floor.

St. Jude's doctors who are taking care of these very sick children say:

Priority vouchers (PRVs) provide a very powerful incentive to stimulate drug development in rare pediatric diseases.

Does anybody care about these children in Memphis—

These aren't some people in Washington, in bureaucracies. These are doctors caring for dying children.

The doctors continue:

These conditions often lack the market opportunity to attract significant investment, or may present other significant development obstacles and costs that may deter investment from biopharmaceutical companies.

We may not like drugmakers, but if we need new drugs for dying children, who is going to make the drugs if the drugmakers don't make them? Some bureaucrat in Washington? Some committee member of the Senate? No, no—someone who knows how to make drugs.

This proposal that has been on the books for 5 years says that we will provide an incentive to help these children. It has worked. We voted 20 to 2 in our committee—which is about equally composed of Democrats and Republicans—in favor of extending it. It is important for the American people to know that.

According to the doctors at St. Jude's Hospital in Memphis—remember, they have 7,800 very sick children they are caring for today. They say:

We have witnessed strong evidence that the programs are working.

The Isakson-Casey bill is working.

Continuing:

Support for the Voucher Program is key to facilitating access to new agents important to improving outcomes in pediatric cancers.

We have considered this the way U.S. Senators are supposed to. We brought it up in our committee. We debated it. We had amendments when they were offered. We voted on it, and we voted 20 to 2.

The House of Representatives has also considered this legislation. It has enacted this. This would be part of our 21st century cures legislation that we hope the entire Congress will approve before we leave at the end of the year, but the bill expires at the end of this month so we need an extension.

Every day we delay creates more uncertainty in the marketplace and makes it less likely that some drugmaker is going to create a new drug to help these children. Now, we may not like drugmakers, some of us; we may not like markets, some of us; we may not like Republicans, some of us; we may not like billionaires, some of us, but if the drugmakers don't make the drugs to help these children, who will do it? When we have an entire committee that has worked through this, I think it is very unfortunate that we don't take the time to extend this for a period of time to create the kind of certainty we need.

On the 21st century cures legislation the Senator from Massachusetts, a diligent Senator and a good member of the committee, talked about, apparently, she is not paying much attention to the work we are doing on the bill. It has been my top priority. I have worked on it daily with Senator MURRAY, the ranking Democrat. I have worked with the President and with the Vice President. We have a bill that the President of the United States would like us to pass because it addresses precision medicine, his top priority.

This same bill addresses the Cancer MoonShot, the Vice President's top priority. The Speaker of the House of Representatives is turning somersaults to try to find a way for us to be able to find the money for that, as well as opioids and other important projects we would like to fund. The majority leader of the Senate has said that if we are able to agree on this bill, it will be the most important bill we will pass this year.

We are doing a very good job in our committee of getting to the point where we can actually turn something into law that the President, the Vice President, the Speaker of the House, and the majority leader would all like

to see happen. I thank Senator CASEY and Senator ISAKSON for their help in doing this. My hope is that we can work together, finish our work on this, and pass it shortly after we come back in November.

My last point, regarding doing nothing on funding, is that I don't know what budgets people are reading. Let's stop and talk about this a little bit. Let's talk about the Food and Drug Administration.

According to Mercatus, in 2000, the FDA was funded at a little over \$1 billion. In 2015, that number is \$4 billion. We are about to look into a series of agreements next year, which we will have a chance to vote on, that will add billions of new funding to the FDA.

In our 21st century cures legislation, there are provisions to allow the Commissioner of the FDA to recruit and hire more of the talented experts he needs—another reason we need to pass that bipartisan legislation.

What about funding for research in the United States? According to the New England Journal of Medicine, today the United States—both through the government and through our pharmaceutical companies—spends nearly as much on biomedical research as all of Europe, all of Japan, and all of China combined.

Let me say that again.

According to the New England Journal of Medicine, the United States of America—publicly and privately—spends nearly as much on biomedical research as all of Europe, all of Japan, and all of China, combined. In addition to that, I think the number is about \$32 billion that we now spend through the National Institutes of Health, mostly on biomedical research at major universities.

I try not to spend my time talking about Democrats. I notice my friends on the other side often say Republican, Republican, Republican. I get a little tired of that because we are working together to get something done, but we do have a Republican majority. Last year, it was under the Republican majority that we added \$2 billion to the National Institutes of Health.

Senator BLUNT led that, but I want to give credit to Senator MURRAY, who is the ranking Democrat on that committee, because without Senator MURRAY and Senator BLUNT, it wouldn't have happened. But give Senator BLUNT credit for it, he happens to be a Republican, if we are being partisan about it. How much money is that? That is \$20 billion over the next 10 years.

This year, the same committee, Senator BLUNT of Missouri and Senator MURRAY of Washington, added another \$2 billion for the National Institutes of Health. Over the next 10 years, that is \$20 billion more dollars. We are up to \$38 billion of new money for the National Institutes of Health over the next 10 years.

If anybody has been paying attention to anything I have said over the last 6 months or any of the discussions I have been having with the President, the Vice President, and the House of Representatives in our committee, we have been talking about \$6 billion, \$7 billion, or \$8 billion additional dollars for Cancer MoonShot, for precision medicine, for the BRAIN initiative, for regenerative medicine, and for a number of things that need to be done. This is the most exciting time in biomedical research we have had. What I just added up was \$20 billion, plus \$18 billion, plus \$6 billion or \$7 billion. That adds up to \$44–\$45 billion of new dollars for the National Institutes of Health over the next 10 years.

While it took bipartisan cooperation, let's say it: We do have a Republican majority in the U.S. Senate, and that is our agenda. That is what we want to do. We just don't talk about it in a partisan way because we usually get better cooperation and better results when we give credit to the other side, which I am pleased to do.

Maybe you don't like drug companies. Then who is going to make the drugs?

We are not talking about drug companies today. We are talking about 7,800 children who are very sick at St. Jude's Hospital and receiving free care. Their doctors have told us that if we don't pass the Isakson-Casey legislation for several more years, we are going to make it less likely that these children will live—less likely that they will live. That is what we are talking about.

We could have a big debate about drug companies. We can raise taxes on billionaires. We can talk about Republicans and Democrats. Let's do that another day. Let's get back to business. Let's do our quiet work in a bipartisan way, which is the way we try to do it in our committee and we have done it. We have had 45 hearings. Forty-one of them have been bipartisan hearings where we have agreed on the witnesses. We get more results than about anybody, but we don't get results by making speeches about each other and making speeches about subjects that aren't the real subject of the day. The real subject of the day is 7,800 very sick children at St. Jude's Hospital.

Their doctors are telling us that if we don't continue incentives that are already working, according to these doctors, if we don't provide more incentives to drugmakers to make the drugs for rare diseases that will keep these children alive, then we aren't doing our job.

I thank Senators ISAKSON and CASEY. By the end of the day, I hope we have accepted Senator SANDERS's motion to extend the program until the end of the year.

What I also hope is, when we come back in November, we will have an

agreement—as we are perfectly capable of doing—that begins to move treatments and drugs through the FDA more rapidly so they can get into the medicine cabinets and the doctors' offices at a lower cost and more quickly; that we will have several more billion dollars of funding for the National Institutes of Health; that we will focus on the President's Precision Medicine Initiative with some of that money, on the Vice President's Cancer MoonShot with some of that money, on the BRAIN Initiative with some of that money; and that we will give each other a little bit of a pat on the backs for this past year, appropriating \$20 billion more over the next 10 years for NIH and putting another \$20 billion in appropriations bills this year.

I look forward to the end of the day, when hopefully Senator SANDERS's motion will be adopted and the Isakson-Casey program, which has worked so successfully for these children, will be extended for long enough to create enough certainty in the marketplace so drugmakers will make rare drugs to help these children live. Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Vermont.

Mr. SANDERS. Mr. President, let me say to Chairman ALEXANDER, I certainly look forward to working with him over the next several months to come up with a package that makes certain we do everything we can to cure childhood illnesses, which otherwise would be fatal, but that we also understand it is not just 7,800 beautiful kids in that hospital, but there are millions of people in this country who are suffering today because they cannot even afford the medicine that is on the market at the same time as five drug companies—it is not a question of disliking drug companies. It is a question of fact. Five drug companies made \$50 billion in profits last year, charging our people, by far, the highest prices in the world for medicine. One out of five Americans who are sick cannot afford the medicine they need.

An example, one small example, this is the chart of drug prices in the United States versus Canada, with EpiPen, which is on the front pages today. In the United States, it is \$620; in Canada, it is \$290.

Why are we paying twice as much for the same product as a country 50 miles away from where I live?

Crestor, for high cholesterol, is \$730 in the United States, \$160 in Canada. Premarin, for estrogen therapy, is \$421 in the United States, \$84 in Canada.

Look, I have been around the country in the last year, and there are few Americans—very few—who do not understand that the greed of the pharmaceutical industry is causing terrible health problems for millions of people. I read some examples. There are people who are dying because they can't afford the medicine they need. People are

cutting their pills in half, which should not be done.

So I do look forward to working with Senator ALEXANDER in the next couple of months to see how we can, in fact, come up with legislation that begins to address one of the great health care crises facing this country, and that is the high cost of prescription drugs and the need to make medicine available to all of our people at an affordable price.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I see other Senators on the floor who wish to speak, and I will let them do that. Maybe Senator CASEY wishes to conclude.

I look forward to working with Senator SANDERS. He and I have some different points of view, which I guess is obvious, but we can talk about drug companies. We can talk about the fact that one drug company has spent \$3 billion since 1989 on Alzheimer's and is about to offer to the American people a way, for the first time really, to prevent the progression of Alzheimer's, we hope. This is public information currently in clinical trials. Another drug company is about to offer, hopefully, medicine that may actually help Alzheimer's before the symptoms are shown, which would be terrifically important in terms of the grief that we will avoid for Americans and the cost that terrible disease is causing. But that is \$3 billion spent without any "profit" yet. That is what a marketplace allows. Now, in marketplaces there can be abuses. My point of view is that, generally, what you want to do is have the most amount of competition in the marketplace possible, and that is what we can talk about as we go forward.

I don't think we gain much when we give these speeches about Republicans and Democrats. I don't think people like to hear it; maybe they do. I don't give them, but I am doing it today just because I have heard so much of it from the other side. I don't like it, frankly; I don't like it at all. I mean, I never got a result by talking about my opponents' political party. I never moved an education bill through without giving credit to the other side, and a genuine amount of credit.

I didn't mention that the President himself, with whom I am working on 21st century cures, proposed in his budget to cut the National Institutes of Health by \$1 billion. I could come down here and say that. I could have gone to the committee hearing and said that. I never mentioned it in the hearing because my goal was not to embarrass the President or make a political point. My goal was to see if we could find some consensus to move ahead at the most exciting time of biomedical education. And 20 of the 22 of us voted for this bill.

So I would like to ratchet down the partisan rhetoric. If people want to

point out the difficulties with drug companies and with the marketplace and with Republicans and billionaires, there is a time and place for that. But today we are talking about these children—the 7,800 children at St. Jude Hospital. Doctors have told us that if we extend the Isakson-Casey bill for a period of time to give enough certainty so that drug makers will make more drugs to deal with rare diseases, these children will live longer. And 20 of the 22 of us agreed with that, and we would like to see it move forward.

So I am delighted to work with the Senator from Vermont and the Senator from Massachusetts. I am glad we have a temporary solution that will take us through the end of the year, but that is not the best solution because it still provides a lot of uncertainty and will not do as good a job as the doctors say we should do.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, first of all, I want to thank my colleagues for being here today to debate these issues. I appreciate Senator ISAKSON's work with us—Senators SANDERS, WARREN, and ALEXANDER.

I think we agree on two things, believe it or not. No. 1, both sides of the aisle here want to make progress as it relates to curing rare pediatric diseases. That is No. 1. I think there is agreement on that. No. 2, there is agreement to extend the existing program, which has already helped enormously to advance that first cause. We are in agreement to extend that until the end of the year. That is a bipartisan agreement. We will work out the details for that, and we will keep working on these issues when we get back.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Democrats control the next 30 minutes and the Republicans control the following 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ST. CLOUD, MINNESOTA, STABBINGS

Mr. FRANKEN. Mr. President, I rise today to discuss the Central States Pension Fund crisis and a proposal to address that, but before I do, I want to take a moment to talk about the horrific events that unfolded in St. Cloud, MN, this past weekend.

The investigation is ongoing, but we know that last Saturday evening a man dressed in a security guard uniform took to the Crossroads Mall in St. Cloud, MN, and senselessly stabbed nine people. Fortunately, they have all been treated and discharged. This was a heinous attack, and I hope that all the victims and their families know

that Minnesotans are thinking of them.

Mr. President, I also want to commend the actions of Jason Falconer, the off-duty police officer who bravely stopped the attacker before he could hurt anybody else. If it weren't for him, we could have seen many more injuries and even the loss of life.

I also want to thank the St. Cloud police force and the police chief, William Blair Anderson, who set an example of how to lead during a crisis. I also thank the first responders and the doctors and the nurses for taking care of the victims.

This event has shaken the city of St. Cloud and our entire State. Such senseless and hate-filled acts have no place in our society. Minnesota law enforcement and the FBI are investigating this event to see whether there were connections between the suspect and terrorist groups and what the motivations of the attacker were. We are going to get to the bottom of what happened.

CENTRAL STATES PENSION FUND

Now, Mr. President, I am pleased to be joined by my colleagues to highlight a very important issue, the multiemployer pension system, which is facing severe funding shortfalls, and what that means for hundreds of thousands of retirees who will get their pensions cut if these funds fail.

Over the last year, a number of my colleagues came to the Senate floor to talk about protecting the pensions of the United Mine Workers of America, the miners who toiled for years in dark, dirty, and dangerous mines to power our country. I am pleased the Committee on Finance has now taken action to begin moving a bill to address that issue.

But today we are here to talk about another group of retirees who face drastic pension cuts. The Central States Pension Fund provides pensions for 22,000 blue-collar workers in Minnesota and nearly 400,000 nationwide. However, it faces a funding shortfall that means those retirees, including elderly workers and widows and the disabled, could face draconian cuts in less than a decade if Congress fails to act.

Mr. President, those who work hard and are promised retirement security ought to be able to retire with dignity. That is a promise Congress made in 1974 when it enacted a law that guaranteed pensions would not be reduced, and that is what workers thought they could count on after years of hard work. But now that promise may be broken.

If we break that promise, workers like Ken Petersen of South St. Paul, MN, will face spending the rest of their lives in poverty. Ken spent 30 years driving trucks as a Teamster before he retired in 2003. If the Central States fund is allowed to fail, Ken and his

wife's retirement plans will be shattered and they will face financial uncertainty for the rest of their lives.

It is wrong for us to abandon the blue-collar Americans who earned a modest retirement after a lifetime of work, and I am not going to stand idly by while those workers have their retirement and their dignity taken away from them.

My approach would be to close a tax loophole that no one defends. It is called carried interest and allows Wall Street bankers and private equity fund managers to pay lower tax rates than most of the Central States Pension Fund members who drive trucks for a living pay. Again, to be clear, no one defends this loophole—not Democrats, not Republicans, and neither of their Presidential candidates. And closing it is one way we could help make sure our retirees get the pensions they have earned.

According to the Joint Committee on Taxation, this loophole will cost taxpayers \$15.9 billion over the next 10 years. That is enough to make sure Central States' retirees are able to have a secure retirement, and I think is a much better use of that money than giving an indefensible tax break to a relatively small group of already very wealthy people.

Here is how carried interest works. When most workers, such as those in the Central States fund, earn a paycheck, their income is subject to tax at ordinary income tax rates. But private equity fund managers have been claiming their income is different simply because their job involves managing money. As a result, they pay taxes at the special low rate reserved for capital gains even if they are risking no money of their own. The same is true for managers of hedge funds if, say, a stock their fund has held for a year—stock bought with their investors' money—is sold for a profit. The manager gets a percentage of the profit, but they pay capital gains on that income even though they didn't risk any of their money.

People who worked hard—like those truck drivers—were guaranteed their pensions would be there. It is up to us to keep faith with those people by closing this loophole. Again, no one defends this.

Let's not forget what happened on Wall Street less than a decade ago. Risky bets by hedge funds, private equity funds, and big banks caused the biggest financial crisis of our lifetimes. And when that happened, Congress bailed out the banks with \$700 billion of taxpayer money.

Today, those banks and private equity funds are back to business as usual, but retirees from funds like Central States, which was fully funded before the financial crisis, haven't received the same support. Instead, they are going to be facing devastating cuts

at times in their lives when they can least afford them.

The hypocrisy is clear, but so far, my colleagues on the other side of the aisle haven't been willing to propose real solutions to fix the pension crisis. Instead, they are offering paper solutions that put the burden entirely on beneficiaries or simply kick the can down the road.

We need a real solution, and that is going to require us to take a good look at our priorities. Do we want to continue to subsidize Wall Street or do we want to help the hard-working men and women who dedicated their lives to driving our trucks, keeping us safe, and maintaining our roads?

I think we need to acknowledge that Federal funds are going to be needed to keep the promises made to our retirees. Our Tax Code is riddled with loopholes that could be closed to fix this problem, but let's start with the most obvious and absurd tax loophole. We should close the carried interest loophole that helps private equity fund managers and hedge fund managers, and invest that money in the hardworking Americans whose retirement is being threatened.

I yield to Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to also speak about the Central States Pension Fund, and I acknowledge my other colleagues speaking on it, Senator FRANKEN and Senator BROWN as well as Senator WYDEN. I appreciate your being here, as well as the ranking member on the Finance Committee.

ST. CLOUD, MINNESOTA, STABBINGS

Mr. President, before I address that, I also want to address the horrific act of violence that occurred at the Crossroads Center mall in St. Cloud. This is a mall that I have been to many times. It is a thriving mall. A lot of people in that area go there, and, in fact, their sense of safety was shattered that evening. There were 10 victims. At first they thought there were 9 victims, but a video showed there were 10. One is a pregnant woman who was nine months along. By some grace of God, no one was seriously injured, and no one died.

It was terror that I don't think any of us can imagine. People were there with their families shopping, and this happened. The first thing we know is that the mayor and the chief—Mayor Kleis, whom I have worked with for many years, a former Republican legislator who has been a very strong leader of this town, and Chief Anderson, who has been the chief there for many years—have shown that kind of strength in leaders that you would like. Immediately, they came out and explained to the community what happened and told them the honest truth—that they were still gathering the facts. They got the FBI involved, and this is being investigated as a potential

act of terrorism. We still do not know all the facts. We hope to have them soon. Mostly, they were able to bring some calm to the community. They were shopping at the mall—I talked to the mayor last night—to show their citizens that they are not going to let this act of violence bring down their town.

We are well aware that ISIS sent out a statement claiming some responsibility. We do not know if that is true. We do know that the FBI is investigating any terrorist connections that this man has had, and we await the outcome of this investigation.

The one thing we do know is that due to the courageous actions of the off-duty officer, Jason Falconer, lives were saved. Because of the good work of the first responders and the reaction of those present at the mall, lives were saved and no one died. This particular officer was there off-duty and had the presence of mind to come to the rescue of all these people, and we thank him for that.

The last thing I would say about this is, talking to the mayor and having been in the community, I know how hard they have been working to bridge divides. There was a beautiful picture in the Star Tribune, and I am sure in the St. Cloud paper as well, about the rally of unity that they had in the community. They have now had two. One was in the college, and the Somali community spoke and strongly condemned this violence in a way that was very heartfelt.

This community is an important part of the fabric of life in our State and an important part of the fabric of life, as Senator FRANKEN knows, in St. Cloud. We will continue to work with them. We thank the mayor, the chief, Officer Falconer, and all those involved for their leadership.

CENTRAL STATES PENSION FUND

Mr. President, back to the issue of the Central States Pension Fund, I was pleased to see that the Finance Committee addressed some retirement and pension issues today in their markup. We must also address the Central States Pension Fund. I believe that promises made are promises kept.

The promise made to the workers in the multiemployer pension plans like those in the Central States Pension Fund is simple; that is, the pension that they have earned through their decades of hard work will be there when they retire.

Saving for retirement is often described as a three-legged stool—Social Security on one leg, a pension on one leg, and personal savings on another. A stable and secure retirement relies on all three legs being strong, but some multiemployer pension plans are facing funding challenges that could weaken one of those legs.

Over 10 million Americans participate in a multiemployer pension plan

and rely on these benefits for a safe and secure retirement. Multiemployer plans are set up as part of a collective bargaining agreement between workers and many employers generally in one industry.

The Central States Pension Fund is such a plan. It was established in 1955 to help truckers save for their retirement. Today, the Central States Pension Fund includes workers from the carhaul, tankhaul, pipeline, warehouse, construction, clerical, food processing, dairy, and trucking industries.

About 70 multiemployer pension plans are facing funding challenges and do not have sufficient plan assets to pay all of the benefits promised. The Multiemployer Pension Relief Act was added to the Consolidated and Further Continuing Appropriations Act, 2015, in the House. I voted against the Multiemployer Pension Relief Act because I was concerned that this bill would lead to severe pension cuts for our retirees and, in fact, disproportionately impact certain workers in certain States, including Minnesota.

I believe we need to work together to find solutions that maintain the solvency of these multiemployer pension plans without severely penalizing current retirees, active employees, and beneficiaries. I, too, am in favor of closing the carried interest loophole, and I appreciate my colleague's work on this particular solution.

Hundreds of thousands of participants in the Central States Pension Fund still face the real possibility that their hard-earned pensions could be reduced. As I noted, they are mostly in the Midwest. That is why it is called the Central States plan. This affects workers and retirees from these States: nearly 34,000 workers and retirees in Ohio, nearly 31,000 in Michigan, over 21,000 in Minnesota, over 18,000 in Wisconsin, and nearly 1,500 in North Dakota. In fact, seven of the top States in the Central States are Midwestern States.

In September, 2015, Central States submitted a proposal to the Treasury to reduce pension benefits for workers and retirees. Treasury reviewed the proposal, which would have resulted in benefit cuts for over 270,000 retirees and workers. In May, the workers and retirees narrowly avoided these cuts when the Treasury Department—after going around the country listening to the workers and looking at the plan—rejected the proposal because they felt it did not meet the test under the act.

That doesn't mean this is over. It is far from over. The Central States Pension Fund still faces insolvency by 2025. The current and future retirees could still face cuts. I voted against the act because I was concerned that under this act we might see exactly the kind of cuts that were proposed. What we saw were deep benefit cuts to our workers and retirees, and what we saw was

that the size of the potential cuts for the workers, retirees, and beneficiaries was not fairly distributed.

Retirees who are 80 and older and disabled individuals were protected. That was the right thing to do. For everyone else, the possible cuts would leave them with a pension that did not reward their years of work. While many faced cuts of 30 percent, 40 percent, or even 50 percent, I think people would be shocked to learn that over 44,000 people faced pension cuts of over 60 percent and nearly 2,500 people faced possible cuts of over 70 percent.

I do not believe that when my colleagues voted for this, they thought they were actually voting for 70-percent pension cuts, but that actually is the result of that proposed plan. While we understand that there may be changes and that there may be more cuts, or some cuts, there must be a better way to do this than what was proposed.

I heard from people across my State who were trying to figure out how they were going to make ends meet as they faced these drastic cuts. Michael from Shoreview wrote to me about how he was facing a possible cut of 40 percent. Thomas from Sandstone is 71 years old and, after paying into the Central States plan for 30 years, was facing a 60 percent cut. Steve from Maple Grove wrote me to let me know that he is 69 years old and is unable to return to work, but his pension would be cut by 37 percent.

Those are a few examples. Many of these people are in their 60s and 70s, and they should be able to secure in their retirement what they have worked for their entire lives. While we temporarily averted this with the proposal being rejected, we know it is not going to go away. The Central States Pension Fund filed its petition to reduce pension benefits. Since then, an additional eight plans have also filed petitions.

Congress needs to work together to find a bipartisan solution to help pensioners across Minnesota and our country—people who depend on their pensions being there for them in their golden years. We owe it to all Americans who played by the rules and worked hard throughout their lives for a secure pension.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much time remains on the Franken-Klobuchar request to speak on this issue?

The PRESIDING OFFICER. Ten minutes remain.

Mr. WYDEN. Mr. President, I will be very brief. I know Senator BROWN feels very strongly about this, as well, so I am going to make a few remarks and leave time for him. I want to commend Senator FRANKEN and Senator KLO-

BUCHAR, who have talked to me about this issue many times.

Today in the Finance Committee, with a significant bipartisan vote, we were able to pass the miners legislation to address the health care and retirement needs of those miners. As my two colleagues have pointed out, at its heart, this is the same emergency. Today it is the mine workers. Tomorrow it could be the truckers. The next day it could be the construction workers and the woodworkers in my part of the United States. As my colleagues have said, the reason that is the case is that for generations of Americans, getting a good-paying job came with a simple bargain: You worked hard, you earned a wage and benefits, and those benefits wouldn't be taken away.

Today, bit by bit, that bargain is crumbling. There are two points that I would touch on so that Senator BROWN can have some time, if his schedule permits. I think Senator KLOBUCHAR has made a very good point about how important it is that Congress address this issue because, with respect to troubled systems like Central States, Congress is partially responsible for creating the problem.

As Senator KLOBUCHAR noted, 2 years ago Congress passed a bill—a bill that I was very much opposed to—the Multiemployer Pension Reform Act. It was slipped into a must-pass government funding package, and it gave a green light to slashing benefits in a lot of struggling multiemployer plans. In effect, for a generation of workers, it said: Sorry, times have changed. The benefits that you earned are no longer going to be protected, and the weight of this economic transformation in America is going to fall on you.

It wasn't fair and it wasn't practical. I certainly share the view of my colleagues who said it was a good thing Treasury rejected the proposal that would have cut benefits earlier this year. Obviously we are going to have to take more steps to shore up the Pension Benefit Guaranty Corporation, which is a financial lifeline for 10 million workers, and we are going to have to look at a variety of approaches.

I very much share the views Senator FRANKEN spoke about, which Senator KLOBUCHAR supports as well, when he talked about this rotting economic carcass known as the Federal Tax Code and how unfair it is to working families. My colleagues have just pointed out one example.

Let me say that at the heart of the bipartisan tax reform proposals I have written over the last decade is my sense that we now have a tax code that really represents a tale of two systems. If you are influential and well connected, you can pretty much decide what kinds of taxes you are going to pay and when you are going to pay them. A fortunate few basically have that kind of opportunity. But the people my colleagues have been talking

about—for example, truckers—don't have a tax code like that. Once or twice a month, those truckers have taxes extracted from their paychecks. They see it on their paychecks. There are no loopholes or anything that states about whether it is carried interest or derivatives or half a dozen other things; they just have their taxes extracted and there are no writeoffs or any kind of figuring out what you are going to pay and when you are going to pay it. It comes right off your paycheck.

We have a lot of heavy lifting to do. Today, it seems to me that Congress began the task. I can tell my colleagues that there is so much work to do to modernize these pension and retirement systems.

Chairman HATCH agreed to a proposal that I made today to allow people to contribute to their IRAs after they are 70½ years old. That proposal was adopted, as Senator FRANKEN may know, sometime in the early 1960s. I won't pretend to be anywhere near as humorous as my colleagues, but I finally said—I thanked Chairman HATCH for adopting my proposal that let's people over 70½ contribute to their IRAs because people are living longer and feeling better. It doesn't seem that it makes much sense to have so many Senators and working Americans younger than the retirement laws that were adopted for a different time.

We have a lot to do. First and foremost, we have to shore up Central States. We will be looking at a variety of approaches on how to do that, and, as both of my colleagues have said, a fundamental part of what we are going to have to do is fix this broken tax system.

When I start talking about the Tax Code as a rotting economic carcass, my wife always says: Will you just stop there, dear, because you are frightening the children? We have small children. The reality is, this Tax Code is infected with loopholes and the inversion virus. It just goes on and on.

As my colleagues have said, it is not right for working families—particularly those who are depending on Central States pensions—to sort of hang in suspended animation, hoping that somehow there is going to be a piece of legislation that will pass through here so that they will get something resembling what they were promised—a dignified retirement based on the pension they earned.

I commend my colleagues for doing this. This comes at the end of the day where at least we began the long push to pension reform with a successful bipartisan effort on miners, but, as my colleagues have said, this work has just begun.

I thank Senator FRANKEN and Senator KLOBUCHAR for their commitment and their eloquence.

I yield the floor.

Mr. FRANKEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN. Mr. President, it has now been 4 months since the U.S. Treasury did the right thing and rejected the Central States Teamsters pension fund plan to cut the premiums they had earned through a lifetime of hard work. That was a win for all of us who urged Treasury to reject these cuts. Most importantly, it was a win for the thousands of retirees who worked so hard to protect what they had earned. However, that win did not solve the underlying issue. It was not even close to the end of this fight. It was the first necessary step. The Central States Pension Fund is still in the red and on a path where in a few short years it will be unable to pay out the benefits it owes to our retirees.

If a pension fund is in bad shape, it is our job to fix it, not to break promises to Americans who have worked their whole lives to earn those pensions. This is retirement security these Teamsters have worked for, fought for, and sacrificed raises for.

I remind my colleagues—especially those who spend much of their effort here fighting organized drives for unions, oppose any effort to strengthen unions, and attempt to pass legislation to weaken unions—that at the negotiating table time and time again since the Wagner Act passed 75 years ago, workers have given up wages in order to fund pensions and health care in their later years. That is good for them, it is good for their families, it is good for their communities, and it is good for our society because it means they are prepared in their older years and won't rely on the State to keep them going. Of course, they still get Social Security and all of that, but they are prepared because they have given up wages today for benefits in the future. We should applaud them instead of criticizing the UAW, the Teamsters, and the steelworkers for their “legacy costs.”

These are pensions that they gave up health care packages for and were promised they would earn over a lifetime of hard work. Just ask Rita Lewis. She is a friend of mine from Westchester, OH, in southwest Ohio. She knows a thing or two about hard work. Her husband Butch worked as a

trucker for 40 years with the promise that the pension he earned would be there to care for his family after he retired. When the pension came under threat, he worked to protect it for himself, his beloved Rita, and hundreds of thousands of other Teamsters. Rita has been left to continue Butch's fight alone. He passed away on New Year's Eve due to a stroke, which some have attributed, at least in part, to the stress he faced in fighting for his Teamster brothers and sisters in support of their pensions.

Butch told us that the cuts being forced on retirees amount to a war against the middle class and the American dream, and he was right. That war has already claimed enough victims.

We used to have a compact in this country that promised that if you work hard, play by the rules, and do what people expect you to do, you will be able to spend time with your grandchildren and not worry about how to make ends meet. Workers have more than held up their end of the bargain. It is time for both parties to come together and hold up our end before we leave town.

This Senate, as we have heard repeatedly, has not done its job. Under Leader MCCONNELL, this Senate has been in session less than any Senate in the last 60-plus years. It is simply not doing its job. We are not doing what we should on Zika. We are not doing what we should on the coal miners' pension. We are not doing what we should on Central States. We are not doing what we should to confirm a Supreme Court Justice. It will be the longest time since the Civil War that a Supreme Court spot has been vacant.

We owe it to our constituents on this one and on others not to leave town but to support a bipartisan, long-term solution to protect the benefits they earned and they were promised. This fix needs to be sustainable from now into the future, not the piecemeal plan that addresses problems with current policy but does nothing to solve the underlying issues.

Our Teamsters and their families need the peace of mind to know this nightmare is finally behind them. We need a plan that is bipartisan so we can get this done.

I was encouraged this morning when we held a markup on a plan to deal with the mine workers' pension, which is also under threat. We have had some good bipartisan work to find possible solutions to this crisis. We need the same spirit of cooperation on behalf of our Teamsters.

My wife and I live in Cleveland, OH, in ZIP Code 44105. The ZIP Code where my wife and I live, in 2007, had more foreclosures in the first half in 2007 than any ZIP Code in the United States. I drive through this neighborhood and there are still far too many homes boarded up, still far too many

families dislocated, still far too many children just pulled from one school district to another.

The pages sitting here—I assume most of them have pretty stable lives, where they are able to go to school year after year with the same friends, same classrooms, same schools, same teachers, but think about it. What we all do on this floor we are all paid well for. We have good benefits. For some reason, we don't think other Americans should have the same health care benefits we do, and that is a whole other issue. We don't think enough about people who struggle, who might have their house foreclosed on, who might have been evicted. We don't think about those kids who go from one school district to another. We don't think about these Teamsters families. You are 65 years old and you are retiring. You have planned your life in a way that your Social Security—\$1,100, \$1,200 \$1,300 a month—your retirement pension from the Teamsters, from Central State, you have calculated that. You know you are not going to be rich, but you are going to be comfortable enough, and you start having sleepless nights thinking about what is going to happen to your pension.

Lincoln used to say he wanted to get out of the White House. Staff said: Stay here. Win the war. Free the slaves. Lincoln said: No, I have to get out of the White House and get my public opinion baths. Pope Francis exhorted his parish priests to go out and smell like the flock, with all the Biblical connotations of that.

In this body, we don't think very much. We don't go enough to a labor hall or to a church basement or to a veterans hall and just sit there and listen to people's problems.

The person who sat at this desk right before I did was Jay Rockefeller, the Senator from West Virginia. He used to go out by himself with no media and spend 2½ hours speaking to the miners in West Virginia. He said: I learned to listen to them with soft nods and soft eyes, to really listen and look in their eyes and pay attention to what their lives were like. He was a Rockefeller and had no financial struggles, but he recognized he needed to talk to people who did.

That is whom I want my colleagues to think about, not to go to another fundraiser at a fancy restaurant or spend their time at a country club in Dallas or wherever they live but instead start thinking about what these Teamsters' lives are like, when they expected this pension and are not getting it. Think about these widows of mine workers, understanding that mine workers are more likely to die younger from illness or from dangerous work or from injury than most workers in this country and certainly younger than Senators. Think about those mine

workers' widows who might lose their pensions because the Republican leader in this body doesn't like unions and he doesn't like the mine workers and he has blocked us from doing this. This is not personal. I was just on the stage with Senator McCONNELL. He is a nice man. I like him, but he is not doing his job. The Senate is not doing its job to take care of these workers who have huge numbers of veterans among the Teamsters, a lot more than there are veterans in the U.S. Senate.

We have a lot of work to do, and we shouldn't be leaving here without doing our jobs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LEE). Without objection, it is so ordered.

NOMINATION OF MERRICK GARLAND

Ms. STABENOW. Mr. President, it has been 189 days since President Obama nominated a distinguished jurist, Merrick Garland, to the U.S. Supreme Court.

I know there are a lot of issues on people's minds every day because they are working hard and taking the kids to school and putting food on the table and all of the hard work that goes on every day for families, and sometimes talking about the Supreme Court may seem a little abstract to people. I want to speak a little bit about why Americans should care, beyond the fact that we all care about the fact that we have three branches of government under our Constitution, and we need them all fully functioning.

That was the point of our Founding Fathers, to make sure we had three functioning branches, and right now we have one that is not fully functioning. In fact, when they sit, starting October 3, there is going to be a vacant chair because we will not have fulfilled the responsibility of the U.S. Senate of confirming someone for that ninth seat.

Why does that matter to people? Well, over our lifetimes, great debates have gone on about quality education and equal access to schools regardless of where a child lives. It is very important not only for children and for families but for an economy that can function and a country that can function.

Very important decisions have been made that affect every neighborhood in America, every family in America. We have seen issues related to equality in the workplace and in housing and access to credit, if you want to buy a house or you want to start a business. We have seen a whole range of issues that directly affect all of us. Frankly, the third branch of government, as we know, is a check on us, a check on Con-

gress, and on the Presidency to make sure we have the watchdog looking at what we are doing from the lens of the U.S. Constitution and our Bill of Rights, and making sure we are all living up to that document that is the cornerstone of our country.

So the Supreme Court matters. What happens matters.

Years ago, in 1937—I don't think any of us were here; if we were, we weren't very old at that time—but there was a case called *West Coast Hotel v. Parrish*. It happened in 1937. Elsie Parrish worked as a maid in Washington State and she sued to be paid the \$14.50 a week she was owed under the Washington State law. Her case made it all the way to the Supreme Court, and it was settled in a 5-to-4 decision. Obviously, it was a very close vote, and without that majority, we wouldn't have a minimum wage today. That was decided by the U.S. Supreme Court in a 5-to-4 decision.

Today we all understand that everybody who works hard every day ought to be able to be above the poverty line. I certainly believe that, and we certainly have much to do to make sure our minimum wage keeps up, but if we didn't have that case, people would have a much lower standard of living. We wouldn't necessarily have a minimum wage that sets a floor for everyone's wages in America, as well as addresses equal pay as it relates to wages across the country.

There are so many ways in which the Court impacts our lives. We have had multiple health care decisions, certainly, as it relates to the Affordable Care Act and whether we will have competitive health exchanges so people can purchase insurance at lower rates, and whether we are all in this together so that if we all have insurance, then we are able to have important policies fulfilled, such as no preexisting conditions, so that if you have cancer or your child has diabetes or you have had a heart attack or some other chronic disease, you can purchase health insurance. This is all tied up in implications from Court decisions that relate to health care, and multiple other decisions that relate to health care, and whether 20 million people who now have health care in our country would be having health care if it were not for a Supreme Court decision or decisions as it relates to health care policy.

So workers and families across America need nine Supreme Court Justices. We need to make sure that when October 3 comes along and the picture is taken of the U.S. Supreme Court, there is not a vacant seat here.

We have heard Justice Kagan, for example, who said: A tie does nobody any good. Presumably, we are here for a reason. They are there to resolve cases that need deciding and answer hotly contested issues that need resolving. They can't do that with a tie vote.

The fact is, unfortunately, the Republican majority is refusing to even give Judge Garland a hearing despite the fact that he has been praised over the years by Members on both sides of the aisle for his integrity and his commitment to the judiciary. It makes one wonder why it is that this seat is being left open. There can be really only one conclusion, and that is that the seat is being left open for the Republican nominee, even though Republican colleagues are stepping away at every turn from the comments made by the nominee and distancing themselves. They are basically saying: We think the Republican nominee should make that appointment. Even though he has no respect for the judiciary, they believe he should be appointing the new Supreme Court Justice. That can be the only conclusion as to why we would see the majority waiting right now. I realize it makes no sense. We will see the third branch of government effectively go for a year, maybe more, without being able to fully function because of people not being willing to do their job because they are waiting to have Mr. Trump fill that seat. I find that embarrassing and extremely concerning for all of us.

It is time for Senate Republicans to do their job. It is very simple. We all have a job to do. None of us would be able to just tell our employer that a major part of our job is something that we just don't feel like doing for a year, so we are not going to do it. We could say that, but when I talk to people about that, they say: Yeah, chances are I would be fired. I certainly wouldn't be paid if I didn't do my job. Yet here, despite our constitutional responsibility to fill that spot, the Senate Republican majority is not doing its job.

Doing our job doesn't mean we have to vote yes. We can vote yes; we can vote no. You can vote yes or no in a hearing, yes or no on the floor. But we have a constitutional responsibility to consider a nominee from the President, to meet with him, to consider his record, to ask questions, to have a hearing, to have a vote, and then people can vote yes or no. You can vote yes or no, but we do have an obligation to vote.

From my perspective, there is no way I can explain to people back home in Michigan why that seat has been left open for any valid reason, unfortunately, other than politics, and that is just not good enough when it comes to fulfilling our job and making sure the third branch of government can fully do its job.

Mr. President, I am calling on the Republicans to hold a hearing. We still have time to hold a hearing, and we can hold a vote before we leave. This is a choice by the majority—a conscious choice—but there is time to hold a hearing and there is time to have a vote so that when October 1 comes,

there will be the full nine U.S. Supreme Court Justices sitting, ready to do their job.

Do your job. That is what we need to have happen.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL IMMIGRANT VISA PROGRAM

Mrs. SHAHEEN. Mr. President, I have come to the floor today to once again urge that we extend the Special Immigrant Visa Program for Afghan interpreters who put their lives on the line while serving alongside Americans in Afghanistan. Unless we act, Congress is going to let this program lapse in just a matter of months. We will abandon thousands of Afghans who helped our men and women on the ground during the long conflict in Afghanistan. It is no exaggeration to say that this is a matter of life and death. Afghan interpreters who served the U.S. mission are being systematically hunted down by the Taliban, and we must not abandon them.

The United States promised to protect these Afghans, who served our mission with great loyalty and at such enormous risk. It would be a stain on America's national honor to break this promise. It would also carry profound strategic costs. U.S. forces and diplomats have always relied on local people to help us accomplish our mission. We continue to need this assistance in Afghanistan. We need the support in other places in the future. So we have to ask why anyone would agree to help the United States if we abandon those who have assisted us in the past. That is exactly why the former commander of U.S. Forces in Afghanistan, GEN David Petraeus, and his predecessor, GEN Stanley McChrystal, have pleaded with Congress to extend the Afghan SIV Program.

In a recent letter to Congress, more than 30 prominent generals, including Gen. John Allen, the former commander in Afghanistan; GEN George Casey, the former commander in Iraq; and two former Chairmen of the Joint Chiefs of Staff, GEN Richard Myers and GEN Hugh Shelton, also urged the Congress to extend the program.

In addition, our soldiers and marines are very interested in protecting the interpreters who served with them in Afghanistan. Many of them owe their lives to the interpreters who went into combat with them.

In recent years, I have gotten to know former Army CPT Michael Breen. He is a Granite Stater who served with

the infantry in Iraq and led paratroopers in Afghanistan. He speaks with admiration about one interpreter in particular, an Iraqi woman in her early twenties named Wissam. On one occasion, Captain Breen and his soldiers were at a small forward operating base in Iraq. A man approached them, frantically pointing to his watch and indicating an explosion with his hands. The Americans didn't speak Arabic, so they couldn't tell if the man was trying to warn them or threaten them. Wissam hurried toward Captain Breen to assist. Wissam was beloved by her American comrades, always cheerful and always willing to help. She listened to the man and said that he was warning of an IED on the main road.

Captain Breen later said: "A trusted interpreter can be the difference between a successful patrol and a body bag." He noted that every night he and his fellow soldiers would hunker down in their heavily guarded perimeter, but Wissam would leave the compound and go home. One evening after she left the American compound, three gunmen ambushed her car. She was killed—one more interpreter who paid the ultimate price for serving the American mission.

Captain Breen later said: One day there will be a granite monument with the names of all the American servicemembers who died in Iraq and Afghanistan. Wissam deserves to have her name on that monument because she took great risks and gave her life while serving the United States.

As many of our colleagues know, the SIV Program allows Afghans who supported our mission and faced grave threats as a result to seek refuge in America. To be eligible, new applicants must demonstrate at least 2 years of faithful and valuable service on the ground with Americans. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency security review.

A typical example is an Afghan interpreter who served with U.S. forces from 2008 to 2015. Because he is in danger, I am not going to use his name. Last December, he was gravely wounded in an IED attack that robbed him of one eye and it destroyed his vision in the other. He applied for a special immigrant visa after being wounded, and he is in the early stages of the interagency vetting process. But unless Congress acts, there may not be a visa available for him once he completes that vetting.

We know that the service of these individuals has been critical to our successes in Afghanistan. In some cases recipients of special immigrant visas have continued to serve the U.S. mission after arriving in this country. One promptly enlisted in the U.S. Armed Forces and later worked as a cultural adviser to the military. Another graduated from Indiana University and

Georgetown. He has worked as an instructor at the Defense Language Institute. A third, who worked as a senior adviser in the U.S. Embassy, now serves on the board of a nonprofit, working to promote a safe and stable Afghanistan.

These many contributions help explain why senior U.S. commanders and diplomats have urged Congress to extend the Afghan SIV program. Appearing last week at a Senate Armed Services Committee hearing, Army Chief of Staff GEN Mark Milley added strong support. Speaking of Afghan interpreters he said: "Those are brave men and women who have fought along our side and there are American men and women in uniform who are alive today because a lot of those Afghans put their lives on the line."

At that same hearing, Marine Corps Commandant Gen. Robert Neller also stressed the importance of the program and the need for Congress to extend it. Their view is shared by our senior diplomats.

Ambassador Ryan Crocker, who served in Afghanistan from 2011 to 2012 recently wrote:

Taking care of those who took care of us is not just an act of basic decency; it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation.

Well, I agree. Indeed, I think there is overwhelming bipartisan support in both houses of Congress for extending the Afghan SIV program. Yet, because of the opposition of a handful of Members, Congress, by default, could allow this program to expire in a matter of months. This would put in jeopardy the lives of thousands of Afghans who have served alongside our fighting forces.

Make no mistake, it would also jeopardize our reputation as a country that keeps its promises and stands by those who assist our missions. In past years, Senators have overwhelmingly supported the authorization of additional special immigrant visas for Afghan interpreters.

On both sides of the aisle, we have agreed that it is important to make good on our promise to these Afghan allies. But sadly, this year has been different. Several Members have objected. It is evident to me that the anti-immigration passions that have been stoked during this Presidential campaign by Donald Trump have contributed to this impasse.

The irresponsible rhetoric about immigrants is offensive to American values and it ignores what makes America great. Across nearly four centuries, immigrants have brought their energy and talents to our country, building the most successful and dynamic economy on Earth.

Our Nation has always been welcoming to immigrants. In fact, all of us here are immigrants, unless we are Native Americans. We should be espe-

cially welcoming to those who served alongside American soldiers and marines in combat and have been so essential to carrying out our mission in Afghanistan.

The Iraq and Afghan Veterans of America and other organizations representing hundreds of thousands of veterans of the U.S. Armed Forces recently addressed a letter to Members of Congress. In that letter, they respectfully but forcefully urged Congress to reauthorize the special immigrant visa program.

I want to quote from this letter, because I think it reflects the words of these American veterans:

Military service instills in a person certain values: Loyalty. Duty. Respect. Honor. Integrity. . . . Breaking our word directly violates these values. Many of us can point to a moment when one of our foreign allies saved our lives—often by taking up arms against our common enemies. . . . Since our first days in boot camp, we accepted and practiced the value: "leave no one behind." Keep our word. Don't leave anyone behind.

If we fail to extend the SIV program, Congress will have one more opportunity and only one more opportunity this year. That opportunity will come in the session following the election.

We must seize this opportunity to do the right thing for our country and for the Afghan interpreters whose lives are at risk. We would never leave an American warrior behind on the battlefield. Likewise, we must not leave behind the Afghan interpreters who served side by side with our warriors and diplomats. We made a solemn promise to these brave people. I am going to do everything I can to ensure that we keep this promise.

I urge my colleagues, when Congress returns in November, to join me on a bipartisan basis for a program that has had bipartisan support. We can extend the Afghan Special Immigrant Visa Program. We must do that. It is in our national security interests to keep this promise that we have made.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (MR. TILLIS). Without objection, it is so ordered.

MORNING BUSINESS

MR. LEE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

DIXON POLICE DEPARTMENT SAFE PASSAGE INITIATIVE

MR. DURBIN. In the last 2 years, I have spoken with so many Illinoisans about the heroin and prescription opioid epidemic. I have heard many different perspectives, including those from law enforcement, health care providers, criminal justice systems, the pharmaceutical industry, Federal oversight agencies, parents, loved ones, and recovering addicts.

I have learned that there is no town too small and no suburb too wealthy to avoid this crisis of addiction and overdose. Opioids and heroin are affecting communities all across the country.

Last November, I travelled to Dixon, IL, to learn about their work to combat the scourge of prescription opioid misuse. That is where I met chief of police Danny Langloss of the Dixon Police Department, who is leading an innovative effort with the Lee County Sheriff's Department to address this problem.

Chief Langloss told me that the town had experienced a spike in opioid overdose deaths, which was quite uncommon for the area. As a result, the Dixon Police Department launched a new plan, one that was unconventional for law enforcement, but had proven to be effective in other parts of the country.

They started the Safe Passage Initiative, a program that promotes treatment alternatives to arrest and incarceration. The police department put the word out that, if residents suffering from addiction came forward for help and turned in their drug paraphernalia, they would be assisted in finding addiction treatment rather than being arrested, so long as they did not have outstanding warrants. This program is a model for other communities. It embodies the public health approach to this epidemic that views substance abuse as a disease and not purely a criminal matter.

Well, what has happened? Immediately after the announcement, the police department had dozens of residents come forward, asking for help. They were provided with social services and rehabilitation options. Since the program's initiation, the Dixon Police Department has helped to place more than 100 individuals into treatment. This is quite the cause for celebration, especially in a small, rural community where it can be incredibly difficult to find open treatment slots. Months later, many of these local residents are now clean and on the path toward recovery.

What else has happened? Crime is down, and the jail cells are not nearly as full as they once were. Rather than arresting addicts for petty crimes that feed their addictions, they are being steered towards long-term help.

Today I would like to celebrate the 1-year anniversary of this program and

commend the Dixon Police Department, Chief Danny Langloss, and their partners in the treatment and advocacy community who have helped to make this program a success. The program has now expanded to multiple neighboring counties, including Whiteside County and Livingston County. When we talk about this opioid epidemic and the need for all stakeholders to step up and do their part, the Safe Passage Initiative is a worthy effort that is helping to turn the tide.

Today there is a network of more than 145 police departments and 300 treatment centers that are taking this commonsense approach to addressing the opioid crisis.

It is true that real barriers remain. I know that the Dixon Police Department struggles at times to find available beds for individuals that come forward to their program. And that is why I am working to expand access to addiction treatment by removing an old Medicaid rule, known as the IMD exclusion, which will help more people get the care they need. I am also working to increase funding for treatment centers and have succeeded in changing Federal regulations so that more individuals can receive effective treatment services.

Across our Nation, there are an average of 77 drug overdose deaths each day. In Illinois, we experienced approximately 1,700 heroin and prescription opioid overdose deaths in 2014, a 29 percent increase from 2010. With the leadership of the Dixon Police Department and the dedication of its partners, we will help make a difference for those suffering from addiction. I congratulate them on the 1-year anniversary of the Safe Passage Initiative and look forward to greater success and expansion across the State in the future.

TRIBUTE TO ROBERT JORDAN

Mr. DURBIN. Mr. President, Sunday, September 25 marks the end of an era. After 43 years of covering the news in Chicago, Robert Jordan will officially anchor his last newscast on "Chicago's Very Own" WGN 9. Mr. Jordan, an Atlanta native, is unique in journalism. Instead of moving from market to market, he landed with WGN in 1973 just 3 years into his career and never left the city. Outside of a 2-year stint as a Midwest correspondent for CBS, Mr. Jordan was a WGN fixture.

Mr. Jordan has enjoyed a reputation of being a serious anchor and reporter while maintaining a sense of humor for the lighter moments. Since 1995, Mr. Jordan has been coanchoring the weekend newscasts with Jackie Bange. Video of their secret handshakes during commercial breaks has gone viral, with one such clip earning more than 7 million views on YouTube.

In 2014, Mr. Jordan was named as the first journalist-in-residence for the

University of Chicago's Careers in Journalism, Arts, and Media program. At the time of announcement, Mr. Jordan told an industry reporter that he was "eager to work with young journalists and help guide them at this challenging time in our profession." There is no doubt those students had a tremendous opportunity to learn from one of the best, but those students weren't the first to learn from Mr. Jordan. His daughter Karen followed in his footsteps and now is a news anchor at WLS 7 in Chicago. Mr. Jordan's son-in-law Christian Farr is a reporter at WMAQ 5, so delivering the news to millions of viewers in Chicago truly has become the family business.

Mr. Jordan's work in education was a natural fit for a man who earned a Ph.D. in philosophy of education with a minor in ethics from Loyola University Chicago in 1999 after receiving degrees from Northeastern Illinois University and Roosevelt University.

Before he picked up a microphone, Mr. Jordan served our Nation as a surgical assistant in the U.S. Army. He continues to serve through his role on the boards of several community organizations.

With retirement providing some free time on the weekends, Mr. Jordan said he plans to go to fun events with his wife, Sharon, that he missed out on while working. He is also going to continue his work with the Greater Illinois Chapter of the Alzheimer's Association on a unique program called the Memory Preservation Project. Mr. Jordan interviews people who are newly diagnosed with Alzheimer's for the project and creates a video of cherished family memories before the wretched disease robs victims of their ability to recall events in detail. With a new person being diagnosed with Alzheimer's every 67 seconds, there are many families affected by this terrible disease.

Mr. Jordan has promised to turn up from time to time when WGN needs him to fill in for a colleague, but Sunday is truly the end of an era in Chicago journalism.

I wish a happy retirement to one of "Chicago's Very Own," Robert Jordan.

VERMONT PRIDE RETURNS AN ICONIC BUILDING HOME

Mr. LEAHY. Mr. President, Vermonters have long believed that the preservation of our history, from buildings to manuscripts to celebratory traditions, inform the present and future as much as they honor the past. Last month, the people of Orleans County, in Vermont's rural Northeast Kingdom, came together to restore an historic school house to its original location. What makes this story all the more remarkable is that the physical journey to return the schoolhouse was undertaken by a team of 40 oxen assembled by residents and chapters of the 4-H.

It was Alexander Twilight's vision, as headmaster of the school, to have a central school in every Vermont county that would bring together and educate Vermont's students from neighboring towns.

Born and raised in Corinth, VT, Alexander Twilight studied at Middlebury College and became the first African American known to have graduated from a U.S. college or university. An active community member, Twilight was not only an educator, but also served as a local minister and politician.

In Vermont, we take great pride in being a forward-thinking State. This progressive nature dates back to the mid-1800s, pre-American Civil War, when the town of Brownington in Orleans County was an intellectual hub in New England. Twilight, and his beloved Orleans County Grammar School, have become a symbol of these times.

The recent move of the schoolhouse by the pulling of a team of oxen, coaxed on by area children as they walked beside the team, would surely have delighted Mr. Twilight. I ask unanimous consent that an August 2, 2016, article from The Burlington Free Press, "1823 school to move by oxen to original site," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press,
Aug. 2, 2016]

1823 SCHOOL TO MOVE BY OXEN TO ORIGINAL SITE

(By Sally Pollak)

An 1823 schoolhouse will be returned to its original site Monday when 40 oxen pull the Orleans County Grammar School one-third of a mile down Hinman Settler Road in Brownington. The journey by oxen will take the school from Brownington village to a neighborhood of historic and educational significance.

The school will return to its place near the Old Stone House Museum, a four-story building that was constructed in 1836 to be the school dormitory. The granite dormitory, called Athenian Hall, was built by Alexander Twilight, who served as the school's headmaster from 1829 until a stroke in 1855. Twilight died two years later.

Twilight, who was black, grew up in Corinth and graduated from Middlebury College in 1823. He was the first African American person to graduate from a college or university in this country, according to Middlebury and other sources.

"Alexander Twilight actually imagined that this was going to become a big center of learning," said Peggy Day Gibson, director of the Old Stone House Museum. "When he built the Old Stone House as a dorm in 1836, I think he envisioned that this was the first big building. He felt that a central school, a really good institution in every county, was the way to go."

The school fell into disuse after the Civil War, the school's account book indicates. It appears the school did not operate from 1865 until 1870, Gibson said. By then, it had moved from its location at Prospect Hill into the village center, Gibson said.

"It was more convenient" to have the school in the village, Gibson said. The relocation was in keeping with a trend to decentralize education, a movement that was opposed by Twilight when he served in the Vermont Statehouse, according to Gibson.

Twilight's election to the Vermont Legislature in 1836, representing Brownington, made him the nation's first black elected official.

"Alexander Twilight thought education is better served if you have a very high quality central school," she said.

But local towns, including Barton, Craftsbury, Derby and Glover, began to establish their own schools. "One by one these towns got their own schools," Gibson said. "They took back their kids and their tax money."

STUDENTS FROM BROWNINGTON AND BEYOND

In Twilight's life, Orleans County Grammar School educated students from Brownington, surrounding farm towns, and Quebec. The dormitory housed 50 students, boys and girls. Twilight and his wife, Mercy Twilight, housed 11 female students on the top floor of their house across the way.

Students moved to the grammar school after attending one room schoolhouses in their villages through eighth grade. Under Twilight's direction, Orleans County Grammar School taught students from grades nine through the first two years of college. The school offered classes in Greek, Latin, trigonometry, physics, chemistry and other subjects, Gibson said.

As its curriculum expanded, Twilight saw the need for a dormitory—a building that bears a striking resemblance to Painter Hall at Twilight's alma mater. The building, which opened as a museum in 1925, has Twilight's signature on the back of a fourth-floor door.

Twilight was a teaching principal who also served as minister of the Brownington Congregational Church. Services were held on the second floor of the school before a church was built in 1841. The church and the school (in its original site) were on either side of the town green.

Moving the school back to this place will enable the historical society to tell the story of a region more fully and accurately, Gibson said.

"There has always been this desire of the Orleans County Historical Society—which owns and manages the museum—to try to get the neighborhood back to its (original) configuration," Gibson said. "To tell the story, the history, it will be great to have the school back here."

The enclave of historic buildings in Brownington includes the former home of Samuel Read Hall, a colleague of Twilight's at Orleans County Grammar School. Hall taught at the school and was, according to Gibson, the country's first teacher-educator.

Hall founded the first teacher training school, which was in Concord. He was the author of the first training manual for teachers published in this country, "Lectures on School Keeping," Gibson said. Hall succeeded Twilight as headmaster.

(The museum purchased Hall's house in 2005, and restored it in 2008. It is used for a variety of events, including on Monday a barbecue for the oxen teamsters.)

"This was a really happening, intellectual vibrant neighborhood, all built during the 1820s and 1830s," Gibson said. "It was a center of progressive education in New England. This was the main road, the stage route, between Boston and Montreal, and this is what was happening."

TOWN GIVES SCHOOL TO HISTORICAL SOCIETY

Last year at Town Meeting, the people of Brownington voted to give the grammar school to the Orleans County Historical Society, according to Gibson and the town clerk.

Terms of the gift include the building's continued function as a community gathering place. The Brownington Grange, for example, has met on the second floor of the building since 1874, and will continue to do so at the new site, Gibson said.

With the addition of the school, Orleans County Society Historical Society now owns seven historical buildings in Prospect Hill, built from 1823 to 1841. The Brownington neighborhood is on the National Register of Historic Places, Gibson said.

The 40 animals that will move the school Monday come from 4-H groups in Randolph and North Haverhill, New Hampshire, and from local residents, Gibson said.

Messier House Moving from East Montpelier will move the building onto the road. The oxen will get hitched to the old school, and start walking.

"If the oxen can pull it up the road, it will be smooth as silk," she said. "This is performance art."

S.J. RES. 39

Mr. RUBIO. Mr. President, despite my longstanding concerns about Saudi Arabia's record on human rights, and political and religious liberties, this resolution of disapproval would undermine America's relationship with a key security partner in the Middle East while doing nothing to address critical threats in the region. The Obama administration's disastrous nuclear deal and ransom payments to Iran have emboldened the regime's leaders to sow discord and instability in the Middle East, undermining the trust of our Sunni Arab partners, including Saudi Arabia. In its quest for regional hegemony, Iran is attempting to encircle Saudi Arabia by supporting operations in Iraq, Lebanon, Syria, and Yemen; yet this resolution does not address Iran's role in any of these conflicts, including Yemen, where Houthi elements have forced the elected government from Yemen's capital. This conflict is hindering our ability to combat ISIS and al Qaeda in the Arabian Peninsula.

I urge the Saudi-led coalition to make every effort to protect civilians in Yemen, and I urge the Obama administration to continue assisting the coalition in limiting civilian casualties through targeting and other measures. But Iran must cease its direct and indirect support for those causing chaos and instability in Yemen. Rather than empowering our partners and standing up to our enemies, this resolution would send the wrong message at a time when our partners are already doubting American commitment and resolve.

VOTE EXPLANATION

Mr. JOHNSON. Mr. President, I was necessarily absent for the rollcall vote

on passage of H.R. 5985 due to my appointment by President Obama as representative to the 71st Session of the General Assembly of the United Nations. I am in full agreement with the Senate's unanimous approval to extend expiring authorities of the Department of Veterans Affairs. Had I been present, I would have joined my colleagues in voting yea.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-46, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost \$1.9 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,
JAMES WORM
(For J.W. Rixey, Vice Admiral,
USN, Director).

Enclosures.

TRANSMITTAL NO. 16-46

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Japan.

(ii) Total Estimated Value:
Major Defense Equipment* \$1.5 billion.
Other \$0.4 billion.
Total \$1.9 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of Japan requested the sale of four (4) KC-46 aerial refueling aircraft. Each aircraft is powered by two (2) Pratt & Whitney Model 4062 (PW4062) Turbofan engines. The sale includes one (1) additional spare PW4062 engine. Each aircraft will be delivered with

Global Positioning Satellite (GPS) capability and defensive systems installed plus spares, to include: Raytheon's ALR-69A Radar Warning Receiver (RWR), Raytheon's Miniaturized Airborne GPS Receiver 2000 (MAGR 2K) to provide GPS Selective Availability Anti-Spoofing Module (SAASM) capability, and Northrop Grumman's AN/AAQ-24(V) Large Aircraft Infrared Countermeasures (LAIRCM) Nemesis (N) system. Each LAIRCM system consists of the following components: three (3) Guardian Laser Terminal Assemblies (GLTA), six (6) Ultra-Violet Missile Warning System (UVMWS) Sensors AN/AAR-54, one (1) LAIRCM System Processor Replacements (LSPR), one (1) Control Indicator Unit Replacement, one (1) Smart Card Assembly, and one (1) High Capacity Card.

Major Defense Equipment (MDE):

Four (4) KC-46 Aircraft including one (1) spare PW4062 turbofan engine.

Twelve (12) MAGR 2K-GPS SAASM Receivers.

Five (5) AN/ALR-69A RWR Systems.

Sixteen (16) GLTA AN/AAQ-24 (V)N; includes four (4) spares.

Thirty-six (36) UVMWS AN/AAR-54; includes twelve (12) spares.

Eight (8) LSPR AN/AAQ-24(V)N; includes four (4) spares.

Non-MDE: Twelve (12) AN/ARC-210 U/VHF Radios, six (6) APX-119 Identification Friend or Foe (IFF) transponders, initial spares and repair parts, consumables, support equipment, technical data, engineering change proposals, publications, Field Service Representatives, repair and return, depot maintenance, training and training equipment, contractor technical and logistics personnel services, U.S. Government and contractor representative support, Group A and B installation for subsystems flight test and certification, and other related elements of logistics support. The total program cost is estimated at \$1.9 billion.

(iv) Military Department: Air Force (X7-D-SAJ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc.: Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: September 21, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Japan—KC-46A Aerial Refueling Aircraft

The Government of Japan requested the sale of four (4) KC-46 aerial refueling aircraft. Each aircraft is powered by two (2) Pratt & Whitney Model 4062 (PW4062) Turbofan engines. The sale includes one (1) additional spare PW4062 engine. Each aircraft will be delivered with GPS capability and defensive systems installed plus spares, to include: Raytheon's ALR-69A Radar Warning Receiver (RWR), Raytheon's Miniaturized Airborne GPS Receiver (MAGR) 2000 (2K) to provide GPS Selective Availability Anti-Spoofing Module SAASM capability, and Northrop Grumman's AN/AAQ-24(V) Large Aircraft Infrared Countermeasures (LAIRCM) system. Each LAIRCM system consists of the following components: three (3) Guardian Laser Terminal Assemblies (GLTA), six (6) Ultra-Violet Missile Warning System (UVMWS) Sensors AN/AAR-54, one (1) LAIRCM System Processor Replacements (LSPR), one (1) Control Indicator Unit Replacement, one (1) Smart Card Assembly, and one (1) High Capacity Card.

The Major Defense Equipment (MDE) items are the aircraft and engines, MAGR 2K with SAASM, ALR-69A RWR, GLTA, UVMWS, and LSPR. The total MDE cost, with spares, is estimated at \$1.5 billion.

The following non-MDE items will be included with the purchase of the four (4) x KC-46A airframes: twelve (16) AN/ARC-210 UHF Radios, six (12) APX-119 Identification Friend or Foe (IFF) transponders, initial spares and repair parts, consumables, support equipment, technical data, engineering change proposals, publications, Field Service Representatives' (FSRs), repair and return, depot maintenance, training and training equipment, contractor technical and logistics personnel services, U.S. Government and contractor representative support, Group A and B installation for subsystems, flight test and certification, and other related elements of logistics support. The total program cost is estimated to be \$1.9 billion (includes all MDE and non-MDE values and above and below the line charges).

This proposed sale contributes to the foreign policy goals and national security objectives of the United States by meeting the legitimate security and defense needs of an ally and partner nation. Japan continues to be an important force for peace, political stability, and economic progress in the Asia-Pacific region.

The proposed sale increases Japan's capability to participate in Pacific region security operations and improves Japan's national security posture as a key U.S. ally. This proposed sale will provide Japan a needed capability to a close ally and support U.S. security interests in the region.

The proposed sale of this equipment and support does not affect the basic military balance in the region.

The principal contractors on the sale are Boeing Corporation as the aircraft manufacturer, supported by Raytheon Company, Waltham, MA, as the manufacturer of ALR-69A and the MAGR 2K. Northrop Grumman Corporation, Rolling Meadows, IL, will also support the sale as producer of the AN/AAQ-24(V)N LAIRCM system. Final assembly and delivery of the KC-46A takes place at Boeing's production facility in Everett, Washington. At this time, there are no known offset agreements proposed in connection with this potential sale.

Japan will have no difficulty absorbing these aircraft into its armed forces.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-46

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/AAQ-24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system consists of multiple Ultra-Violet Missile Warning System (UVMWS) Sensor units, Guardian Laser Transmitter Assemblies (GLTA), LAIRCM System Processor Replacement (LSPR), Control Indicator Unit Replacement (CIUR), and a classified High Capacity Card (HCC), and User Data Modules (UDMs). The

HCC is loaded into the CIUR prior to flight. When the classified HCC is not in use, it is removed from the CIUR and placed in on-board secure storage. LAIRCM Line Replicable Unit (LRU) hardware is classified SECRET when the HCC is inserted into the CIUR. LAIRCM system software, including Operational Flight Program is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

2. The set of UVMWS Sensor units (AN/AAR-54) are mounted on the aircraft exterior to provide omni-directional protection. The UVMWS Sensors detect the rocket plume of missiles and send appropriate data signals to the LSPR for processing. The LSPR analyzes the data from each UVMWS Sensor and automatically deploys the appropriate countermeasure via the GLTA. The CIUR displays the incoming threat.

a. The AN/AAR-54 is a small, lightweight, passive, electro-optic, threat warning device used to detect surface-to-air missiles fired at helicopters and low-flying fixed-wing aircraft and automatically provide countermeasures, as well as audio and visual warning messages to the aircrew. The basic system consists of multiple UVMWS Sensor units, three GLTAs, a LSPR, and a CIUR. The set of UVMWS units (each KC-46 has six (6)) are mounted on the aircraft exterior to provide omni-directional protection. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

3. The AN/ALR-69A Digital Radar Warning Receiver (RWR) is the latest in RWR technology, designed to detect incoming radar signals, identify and characterize those signals to a specific threat, and alert the aircrew through the RWR System display. The system consists of external antennae mounted on the fuselage and wingtips. The ALR-69A is based on a digitally-controlled broadband receiver that scans within a specific frequency spectrum and is capable of adjusting to threat changes by modifications to the software. In Country Reprogramming RWR capability will not be provided as part of this export. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided are SECRET.

4. Miniature Airborne Global Positioning System Receiver 2000 (MAGR 2K) with Selective Availability Anti-Spoofing Module (SAASM). The MAGR 2K design is a GPS Receiver Applications Module based open system architecture that is modular in design and incorporates modem electronics. The MAGR 2K is a form, fit, and function backward compatible replacement of the MAGR, and provides enhancements including improved acquisition and GPS solution performance, all-in-view GPS satellite tracking and GPS integrity monitoring.

5. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

6. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

7. All defense articles and services listed in this transmittal are authorized for release and export by the U.S. Government to the Government of Japan.

25TH ANNIVERSARY OF THE
INDEPENDENCE OF ARMENIA

Mr. MARKEY. Mr. President, today we recognize the 25th anniversary of Armenia's independence. On this day each year, we come together to celebrate the strength and indomitable spirit of the Armenian people.

For the last 25 years, Armenia has been a key friend and trusted ally of the United States. It is an alliance between our two nations that will only continue to deepen in the years ahead.

Armenia has come a long way to free itself from terror and tyranny—from the Soviet Union and from the horrors of genocide. This journey continues today, with our shared responsibility to ensure that the Armenian people are able to build their own independent and prosperous future. It is our duty to continue to stand with Armenia and with all Armenian people around the globe as they continue this fight.

We must keep pushing for truth and never allow the forces of denial to succeed in suppressing our collective memory. We have a responsibility to ensure that the evil that was perpetrated upon the Armenian people is never concealed nor denied. We must heed the words of Pope Francis that it is our duty to continue to honor the memory of those Armenians who perished in the Armenian genocide.

I am proud to stand with my colleagues in the Senate to commemorate Armenia's independence and continue to support the Armenian people.

200TH EDITION OF THE FARMERS'
ALMANAC

Ms. COLLINS. Mr. President, since the first edition in 1818, the Farmers' Almanac has become an American institution, an informative and entertaining mix of weather, agriculture, humor, and common sense. With the 2017 issue now in print, it is a pleasure to recognize the 200th edition of this venerable publication and to celebrate Maine's remarkable Geiger family that makes it possible.

For its first 137 years, the Farmers' Almanac was published in Morristown, NJ. In 1955, Ray Geiger, who became the almanac's sixth editor in 1934, moved operations to Lewiston, ME, believing—quite correctly—that my State's New England heritage better reflected the publication's guiding ethic of sustainable, simple living.

Ray Geiger led the Farmers' Almanac for 60 years, its longest serving editor. Upon his passing in 1994, his son Peter took the reins after 15 years as associate editor. That same year, Sandi Duncan was named managing editor, the first woman almanac editor in American history.

Under this leadership team, circulation has grown from 86,000 in the 1930s to more than 4 million today. In addition, the almanac's timeless qualities

have stepped into the age of technology with an engaging, interactive website and a Facebook page with more than 1 million followers.

Readers enjoy the Farmers' Almanac for its humorous essays, trivia, and advice on everything from gardening to relationships, but the long-range weather forecasts remain its hallmark. The time-tested, highly secret mathematical and astronomical formula produces 16-month forecasts for seven different U.S. climate zones with a significant record of accuracy. In fact, the CEO of a major airline recently confirmed that Farmers' Almanac forecasts are factored into his company's winter contingency planning.

From the first edition to today, Farmers' Almanac editors have worn the honorary title of Philom—for Philomath, a lover of learning. That is an apt title for readers as well as editors, as every edition of the almanac is a mini-encyclopedia of American history, natural science, and a host of other disciplines.

It is a particularly apt title for Peter Geiger, a great champion of education who founded the Adopt-A-School movement in Maine in 1988 and who launched a successful program with Maine elementary and middle schools to encourage and develop young writers. His company provides college scholarships to Maine students, and Peter serves as a member and former chairman of our State's board of education. In 1991, he was named the 618th of President George H. W. Bush's 1,000 Points of Light.

The Geiger family and their company advance the Maine business tradition of service to others by supporting a wide range of civic and charitable endeavors, from the arts to health care to homeless youth. The New Beginnings Ann Geiger Center in Lewiston, ME, named in honor of Peter's mother, provides vital education and skills-development opportunities for homeless and neglected youth. Ray Geiger Elementary School in that same city recognizes the family's many contributions.

The special 200th edition of the Farmers' Almanac includes a celebratory section of vintage articles that take readers through nearly two centuries of American lore, from how to quiet a fussy baby with molasses and feathers to the art of kissing and maintaining household tranquility. Just as important, it stands as proof that hard work, an entrepreneurial spirit, and a commitment to giving back are the key ingredients of success. I congratulate the Geiger family and the Farmers' Almanac for this milestone achievement and wish them all the best in the years to come.

TRIBUTE TO DR. SUSAN S. KELLY

Mr. ISAKSON. Mr. President, today I wish to pay special tribute to an excep-

tional Federal civil servant of the United States of America, Dr. Susan S. Kelly, the director of the Transition to Veterans Program Office, Office of the Under Secretary of Defense for Personnel and Readiness. Dr. Kelly is retiring from the Federal Government on September 30, 2016, after 33 years of distinguished service to our Nation. Many of us on Capitol Hill have enjoyed the opportunity to work with Dr. Kelly on a wide variety of defense issues and programs, and it is my privilege and honor to recognize her many accomplishments.

Dr. Kelly has an extensive history of helping organizations successfully transform, and I want to focus on her exceptional work since she took over as the director of the Transition to Veterans Program Office in June 2012. She has been instrumental in the ambitious effort to revitalize the Department of Defense Transition Assistance Program, which ensures that servicemembers transitioning to civilian life are provided with the information and training needed to effectively pursue their civilian career goals. In implementing the sweeping redesign of the Transition Assistance Program, she has helped the military move away from viewing transition as an end-of-career activity, instead making postmilitary preparation a careerlong process that servicemembers plan for throughout their military life cycle. She has also helped to transform the Department's views on transition, emphasized the essential skills that make the all-volunteer force an attractive pathway to employment, and strengthened a talent pipeline that returns career-ready servicemembers to communities across America. It was the first redesign and comprehensive review of the Transition Assistance Program in the 20-plus years since it became law.

At every turn, Dr. Kelly sought to ensure that the Transition Assistance Program is not only effective but also efficient. Dr. Kelly implemented a stronger oversight of program budgetary processes and sought to use smarter, more efficient processes in redesigning the Transition Assistance Program. Dr. Kelly has also led several changes to prevent unnecessary redundancy within the Department, including relying on existing assets for certified financial planners, educational counselors, and resiliency trainers. In addition to eliminating redundancies, this has fostered collaboration with other Department of Defense agencies and, for this work, was recognized in 2015 as a finalist in the management excellence category for the Samuel J. Heyman Service to America Medal, which honors stars of the Federal Government's workforce.

Dr. Kelly's work on behalf of the Transition to Veterans Program Office, the Department of Defense, and, most importantly, our Nation's servicemembers demonstrates her dedication to

the cause of changing the culture within the Department to better help our Nation's veterans succeed. With Dr. Kelly's guidance, this dramatic and sweeping transformation of the Transition Assistance Program has been implemented throughout the Department of Defense, enabling the Department to ensure that today's veterans are better equipped than ever to handle an ever-changing labor market every bit as well as they were able to handle the ever-changing challenges of the battlefield.

As Dr. Kelly concludes her 33-year career as a public servant and leader in a highly demanding department, she is to be recognized this day as a most distinguished American for her exemplary leadership, commitment, managerial talent, and vision.

On behalf of the Congress and the United States of America, I thank Dr. Susan S. Kelly and her entire family for the commitment, sacrifices, and contributions they have made throughout her honorable service. Congratulations on completing an outstanding and successful career.

ADDITIONAL STATEMENTS

REMEMBERING BRIAN SCOTT GAMROTH

• Mr. BARRASSO. Mr. President, Wyoming has lost a true giant. On September 18, 2016, Brian Scott Gamroth lost his life in a tragic motorcycle accident. It is hard to think of a more familiar and friendly voice in Wyoming than Brian Scott's. For the past 23 years, the Casper community woke up and went to work with the smiling voice of Brian Scott filling the airwaves on the K2 Morning Show. While his voice has been silenced, his impact on Wyoming will live on.

Brian didn't stop at just reporting about the community, he lived it and loved it every day. If there was a charitable event in Casper or anywhere in Wyoming, Brian was either emceeding it or letting everyone in the Cowboy State know how they can help. Through his talents as an entertainer, master of ceremonies, and a community leader, Brian has raised millions of dollars for local and State charities.

Brian's love for Wyoming was only eclipsed by his love for his family. He is survived by his wife, Tracy, and three sons: Josh and his wife, Heidi; Kyle and his wife, Whitney; and Corey. Brian cherished his four grandchildren, Lucy, Sarah, Reagan, and Owen.

Brian Scott Gamroth was a friend to everyone. He has changed many lives for the better, and Wyoming will feel his loss for a long time. Bobbi and I are blessed to have called him our friend. We will miss him dearly. •

TRIBUTE TO TOM PAYNE

• Mr. BLUNT. Mr. President, earlier this year, I got the news that my good friend, Dean Tom Payne, had announced that he would be retiring from the MU College of Agriculture, Food, and Natural Resources and vice chancellor for Agriculture. Needless to say, I had mixed emotions.

I am happy that Tom will get to spend more time with his beautiful wife, Alice, and his children, Joanna and Jacob, and Jacob's wife, Jennifer. Of course, I am also happy that Caroline and Jack, his grandchildren, will get to see him more.

However, his retirement also made me think that someone will have big shoes to fill because Dean Payne has set high standards throughout the years and exceeded them.

Dean Thomas L. Payne has served as vice chancellor for Agriculture and dean of the MU College of Agriculture, Food, and Natural Resources since January 1, 1999. Back then he knew that the College of Agriculture at the University of Missouri in Columbia was a leader in agriculture research and education. Today under Dean Payne's leadership, the MU College of Agriculture is at the forefront.

Dean Payne was born in Bakersfield, CA. He received his B.A. in zoology from the University of California, Santa Barbara, and his M.S. in entomology and Ph.D. in entomology and physiological psychology from the University of California, Riverside.

Payne took his talents to Texas A&M University's departments of entomology and forest science. He started his track record in leadership, academics, and research.

The U.S. Department of Agriculture selected him to serve as the research coordinator for the Southern Pine Beetle Program.

He became a professor and head of entomology at Virginia Polytechnic Institute and State University.

In the midnineties, Tom was appointed as associate vice president for agricultural administration and associate dean for research at the Ohio State University's College of Food, Agriculture, and Environmental Sciences. He was also the director of the Ohio Agricultural Research and Development Center.

He then moved to the University of Missouri, Columbia and further solidified his leadership in research and academics. In addition to serving as vice chancellor and dean of the MU College of Agriculture, Food, and Natural Resources, he also became the director of the Missouri Agricultural Experiment Station. The Missouri Agricultural Experiment Station is a network of centers conducting research in agriculture, animal science, natural resources, and forestry.

Of course, Dean Payne is an over-achiever. He is the author and co-

author of more than 130 publications and is founding coeditor of the *Journal of Insect Behavior*. He is a recipient of numerous awards including the Alexander von Humboldt Prize and Missouri Future Farmers of America Association Distinguished Service Award. If all that wasn't enough, Dean Payne has been a member of the World Agricultural Forum's Board of Advisors, Danforth Plan Sciences Center's Board of Advisors, Agriculture Future of America's Board of Directors, and a board member of the Entomological Foundation.

There are few people who are able to figure out what they love to do and make such a successful career out of doing just that. However, Dean Tom Payne is one such person who has had a career doing what he loves, but in addition, have a tremendous impact on students, peers, and all those that know him.

Dean Payne has had a career preparing, showing, teaching, and leading students and faculty. I am confident that there are many individuals who would credit Dean Payne for their interest in agriculture, especially agriculture research. He has always had a passion for what he does—and not matter what, he always has his wit and humor.

I have seen his wit and humor bring tears and laughter. I have also seen individuals nervous as they waited to hear Dean Payne speak, wondering what zingers he might say. I can promise you, he knows how to hold his audience's attention—students or career professionals.

My friend, Dean Tom Payne, has always provided insight and leadership at each institution he worked, committee seat he held, and board on which he served. I know that at the College of Agriculture, Food, and Natural Resources, at the University of Missouri in Columbia, Dean Payne has left his mark on the student population, research programs, and faculty members. Student enrollment in the college increased by 44 percent. Student participation in study abroad programs increased 50 percent. He contributed to making the Bond Life Sciences Center a reality. Plant and animal sciences continued to enhance its programmatic strength, so it is now ranked among the 15 best programs in the world. And he oversaw the hiring of more than half of the college's current faculty.

Again I say, Dean Payne has left big shoes to fill.

In his retirement, I am confident Dean Payne will play more golf, but I am not certain it will improve his game. He might even do some more hunting and fishing. I hope he will continue to be a resource for those in agriculture, especially agriculture research and education.

Missourians wish Dean Tom Payne all the best in his retirement. •

REMEMBERING DALE FREEMAN

• Mr. BOOZMAN. Mr. President, today I wish to honor the life of Lawrence County Judge Dale Freeman of Portia, AR, who passed away on Saturday, September 17, 2016.

Judge Freeman was a Lawrence County native who loved his neighbors and community with evident passion. Dale graduated from Southern Baptist College and worked at Burlington Northern Railroad, where he retired after 36 years of service. He also had a desire for public service and went on to become mayor of Portia, AR, and eventually was elected judge of Lawrence County in 2010.

Judge Freeman once told a reporter, “the only job I ever wanted was to be the judge in Lawrence County.” When the people of Lawrence County gave him that opportunity, he made the most of it. He was a tireless advocate for citizens and was known to put in long hours conducting the business of the county. His ultimate goal was to leave the county better than when he took office, and based on the results, it is fair to say that he achieved that aim.

Judge Freeman was injured in a car accident in August of this year and was being treated at a hospital in Little Rock. While he had been making progress toward a recovery, unfortunately, his health rapidly declined, and he passed away as a result of his injuries. He is survived by his wife, Mary, daughters, Tonya, Candi, and Michelle, and son, Jeff.

I deeply admire Judge Freeman's dedication to serving his lifelong home of Lawrence County. I know his leadership, dedication, and commitment to the community will be missed by many. I join with them in praying for comfort for Judge Freeman's family, friends, and loved ones. Today we honor him as his community grieves his loss and reflects on his life and service.●

AMALGAMATED SUGAR'S CENTURY OF IDAHO SUGAR PRODUCTION

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in recognizing Amalgamated Sugar's 100 years of sugar production in the Magic Valley of Idaho.

With roots that stretch back to 1897, Amalgamated Sugar, a grower-owned cooperative, has been a member of the Magic Valley community for 100 years. Amalgamated Sugar opened its Twin Falls factory on October 22, 1916, followed a year later by the Paul factory on October 28, 1917. Throughout the years, Amalgamated Sugar's growers and employees have navigated the twists and turns of a more than challenging market with sensibility, determination, and innovation. Through its partnership with Amalgamated Re-

search, Inc., ARi, a research and development company owned by Amalgamated Sugar, Amalgamated Sugar has pioneered the use of innovative fractal separation technology and is a leader in processing efficiency. Amalgamated Sugar has also expanded its marketing to reach throughout the United States through its partnership with National Sugar Marketing. The past 100 years of innovation have helped Amalgamated Sugar grow from processing 3,078,000 tons of sugarbeets into 925,000 100-pound bags of sugar in 1917, to the estimated 6,636,000 tons of sugarbeets into 21,058,000 100-pound bags in 2016.

The cooperative's focus on precision production and agronomic advancements has grown it into the second largest beet sugar producer in the U.S., producing 12 percent of the Nation's sugar on 182,000 acres, according to statistics from Amalgamated Sugar. The cooperative's accomplishments result from the teamwork of its approximately 750 growers and more than 1,600 Idaho employees who produce quality sugarbeets, transport them from the fields to the factories, and refine high-quality sugar products, nutritional supplements, and animal-feed products. Amalgamated Sugar is a substantial part of our Nation's economy.

Amalgamated Sugar's contributions include approximately \$800 million in revenues to Idaho's economy, which is evident in the lives of the generations of its growers and employees, in its relationships with local suppliers and vendors, and in the more than \$283 million in Idaho's sugarbeet production estimated by the Idaho State Department of Agriculture.

Congratulations, Amalgamated Sugar growers and employees, on a century of accomplishments. You and your predecessors have much to be proud of for prevailing over more than a 100 years of challenges and contributing significantly to job opportunities and U.S. production. We wish you all the best for continued success.●

TRIBUTE TO CYNTHIA “CINDY” HUBERT

• Mr. DONNELLY. Mr. President, today I wish to recognize and honor the extraordinary service of Cynthia “Cindy” Hubert, a dedicated Hoosier, who has played a critical role in feeding the hungry in Indiana.

On September 24, 2016, Cindy will retire following more than 6 years of service to Gleaners Food Bank of Indiana.

Indiana has benefitted greatly from Cindy's tireless leadership, and she has helped oversee and successfully lead several hunger relief organizations in central Indiana at critical time periods in each organization's history. Her efforts have ensured hundreds of thousands of food-insecure Hoosiers are fed

with dignity and hope, giving these families the chance to lead happier, healthier, and more fulfilling lives.

Cindy moved to Indianapolis, IN, after a successful 25-year career with First Union National Bank in Connecticut. After arriving in Indiana, Cindy first led Horizon House, a multi-service center for the homeless. She then went on to lead three of the most critical and impactful organizations in Indiana that feed hungry children, senior citizens, military veterans, and families.

Prior to her transformational leadership at Gleaners, Cindy was president and CEO of Second Helpings, Inc., a leading provider of meals to more than 80 nonprofits in central Indiana. Cindy oversaw one of Second Helpings' most significant periods of change and growth, and it celebrated its 10 millionth meal distributed this July.

During her time at Second Helpings, Cindy also launched a collaborative program known as the Indy Hunger Network, where key nonprofit, government, donor, and support organizations leverage their unique abilities, combine resources, and talent and impact hunger together. Cindy's idea has grown into a highly effective reality and a key part of the hunger relief network in central Indiana.

In her role as president and CEO of Gleaners, she has supported one-third of Indiana's food-insecure population across 21 counties, working through hundreds of local agencies. During her 6 years at Gleaners, three core programs have tripled in size: Backsacks for Kids, the School Pantry Program, and the Mobile Pantry Program. Cindy helped Gleaners launch important new programs, including summer meals for children in need and a new initiative feeding senior citizens. She also opened an on-site food pantry at the Gleaners distribution center and, over time, worked to increase the food pantry physical's size to six times the original space. Under her leadership, 75 Gleaners employees and tens of thousands of volunteers each year distribute 27.5 million meals; 10,400 backsacks to children for weekends; 135,000 summer meals at 54 sites; more than 328,000 meals to senior citizens; over 2.4 million meals to 150,000 hungry Hoosiers at 321 mobile pantry sites; and nearly 1 million meals at 50 school-based pantry sites.

Cindy's integrity and tireless efforts have helped to make Indiana a better place to live, work, and raise a family. We are incredibly grateful for Cindy's leadership and service, and we wish her well in retirement with her husband, Steve, and daughter Stacey.●

REMEMBERING EWING MARION KAUFFMAN

• Mrs. McCASKILL. Mr. President, I ask the Senate to join me today in

honoring the 100th birthday celebration of Ewing Kauffman. Mr. Kauffman was a Kansas City and Missouri icon who lived a life that would make all Americans proud. From founding a pharmaceutical empire, to bringing Major League Baseball back to Kansas City, to establishing a philanthropic foundation that continues to change lives to this day, Mr. Kauffman built a legacy that is deserving of all of our respect.

On June 1, 1950, Mr. Kauffman opened Marion Laboratories. “Mr. K” operated this company from the basement of his home and used his middle name as the company name so that people wouldn’t know they were dealing with a small, one-man operation. As he built this humble company into an industry leader, he did so with two guiding philosophies: No. 1, share the rewards with those who produce, and No. 2, treat others the way you wish to be treated. Profit sharing wasn’t an industry practice at the time, but it was vital to the company’s success and an example of Mr. Kauffman’s generosity. By the time the company was sold in 1989, it had provided jobs for 3,400 associates, showed a \$227 million profit, and made 300 Marion Labs associates instant millionaires.

In 1968 Mr. Kauffman said, “Kansas City has been good to me, and I want to show I can return the favor.” It was that year that he and Kansas City were awarded a Major League Baseball expansion franchise—the Kansas City Royals were born. However, having a team was not enough for Mr. K; the team needed to win and win a lot. During his time as owner, the Royals won six division titles, two American League pennants, and the 1985 World Series Championship; yet even that was not enough for him to “return the favor” to Kansas City. Mr. Kauffman, worried that a new owner would move the franchise out of Kansas City upon his death, set up an imaginative strategy to ensure that didn’t happen. Namely, the profit of the sale by a new owner would have to go to local Kansas City charities, essentially ensuring the franchise would stay in Kansas City. Because of this forward thinking, I am sure Mr. K was smiling down as approximately 800,000 Kansas Citians celebrated at the Royals 2015 World Series Championship Parade.

Even with all that he did during his life, his most lasting legacy will be establishing the foundation that bears his name and continues to effect change to this day: the Kauffman Foundation. Mr. Kauffman regarded his education and ability to be an entrepreneur to be pivotal in his life. For that reason, the Kauffman Foundation focuses its grant making on those two areas, giving people the resources needed to be self-sufficient and make positive change in their community.

Reflecting on his philanthropy, Mr. Kauffman said, “All the money in the

world cannot solve problems unless we work together. And, if we work together, there is no problem in the world that can stop us, as we seek to develop people to their highest and best potential.” Words that are as true today as they were during his life.

Mr. President, I ask that the Senate join me in honoring the 100th birthday celebration and the life and achievements of one of Kansas City and the State of Missouri’s finest citizens, Ewing Marion Kauffman.●

● Mr. BLUNT. Mr. President, over the last several years, when Missourians and people across the country open their newspapers or watch the news, they are bombarded with reports that make them feel anxious about the direction of our Nation and the future our children and grandchildren will inherit.

At times like these, when we are filled with anxiety and uncertainty, it is important to remind ourselves of the good done by great Americans in their communities. One man or woman can make a tangible difference to improve the lives of many.

Today I want to recognize one such a great American, as well as Missouri native, Ewing Marion Kauffman, on the 100th anniversary of his birth.

Residents of Kansas City knew and still know Ewing Marion Kauffman well. They are reminded of his lasting legacy every time they see the work of the Kauffman Foundation or when they visit Kauffman Stadium—“The K”—to see the Kansas City Royals.

However, Mr. Kauffman is perhaps best known for his vision that a quality education is the foundation for self-sufficiency, and he used philanthropy to help foster a society of economically independent individuals who are actively engaged in their communities. Indeed, Mr. Kauffman’s vision has left an indelible mark on the lives of so many.

By way of background, Ewing Marion Kauffman was born on September 21, 1916, on a farm in Garden City, MO. The son of John and Effie May, the Kauffman family moved to Kansas City when Ewing was just a boy—a place he called home the rest of his life.

Ewing Kauffman was from the generation that weathered the Great Depression. As a boy, he helped his family make ends meet by selling eggs and magazines door to door, even diving into muddy underwater burrows to catch catfish so he could sell them.

During World War II, he served his country in defense of freedom by joining the U.S. Navy. When the war ended, Ewing Kauffman became a salesman for a pharmaceutical company. A born salesman, by the end of his second year, he is said to have earned more in commissions alone than the salary of the president of the company he worked for.

In 1950, Mr. Kauffman struck out and started his own pharmaceutical company: Marion Laboratories.

A few things to note about Marion Laboratories. First, there was no lab. Ewing Kauffman founded this startup in his basement. Second, in a field that requires huge amounts of capital in scientific research, Mr. Kauffman’s “research division” consisted of him reading medical journals. As one biographer noted: “He was in a business that was rooted in science and fueled by research, and he had only a smattering of the former and could not afford the latter.”

What Mr. Kauffman had in spades, however, was an innate understanding of marketing and an ability to sell a product.

Why call his new startup “Marion Laboratories?”

He used his middle name to suggest that it wasn’t a one-man operation.

How good a salesman was he?

In its first year, Marion Labs made \$36,000 in sales. By the time he sold the company in 1989, it made \$1 billion in sales and employed over 3,400 people.

Ewing Kauffman’s philosophy in life can be summed up in three basic principles he adhered to:

First, treat others as you want to be treated.

Second, share life’s rewards with those who make them possible.

Third, give back to society.

Actions speak louder than words, and it is easy to find examples of Mr. Kauffman’s actions that support the principles by which he lived.

A popular boss who treated all his employees with dignity and respect, his employees affectionately took to simply calling him Mr. K. In terms of sharing life’s rewards, he offered his employees a profit-sharing plan, stock options, and education benefits. By 1968, 20 of Marion’s employees had become millionaires—and reportedly, hundreds had become millionaires by 1989.

But what really makes Ewing Kauffman stand out was his commitment to his third principle: Giving back to society.

There is not enough time to recount all of the work Mr. K did for Kansas City. He was passionate about improving lives and helping to make Kansas City a better place to live and work. I want to take a moment to highlight just a few of his contributions.

First, in 1968, he brought Major League Baseball back to Kansas City. The unique thing about this is that he acquired the team for the benefit of the city. The Kansas City Royals provided the community with a sense of pride, solidarity, and identity. This is all the more true given the Royals’ success—they have won six American League West titles, two pennants, participated in four World Series, and won two World Series championships in 1985 and 2015.

Second, in 1966, he founded the Ewing Marion Kauffman Foundation, a philanthropic organization committed to

helping people through education and entrepreneurship and changing the trajectory of their lives.

Always cognizant of the need to create more and better paying jobs, Kauffman saw education and entrepreneurship as two ends of a continuum. As such, he directed the foundation's mission to be one that helps individuals attain economic independence by advancing educational achievement and entrepreneurial success.

Today the Kauffman Foundation is among the largest private foundations in the U.S., with an asset base of approximately \$2 billion, and it sponsors dozens of fundraisers every year to support other nonprofits, funding organizations that accelerate positive change where it is needed most.

Lastly, I want to highlight something really unique. In 1988, Mr. Kauffman went to Kansas City Westport High School—the school he graduated from in 1934—to launch Project Choice.

By the late 1980s, Westport High School was plagued with a 30-percent dropout rate, and the disadvantaged students who attended had to contend with the scourge of serious drug and alcohol abuse. Project Choice was a deal Mr. K struck with 250 eighth graders who were about to attend Westport High School.

Ewing Kauffman offered the students—with the involvement of their parents—a 4-year scholarship to the college, university, or vocational school of their choice, including costs of tuition, books, fees, and room and board. What was the catch you might ask? Each child must graduate from high school in 4 years, have regular attendance, no serious disciplinary problems, and abstain from drugs and alcohol. Additionally, their parents had to agree to meet regularly with their children's teachers, coaches, and counselors and participate in school activities.

When asked why he was taking this initiative, Mr. K responded: "We have racial discrimination now. We have economic discrimination now . . . the answer to social and economic injustice is education."

He later expanded Project Choice to other schools across the Kansas City area.

In 2001, after learning from both successes and challenges with Project Choice, the Kauffman Foundation updated the program to emphasize college access, college preparation, and college graduation as part of its Kauffman Scholars Program.

In short, through its many programs, initiatives, and grants, the Kauffman Foundation embodies Mr. K's principles. Through its research and programs, the foundation continues to work to increase the percentage of students who achieve successful academic and life outcomes—to create the self-

reliant human capital necessary for entrepreneurial success.

Ewing Kauffman saw himself as a common man who did uncommon things. He constantly challenged those around him to reach their full potential and improve the lives of their families and communities. He built a lasting legacy in Kansas City.

Each one of us is capable of doing the same if we live by his principles: to treat others as you would like to be treated, to share life's rewards with those who make them possible, and to give back to society.

That philosophy is perhaps his greatest legacy, and it is a legacy this body should recognize because those principles—combined with a commitment to education and entrepreneurship—are what make good citizens great.●

● Mr. MORAN. Mr. President, today I wish to honor the 100th birthday of Ewing Marion Kauffman, an exceptionally successful Kansas City businessman who also cared deeply about the community he lived in.

Mr. Kauffman was an entrepreneur working out of the basement of his modest Kansas City home when he founded Marion Laboratories in June of 1950. By 1965, he had grown his small pharmaceutical business into a publicly traded company and introduced an innovative profit-sharing model so that all of his associates would reap the financial benefits of his company's accomplishments. His lifelong focus on enabling others to succeed has benefited generations of Kansans and all in the Kansas City community.

By 1989, Marion Laboratories merged with Merrell Dow to form Marion Merrell Dow, which provided jobs for 3,400 associates. Marion Merrell Dow became the fifth largest drug company in the United States in terms of sales. Leading Mr. Kauffman to this success were two guiding philosophic principles: No. 1, share the rewards with those who produce and No. 2, treat others as you wish to be treated. His principles continue to serve as a model of professional culture to new businesses across a wide variety of industries, and oftentimes, these new businesses are started by former associates of Mr. Kauffman's company and its affiliates.

Following Mr. Kauffman's success in business, he used his considerable resources to do good, establishing the Ewing Marion Kauffman Foundation in 1966. The foundation sought to address systemic issues within underserved communities around Kansas City—notably focused on improving the quality of education in the area and promoting and fostering entrepreneurship as a means of empowerment and opportunity for individuals.

Mr. Kauffman's legacy addressing fundamental challenges in the local community through a research-based approach continues today through the innovative work of the Ewing Marion

Kauffman Foundation. The foundation continues to focus on advancing education and entrepreneurship opportunities through strategic partnerships and inclusive dialogue among all pertinent private and public parties. In June, the foundation announced its 100 Acts of Generosity campaign to encourage the public to participate in community service efforts to honor Mr. Kauffman's legacy, while awarding a \$1 million grant to the Kansas City Royals' Urban Youth Academy to serve 800 to 1,000 young people with free baseball and softball clinics and instruction.

Mr. Kauffman also brought Major League Baseball back to his hometown, founding the Kansas City Royals in 1968. Under Kauffman's leadership, the organization sold more than 2 million tickets per season during 11 different seasons and won six division titles, two American League pennants, and the 1985 World Series Championship. Mr. Kauffman also developed innovative measures to ensure the Royals would remain in Kansas City long after his death in 1993.

In reflection of Mr. Kauffman's philanthropic mission, I conclude my remarks with a statement by Mr. Kauffman himself: "All of the money in the world cannot solve problems unless we work together. And, if we work together, there is no problem in the world that can stop us, as we seek to develop people to their highest and best potential."●

REMEMBERING DR. MOLLY MACAULEY

● Ms. MIKULSKI. Mr. President, I would like to take a moment to note the sad and untimely passing of a wonderful pillar of our Baltimore community, Dr. Molly Macauley. This is a very sad time not only for the Roland Park neighborhood of Baltimore where Dr. Macauley lived, but also for the Johns Hopkins community and Resources of the Future, where Dr. Macauley gave so much of her time and energy.

Molly Macauley was widely admired by her family, friends, and colleagues for her determination to impact the world. Originally from northern Virginia, she graduated from William and Mary in 1979 and came to Baltimore to study at Johns Hopkins University. She received her master's in 1981 and her doctoral degree in economics in 1983. Dr. Macauley was a visiting professor at Johns Hopkins for 20 years. She also joined the think tank "Resources for the Future," eventually becoming vice president for research. Dr. Macauley was considered an expert in environmental economics, leading the way into the future in space research and renewable energy. She also served on committees involved in science, space, and medicine, finding common ground and moving all of us forward.

We could use more role models like her everywhere today.

Dr. Macauley spent her time dedicated to becoming a better leader and raising those around her up as well. She put forth so much effort to make sure that the work she was doing had the greatest possible influence. She tried to bring good to this world through her award-winning journal articles, her time spent testifying in front of Congress, and educating the next generation of changemakers. Dr. Macauley will be remembered in Baltimore especially for the love she had for our city. She chose to commute to D.C. each day because she couldn't bear to leave Baltimore for too long. She never let anyone forget their ties to Baltimore either. Even if they moved away, she sent Baltimore's world-famous Berger cookies and treats to remind them of home.

Her passing has been a shock to our community, to have such an upstanding and valued member of it so brutally attacked. I know the community will be there for each other as we come to terms with her tragic loss. I ask that my colleagues join me in expressing sympathy to Dr. Macauley's family and friends as they mourn the loss of this remarkable woman and remember the impact she had on our Nation.●

REMEMBERING DR. RAYMOND C. BUSHLAND

● Mr. ROUNDS. Mr. President, today I wish to commemorate the life and work of Dr. Raymond C. Bushland, a native of South Dakota.

Dr. Bushland, along with his colleague Edward F. Knipping of Texas, made tremendous scientific advancements in eradicating and suppressing the threat posed by pests to the livestock and crops that contribute to the world's food supply. Dr. Bushland will be posthumously honored with the Golden Goose Award for his and Dr. Knipping's research on the screwworm fly. The Golden Goose Award recognizes scientists who have made significant contributions to society through unique federally funded projects.

Bushland was raised in Clearlake, SD, and graduated from South Dakota State University in 1932 with degrees in entomology and zoology. After earning his masters in 1934, he began working at a laboratory for the U.S. Department of Agriculture in Dallas, TX, where he met Dr. Knipping. The two shared a fascination with the screwworm fly, a rampant and aggressive pest that primarily targeted cattle. The screwworm fly could decimate herds in a matter of weeks and was nearly impossible to prevent.

Through their research, Bushland and Knipping hypothesized that scientists could combat the pest by controlling its population, an approach that was met with great skepticism.

Regardless, Bushland successfully devised the "sterile insect technique," a revolutionary method in controlling pest populations. The hypothesis was soon confirmed.

By preventing regular reproduction, they began seeing results immediately, and in 1982, the screwworm fly was declared completely eradicated in the U.S. Since this breakthrough, the U.S. Department of Agriculture has partnered with countries throughout the Western Hemisphere to continue eradicating screwworm flies and preventing reinfestation.

The technique pioneered by Bushland and Knipping saved the cattle industry an estimated \$20 billion since its implementation and has been applied to various insect species since. Today, scientists are using the same technique to combat the spread of the Zika virus. This feat is lauded as one of the most important developments in pest control, as well as one of the first peaceful uses of nuclear radiation.

Bushland's work represents a pinnacle of scientific achievement that helped pave a new era of food security and public health. His curiosity, perseverance, and ingenuity continue to be a source of inspiration for students in South Dakota and across the country. For his commitment to science, education, and society, we thank him.●

RECOGNIZING MORRIS & DICKSON CO. LLC

● Mr. VITTER. Mr. President, oftentimes the truest test of a small business's strength is its longevity. In Louisiana, our small businesses have worked through countless challenges and survived for generations to improve the lives of their neighbors and make substantial contributions to the economy. In honor of their 175th anniversary, I would like to present Morris & Dickson Co. LLC of Shreveport, LA, with the Senate Small Business Legacy Award for the important achievements of this Louisiana-based small business success story.

In 1841, John Worthington Morris opened J. W. Morris & Co., an independent pharmacy in downtown Shreveport, LA. Working out of a single riverfront warehouse, J.W. first received goods by steamboat from New Orleans and, with the help of his brother, Thomas Henry, ran his namesake small business until his death 12 years later. A second generation of the Morris family continued J.W.'s legacy until Claudius Dickson bought the business in 1899, renaming it to be Morris & Dickson Co. Claudius worked with members of the Morris family to grow their wholesale pharmaceutical business. As technology improved, with new railway lines and gasoline-powered trucks, Morris & Dickson Co. embraced the revolutionary improvements to distribute their pharmaceuticals in Louisiana and the surrounding States.

In order to survive the Civil War, the Great Depression, as well as the day-to-day struggles of running a successful business, the leaders of Morris & Dickson Co. took advantage of each technological improvement to ensure the company would stay afloat.

It wasn't until the 1980s that Morris & Dickson Co. grew exponentially and became a nationally recognized competitor. At the time, Morris & Dickson Co. was working out of the same building it had first moved into in 1905. Nearly eight decades later, they were still transporting goods in a manual freight elevator and used a dumbwaiter or rope bucket to send orders upstairs. Claudius's son Markham Allen Dickson recognized that major changes had to be made and, much like his predecessors, had an immense respect for technology's growing influence. M. Allen's foresight and ingenuity allowed the family-owned business to grow to become the region's leading wholesale drug distributor. He moved the company out of downtown Shreveport and utilized the early use of computers. Under his leadership, Morris & Dickson Co. exploded on the national wholesale pharmaceutical scene. By 2013, Morris & Dickson Co. was the fourth largest pharmaceutical distributor in the Nation.

Still driven by the 175-year-old ambition to elevate the standard of patient care for their neighbors and community, today Morris & Dickson Co. is run by M. Allen's son, Paul Dickson. Morris & Dickson Co. has a well-earned reputation for persevering through many hardships by embracing innovation in order to harness the power of an ever-changing economy and increasingly technology-driven world.

Today, Morris & Dickson Co. provides operational and logistic innovation support for independent pharmacies. This includes everything from ontime delivery of pharmaceutical inventory to inventory management software. With Morris & Dickson Co.'s help, independent pharmacies in 14 States can focus on supporting and improving the health of their local communities, while also remaining financially solvent.

This Shreveport-based family-run business is a great example of the American Dream in action, and companies like Morris & Dickson certainly serve as role models for the next generation of entrepreneurs. I congratulate the hard-working folks at Morris & Dickson Co. LLC on 175 years in business and for the well-deserved honor of the Senate Small Business Legacy Award.

TRIBUTE TO MISSISSIPPI'S OLYMPIANS AND PARALYMPIANS

● Mr. WICKER. Mr. President, today I wish to congratulate the Mississippians who competed in the Olympics and

Paralympics in Rio de Janeiro, Brazil. They have indeed made us proud.

One of our Olympic all-stars—Tori Bowie—came home with a complete set of medals, earning bronze, silver, and gold in track-and-field events. Tori is from Sandhill, a community in Rankin County, and attended the University of Southern Mississippi. She earned her bronze medal in the 200-meter, her silver in the 100-meter, and her gold in the 4x100-meter relay.

Another track-and-field star, Sam Kendricks, also made news headlines for both his bronze medal in pole vault and a powerful moment of patriotism. During the qualifying round, the second lieutenant in the Army Reserve stopped sprinting during his pole vault attempt to stand at attention when he heard “the Star-Spangled Banner.” Sam is from Oxford and attended the University of Mississippi.

Gulfport native Brittney Reese made history at the 2012 London games, where she became the first American woman to win a gold medal in long jump in more than 20 years. She did not leave Rio empty-handed. The six-time world champion and Ole Miss alumna earned a silver medal in her third Olympics.

Rounding out Mississippi's roster was Ricky Robertson of Hernando, a former track-and-field star at the University of Mississippi who competed in high jump at his first Olympics.

For 10 other athletes, the road to Rio went through Mississippi. These talented individuals have made our State home as alumni, students, or coaches at our universities. Congratulations are in order for Gwen Berry, Mateo Edward, Marta Freitas, Antwon Hicks, Anaso Jobodwana, Mariam Kromah, Brandon McBride, Raven Saunders, Khadijah Suleman, and Michael Tinsley.

Following the Olympics, Mississippians again turned to Rio to cheer for our local all-stars in the 2016 Paralympic Games. Charlie Swearingen from Gulfport competed on the sitting volleyball team, which finished eighth. He joined two-time Paralympians Joey Brinson from Florence and Shaquille Vance from Houston, who had earned a silver medal in 2012. Joey finished ninth in his category of wheelchair fencing, and Shaquille finished fourth in the men's T42 200-meter run.

The Olympics and Paralympics are an inspiring showcase of international goodwill and sportsmanship. These Mississippians have represented us well on the world stage, and I have no doubt they will continue to succeed in their future endeavors.●

MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks,

announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 670. An act to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes.

H.R. 3937. An act to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the “Randy D. Doub United States Courthouse”.

H.R. 4887. An act to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the “Richard Allen Cable Post Office”.

H.R. 5150. An act to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the “Leonard Montalto Post Office Building”.

H.R. 5309. An act to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the “Army First Lieutenant Donald C. Carwile Post Office Building”.

H.R. 5356. An act to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the “E. Marie Youngblood Post Office”.

H.R. 5591. An act to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the “Zapata Veterans Post Office”.

H.R. 5612. An act to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the “Marine Lance Corporal Squire ‘Skip’ Wells Post Office Building”.

H.R. 5676. An act to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the “Officer Joseph P. Cali Post Office Building”.

H.R. 5687. An act to eliminate or modify certain mandates of the Government Accountability Office.

H.R. 5690. An act to ensure the Government Accountability Office has adequate access to information.

H.R. 5785. An act to amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers.

H.R. 5889. An act to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the “Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building”.

H.R. 5944. An act to amend title 49, United States Code, with respect to certain grant assurances, and for other purposes.

H.R. 5957. An act to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

ENROLLED BILLS SIGNED

At 12:56 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 5936. An act to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.

H.R. 5985. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 670. An act to amend title XIX of the Social Security Act to extend the Medicaid rules regarding supplemental needs trusts for Medicaid beneficiaries to trusts established by those beneficiaries, and for other purposes; to the Committee on Finance.

H.R. 3937. An act to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the “Randy D. Doub United States Courthouse”; to the Committee on Environment and Public Works.

H.R. 4887. An act to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the “Richard Allen Cable Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5150. An act to designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the “Leonard Montalto Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5309. An act to designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the “Army First Lieutenant Donald C. Carwile Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5356. An act to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the “E. Marie Youngblood Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5591. An act to designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the “Zapata Veterans Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5612. An act to designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the “Marine Lance Corporal Squire ‘Skip’ Wells Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5676. An act to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the “Officer Joseph P. Cali Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5889. An act to designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the “Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2849. A bill to ensure the Government Accountability Office has adequate access to information (Rept. No. 114-356).

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Thomas G. Kotarac, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2017.

*Constance Smith Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2021.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 3366. A bill to streamline the R-1 religious worker visa petition process; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. BENNETT, Mrs. BOXER, Mr. BURR, Ms. COLLINS, Mr. DAINES, Mr. GARDNER, Mrs. GILLIBRAND, Mr. KAINE, Mr. KING, Mr. MARKEY, Mr. NELSON, Mr. PETERS, Mr. SCHUMER, Ms. STABENOW, Mr. TESTER, Mr. TILLIS, and Ms. WARREN):

S. 3367. A bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility leases of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. COONS (for himself and Mr. ISAKSON):

S. 3368. A bill to amend the Higher Education Act of 1965 to improve college access and college completion for all students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN (for himself, Mr. CORNYN, Mr. COTTON, Mr. BURR, Mr. GRAHAM, and Mr. SESSIONS):

S. 3369. A bill to amend section 2709 of title 18, United States Code, to clarify that the Government may obtain a specified set of electronic communication transactional records under that section, and to make permanent the authority for individual terrorists to be treated as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

By Mr. WHITEHOUSE:

S. 3370. A bill to restrict confidentiality agreements that prohibit the disclosure of information relating to hazards to public safety or health, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Ms. STABENOW, Mr. BENNETT, Mr. NELSON, and Mr. BROWN):

S. 3371. A bill to amend titles II, XVIII, and XIX of the Social Security Act to improve the affordability and enrollment procedures of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY:

S. 3372. A bill to amend the Internal Revenue Code of 1986 to provide for a partial ex-

clusion from the excise tax imposed on heavy trucks sold at retail for alternative fuel trucks; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. MORAN):

S. 3373. A bill to amend the Federal Deposit Insurance Act to ensure that the reciprocal deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON:

S. 3374. A bill to amend the Internal Revenue Code of 1986 to provide a reduced excise tax rate for portable, electronically-aerated bait containers; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. PETERS):

S. 3375. A bill to amend the Small Business Investment Act of 1985 to enhance the Small Business Investment Company Program and provide for a small business early-stage investment program; to the Committee on Small Business and Entrepreneurship.

By Mr. COTTON (for himself, Mr. LEE, and Mr. GRAHAM):

S. 3376. A bill to ensure the integrity of laws enacted to prevent the use of financial instruments for funding or operating online casinos are not undermined by legal opinions not carrying the force of law issued by Federal Government lawyers; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. SHAHEEN):

S. 3377. A bill to increase the participation of women in foreign security forces, specifically the military and police, with United States foreign assistance; to the Committee on Foreign Relations.

By Mr. BURR (for himself and Mr. TILLIS):

S. 3378. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate certain parts of United States Route 264 and the Eastern North Carolina Gateway Corridor as future parts of the Interstate System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. THUNE (for himself, Mr. NELSON, Mrs. FISCHER, and Mr. BOOKER):

S. 3379. A bill to improve surface transportation and maritime security; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 388

At the request of Mr. BOOKER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 388, a bill to amend the Animal Welfare Act to require humane treatment of animals by Federal Government facilities.

S. 540

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 540, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 574

At the request of Mr. SCOTT, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 689

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1945

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1945, a bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2341

At the request of Mr. BENNETT, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2341, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 2420

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii

(Ms. HIRONO) was added as a cosponsor of S. 2420, a bill to amend the Food and Nutrition Act of 2008 to modify the exception to the work requirement.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2832

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 2832, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2941

At the request of Ms. AYOTTE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2941, a bill to require a study on women and lung cancer, and for other purposes.

S. 2953

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2953, a bill to promote patient-centered care and accountability at the

Indian Health Service, and for other purposes.

S. 3006

At the request of Ms. MURKOWSKI, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3006, a bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes.

S. 3023

At the request of Mrs. MCCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3023, a bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes.

S. 3065

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3065, *supra*.

S. 3073

At the request of Ms. BALDWIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3073, a bill to establish a commission to ensure a suitable observance of the centennial of the passage and ratification of the Nineteenth Amendment to the United States Constitution providing for women's suffrage, and for other purposes.

S. 3101

At the request of Mr. CASSIDY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 3101, a bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Maine (Ms. COLLINS), the Senator from Utah (Mr. LEE) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3244

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a co-

sponsor of S. 3244, a bill to amend title XXVII of the Public Health Service Act to clarify the treatment of pediatric dental coverage in the individual and group markets outside of Exchanges established under the Patient Protection and Affordable Care Act, and for other purposes.

S. 3253

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 3253, a bill to require the Occupational Safety and Health Administration to provide notice and comment rulemaking for the revised enforcement policy relating to the exemption of retail facilities from coverage of the process safety management of highly hazardous chemicals standard under section 1910.119(a)(2)(i) of title 29, Code of Federal Regulations, and for other purposes.

S. 3270

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3270, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3304

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 3304, a bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from Mississippi

(Mr. WICKER) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 3328

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3328, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 3355

At the request of Mr. COTTON, the names of the Senator from Idaho (Mr. RISCH), the Senator from Missouri (Mr. BLUNT) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 3355, a bill to prohibit funding for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in the event the United Nations Security Council adopts a resolution that obligates the United States or affirms a purported obligation of the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

S. RES. 527

At the request of Mr. UDALL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 527, a resolution recognizing the 75th anniversary of the opening of the National Gallery of Art.

S. RES. 535

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 535, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

S. RES. 570

At the request of Mr. MURPHY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. Res. 570, a resolution recognizing the importance of substance abuse disorder treatment and recovery in the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have seven requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on September 21, 2016, at 10 a.m., in room SR-328A of the Russell Senate Office Building, to conduct a hearing entitled "The U.S. Department of Agriculture and the Current State of Farm Economy."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on September 21, 2016, at 10 a.m., in room SR-253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on September 21, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on September 21, 2016, in room SD-628 of the Dirksen Senate Office Building, at 2 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on September 21, 2016, at 1 p.m., in room SH-219 of the Hart Senate Office Building.

SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

The Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on September 21, 2016, at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Reviewing the Proposed Revisions to the U.S. Fish and Wildlife Service Mitigation Policy."

SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL TRADE AND FINANCE

The Committee on Banking, Housing, and Urban Affairs Subcommittee on

National Security and International Trade and Finance are authorized to meet during the session of the Senate on September 21, 2016, at 10:30 a.m., to conduct a hearing entitled, "Terror Financing Risks of America's \$1.7 Billion Cash Payments to Iran."

PRIVILEGES OF THE FLOOR

Mr. DONNELLY. Mr. President, I ask unanimous consent that Sarah Thomson, a member of my staff, be granted floor privileges for the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, SEPTEMBER 22, 2016

Mr. LEE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 11 a.m.; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 5325, postcloture; further, that notwithstanding the provisions of rule XXII, all postcloture time on the motion to proceed to H.R. 5325 expire at 11 a.m. tomorrow; finally, that if the motion to proceed is agreed to, Senator McCONNELL be recognized to offer a substitute amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. LEE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Thursday, September 22, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, September 21, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIBBLE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 21, 2016.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

MASS IMMIGRATION AND FUTURE PROSPERITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, if not for the massive immigration wave of the last 40 years, America's population would have stabilized or had very modest growth. Instead, America's population has exploded to 321 million people, due primarily to 62 million foreign-born people, plus their minor children.

As an aside, illegal aliens are estimated to account for roughly 25 percent of that growth. Overall, America's foreign-born population grew from 4.7 percent of total population in 1970 to over 13 percent of population in 2015.

Consistent with the above, the Census Bureau estimates that, within 7 years, America's population will have the highest percentage of foreign-born people since the Revolutionary War, adding another 74 million people to America's population over the next 45 years.

Although Americans are supportive or tolerant of legal immigration, they are showing a growing unease in the

face of this record-breaking immigration tidal wave that drives up welfare costs, overcrowds schools and hospitals, and increasingly subjects American citizens to growing crime and terrorist attack risks.

Consistent with this growing concern, a recent poll found that 61 percent of Americans believe "continued immigration into the country jeopardizes the United States." Notwithstanding America's concern, America's wealthy elite use their campaign contributions, political influence, and popular media to glorify legal and illegal immigration to ensure their continuance.

Puppet-like politicians expand visa programs, ignore laws that protect Americans from illegal aliens, and seek to legalize those illegal aliens who have broken into our homes. Left-wing media, Democrats, and even some Republicans brand as racist and small-minded the working-class Americans who object to massive immigration and label concerned politicians as paranoid isolationists.

What drives the craving by America's wealthy elite for more foreign workers?

Follow the money. Throughout history, from lords to merchant princes, elite have acquired great wealth by exploiting cheap slave or low-cost foreign labor.

Even here, America's two great immigration waves depressed incomes of working citizens as large numbers of immigrants blew up the labor supply while also competing for and taking jobs from American citizens.

On the plus side, back when America had seemingly unlimited natural resources and great spaces of open land, immigrants were self-sufficient, were not a financial burden on other Americans, and grew America's wealth and gross domestic product.

In Ecclesiastes in the Bible, a very wise man, Solomon, once said: "To everything there is a season, and a time to every purpose under the Heaven."

Times have changed. America's natural resources are limited. We must import metals and energy to sustain our economy. Great spaces of usable land are long gone. Further, technological advances in the intelligent machine age are dramatically changing labor markets. Rather than just more productive tools that must still have a human in the operational loop, intelligent machines produce value independently with minimal to no labor requirements. No longer is massive population growth essential to grow America's gross domestic product.

America must recognize our challenges and opportunities. While over 5 billion foreigners want to migrate to America, in part, because they earn only \$10 a day in their own countries, America has enough citizens and technology to assure our common defense and economic advancement.

Each foreigner imported consumes space and resources, neither of which is infinite. Hence, we must be more selective in our immigration policies to ensure incoming immigrants are both self-sufficient and able and willing to be properly absorbed into American society. If we aren't, America's population will explode and America will lose its special place in history.

FREE OSCAR LOPEZ RIVERA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, this past weekend, I visited four cities in four States to meet with Puerto Rican elected officials, leaders, and members of the Puerto Rican diaspora about a very important campaign.

I was in Hartford, Connecticut; Springfield and Holyoke, Massachusetts; New York, New York; and Newark, New Jersey, for activities, parades, and discussions that were very successful. This week, I will be back in Chicago with my fellow Puerto Ricans at the National Museum of Puerto Rican Arts and Culture to honor the organization and to recognize the talent and cultural contributions of Antonio Martorell and Lin-Manuel Miranda, who make us all proud.

But I am not traveling on a campaign for President or for a political candidate. Rather, I am meeting with people all over about a campaign for the current President to take action before he leaves office in January to free Oscar Lopez Rivera, the last political prisoner from Puerto Rico, who has been held for 35 years in an American prison.

No one disputes that the President of the United States has the power to grant pardons, commute sentences, and grant clemency. It is a power the President alone possesses as our chief executive. Congress and the courts can do nothing to override him in this case.

Puerto Ricans and allies all over the world are asking the President to grant clemency to Oscar Lopez Rivera. He was not convicted of committing a violent crime. Rather, he was convicted of seditious conspiracy, espousing the belief that the people of Puerto Rico are

capable of, entitled to, and have the right to self-determination and freedom.

This man, Oscar Lopez Rivera, who is now in his seventies and has spent half of his life in prison, is no threat to the United States or Puerto Rico. He harbors no nefarious plot to harm anyone. He is simply a man who served an inordinate sentence for the crime for which he was convicted. And now Puerto Ricans want their elder statesman to live out his days in Puerto Rico. In fact, Mr. Speaker, there are few issues that unite the Puerto Rican people more than the united front that is assembling to call for the release of Oscar Lopez Rivera.

Hundreds have already pledged to join us on October 9 in Lafayette Park in Washington, D.C., to make our unity and our commitment known. I know from my own experience that all too often Puerto Ricans are divided from each other along so many lines of politics, class, and geography. But in this case, in this cause, in the united call, Puerto Ricans are united as never before.

The House and the Senate of the island's legislature, all the candidates for Governor and major office, current and past elected officials, city councils and municipal governments across the island, from San Juan to the smallest villages, support the release of Oscar Lopez Rivera—across party lines, across lines that often separate statehood advocates and independence and commonwealth advocates. Practically every bishop, every denomination, every congregation, parish, and church—almost the entire faith community on the island—has called for Oscar's release.

It is not just a Puerto Rican thing, Mr. Speaker. It is a movement that has sparked followers across the United States as well. The AFL-CIO, AFSCME, SEIU, Communications Workers of America, and other allies in the labor movement are standing up for justice and standing up for the release of Oscar Lopez Rivera.

The ACLU, the Hispanic National Bar Association, and religious leaders of all stripes are onboard. The City Council of New York City and the Newark, New Jersey Municipal Council passed resolutions. My friends and colleagues on the Congressional Hispanic Caucus here in Congress have joined us in the call for Oscar Lopez Rivera to be released. I thank the members of the Hispanic Caucus.

Finally, Mr. Speaker, Oscar Lopez Rivera's case and the call for him to be released has received international attention and validation. Presidents, Nobel laureates, leaders, artists, activists, and the world over, know it is time to let Oscar return in peace to his island.

Archbishop Desmond Tutu, the Archbishop Emeritus of the Anglican

Church in Cape Town, a true champion of justice across the globe, has expressed his unwavering support for the release of this prisoner.

Mr. Speaker, based on the merits of this case, the outpouring of support, and the moral obligation and power that has been placed in his hands, I join freedom fighters, justice lovers, Puerto Ricans, and individuals across the globe in asking President Obama to use his pen to free Oscar Lopez Rivera.

Please join us in Washington, D.C., on October 9 in Lafayette Park and let your voice be heard.

COMMEMORATING THE NICKLAUS CHILDREN'S HOSPITAL SCHOOL LIAISON PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to commemorate the efforts of my former staff member, Janelle Perez, and her partner, Monica Ruiz, in helping the School Liaison Program for Nicklaus Children's Hospital, located in my congressional district.

Having both been affected by cancer in different life-altering ways, Janelle and Monica collaborated with the Miami Children's Health Foundation on methods that could have the largest and most profound impact on the lives of so many children who are undergoing treatment at the Nicklaus Children's Hospital.

Through Janelle and Monica's passion for children and education, the School Liaison Program was born. The program is designed to provide guidance and advocacy to patients and their families in order to continue academic growth while undergoing clinical treatment.

The program aids in recovery by bringing a sense of normalcy and confidence to these children, instilling in them the hope that they will recover and soon return to the normal day-to-day activities they enjoyed before becoming ill.

Congratulations to Janelle and Monica for helping sick children through the Nicklaus Children's Hospital School Liaison Program.

COMMEMORATING THE MIAMI CHILDRENS THEATER ON ITS 20TH ANNIVERSARY

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate the Miami Childrens Theater on its 20th anniversary as an invaluable education center for children and young adults in our south Florida community. I would like to recognize its outstanding leadership team, including their executive producing director and founder, Angela Ardolino.

Originally an after-school program at the Coral Gables Youth Center, located in my congressional district, it was Angela's efforts and strategic vision

that transformed this prominent center into what it is today.

Miami Childrens Theater was the first children's theater in the Nation to be granted rights to the student edition of *Les Miserables*.

More importantly, children and young adults from all over the community are given the opportunity to explore the arts and expand on their creativity both on stage and in classes.

It is my honor and privilege to recognize the Miami Childrens Theater and wish all of the members the best as they work toward the next 20 years of service to our south Florida community.

HONORING THE EPILEPSY FOUNDATION OF FLORIDA

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today in recognition of the Epilepsy Foundation of Florida as it celebrates its 45th anniversary.

From support groups to case management and medical services, the Epilepsy Foundation offers diverse programs and resources and serves as a pillar of support to the over 400,000 Floridians living with this condition.

Mr. Speaker, this neurological disorder is in need of greater public attention. According to the Centers for Disease Control and Prevention, people with epilepsy experience health and social disparities, such as a worse health-related quality of life and low socioeconomic status.

Organizations like the Epilepsy Foundation of Florida are stepping up to the challenge and informing communities in Florida and across our Nation about these issues, advocating for better public policies and working every day to improve the lives of individuals afflicted with this difficult disease through research and education. Epilepsy can affect anyone, children and adults alike, and it is crucial to inform communities on how to respond in an emergency.

Mr. Speaker, I encourage my south Florida community to join and celebrate this wonderful organization at the annual Unmasking Epilepsy Masquerade on October 13 in the Coral Gables Museum, located in my congressional district.

Thank you to the Epilepsy Foundation of Florida for all that it continues to do.

□ 1015

Mr. Speaker, I would like to honor Susan Dean, who will be retiring from this esteemed institution at the end of October, after 19 years of invaluable service to so many women Members who have made their marks in the Halls of Congress.

Susan has been in charge of the magnificent Lindy Claiborne Boggs Congressional Women's Reading Room with professionalism, efficiency, and care, while keeping the historical room so immaculately preserved.

From changes in leadership, to the enactment of landmark legislation, to the inauguration of the Capitol Visitor Center, to the unveiling of a myriad of statues and portraits and innumerable nights where votes have run past midnight, much has transpired during Susan's tenure in the House.

Since I met Susan in 1997, I have heard her recount the magnificence of the Lindy Boggs suite, and it truly never ceases to amaze me. Susan has provided a great service to our constituents by graciously offering them a personalized tour of this hidden gem.

The people's House will suffer a great loss with Susan's departure, and she will be deeply missed by her many friends here in this Chamber.

Please join me in wishing Susan Dean all the best as she enjoys her first few months of retirement traveling across our country visiting family and friends.

Godspeed, Susan Dean, mi amiga.

REPUBLICAN CRUSADE AGAINST THE IRS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, currently, in the House Judiciary Committee, there is an unusual spectacle unfolding. Now, a number of my colleagues on the other side of the aisle have made it a crusade to war against the IRS. They have cut staff, budgets, refused to help it collect money that is due and owed. They have made it easier for cheats to avoid their obligations. But this assault on the IRS Commissioner takes that war to a new low.

I would invite anybody listening to this presentation right now to go to the internal channel in the House, number 42, or go to cspan.org to be able to watch it yourself. Walk down to Room 2237 Rayburn and watch this play out.

I have had a chance to get to know John Koskinen, the IRS Commissioner, over the course of this last year, and I have come to respect and admire him. I would suggest to anybody trying to put this in context, trying to understand the give-and-take, google Mr. Koskinen, and then google some of his fiercest critics who are going to be on display at the Judiciary Committee today.

Which of his critics would you imagine to be entrusted with being the chair of the board of trustees for their prestigious university, should they have attended one? Mr. Koskinen was.

Which of them would have been successful in business as a turnaround artist in some of the most difficult and challenging commercial transactions? Mr. Koskinen was. And then walk away from material and business success to volunteer for some of the most chal-

lenging jobs in Government? Mr. Koskinen did.

Which of these members of the Judiciary Committee that are attacking Mr. Koskinen would have been picked by a President of their own party to take some of the most challenging and difficult and important tasks? Mr. Koskinen was. The Y2K czar, when we were concerned about what would happen in the year 2000 and the integrity of computer systems; Mr. Koskinen was administrator for the District of Columbia when that city was turned around.

Which of them would have been asked by a President of the other party to step in and handle a major systemic challenge? The IRS Commissioner, a Democrat, was asked by the Bush administration to step in and right the ship of Freddie Mac during the near meltdown of the global economy.

And he came back, volunteering for one of the most difficult tasks in government, to deal with an IRS that has been underfunded, understaffed, while Congress makes its job almost impossible by making the Tax Code more complex each and every year. John Koskinen did.

Google the people who are attacking him and see if any of them have accomplishments that are remotely equal to what this distinguished American did and has done and continues to do.

This is a shameful display. This gentleman is being attacked for things that predated his tenure, not high crimes and misdemeanors and corruption, but because they don't like what went on there, and they are trying to find somebody to blame other than themselves.

Look at what is going on in the Judiciary Committee. Google these people; evaluate for yourselves.

The American people deserve better than what is going on now, and certainly, Mr. Koskinen does.

CONGRATULATING CLEARWATER POLICE OFFICER JONATHAN WALSER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to recognize a man who has served our country and his community as a U.S. Marine, a sheriff's deputy, and as a police detective.

Mr. Speaker, I rise today to congratulate my very dear friend and American patriot, a man of deep and abiding Christian faith, Mr. Jonathan Walser, on his retirement from the Clearwater Florida Police Department.

After serving his country in the United States Marine Corps for 6 years, Officer Walser opted to continue serving his community by joining the Pasco County Sheriff's Department in 1994 as a detention deputy. Two years

later, Walser joined the Clearwater Police Department and began a career that has made an incredible impact on our entire Clearwater community.

Early on, Officer Walser demonstrated remarkable commitment and leadership, earning a highly successful rating at the conclusion of his new-hire probationary period.

Officer Walser would serve in several specialty assignments during his career. He served as a field training officer and a member of the emergency response team.

He also served for more than a decade on the Clearwater Police Department honor guard team. As an honor guard member, Officer Walser has represented the department at hundreds of funerals and memorial services and, in particular, has honored the families of fallen officers, a duty most personal to him.

Officer Walser served as a community police officer on Clearwater's Wood Valley Community policing team in 2001 and 2002.

In June 2002, Officer Walser was assigned to serve on the traffic enforcement team motorcycle unit, a role in which he focused on traffic safety, intoxicated driving, and crash investigations. Jonathan most compassionately used his department motorcycle as a tool to connect with the community, frequently posing for photos with kids sitting on the motorcycle.

In August 2011, Officer Walser transferred to the criminal investigations division burglary unit to serve as a detective. During his time as a detective, he was continually lauded for his superior investigative abilities and report-writing skills, in addition to his passion for being actively engaged in the community and volunteering at local events.

In 2015, Officer Walser returned to the traffic enforcement team motorcycle unit, where he served until his recent retirement.

Officer Walser also serves as an active board member with the Fraternal Order of Police Lodge 10. He has served as the president of Lodge 10 for an incredible 12 years, and has been selected 11 times as the FOP Lodge 10 Member of the Year.

Officer Walser is not only highly respected by FOP members, but also by his fellow Clearwater Police Department colleagues, City of Clearwater leadership, and a broad base of community leaders. Because of his exceptional service, Officer Walser has received the Chief's Unit Citation for his service with the honor guard team and the burglary unit.

When asked about Officer Walser, Clearwater Police Chief Dan Slaughter said:

Officer Walser proves that you don't need to be a supervisor to be a remarkable leader. I have never met a person more dedicated to the officers, their families, and the entire community.

I couldn't agree more with Chief Slaughter.

Mr. Speaker, John Walser is a dear friend of mine. He is a dear friend of so many in the Clearwater community, a constant source of faith-based counsel, a compassionate leader, a man who deeply loves his family, deeply loves his community, and deeply loves the God in whom he daily puts his trust.

I ask my colleagues to join me in thanking a remarkable person, Officer Jonathan Walser, for his years of service to our country and to our community in Florida. We wish him the very best in his retirement.

HISPANIC HERITAGE MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, as a proud member of the Hispanic Caucus, I rise today to celebrate Hispanic Heritage Month, the rich history, the culture, and the traditions of the Latino communities throughout our Nation and the world.

The United States of America is a nation of immigrants past and present, and the stories of the Latino communities who live in California's San Joaquin Valley are similar to the millions of stories of other immigrant families who have come to our country striving for the American Dream. They have come to our country from around the world.

Working together, we can ensure that policies that benefit our economy and keep families together, like the expanded DACA, the Deferred Action for Childhood Arrivals, and DAPA, the Deferred Action for Parents of Americans, as well as comprehensive immigration reform, are enacted. This is important to fix a broken immigration system in America today.

These policies would move our country forward and provide a path to earned citizenship—not amnesty, but earned citizenship—so that individuals who only know the United States as their home can achieve the American Dream, the American Dream which is still a shining light around the world for people that are oppressed. Let us never forget what the American Dream embodies not just in our country, but for people around the world.

Please join me in celebrating Hispanic Heritage Month and the values, the dedications, and the rich diversity of immigrant families, of which my family was one and the majority of families in our country at some time or another were the proud immigrants from some other part of the world, that make this United States the greatest country in the world today.

25TH ANNIVERSARY OF ARMENIAN
INDEPENDENCE

Mr. COSTA. Mr. Speaker, I also rise today to join in celebrating the 25th

anniversary of Armenia. Twenty-five years ago today, Armenia declared its independence from the Soviet Union and, once again, the Republic of Armenia was established.

Earlier this year, I had the opportunity to visit Armenia for the first time, and it truly felt like coming home. Why? Well, because it felt so much like the San Joaquin Valley that I proudly represent, where so many Armenians have settled for generations since their diaspora and as a result of the Armenian genocide.

Like so many other ethnic groups throughout the world, the people of Armenia are friendly. They are warm and proud of their traditions, culture, and religion.

I had the opportunity as a young person to grow up with so many of our good friends and neighbors—the Kezerians, the Abrahamians, the Koligians—whose Armenian heritage I learned as a young person and has added so much not only to the community of the San Joaquin Valley, but to our Nation as a whole.

It is an honor to recognize Armenia's 25th anniversary and the Armenian people in the San Joaquin Valley and the communities throughout the Nation and the world.

But, Mr. Speaker, I think I would be remiss in this recognition if I did not take this opportunity to urge Congress and the President of the United States to go on record as recognizing the Armenian genocide and the devastating violence committed against the Armenian people over 100 years ago, the first genocide recorded and recognized by historians in the 20th century.

□ 1030

Of course, we know from that genocide came the later followed by the Holocaust, and sadly generations have suffered. I want to thank my colleagues for joining in recognizing Armenia's 25th anniversary.

BALANCING THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to congratulate my friend, Delegate John Overington, and the West Virginia State Legislature for passing the balanced budget amendment resolution in March.

West Virginia has joined 27 other States in calling for a constitutional convention under Article V to force the Federal Government to add a balanced budget amendment to the U.S. Constitution for one simple reason: the Federal Government has a spending problem. America has run up a debt of over \$19 trillion, largely to fund past and present expenditures using money that should belong to future American generations.

West Virginia families and businesses have to operate on balanced budgets, and I believe the Federal Government should also have to operate within its means. America cannot afford to continue spending like it has been. That is why I cosponsored H.J. Res. 2, the balanced budget amendment to the Constitution. I encourage my colleagues in the House and Senate to cosponsor this important joint resolution.

HAPPY BIRTHDAY TO CORPORAL HERSHEL

"WOODY" WILLIAMS

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to say happy birthday to a true American hero, Corporal Hershel "Woody" Williams.

Woody is one of the last two surviving United States Marine Corps Medal of Honor recipients of World War II and the last surviving Medal of Honor recipient from the Battle of Iwo Jima.

Born on October 2, 1923, Woody Williams grew up on a dairy farm in Fairmont, West Virginia. He enlisted in the United States Marine Corps Reserve in Charleston, West Virginia, on May 26, 1943.

Woody completed 2 years of service and was trained to use both tanks and flamethrowers. Williams, a corporal, landed in Iwo Jima in 1945. American tanks were trying to open a lane for the infantry when they encountered a network of reinforced Japanese concrete pillboxes, buried mines, and black volcanic sands.

Corporal Williams went forward with his 70-pound flamethrower in an attempt to reduce the devastating machine gun fire from the fortified enemy positions. Covered by only four riflemen, he continued this arduous task for 4 hours under heavy enemy small-arms fire.

He resupplied and returned to the front lines time and again to wipe out one enemy pillbox after another. On one of these returns, to the point of the spear of the battle, a wisp of smoke alerted him to an air vent of a Japanese bunker. He approached this heavily fortified position close enough to put the nozzle of his flamethrower through the vent, killing all the occupants inside.

On another occasion, he was charged by multiple enemy riflemen who attempted to kill him with fixed bayonets. Woody was too quick, and he used his flamethrower to send them to their makers. These actions occurred on the same day as the raising of the U.S. flag on the island's Mount Suribachi. Woody fought through the remainder of the 5-week long battle and was wounded on March 6, for which he was awarded the Purple Heart.

President Truman awarded him the Medal of Honor in 1945. In 2013, the Hershel "Woody" Williams Medal of Honor Foundation was launched to carry out Woody's vision of recognizing and honoring Gold Star families

around the country. The goal of the foundation is to establish at least one Gold Star family memorial monument in every State over the next 5 years to honor families who have sacrificed a loved one in service of their country.

Woody spends his time traveling the country supporting the military families and reminding all of us that freedom has not been and is not free.

Upcoming memorial dedications are in Fort Knox, Kentucky, on September 23; Fall River, Massachusetts, and Port St. Lucie, Florida, on September 25; Palmetto Bay, Florida, on October 15; Barboursville, West Virginia, on October 30; Annapolis, Maryland, on November 11; and Medina, Ohio, on November 12.

Woody's passion and love of his country and fellow man has never ceased. We can all learn how to be better Americans from Woody, and I wish him a happy upcoming 93rd birthday.

DAKOTA ACCESS PIPELINE ADVOCACY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, the Standing Rock Sioux and all tribes have the right to self-determination and a say in decisions that impact their health, land, and cultural preservation. It is not just a matter of justice, it is the law. Don't we all, as Americans, have that right? Isn't that the whole premise of our democracy?

Being able to have a voice in decisions that affect our lives is the cornerstone of our American democracy. It thrives when we stand up, speak up, and voice our concerns on matters vital to our existence as humans, like our health, clean drinking water, and cultural survival.

That is why I stand with the Standing Rock Sioux and hundreds of tribes throughout our Nation to demand that the Army Corps of Engineers comply with their legal trust responsibilities to protect tribal lands, cancel the Dakota Access Pipeline permit, conduct meaningful consultation with the tribes, and do a complete environmental impact statement.

The Standing Rock Sioux and neighboring tribes are rightfully concerned that the pipeline will destroy sacred sites and that an oil spill would cause devastating and irreversible harm to their land, health, and drinking water. The proposed pipeline is over 1,000 miles long, transporting up to 16,000 gallons of crude oil a minute, upstream from the tribes' water source, near the reservation, and on tribal land. A leak would be devastating. It was already determined to be too risky to construct near the city of Bismarck's water sources.

The Army Corps has granted construction permits, despite legal and

noncompliance warnings by other Federal agencies. That is why, on September 8, I called for a systemwide GAO investigative report on Federal agencies' compliance with meaningful tribal consultation policies. On September 9, the Departments of the Interior, Justice, and the Army announced a pause in construction to review their compliance with Federal policies. I welcome this review.

Tribes have rights under law. The Federal Government has a moral and legally enforceable obligation to protect tribal treaties, land, and resources under the Federal trust responsibility. Tribes have the right to regular and meaningful consultation under executive order 13175. Under the Historic Preservation Act, Federal agencies are required to be responsible stewards of our Nation's historic resources and consult with Indian tribes when their actions may impact sacred sites.

Furthermore, the Army Corps, under the Clean Water Act, must protect our Nation's waters from contamination by conducting accurate environmental assessments to determine if construction permits should be granted. Unfortunately, the Army Corps granted a permit based on flawed assessments, incomplete information, and a willful disregard for the serious concerns raised by the tribe and other Federal agencies.

Chairman David Achambault from the Standing Rock Sioux reported that they were not meaningfully consulted and didn't even know about the Corps' assessment until it was made public. He has serious concerns about the pipeline's harm to the tribe's health, water source, and sacred sites.

Letters from the Department of the Interior, Environmental Protection Agency, and Advisory Council on Historic Preservation to the Army Corps list their serious concerns. They mention the potential of a devastating oil spill, lack of emergency response plans, desecration of sacred sites, noncompliance with Federal policies and laws, and even disagreed with the Corps' environmental assessment.

They recommended a full environmental impact study, an expanded environmental justice analysis, consideration of all sacred sites along the path of the pipeline, and meaningful tribal consultation prior to any decisions.

Moving forward, all Federal agencies must conduct meaningful tribal consultation and address concerns regarding risks to drinking water and desecration of sacred sites. The Corps must cancel their faulty permit near tribal land and complete a full environmental impact statement. Only then can the President make an informed decision to permanently stop construction of the pipeline on Federal property near tribal land. You have the authority and moral imperative to do what is right.

Time after time, tribes have seen their treaties broken, their lands

taken, and sacred sites desecrated. I visited with the Standing Rock Sioux and witnessed Native Americans from hundreds of other tribes standing together in peace and prayer to protect their water and ancestral sacred sites. I have witnessed their dignity and their resolve. They stand in solidarity for their full rights under Federal law and for their voices to be heard. They stand in unity, and I stand with them.

WISHING HERSHEL "WOODY" WILLIAMS A HAPPY 93RD BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, as the Congressman representing West Virginia's Third Congressional District, I am proud to call Hershel "Woody" Williams a constituent.

I first met Woody more than 18 years ago when I was first elected to the State legislature, and he has been a constituent of mine for the past two decades. But I am just as proud to call Woody my friend.

Over the years, at countless legislative committee hearings, veterans' recognition and appreciation events, Veterans Day, and Memorial Day commemorations, Woody has been there fighting for our veterans. Woody always has a kind word, a friendly smile, and an optimistic outlook.

I have two sons that became Eagle Scouts. Very often our local Scout council gets the newly awarded Eagles all together, and Woody is invited to come in and spend a little time with the boys and share a few thoughts. I can't tell you the power of the impact it had on my boys when Woody shook their hand, looked them in the eye, and challenged them to conduct their life according to the Scout oath and motto—to do their duty to God and country.

Woody truly embodies that motto. Throughout West Virginia and the Nation, Woody is best known for his brave efforts in the Pacific theater during World War II. At a critical point in the Battle of Iwo Jima, and with minimal backup, Corporal Williams heard the call and acted. He disregarded his personal safety. He thought not of the seemingly monumental task in front of him. He did not stop to calculate the odds of success—or the odds of failure.

He acted. He picked up his flamethrower, and he ran towards those trying to take him out; and he did it again and again and again. He did so because he believed in something greater than himself, because his country asked him, and he answered. He was there in that place and at that time when his country—our country—needed him the most.

Woody is the last surviving Medal of Honor recipient from the Battle of Iwo

Jima, and he is celebrating his 93rd birthday on October 2. I join my State and a grateful Nation in thanking Woody Williams for his service and in wishing him a wonderful birthday.

TRANS-PACIFIC PARTNERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to bring attention to another bad trade deal that could soon be forced upon us. It is possible that the Trans-Pacific Partnership, or TPP, could be brought before this body for a final vote before the end of the year and end of this Congress.

We have seen time and again what bad trade deals do to our communities and to working families across this Nation. You see, when NAFTA was under consideration, American workers were told that the trade benefits would mean more jobs and economic opportunities.

What actually happened? We saw a net loss of 700,000 jobs thanks to NAFTA. So if history is any guide, we know what to expect from TPP. But in many ways, this agreement is even more harmful than NAFTA. In fact, the core of this deal is allowing foreign corporations to sue the U.S. Government over regulations they simply do not like.

□ 1045

Imagine, any time there is an environmental regulation or worker safety regulation that a company does not care for, they can sue.

These cases will not go through the regular legal process. Instead, TPP creates a special tribunal of three corporate lawyers to evaluate the case. And if a company convinces these three lawyers that a law or regulation violates their TPP rights, well, then the American taxpayer has to pay these corporations enormous compensation.

Let's be clear. There is no appeal process. There is no way to reverse these decisions. The TPP could put the taxpayer on the hook for almost unlimited sums of money.

It is no wonder that this agreement was negotiated in private. While corporations were given plenty of opportunity to comment on how they wanted the agreement to look, the public and workers were not given a seat in the room—or even the chance to review the text before it was finalized.

The end result, unsurprisingly, is an agreement that is bad for the American people and would affect their daily lives in countless ways. American workers would find themselves competing for jobs against workers in places like Vietnam, who make 65 cents an hour—65 cents an hour.

It is no wonder that this agreement would require the U.S. to import food

that does not meet our own safety standards. It would mean more expensive prescription drugs for our seniors, and it would curtail policies meant to fight climate change.

Mr. Speaker, the TPP is 6,000 pages long. It is too big and covers too much. It has too many unintended consequences. There should be no rush to push this agreement through the House before the end of the year.

However, if this agreement is put on the floor this year, I will vote “no,” and I encourage all of my colleagues to do the same. Protect working families. Protect the American consumer. Protect our environment. Vote “no” on the TPP.

CONGRESS MUST ACT AFFIRMATIVELY TO PROTECT THE INTERNET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER) for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, unless the Congress acts affirmatively by the end of next week, the Obama administration will turn over the core functions of the Internet to an international body. We cannot allow this to happen.

Look at the consequences. Using domain names, we have control over the protection of free speech on the Internet. One of the real positive things of the development of this type of technology over the last 45 or 50 years has been that people have been able to express themselves the way they want to on the Internet and be able to get a huge worldwide audience. Now, I recognize that there is no truth meter on the Internet, but people who make ridiculous statements on the Internet end up getting denigrated in the court of public opinion anyhow.

Free speech is at stake here, but also the national security of our country is at stake. The core functions of the Internet, including control over domain names, should not be turned over to countries that do not have America's best interests or values at heart, like China or Russia or Iran. They have no protections for free speech, they have no value for free speech, and they will do what they want to to put censorship on the Internet, particularly as a way of controlling their own population within their country. If we don't act, that is going to be something that happens, and I think we can guarantee it.

Stopping this move by the Obama administration will also ensure that the United States Government would maintain ownership and control over the dot-gov and dot-mil domain names. That is necessary to protect our national security.

Just think of what would happen if a hostile power like Iran would be able to

get control of both the dot-gov and dot-mil domain names. They would be easier able to hack, they would be easier able to spread around propaganda and disinformation, and unwitting people would think that this is coming from the United States Government. How denigrating will that be? It will be huge, and I think we all know the answer to that.

Now, who is best able to protect a free and open Internet? It is the United States of America, with the protections that we have in our Bill of Rights. Those are protections that have made the Internet grow and flourish.

I tell the administration, if it ain't broke, don't fix it. The Internet ain't broke, but it will become broken if we have countries that do not have our values and stick their nose into the governance of the core functions of the Internet. It is kind of like a termite. You don't see the danger right when the termite starts eating away, but if you allow it to start eating away and don't send the exterminator out, sooner or later there is going to be a big-time problem. Let's keep the termite of hostile powers who don't share our values out of getting into the Internet.

Congress must act affirmatively. We have to stop this from happening, and we don't have much time to do it.

FIND A SOLUTION SO ALL AMERICANS CAN HAVE CONTINUED ACCESS TO AN OPEN AND FREE INTERNET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. YOUNG) for 5 minutes.

Mr. YOUNG of Iowa. Mr. Speaker, America is a compassionate country. We are a very giving country. America gives a lot. But I am not sure we need to be giving away a free and open Internet.

If Congress does not act soon, our free and open Internet is going to be handed over by our President to a global bureaucratic body, a body that may not respect the freedom of information and speech that we experience today, a body that may sensor what Americans have to say or how journalists can receive information and cover certain stories on governments, on current events.

What does handing the Internet over to a global bureaucracy mean for privacy? for freedom of information? commerce? national security? The question is really: What is the need to do this, to hand over the administration of a working, free, and open Internet to a global bureaucracy? And why the rush?

Now, my colleagues, the gentleman from Wisconsin (Mr. DUFFY) and we just heard from the gentleman from Wisconsin (Mr. SENSENBRENNER), are supporters of a great bill Mr. DUFFY introduced called the Protecting Internet

Freedom Act, H.R. 5418. It has many sponsors on it. There are efforts in the Senate as well to do the same thing to protect the Internet.

In 2014, the National Telecommunications and Information Administration, the NTIA, announced its intention to relinquish, to give away, its procedural authority over Internet domain and functions to the global Internet stakeholder community. Many of the Iowans I represent, and I know many others around the country, are incredibly concerned about this—and rightly so—about shifting U.S. oversight and giving authority to regimes that have repeatedly censored the Internet.

As a member of the Appropriations Committee, I have worked with my colleagues to try to block funding for the administration's appeal to do this, this bogus plan, and I am hopeful U.S. Internet protections will remain in any final spending bill coming up. Mr. Speaker, the proper place for debate over important issues like this, like the integrity of the Internet, is here in Congress, not behind closed doors at the NTIA, a Federal agency, with these unilateral actions.

I urge my colleagues and I urge my fellow Americans to reach out to the Members of Congress and tell them and ask them and plead with them to protect the Internet, to make sure it is free and it is open, and to find a solution so that Iowans and all Americans have continued access to an open and free Internet, uncensored, where information can flourish and speech can flourish.

UNITED STATES GOVERNMENT WILL GIVE UP CONTROL OF THE INTERNET IN 9 DAYS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. DUFFY) for 5 minutes.

Mr. DUFFY. Mr. Speaker, I rise today to express my great concern that in a mere 9 days the United States Government is going to give up control of the Internet. This is one of those issues that I don't think many Americans know about. This is not on the front page above the fold of your paper. It is not splashed across your nightly news. You are not seeing it everywhere on the Internet. So Americans aren't really aware of it 9 days before this transfer is about to take place.

Now, as the Speaker knows, there are many things in this House both parties don't always agree on—that might be an understatement. The President just transferred \$1.7 billion to Iran; \$400 million, arguably, was Iranian money, but \$1.3 billion was American money, U.S. taxpayer money, transferred to Iran, the lead sponsor of Tehran cash. I disagree with that. Some of my colleagues on the other side might applaud that and think that is a great idea. I would disagree.

Or the fact that we are releasing prisoners from Guantanamo Bay. Folks who helped craft the 9/11 attack are being released from GTMO back to areas where they can do America more harm. I disagree with that. My friends across the aisle might agree with those releases. Those are some big items that this Chamber does not agree on.

But the transfer of control of the core functions of the Internet is something that many Members of this Chamber and many Americans agree with. It is going to transfer those core functions to an international foreign body that will include Russia and China and Iran and even Europe, transferring that control.

And let's make no mistake; the Internet was made in America. The Internet was paid for by American taxpayers at its point of invention, and the Internet has revolutionized the world, revolutionized the form in which we communicate. Not only is it great technology, but it embodies the American idea of freedom of speech. It is all open. Put out your ideas; some are good, some are bad, some are true, some are false, but it is free, just like that American idea of free speech. We have exported that freedom of speech idea to the rest of the world on the Internet, radically transformed the way people around the world communicate, and it was made in America with the American idea of free speech.

Now, 9 days from now, we are on the cusp of transferring its control to a foreign body that doesn't share that same idea of freedom of speech. We all know Russia doesn't share that idea, China doesn't share that idea, and Iran doesn't share that idea. But you might say, my friends, Europe, they share that idea, don't they? Not necessarily, they don't. They have rules in the European Union that will delineate hate speech and offensive speech that has to be taken off the Internet—not an American idea. That is a European idea of free speech.

But when you talk about offensive speech, offensive to whom? I could say, well, Catholics or Christians might hold certain positions and put certain things on the Internet that another group finds offensive, or the LGBT community might put something on the Internet that another group finds offensive. I am sorry. In a debate of ideas where you have a free flow, people can get offended, and that is okay.

□ 1100

But, to shut down speech that is offensive, even in the European model, frankly, to me, is offensive.

I think what we have to do in this body is to prevent the transfer. The Internet, I would argue, is U.S. Government property; and if the President is you-know-what-bent on transferring its control, it should come to this House and to the Senate. We should

vote. We should have hearings and a debate.

In the end, the American people should see how their Senators and their House Members vote on the transfer of the core functions of the Internet. They should have a say. They should be able to petition their elected Representatives to say: I love the idea that you are going to transfer control to a global body that doesn't share our ideas, or, my goodness, stop the transfer.

Petition your elected Representatives, and let's have them take a vote. That is not going to happen. It is going to be transferred by the President—without a vote. I would ask all Americans to stand up, to push back, to fight back, and to make sure we maintain the great idea of the American and now global Internet.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Clarence A. Williams, Greater Mt. Zion African Methodist Episcopal Church, St. Petersburg, Florida, offered the following prayer:

Our Father and our God, we are grateful for this Nation, its vastness, its beauty. Truly, we live in a land of milk and honey. Help us, we pray, to protect and preserve it so that its grandeur and fullness always remains.

We are grateful for our people. A Nation of many cultures, from many different cultures, from many different races, many different religions, help us to love each other.

We are grateful for our history, a rich, gleaming heritage, a heritage born from a spirit to be free; one moment defending freedom, at other times struggling to find it. Forgive us for the times that we have missed the mark.

We are grateful for our leaders. Lord, bless the Members of this Chamber and the leadership of our great Nation. Help these Members own our country's problems and work to find solutions.

Finally, we are grateful for our future. Lord, bless the United States of America to be Your champion of righteousness that, supported by Thy powerful hand, we will establish Thy justice among nations and among men.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nevada (Mr. HARDY) come forward and lead the House in the Pledge of Allegiance.

Mr. HARDY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND CLARENCE A. WILLIAMS

The SPEAKER. Without objection, the gentlewoman from Florida (Ms. CASTOR) is recognized for 1 minute.

There was no objection.

Ms. CASTOR of Florida. Mr. Speaker, I rise today to welcome my friend and fellow Floridian, Reverend Clarence A. Williams to the House floor as our guest chaplain.

Pastor Williams is a lifelong public servant and trailblazing leader in the Tampa Bay community. He serves as the senior pastor of the Greater Mt. Zion AME Church in St. Petersburg, Florida, which I have the honor to represent here in the Congress.

Pastor Williams is a man of great wisdom and he is a man of action. In 2013, Pastor Williams formed Cross and Anvil Human Services, Inc., a nonprofit organization which works to close the educational, digital, and wealth gap for our neighbors in Tampa Bay. He is a founding member of Men in the Making, a youth mentoring organization; Life member of the NAACP; and board member of the Community Health Centers of Pinellas County.

His unwavering commitment to the St. Petersburg community is displayed daily in his advocacy for education, civil rights, and equal opportunity for all of our neighbors.

He is a native of Bartow, Florida, where he attended Bartow High School, and later Knoxville College in Knoxville, Tennessee. He is married to Mrs. Andrea P. Williams, and they have two lovely daughters.

Mr. Speaker, I ask everyone to join me in thanking Pastor Williams for leading today's opening prayer, and I thank him for his outstanding service to the St. Petersburg community.

HELPING REFUGEES REBUILD—INTERNATIONAL DAY OF PEACE

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today, on International Day of Peace, to applaud the efforts of Connect2Peace, the Peace Coalition the Rock River Valley, to draw attention to the plight of children and refugees whose lives have been forever disrupted by war.

Tonight, Rockford University and Connect2Peace will host a conversation on "How to Help Refugees Rebuild their World," featuring Melissa Fleming, the United Nations High Commissioner for Refugees.

As chief spokesperson, Ms. Fleming speaks around the world on behalf of the more than 65 million vulnerable and voiceless people, half of which are children who are displaced from their homes by war, conflict, and persecution.

Helping refugees rebuild amid war and poverty is difficult and complicated, but there is hope. Groups like Kids Around the World in Rockford have stepped in to feed children and help them enjoy their disrupted childhood through donated playground sets.

People like Denny Johnson, founder of Kids Around the World, and U.N. Commissioner Melissa Fleming work tirelessly to bring hope into seemingly hopeless situations.

As an executive committee member for the Tom Lantos Human Rights Commission, today I urge us to pray and act for peace in our world.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The Chair will entertain up to 14 further requests for 1-minute speeches on each side of the aisle.

HISPANIC HERITAGE MONTH

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, every year, from September 15 to October 15, our Nation marks Hispanic Heritage Month to celebrate the enduring contribution of Latinos throughout our country's history.

I am proud to represent a district that has been shaped and bolstered by generations of Hispanic Americans as well as recent Latin American immigrants.

Los Angeles County is home to great Hispanic leaders, like Long Beach Mayor Robert Garcia, L.A. County Supervisor Hilda Solis, and State Senator Ricardo Lara. For the first time in his-

tory, our California State Legislature is led by two Latino lawmakers, Senate Pro Tem Kevin de Leon and Assembly Speaker Anthony Rendon.

California is proof that diversity is a strength and something we must recommit to and celebrate. That is why we must, as a nation, condemn attempts to demonize, marginalize, and scapegoat immigrant families. We are better than that as a country.

We need to stop playing politics with people's lives and finally do our jobs and pass comprehensive immigration reform that fixes our broken immigration system and lives up to our American values.

We can be better. Let us recommit to these values while we mark this year's Hispanic Heritage Month.

CONGRESSMAN JEFF MILLER HAS MADE A DIFFERENCE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful that in my service I began as a member of the unique class of 2001. These were Members elected in special elections that year, including now-U.S. Senator JOHN BOOZMAN of Arkansas, along with chairman of the House Committee on Veterans' Affairs, JEFF MILLER of Florida, and chairman of the House Armed Services Subcommittee on Seapower and Projection Forces, RANDY FORBES of Virginia, both of whom are now concluding their House service.

Since being elected to the House, Chairman JEFF MILLER has demonstrated his remarkable leadership as a member of the House Armed Services Committee, the House Permanent Select Committee on Intelligence, and as chairman of the House Committee on Veterans' Affairs.

Chairman MILLER has been a dedicated advocate for troops, veterans, and military families. He has also worked tirelessly to hold the Department of Veterans Affairs accountable to ensure our servicemembers receive the best care. A Trump administration would have an excellent Secretary of Veterans Affairs.

I appreciate Chairman MILLER, his wife, Vicki, and his family for honorably serving the people of the First Congressional District of Florida. Roxanne and I will always treasure them as champions for American families.

Godspeed, JEFF and Vicki.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

AMERICAN ECONOMY IS STRONG— UNDER DEMOCRATIC PRESIDENTS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, let's bury a myth, the persistent claim that Republicans are better at managing the economy than Democrats.

Under President Obama, we have come a long way since the dark days of the Bush-era Great Recession. And whether you look at the past 7½ years under President Obama or the past 70 years since Truman, the Democratic record on the economy is very strong; the strong Democrat blue vs. red for the Republicans.

A recent study by Princeton University economists Alan Blinder and Mark Watson underscores this point. It shows that, since World War II, the economy has performed better under Democratic Presidents over Republican Presidents.

Blinder and Watson say it this way: "The U.S. economy has performed better when the President of the United States is a Democrat rather than a Republican, almost regardless of how one measures performance."

But Republicans still make the questionable claim that they do better at managing the economy. Let's put an end to that myth. Let's move to a more evidence-based discussion and bury the myth that Republicans are better at managing the economy.

The facts and the metrics speak for themselves; the strong blue Democratic record under Democratic Presidents managing the economy.

CONFRONTING THE ZIKA THREAT TO SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, earlier this week, the Centers for Disease Control and Prevention, or CDC, lowered the travel warning for Zika in the Wynwood area to a cautionary travel guidance, which is consistent with the rest of the Miami-Dade County mainland. After comprehensive eradication efforts, there is no longer any evidence of active Zika transmissions in the area of Wynwood.

Though the situation in Wynwood has improved, the Zika zone has nearly tripled in Miami Beach, however. The CDC has now expanded the active Zika transmission warning zone for Miami Beach to a 4.5-square-mile area covering most of the city.

Mr. Speaker, even as we make significant progress in the fight against Zika, the threat remains persistent in south Florida. Congress must fund anti-Zika efforts now with no policy

riders and without any more delay. This is an epidemic that we must eliminate once and for all.

South Florida families deserve better and they should not have to wait any longer for Federal funding. Let's pass a Zika funding bill now.

CELEBRATING THE 125TH ANNIVERSARY OF THE PUGET SOUND NAVAL SHIPYARD

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, I rise today to mark the 125th anniversary of the Puget Sound Naval Shipyard.

If you come into Bremerton, Washington, by ferry, you see a big yellow and blue slogan painted on the side of the shipyard's Building 460, and it says: "Puget Sound Naval Shipyard: Building on a Proud Tradition."

That proud tradition is based on the hard work of men and women who, for 125 years, have invested in their trades, shown up each day and gotten the job done for this country, and the uniformed personnel who have carried out the mission there.

Our shipyard workers serve our Nation and help keep our sailors and submariners safe. And through its long history, the shipyard has been central in building up our fleet during World War I, and repairing damaged ships during World War II, and throughout other wartime efforts. Today, they get our ships ready so the Navy can continue to provide strategic deterrence and peacekeeping all across the globe.

We live in a dangerous world where threats exist, and I have such admiration and respect for the role the shipyard and its workers play in protecting our servicemembers and protecting our Nation.

The future looks bright for this institution under the leadership of Captain Howard Markle. Recently I had the honor of speaking at the shipyard's apprenticeship graduation, and I can tell you that these folks are ready to carry on that proud tradition at the Puget Sound Naval Shipyard.

SUPPORT OUR NORTH COUNTRY APPLE FARMERS

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, do you like apples?

Because I rise today to speak about that great time of year when days grow crisp and leaves start to change, apple season.

Agriculture is the backbone of our economy in the North Country, and New York State is the second largest-producing State in the country where we export our delicious products across the globe.

For most families, a trip apple picking is a great annual tradition this time of year. I have had the pleasure of touring apple orchards across my district, from Applejacks Orchards in Plattsburgh, to Forrence and Everett Orchards in Peru, to Kanab Orchards in Massena.

Every year, during apple season, these orchards and many others in the North Country produce bushels and bushels of apples for eating as fresh fruit, to be made into juice and cider, and even to fill delicious apple pies.

Mr. Speaker, I am proud to stand on the House floor today to support our North Country apple farmers.

□ 1215

FLINT, MICHIGAN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, in the next week or so, we will pass a spending bill to fund the government for the next 10 weeks, and it is absolutely critical that we include in that legislation funding to help my hometown of Flint recover from the terrible water crisis that it is facing. That should be included in the continuing resolution.

A city of 100,000 people, for 2 years, can't drink their water and are still dealing with the effects of lead poisoning. Hearings have been held in Congress, multiple committees, lots of sympathy, and Members asking me: What can I do? It is real simple. The Senate passed legislation that would provide relief for the people of Flint, 95-3, bipartisan legislation, paid for—let me emphasize—paid for. We have an offset.

Yet, House negotiators, on the continuing resolution, continue to take the position that we will consider relief for all sorts of issues, and we will get a spending bill, but nothing for Flint.

Take yes for an answer. When you asked us to come up with an offset to deal with this terrible public health crisis, we came up with an offset.

So to my colleagues, my God, at long last, do the right thing. Help this community that is struggling. We have come up with a way to get it done. There is no excuse for not getting it done. It has to happen now.

RECOGNIZING FIREBALL RUN ADVENTURE RALLY'S VISIT TO CURWENSVILLE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of an event in Pennsylvania's Fifth Congressional District—and across New York, Pennsylvania, Maryland, Connecticut, and Massachusetts—

raising awareness for missing children across our Nation.

Fireball Run is an 8-day, 2,000-mile road rally competition starting this Friday and running through Saturday, October 1. This Sunday, I will be joining the teams in Curwensville, located in Pennsylvania's Fifth Congressional District.

While I have been told that the race itself is a lot of fun, what really impresses me about the Fireball Run is the effort made to raise awareness for missing children across the United States of America.

Every driving team is assigned a child missing from their home area, in addition to being provided 1,000 missing child flyers to distribute along their 2,000-mile journey. Since the start of Fireball Run 10 years ago, the campaign has aided in the recovery of 44 missing children.

I commend everyone involved in Fireball Run for their selfless efforts in raising awareness for this important issue, and I wish them the best of luck and safety as their journey begins on Friday.

COMMEMORATING 100TH BIRTHDAY OF EASTERN STATES EXPOSITION

(Mr. NEAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEAL. Mr. Speaker, I rise today to commemorate the 100th anniversary of the Eastern States Exposition held annually in West Springfield, Massachusetts. Founded in 1916, the Eastern States Exposition, more affectionately known as "The Big E," for a century has been a showcase for what all six New England States have to offer. Starting last Friday and running for a total of 17 days, this celebration will play host to hundreds of agricultural and livestock displays, thousands of food and craft vendors, and will welcome over 1 million visitors through its duration.

Mr. Speaker, there is no denying that The Big E is woven into the culture of western Massachusetts. Furthermore, it is a driving force behind the regional tourism economy.

I wish to congratulate Eastern States Chairman Donald Chase, President Eugene Cassidy, and the many staff and volunteers on the work done in preparation for this centennial celebration. May this year stand as a testament to the next 100 years. Congratulations from the United States of America.

NATIONAL ESTUARY WEEK

(Mr. POSEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POSEY. Mr. Speaker, this week we recognize National Estuary Week, a

week dedicated to raising awareness of the importance of our Nation's estuaries.

The Eighth District of Florida is home to the Indian River Lagoon, one of the most diverse estuaries in North America and the world. Stretching 156 miles along Florida's east coast, our lagoon is a sanctuary for nearly 4,000 species of wildlife, an economic engine for our community, and an invaluable recreational and educational resource for residents and visitors. Since estuaries are places where freshwater mixes with saltwater, preserving the delicate balance is as critical as it can be difficult.

Many estuaries, including our lagoon, are experiencing challenges like harmful algae blooms, declines in sea grass, and invasive species. These threats require our immediate attention.

This week, millions of Americans will show their commitment to our estuaries through volunteer efforts. We all have a role to play in caring for our environment. It is a matter of awareness and of action.

CONDEMNING RESTRICTIVE VOTING LAWS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, Congress is about to go home for the most important event in any democracy: the November 8 elections. We will leave a cloud over our democracy in failing to update the 1965 Voting Rights Act, recommended by the Supreme Court, when it struck down section 4 requiring Federal preclearance of State laws with a history of discrimination.

My resolution, H. Res. 846, condemning restrictive voting laws, documents that no sooner was preclearance overturned than States galloped to pass new onerous voting restrictions. So unconstitutional were these laws that not only in southern States but also, even without the preclearance process, they have been struck down in four States: Texas, North Carolina, Wisconsin, and Ohio.

Seldom has Congress had so much real-time evidence of the need to renew legislation. The evidence is a virtual mandate for Congress to make history again and update our democracy by updating the Voting Rights Act.

UNSUSTAINABLE OVERTIME RULE

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Mr. Speaker, we have heard from countless small businesses, colleges and universities, nonprofits, and the public sector that the recent Department of Labor's overtime rule change is not sustainable.

In a few short months, employers will be forced to accept a 100 percent increase in the salary threshold. This rule has the potential to result in the unintended consequences that impact an employee's hours being reduced, employees being switched to hourly status and thus a reduction in benefits, or worse.

This change has the potential to devastate many businesses and their employers. With our country still slogging through a recovery, such a dramatic increase is misguided and ill-advised.

Mr. Speaker, the House has held multiple hearings, we have authored various letters, and legislation has been drafted on the rule. It must not go into effect as planned this year.

RECOGNIZING LIFE AND LEGACY OF JAMES O'NEILL

(Mr. SEAN PATRICK MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, I rise today to recognize the life and legacy of the late James O'Neill. James was a giant in the law enforcement community in my home district in the Hudson Valley. We lost him suddenly on Sunday, July 17, at the age of 59, of an apparent heart attack. On that day, though, we didn't just lose a friend but we also lost a father, a husband, and an icon in the New York City and Putnam County police communities.

Jimmy was born and raised in the Bronx. He was a graduate of Visitation School and of Cardinal Hayes High School. He joined the NYPD in 1979. He lived a life devoted to service and dedicated nearly 30 years to the New York Police Department before retiring as a detective and squad supervisor in 1999. He went on to become a founding member of the New York Shields and president of the Fraternal Order of Police in Putnam County.

He was an outspoken leader whose efforts involved working with officers suffering from mental and emotional effects of serving in the force. He was an icon in the police community, and he was the consummate cop's cop. He not only devoted his own career as a police officer and a detective to serving others but, even after his retirement, he devoted himself in so many ways to helping other officers and their families in times of need.

I want to send my personal condolences to Jimmy's wife, Kathy, and his son, James, along with their dear friends, Joanne Viola, Henry Primus, John McCardle, and Paul Curtin, all of whom have joined us here today. We are honored by your presence.

The law enforcement community, Hudson Valley, and New York have lost one of their finest, and he will be sorely missed. The beauty of Jimmy's life

can be summed up by this: he loved his family beyond all measure, gave all to his friends and community, and was the most humble and decent man anyone can say they ever knew. His absence is a chasm that we will never fill.

STARBUCKS UPSTANDERS

(Mr. HUIZENGA of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to thank Starbucks and their new program called the Upstanders series for recognizing Baldwin Community Schools and the Baldwin Promise.

The Upstanders series was created by Starbucks to showcase uplifting American stories. I believe that Starbucks found a uniquely inspiring story to tell when they highlighted Baldwin, Michigan.

Baldwin Community Schools was designated as a Michigan Promise Zone in 2009, meaning that every child who attended school in Baldwin has a tuition-free path to a college education. Earning this designation took commitment and sacrifice from the entire Baldwin community. In order to be designated, the village of Baldwin had to privately fundraise over \$100,000.

Baldwin looked within for those donations, even though it is located in Lake County, the 22nd poorest county in the Nation, where more than 24 percent of the residents live below the poverty level. They not only hit their goal, but they exceeded their goal. In fact, they raised more than \$160,000 than what the goal had been.

The people of Baldwin and their commitment to their community, one another, and, more importantly, future generations truly is exemplified by this story.

I would like to thank Starbucks again for what they have done to highlight that. This is really what community in west Michigan is all about. I want to thank them again for creating this series and then recognizing Baldwin and sharing that story with the Nation.

NATIONAL SCIENCE FOUNDATION'S NEW FRONTIERS

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I rise today to recognize the development of new frontiers in the area of seismology and the study of the Earth's interior. Most studies of seismic waves have been limited to surface-based exploration due to ease of installation. But the NSF recently funded a dense, underground, three-dimensional array of 13 high-sensitivity broadband seis-

mometers at the Homestake mine in South Dakota.

This ambitious project will give rise to new seismic data analysis techniques and aid in the design of future underground gravitational-wave detectors, which will lead to breakthroughs in seismic noise tomography. These discoveries will have a broad range of applications, ranging from medical diagnoses, detection of mineral and oil deposits, and homeland security.

I commend the National Science Foundation in their efforts to keep the United States at the forefront of technical advancement and scientific breakthroughs through its projects.

HONORING TEXAS TECH BASEBALL

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, I rise today to recognize the 2016 Texas Tech Red Raider baseball team. The Red Raiders, led by Big 12 coach of the year, Tim Tadlock, capped off a tremendous season in which they won the Big 12 title and advanced to the College World Series for the second time in the past 3 years. This trip, they earned the program's first-ever win in Omaha. This team's hard work was evident as I watched their impressive run.

I want to highlight the contributions of the senior class, a group who led Tech to 149 wins since 2013. Several of these players have moved on to professional baseball careers, and we wish all of them the best in their future endeavors. This team ended the year ranked number 4 nationally, Tech's highest ranking in school history. I am especially proud of the way these young men carried themselves in victory and defeat.

Under the guidance of Coach Tadlock and his staff, next year's team should be well positioned to carry on Tech's recent baseball success.

Red Raider nation and I thank you for the way you represented the university.

□ 1230

VETERAN SUICIDE PREVENTION MONTH

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to commemorate Veteran Suicide Prevention Month.

Today, after more than a decade of war, a new generation of veterans is facing real challenges. No man or woman who has sacrificed so much for our country should return home feeling alone or feeling like there is nowhere to turn. Far too often, that is the re-

ality in which our veterans live. In fact, every single day, 20 veterans commit suicide.

During the last decade, nearly a third of veterans treated at VA medical centers had been diagnosed with PTSD. We have to do better. That is why I was proud to be a cosponsor of the Clay Hunt Suicide Prevention Act last year to increase resources for veterans and improve oversight of the VA.

I am working closely with veterans service organizations in our district to ensure that all veterans receive the high-quality care that they have earned and deserve. This month, it is my hope that our awareness can finally turn into meaningful action for our veterans.

MISGUIDED OVERTIME RULE

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today in strong opposition to the Department of Labor's misguided overtime rule because it will undoubtedly harm Hoosier small businesses, nonprofits, universities, and the jobs they support.

We all agree our Nation's overtime rules should be updated; however, this administration has proposed a rule that will stifle job growth, limit opportunity, and lead to less hours and flexibility for Hoosier workers.

The director of an Indiana-based nonprofit that aids individuals with physical and mental disabilities recently said the new rule will have dire consequences for the organization's workers. That is why I am proud to support H.R. 4773 and H.J. Res. 95, to stop implementation of this rule, and I urge my colleagues to do the same.

LET'S PASS A CLEAN ZIKA FUNDING BILL

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, 19,000 and counting, that is the number of people with confirmed cases of Zika in America so far; 1,800 and counting, the number of pregnant women in the U.S. with confirmed cases of Zika so far; 17 and counting, the number of babies born with birth defects related to the Zika virus so far; 6 months and counting, that is how long ago President Obama asked Congress to do its job and provide supplemental funding to combat the virus.

Mr. Speaker, how many more Americans must suffer before the House Republicans realize that the health of our families matters more than politics? How many more pregnant women must receive the devastating news they have contracted the virus before the GOP

leadership stops playing games with American lives?

Instead of heeding the pleas of the CDC, public health experts, and the medical community, House Republicans revealed their true priorities when they decided to hold Zika funding hostage over women's health care and the Confederate flag.

That is just wrong, Mr. Speaker. Let's protect pregnant women. Let's save vulnerable infants. Let's pass a clean Zika funding bill.

THERE IS A MASS KILLING

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, our Nation is witness to a silent mass killing every day this year. This year, more than 250,000 Americans have lost their lives so far, but the public never knew it. It has never been on the front page of *The New York Times* or *The Washington Post*, and it is not discussed on CNN or FOX.

Tomorrow, this mass killing will continue. And every day we allow it, over 900 more will die. With 100 days left this year, nearly 100,000 American lives are on the line unless we take immediate action.

As we sit and watch this tragedy from our comfortable offices, I wonder if my colleagues have statements prepared for the thousands of parents and siblings and friends who lost or will lose a loved one in this mass killing back home. I wonder how we will look families in the eye when we leave Washington and say, there wasn't enough time, we wanted to go home, and yet those who died will never go home.

Mr. Speaker, there is time if we act today. I ask the Senate to stop the tragedy and please call up and pass H.R. 2646, the Helping Families in Mental Health Crisis Act, because where there is help, there is hope.

HELPING FLORIDA'S ORANGE AND CITRUS FARMERS

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, my home State of Florida is well known for the best tasting orange juice that I am fortunate to have grown up drinking, and we sell that orange juice across our great country. But today, our citrus farmers and orange industry are experiencing a crisis unparalleled to anything we have seen in the last century.

Citrus greening—an invasive disease that ravages citrus plants—has steadily taken its toll on Florida citrus, and it is spreading to other States, too. That is why I am proud to support the

Emergency Citrus Disease Response Act, which would allow citrus growers to deduct the cost of replacing lost or damaged citrus plants from their taxes.

This Congress must work together across party lines to do all we can to help Florida's orange and citrus farmers. This legislation will help them afford the new trees they need to restore our citrus crop so we can all keep drinking the best orange juice ever.

TREATING INDIVIDUALS FACING SERIOUS DISEASE OR DISABILITY EQUALLY UNDER THE LAW

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 670, the Special Needs Trust Fairness Act, which I have cosponsored. This bill would allow non-elderly individuals with a disability to create a special needs trust for themselves, as opposed to needing a relative or guardian to create such a trust for them.

Importantly, these trusts would also be exempt from being considered as an asset when an individual applies for eligibility for Medicaid benefits, meaning the individual with the special needs trust can still be eligible for Medicaid benefits.

This legislation would make a straightforward correction in Federal law that would ensure all individuals facing serious disease or disability are treated equally under the law and are able to manage their lives with independence.

Mr. Speaker, I thank my colleagues for acting to advance this bill.

HONORING A MINNESOTA HERO

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor and thank a true American hero, Jason Falconer, for his bravery during a time of grave crisis in Minnesota.

This past weekend, terror struck our community when an attacker, whom the Islamic State took responsibility for, stepped into the Crossroads Center mall in St. Cloud with an evil intention: to kill innocent Minnesotans. The targets of this malicious plan were parents and their children, college students taking a break from their studies, and mall employees, all of whom found themselves suddenly trapped in a horrible nightmare.

This cowardly attacker had already stabbed 10 victims and may have succeeded in taking life if it were not for the heroic actions of an off-duty Avon police officer, Jason Falconer, who confronted and shot the attacker-terrorist before he could do more harm.

Mr. Speaker, words cannot adequately express the gratitude those of us in my State have for Jason Falconer. He stepped in when he was needed most and protected those around him without even the slightest hesitation or concern for his own safety. During such troubling times, it is a comfort to know that there are true heroes like Jason Falconer among us.

Thank you, Jason, and God bless you.

SPACE TANGO

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, I rise today to recognize a cutting-edge space technology company located in the Sixth Congressional District of Kentucky. Space Tango has an innovative business model that utilizes the unique environment of microgravity to commercialize new discoveries in exomedicine for various applications on Earth.

Space Tango established a test center called TangoLab1, a reconfigurable experiment ecosystem designed for microgravity research aboard the International Space Station. The company, ably led by CEO Twyman Clements and Chairman Kris Kimel, leases this space and provides technical assistance for research across several scientific fields. Space Tango provides realtime data and commanding capabilities using an end-to-end cloud-based portal as well as environmental telemetry and power consumption.

I recently had the privilege of visiting the offices of Space Tango in my hometown of Lexington, Kentucky, and learned firsthand from Twyman and Kris and their entire team about the innovative work of this impressive company. I am convinced that, with this technology, we will find the next lifesaving, life-improving medical breakthroughs, and it will happen somewhere other than on planet Earth.

I am proud to say that Space Tango and many other aerospace companies call the Sixth Congressional District of Kentucky home, and I am excited to see what innovations and groundbreaking discoveries they will make in the future, both on Earth and beyond.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 21, 2016.
Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 21, 2016 at 9:10 a.m.:

That the Senate passed without amendment H.R. 5252.

That the Senate passed without amendment H.R. 2615.

That the Senate passed without amendment H.R. 5937.

That the Senate passed S. 3076.

Appointment:

Public Interest Declassification Board.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5461, IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 876 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 876

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman

from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1245

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, as I was listening to the Reading Clerk read through the rule, it sounded a little restrictive. Today, I went back and referenced my notes just to make sure that I was right. Mr. Speaker, House Resolution 876 is a structured rule, but it provides for the consideration of absolutely every amendment submitted to the Rules Committee on H.R. 5461, the Iranian Leadership Asset Transparency Act. Every single amendment that was submitted by this body to the Rules Committee for approval was approved and will be made in order by this rule.

The underlying bill requires the Secretary of the Treasury to submit a report to Congress and make that report available online in its nonclassified parts—obviously, the classified parts would be restricted to Members of Congress—that estimates the total assets under direct or indirect control of senior Iranian leaders, including those with ties to the Iranian Revolutionary Guard Corps.

Mr. Speaker, as you know, it is well-documented that many of Iran's political and military leaders have amassed substantial personal wealth on the backs of the citizens of Iran. It gives them control over all sorts of sectors of the Iranian economy. In fact, the non-partisan Congressional Research Service estimates that one-third of the Iranian economy—that includes telecommunications; it includes construction; it includes airports; it includes seaports—is controlled by leaders personally in the government—these political and military elites—through what they will call personal foundations.

Mr. Speaker, the Joint Comprehensive Plan of Action—that is what most of America knows as the Iran deal, signed by President Obama—has allowed many Iranian entities that are tied to government corruption to be removed from the list of entities that American businesses are prohibited from doing business with—those businesses sanctioned by the U.S. Government. Given the large agreement that we have in this Chamber that the Iranian Government is embracing corruption at every level, it is clear that much of the foreign investment from U.S. companies should be limited but is

not under the current regime. What is more, U.S. businesses today that are able to invest in Iran are doing so without any of the knowledge of whom they are supporting and what kinds of corruption may be involved. That is bad news for America. It is bad news for American national security, and it is bad news for the American economy.

H.R. 5461 will shine a light on that internal Iranian corruption, and it will allow American businesses the information they need to determine whom and whom not to do business with. We may hear today in the underlying bill, Mr. Speaker, that these requirements are too burdensome. I tell you that that is nonsense. It is simply a request that the Department of the Treasury, using existing resources—public resources—as well as our classified resources, make this report to Congress. We are talking about only 80 folks. We are talking about the Supreme Leader of Iran; we are talking about the President of Iran; we are talking about members of the Council of Guardians in Iran; we are talking about the Expeditionary Council and about two dozen Revolutionary Guard Corps leaders.

In the war on terror, in the quest for transparency, I am certain that the United States Government, through the Department of the Treasury, can provide this information. We may hear in the underlying debate that such information will expose our intelligence sources overseas—again, nonsense. There is not a single Member of this Chamber, from left to right, who wants to do that. No one wants to do that. Anything that is in a classified setting that needs to remain in a classified setting will, in fact, remain in a classified setting.

Mr. Speaker, if you have any of those concerns—in fact, if any Member of this Chamber has any of those concerns—I invite him to support this rule. Again, with the passage of this rule, we will move to the underlying bill. We will have a full-fledged debate on that underlying bill, including a debate over every single amendment offered for consideration in this body.

Mr. Speaker, I urge my colleagues to support the rule and to support the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Georgia (Mr. WOODALL) for the customary 30 minutes.

With all that we have to do, I can't believe we are here doing this; nonetheless, here we are today, considering H.R. 5461, the so-called Iranian Leadership Asset Transparency Act.

This bill would require the Secretary of the Treasury to report to Congress and post online the estimated total assets under the direct or indirect control of certain senior Iranian leaders and other figures, along with a description of how these assets were acquired

and are employed, regardless of whether said figures are subject to U.S. sanctions.

The fact is that this bill—and let's be clear about it—is nothing more than another attempt by Republicans to undermine the historic agreement the United States worked so hard to achieve to prevent Iran from obtaining nuclear weapons. Preventing Iran from obtaining nuclear weapons is a big deal. I am sorry my colleagues on the other side of the aisle don't share that view, but it is a big deal. The world will be safer with a nuclear-free Iran.

Last July, the United States, the United Kingdom, France, Russia, China, Germany—the P5+1—and Iran agreed to the Joint Comprehensive Plan of Action, which required Iran to abandon its nuclear program in exchange for U.S., EU, and U.N. sanctions being lifted. The agreement officially came into effect on October 18, 2015. U.S. nuclear-related sanctions were lifted on January 16, 2016, after the International Atomic Energy Agency verified that Iran implemented its key nuclear-related measures described in the agreement and the Secretary of State confirmed the IAEA's verification.

Since the implementation of the agreement, Republicans have repeatedly tried to create the impression of numerous scandals surrounding Iran and of supposed violations of the agreement; but the reality is that the agreement has, so far, prevented Iran from developing a nuclear arsenal. While we will continue to counter Iran's hostile activities in the region, we will not undermine the JCPOA.

H.R. 5461 would absolutely do nothing to increase transparency within the Iranian financial industry. Rather, this bill would cause confusion regarding compliance obligations, deter non-U.S. banks from reengaging with legitimate Iranian business, and undermine the letter and spirit of the nuclear agreement the United States worked so hard to achieve.

Mr. Speaker, I include in the RECORD the Statement of Administration Policy, which basically ends with this statement, that if the President were presented with this bill, his senior advisers would recommend that he veto this bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 5461—IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT—REP. POLIQUIN, R-ME, AND ONE COSPONSOR

The Administration shares the Congress' goals of increasing transparency and bringing Iran into compliance with international standards in the global fight against terror finance and money laundering. However, this bill would be counterproductive toward those shared goals.

The bill requires the U.S. Government to publicly report all assets held by some of Iran's highest leaders and to describe how these assets are acquired and used. Rather than preventing terrorist financing and

money laundering, this bill would incentivize those involved to make their financial dealings less transparent and create a disincentive for Iran's banking sector to demonstrate transparency. These onerous reporting requirements also would take critical resources away from the U.S. Department of the Treasury's important work to identify Iranian entities engaged in sanctionable conduct. Producing this information could also compromise intelligence sources and methods.

One of our best tools for impeding destabilizing Iranian activities has been to identify Iranian companies that are controlled by the Islamic Revolutionary Guards Corps (IRGC) or other Iranians on the list of Specially Designated Nationals and Blocked Persons (SDN List) to non-U.S. businesses, so that they can block assets or stop material transfers. This process is labor-intensive and requires the judicious use of our national intelligence assets. Redirecting these assets to preparing this onerous public report would be counterproductive and will not reduce institutional corruption or promote transparency within Iran's system.

In addition, this bill's required public postings also may be perceived by Iran and likely our Joint Comprehensive Plan of Action (JCPOA) partners as an attempt to undermine the fulfillment of our commitments, in turn impacting the continued viability of this diplomatic arrangement that peacefully and verifiably prevents Iran from acquiring a nuclear weapon. If the JCPOA were to fail on that basis, it would remove the unprecedented constraints on and monitoring of Iran's nuclear program, lead to the unraveling of the international sanctions regime against Iran, and deal a devastating blow to the credibility of America's leadership and our commitments to our closest allies.

As we address our concerns with Iran's nuclear program through implementation of the JCPOA, the Administration remains clear-eyed regarding Iran's support for terrorism, its ballistic missile program, human rights abuses, and destabilizing activity in the region. The United States should retain all of the tools needed to counter this activity, ranging from powerful sanctions to our efforts to disrupt and interdict illicit shipments of weapons and proliferation-sensitive technologies. This bill would adversely affect the U.S. Government's ability to wield these tools, would undermine the very goals it purports to achieve, and could even endanger our ability to ensure that Iran's nuclear program is and remains exclusively peaceful.

If the President were presented with H.R. 5461, his senior advisers would recommend that he veto this bill.

Mr. MCGOVERN. Mr. Speaker, this bill is going nowhere. Quite frankly, I think it is an insult to the American people that we are bringing up more and more bills that are going nowhere when we have so much here to do. Congress has roughly a week before we recess again, and instead of focusing on passing a bipartisan bill to actually fund the government, House Republicans are wasting more time with partisan bills like this, and it really is quite unfortunate.

But, since Republicans want to talk about transparency so much, let's talk about the transparency—or the total lack of transparency—of their Presidential nominee, Donald Trump. I have got to tell you that I have been doing

this a long time, and I think it is safe to say that Donald Trump's lack of transparency would make Richard Nixon blush.

For 40 years, America's major party nominees have publicly released their tax returns, a simple and basic disclosure made to the American people to help them choose which candidate is best fit to be our next President. Donald Trump, the nominee of the party that is telling us today that they care so much about transparency, has repeatedly refused to release his tax returns. This comes even after he promised in 2014 that he "absolutely"—and I say that in quotes—would release them if he ran for President.

Let's be honest. In this House of Representatives, if Hillary Clinton refused to release her tax returns, there would be an outcry like you have never heard from my Republican friends. There would be calls for hearings and resolutions and probably even a vote to impeach her retroactively once she was elected. We all know that. But, on Donald Trump's lack of transparency—the guy who wants to be President of the United States—they are silent.

The secrecy and the lack of transparency doesn't stop with Donald Trump's tax returns. This month, Newsweek reported on how Donald Trump's extensive financial dealings overseas would pose an unprecedented conflict of interest that could threaten our national security and global interests.

In the article, they write:

Never before has a business posed such a threat to the United States. If Donald Trump wins this election and his company is not immediately shut down or forever severed from the entire Trump family, the foreign policy of the United States of America could well be for sale.

The Trump Organization has hundreds of business dealings involving more than a dozen countries on five continents, including Russia, India, Turkey, Libya, China, and South Korea. Newsweek warns that, as long as The Trump Organization remains open, foreign governments and businesses would be able to funnel money directly into the pockets of Trump and his family. That means American foreign policy would be literally for sale. It is a situation unlike anything we have ever seen in American history.

For example, Trump's business deals could motivate him to abandon NATO allies like Turkey and important Asian allies like South Korea. His deals in Azerbaijan could force him to alter his position on Iran or undermine U.S. relations with Armenia. His deals in India could influence his position over longstanding conflicts with Pakistan—in a volatile subcontinent where both nations have nuclear weapons.

When it comes to Russia, there are concerns about Trump's heaping praise and praise and praise on an increasingly hostile foreign leader, Russian

President Vladimir Putin, at the same time his company is seeking business opportunities in Russia and how that conflict of interest could evolve if Trump were President of the United States.

Newsweek also reports that the friction caused by Trump's business dealings could jeopardize relationships with our allies like Turkey in the fight against ISIS. Additionally, one of Trump's business partners is a South Korean company that is involved in nuclear energy, which makes you wonder if that is why he suggested South Korea should have nuclear weapons.

So, if you want to talk about transparency and if you are worried about conflicts of interest and corruption, you ought to demand that the nominee of your party come clean with the American people. You ought to demand that he release his tax returns, that he make it clear that he would end all of his business ties if, God forbid, he would become President of the United States, which is something that, I hope, we never, ever get close to.

The bottom line is that that is something that is real and is right before us, and, quite frankly, we ought to be doing more about it. We shouldn't be wasting the American people's time with more partisan messaging bills that claim to be about transparency—bills that are going absolutely nowhere. We should focus on passing a bipartisan funding bill that keeps this government open and that takes real action to combat the very real Zika virus and other public health crises that Americans are actually confronting.

I urge the Members of both parties to defeat this rule and get back to work on real issues that actually matter in the lives of the people whom we represent.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I ask the gentleman from Massachusetts if he has any further speakers remaining.

Mr. MCGOVERN. Mr. Speaker, I would just inform the gentleman that we have one additional speaker who says he is on his way.

Mr. WOODALL. I tell the gentleman I, too, have a rumored speaker who is on his way, so we are in the same boat in that space.

Mr. Speaker, I yield myself such time as I may consume.

I read further from the Statement of Administration Policy, the veto threat that the gentleman from Massachusetts noted earlier.

□ 1300

He did read the section that said: If the President were presented with H.R. 5461, his senior advisers would recommend that he veto the bill.

There is more on this page, Mr. Speaker. He also says: "... the Ad-

ministration remains clear-eyed regarding Iran's support for terrorism, its ballistic missile program, human rights abuses, and destabilizing activity in the region."

Now, Mr. Speaker, what he is referencing, no doubt, ties into the report that the State Department released over the summer, naming Iran the number one international sponsor of terrorism.

Now, what this bill asks is: If you know you have a corrupt government—again, in the administration's words, Iran's support for terrorism, its ballistic program, its human rights abuses, and its destabilizing activity in the region—if you know that you have a dangerous government and if you know that corrupt leaders of that government are hiding their resources in foundations across the nation, if you know that those foundations are controlling a third of the Iranian economy, continuing to keep its foot on the voice of the Iranian people, if you know that this is true, why won't you stand up and be counted?

My friend from Massachusetts says we shouldn't waste our time on this because it is going nowhere. Candidly, I believe leadership is taking those things that folks believe are going nowhere and making them a reality. That is what the President did with this Iran deal.

When I go back and think about the polling that was going on across the Nation while the President was pushing this deal around the globe, there was no more unpopular agreement with the American people. The American people were livid that we would be making a deal to perpetuate the power and control structure in Iran, but the President led on that. He forced that through. I don't believe we ever got a majority of the American people behind it, but he got a majority of the Congress to support him in that effort.

Mr. Speaker, this is about information. This is about information on a known sponsor of global terrorism. This is about providing information not just to American citizens, but to Iranian citizens. If you live in the nation of Iran, if you have that average annual income of \$15,000, Mr. Speaker, you might be interested to know how the other half lives. You might be interested to know, when your leaders are talking about the Great Satan on national television, where it is they are stuffing their pockets. You might be interested to know, when folks are talking about you rising up to fight the Great Satan, where those folks have their relatives working, where their millions are growing, what parts of the economy they are controlling. That is all this bill is going to ask for.

Again, Mr. Speaker, we are here to debate the rule today. The rule makes it in order to consider the underlying bill as well as every single amendment

that has been offered by both sides of the aisle to perfect the underlying bill.

Again, I urge my colleagues to be enthusiastic in their support of the underlying bill and of the rule.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would just respond to the gentleman that the reason why the administration wants to veto this bill has nothing to do with the fact that they aren't concerned about Iran's role in promoting terrorist organizations around the world or being involved in very bad behavior.

I think they are opposed to this bill because they don't think it is worth anything; that it is not going to work. In fact, rather than preventing terrorist financing and money laundering, this bill would actually incentivize those affected to make their financial dealings less transparent and create a disincentive for Iran's banking sector to demonstrate transparency.

Look, we are all talking about this like this is all on the level. The real deal is that my friends on the other side are upset that the President of the United States negotiated a deal with Iran that prevents them from getting a nuclear weapon. So we see a multitude of bills like this coming to the floor.

Mr. Speaker, I urge my colleagues to defeat the previous question. And if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would expand the Department of Homeland Security's presence overseas.

Mr. Speaker, this legislation would strengthen DHS's operations by authorizing and expanding Department of Homeland Security, Customs and Border Protection, and Immigration and Customs Enforcement programs that vet and screen individuals before they enter the United States. It would add an additional 2,000 Customs and Border Protection officers for overseas and domestic operations.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the gentleman from Mississippi (Mr. THOMPSON), the distinguished ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for allowing me the time.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can bring up my bill, H.R.

5256, the Expanding DHS Overseas Passenger Security Screening and Vetting Operations Act.

Mr. Speaker, everybody we have talked to within the Homeland Security arena says that, as Americans, we are safer if we can push our borders out. So the notion that we should wait on the bad guys to get here is a notion that obviously would put us in harm's way.

So what we are proposing with this bill is enhancing the ability for us to push our borders out. We have had examples of this. They have all been successful. So this is another effort to resource the opportunity to make sure that our borders not only are just safe, but as safe from American soil as possible.

So 15 years ago, Mr. Speaker, foreign terrorists carried out the most deadly and costly terrorist act on U.S. soil. We committed ourselves to creating the Department of Homeland Security. We resourced it. We put a number of agencies together. We are on a day-to-day basis tracking bad people all over the world, preventing bad people from getting into the United States. To the credit of our men and women, they are doing a good job, but we are only as good as the resources that we put to fight terrorism.

So this, again, is one of the tools in the toolkit that we have identified that we have to have, which is to push our borders out so that we can not only keep Americans safe, but we can, through our enhanced vetting process, keep bad people out.

So as the 9/11 Commission reported, the terrorists that carried out this heinous act on 9/11 were able to exploit legitimate channels of travel to the U.S. from countries around the globe. There is no question about that. To prevent terrorist travel, the Department of Homeland Security has made significant efforts to expand its presence and partnerships around the world to vet passengers well in advance of their arrival to the U.S.

For instance, Mr. Speaker, there are over 200 airports around the world. The last-point-of-departure airports, to speak of, where unless we can vet all those individuals who are trying to come here, they can't get on the plane. So what we are trying to do is continue to enhance that effort and others to make sure that anyone trying to get to this country—and we can identify that they are bad people—that we will keep them away.

My legislation, Mr. Speaker, H.R. 5256, will strengthen these operations to deal with evolving terrorist threats, including the threats posed by individuals traveling without visas from European and other countries with visa waiver agreements with the U.S.

Now, to prevent these terrorists and other dangerous people from entering the U.S., Mr. Speaker, this legislation

directs DHS to strategically expand its program that vets and screens travelers. It specifically authorizes key DHS vetting and screening programs. It also provides for an additional 2,000 Customs and Border Protection officers for not only overseas operations, but also to address domestic shortages, particularly at U.S. international airports.

Mr. Speaker, even as we absorb the events of this weekend where Americans carried out terrorist attacks in Minnesota, New York, and New Jersey, we must do all we can to prevent foreign terrorists, including an estimated 3,000 Europeans trained as foreign fighters by ISIL, from entering the United States.

Defeating the previous question, Mr. Speaker, will allow Members to consider my bill, H.R. 5256, that will do just that. Again, Mr. Speaker, we are only as good as we resource the Department to fight terrorism.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Tennessee (Mr. DUNCAN), one of the great leaders of this conference.

Mr. DUNCAN of Tennessee. Mr. Speaker, I do want to commend the gentleman from Georgia for the great work that he does on the Rules Committee. Once again, he has done yeoman's work on this legislation before us.

Frankly, I have some reservations about the underlying bill, but I do respect the goal of this legislation. I also respect the gentleman from Mississippi in his efforts to come up with some legislation so that we can have enhanced interrogation of certain people wanting to come into this country. I think almost everyone on this side of the aisle believes in more detailed vetting of people wanting to come here, especially from countries that we deem as dangerous.

I rise at this time, though, just to make the point that—in response to the gentleman from Massachusetts (Mr. MCGOVERN), who spent almost his entire time talking about this bill, talking about the transparency of the Republican nominee for President, I also, though, might make the point that the Democratic nominee, Secretary Clinton, has refused for many months to release the transcripts or copies of her many speeches that she gave to Wall Street firms for really what most people would consider to be small fortunes. In addition to that, she has refused to give out details of the approximately 60 percent of the people she met with while Secretary of State who had contributed to the Clinton Foundation, in some cases, very large amounts of money from foreign countries, which really is possibly more closely related to this legislation than is the tax return of the Republican nominee.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

I would ask my colleagues respectfully to support us in our effort to defeat the previous question so we can bring up the legislation that Mr. THOMPSON mentioned, legislation that would strengthen the Department of Homeland Security's overseas screening and vetting programs.

I would like to think that even though Democrats and Republicans don't always agree on everything, we can agree on something and that this is something that we ought to be able to agree on, and hopefully we will be able to have a vote on it.

Again, I regret that we are bringing up a bill that, again, is another attempt to try to undermine the deal that we have brokered with other nations around the world to prevent Iran from becoming a nuclear power, but here we are yet with another bill. The President is going to veto it. We can continue to debate the merits, but it is kind of a waste of time.

Again, I would hope my colleagues would vote "no" on the rule and vote "no" on the bill if we are presented with it.

I would just say one final thing to my friend from Tennessee (Mr. DUNCAN), who I have a great deal of respect for: The deal is that Mr. Trump is the first nominee, I think, that I can recall, who has not released his taxes. Secretary Clinton has released years and years and years of her taxes. We know more about Secretary Clinton than we know about any other nominee, I think, in history.

I have always kind of wondered why Mr. Trump says some of the things he says, which, quite frankly, I sometimes find unbelievable, some of the comments on foreign policy. But when you look at his financial interests and his investments in these various countries, you can kind of understand why he defends dictators, why he never mentions the words "human rights," why he says some of the things he says about urging other countries to become nuclear powers when we should all be talking about how we control nuclear weapons in this country.

□ 1315

If we are worried about transparency and you are worried about conflicts of interest, and if we are truly worried about corruption, now is the time, I would urge my friends on the other side of the aisle, to tell the nominee of your party to come clean. There are so many tangled webs in The Trump Organization, so many financial ties to things that, quite frankly, should give every one of us concern. I don't know what the problem is about a little sunshine.

Like I said in the beginning, if Secretary Clinton did not release her tax returns, there would be calls for hearings and resolutions and there would be

Special Orders, and it would go on and on and on; yet, with regard to their nominee, it is okay for him to withhold all this information from the American people. I think that is unfortunate.

So if we are talking about transparency here today and if we are worried about corruption and if we are worried about conflicts of interest, there is that old saying, "Physician, heal thyself." I would urge my Republican colleagues to hold their nominee, hold their standard-bearer to a higher standard when it comes to transparency.

Mr. Speaker, I urge defeat of the previous question, and I yield back the balance of my time.

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward nominees for the Office of the President.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I appreciate you issuing that reminder. I don't particularly enjoy this time of year on the House floor because we do have important business that needs to occur here, and we often get off base.

I don't think this is the right time to talk about the FBI investigation into Secretary Clinton. I don't think this is the right time to talk about the pay to play investigation going on with the Clinton Foundation. I don't think this is the right time to talk about all of her employees who have been questioned about her behavior and are pleading the Fifth, one right after the other, and are refusing to answer those questions. I don't think this is the right place for that. This is the right place to talk about something that brings us together, which is the defeat of a corrupt Iranian regime.

Mr. Speaker, my friend from Massachusetts is absolutely right. There are many of us on this side of the aisle who do not like the agreement that the President made with the Iranians. In fact, there are many on that side of the aisle who do not like the agreement that the President made with the Iranians, and you need go no further than this debate today to understand why.

I will read again from the President's own veto statement of this bill. It says: "This bill's required public postings"—these are the public postings of the assets and the corrupt arrangements that are involved in these top high officials of the Iranian regime. "This bill's required public postings . . . may be perceived by Iran and likely our Joint Comprehensive Plan of Action (JCPOA) partners as an attempt to undermine the fulfillment of our commitments, in turn impacting the continued viability of this diplomatic arrangement that peacefully and verifiably prevents Iran from acquiring a nuclear weapon."

I will say it again, Mr. Speaker, the President's concern is that, by making

information public to the American people and the Iranian people—and this information would be published in four languages so that it would be available to the Iranian people as well—by making information public about the corrupt business dealings of Iranian leaders, we will be violating the agreement the President signed with Iran.

How could this Nation possibly have signed an agreement, Mr. Speaker, that trades away our opportunity to shine sunlight on corrupt practices? I don't believe that we have. But my friend from Massachusetts said, Mr. Speaker: It undermines the letter and the intent of the agreement. To shine sunlight on corrupt practices.

Mr. Speaker, this is why the American people were concerned about the Iranian agreement. This is why we continue to be concerned about the Iranian agreement; but more importantly, this bill is not about that agreement.

The chairman of the Committee on Financial Services testified in front of the Committee on Rules last night, Mr. Speaker, and he said he just can't imagine why it is controversial for us to publish a list of officials and their holdings online. I agree.

It is baffling to me that the disclosure of what is, in many cases, publicly known information but that has not been compiled in a particular place could be a threat to preventing Iran from developing nuclear weapons. In fact, I would argue shining sunlight on the corrupt regime will empower the Iranian citizens to perhaps help us in this cause.

Mr. Speaker, this is not a controversial piece of legislation. This is, in fact, a transparency piece of legislation. The motion to recommit that the gentleman from Mississippi (Mr. THOMPSON) discussed, candidly, most of what he said I agree with. I don't believe a motion to recommit is the right place to do it. He was not in front of the Committee on Rules last night. The bill he offers as a bipartisan, common-sense compromise has absolutely no Republicans on it whatsoever; but I do believe that pushing out our borders, pushing out our vetting process is exactly the right idea for this country. This happens to be a bill from the Committee on Financial Services. The gentleman from Mississippi happens to be the ranking member on the Committee on Homeland Security. I hope the Committee on Homeland Security will get about that business. I support it 100 percent.

But what I ask of my colleagues here today, Mr. Speaker, is to support this rule so we can debate this bill. Folks on both sides of the aisle like it, don't like it. Debating the bill is the right place to expose it. Transparency is good for the Iranians, and it is good for us as well. If we support this rule, we will also consider every amendment that was offered in the Committee on

Rules. Every alternative idea, every perfecting idea, every improvement that this body came up with and brought to the Committee on Rules last night, Mr. Speaker, we are going to make in order for debate here on the floor.

This is a tough time of year. Politics don't often bring out the best of policy, but we have got a good shot at it today. We have got a good shot at it with this rule. We have a rule here that I think everybody can be proud to vote for; and, as my friend from Tennessee said earlier, then we will debate the merits of the underlying bill and have the House work its will.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 876 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5256) to enhance the overseas operations of the Department of Homeland Security aimed at preventing terrorist threats from reaching the United States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5256.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's

ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The Chair once again will remind Members to refrain from engaging in personalities toward the nominees for the Office of the President.

The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3438, REQUIRE EVALUATION BEFORE IMPLEMENTING EXECUTIVE WISHLISTS ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 5719, EMPOWERING EMPLOYEES THROUGH STOCK OWNERSHIP ACT; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 875 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 875

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3438) to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the

bill (H.R. 5719) to amend the Internal Revenue Code of 1986 to modify the tax treatment of certain equity grants. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. It shall be in order at any time on the legislative day of September 22, 2016, or September 23, 2016, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials on House Resolution 875, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Committee on Rules. The rule provides for consideration of H.R. 3438, the Require Evaluation Before Implementing Executive Wishlists Act, or the REVIEW Act, and H.R. 5719, the Empowering Employees Through Stock Ownership Act.

For H.R. 3438, the rule provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Committee on the Judiciary, and also provides for a motion to recommit. The rule also provides 1 hour of debate, equally divided and controlled by the chair and ranking member of the Committee on Ways and Means, for H.R. 5719 and provides a motion, also, to recommit.

The rule makes in order two amendments to H.R. 3438, representing ideas from my colleagues across the aisle. Yesterday the Committee on Rules received testimony from the chairman

and ranking member on the Subcommittee on Regulatory Reform, Commercial and Antitrust Law of the Committee on the Judiciary, as well as testimony from Congressman ERIK PAULSEN and Congressman JOE CROWLEY from the Committee on Ways and Means.

The REVIEW Act, introduced by the gentleman from Pennsylvania (Mr. MARINO), went through regular order and enjoyed a thorough discussion at both the subcommittee and full committee level. In November of 2015, the Subcommittee on Regulatory Reform, Commercial and Antitrust Law, of which I am a member, held a legislative hearing on the bill. The bill was marked up by the Committee on the Judiciary on September 8, 2016. Several amendments were considered.

The Empowering Employees Through Stock Ownership Act also went through regular order. It was passed by voice vote through the Committee on Ways and Means on September 14. This bill, which has bipartisan support, would promote employee ownership at startup companies by addressing the tax treatment of restricted stock issued to employees.

Both bills represent good governance and provide relief for American workers and companies. The REVIEW Act is supported by numerous organizations, including the Chamber of Commerce, the Associated Builders and Contractors, Forestry Resource Association, the National Black Chamber of Commerce, the National Cattlemen's Beef Association, and dozens more.

□ 1330

I am a proud cosponsor of this legislation because it ensures that American businesses won't have to waste billions of dollars if legally flawed new rules are thrown out by the courts. The bill is just plain common sense.

This legislation came about in response to a very real problem. In *Michigan v. EPA*, the court held that the EPA's Utility MACT rule was legally infirm because the EPA decided costs were irrelevant to its decision to promulgate the rule. Costs of implementing the rule were estimated to cost \$9.6 billion per year, with the intended goal of achieving benefits of only \$4 million to \$6 million per year.

Let me repeat that, Mr. Speaker. Costs of implementing the rule were estimated to cost \$9.6 billion per year, with the intended goal of achieving benefits of only \$4 million to \$6 million per year.

It seems that something like this would not be true. Unfortunately, it is. The EPA issued a rule estimated to cost more than \$9 billion per year, even though the rule was expected to achieve benefits in airborne mercury emissions of \$4 million to \$6 million per year. The rule costs more than 10 times to implement than it brought in benefits.

Even away from the government perspective, there were questions concerning the actual other benefits as well. You wonder why people are angry at the Federal Government. Rules like this are a good example. Even worse, while the court found the rule legally infirm, it failed to set aside the rule which required businesses to continue to incur compliance costs, pending remand to the court of appeals.

This rule was not stayed by the courts during a multiyear legal battle to challenge the rule, meaning the whole time the courts were deliberating, businesses were forced to start implementing the rule and bear the costs. This is a huge blow to businesses that had to pour time and money into compliance only to later be told it was a wasted effort because the legal challenge to the rule was ultimately successful.

To be sure, the successful legal challenge was a victory, but businesses shouldn't have had to go through years of uncertainty and billions of wasted dollars while the challenge was pending in the courts.

The REVIEW Act makes sense. It prevents needless expenditures like the ones businesses were forced to make while the Utility MACT case was winding its way through the courts.

You see, the fix is simple. The REVIEW Act requires that, when agencies promulgate new rules, the rules won't become legally effective until after the conclusion of litigation challenging them if the Office of Information and Regulatory Affairs determines the rules would impose \$1 billion or more in costs to the economy. Litigants would have up to 60 days after the rule was published to bring litigation, unless specified otherwise by the particular law the agency rule pertains to.

Let me be very clear, Mr. Speaker. We aren't talking about this kind of change for every rule. We are not talking about this kind of change even for every major rule. We are talking about making this commonsense amendment for rules that cost over \$1 billion to the economy.

Businesses shouldn't be forced to deal with these enormous compliance costs while it is unclear if the rule will ever even actually come to fruition. The time and money businesses are currently forced to spend complying with these rules is time and money taken away from building the businesses, investing in the community, and creating jobs.

Now, I will admit these billion-dollar rules have been issued by administrations of both parties in recent years. That is another reason why Members on both sides of the aisle should support this legislation.

According to the American Action Forum, in fact, from 2006 to 2008, the Nation averaged two of these rules annually; and from 2009 to present, the

figure has actually increased to roughly three times per year. This increase in billion-dollar rules should be troubling to all of us, and businesses run by Republicans and Democrats are suffering from the effects of complying with these rules even as litigation is ongoing. Under this administration alone, these billion-dollar rules are estimated to have imposed total annual costs of \$65.1 billion. According to the American Action Forum, the related paperwork burden comes out to be about 19.5 million hours.

Since 2005, there have been at least 34 billion-dollar rules, with 24 of those promulgated under the current administration. Thirty-four may not seem like a large number over the last 11 years, but we have to remember the extremely high cost of these results and the impact those costs can have on businesses and the economy.

There may be arguments from those on the other side that affected parties could receive a stay from the court during litigation, but stays are hard to obtain and the consequences of not obtaining one can be very costly.

During a Judiciary Committee hearing on the REVIEW Act, Paul Noe of the American Forest and Paper Association provided an enlightening example of the consequences of courts failing to issue stays as the billion-dollar rule goes forward.

He said in his testimony: "In 2007, about \$2 million in compliance investments were stranded in the paper and wood products industry when a court struck down the 2004 Boiler MACT rule just 3 months before the compliance deadline. When the rules were reissued in 2013, the new standards had changed significantly, and previous investments proved to be the wrong approaches to achieve compliance. Wasting limited capital undermines the competitiveness of U.S. businesses and impedes growth and job creation."

Mr. Noe's example is another real-life circumstance of the reason this bill, the REVIEW Act, is necessary. The last thing we should be doing is impeding growth and job creation. Instead, we should be looking to stimulate the economy and getting Americans working.

I know in northeast Georgia, many businesses are struggling due to the crushing costs of regulations. Many of these are small businesses that aren't able to employ attorneys and consultants to keep them up-to-date with the latest edicts from Washington. Instead, they are forced to spend time and resources figuring out how to deal with the onslaught of red tape; and that doesn't even take into account the massive burdens of these billion-dollar regulations.

Mr. Speaker, I want to be clear that not all regulation is bad. Regulations can help protect public health and safety and ensure needed worker protections; but regulation that does not

make sense, regulation that has compliance costs that far exceed the benefits, simply doesn't make sense.

Importantly, in this bill, we aren't trying to prevent more regulation. We are simply saying that, for rules over a billion dollars, they shouldn't go into effect until litigation has concluded. That is common sense. Businesses shouldn't have to waste resources complying with a huge, new burden for something that might not ever even come into effect.

This is a narrowly written but important change to the Administrative Procedure Act that will prevent waste and, hopefully, encourage agencies to rethink issuing billion-dollar rules.

This is a bill that had plenty of hearing in the Judiciary Committee, both sides expressing their desires on these issues, and had full debate and markup.

Both the REVIEW Act and the Empowering Employees through Stock Ownership Act are smart changes to current law that deserve full and fair consideration before this House.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Georgia (Mr. COLLINS) for yielding me the customary 30 minutes.

Mr. Speaker, the House is scheduled to be in session for 7 days before yet another 6-week-long recess. Instead of addressing the most pressing issues facing our communities, we are on this floor with yet another Republican messaging bill to undermine the Federal rulemaking process.

With all that needs to be done, with all the crises we are facing, this is what they bring to the floor—a bill, by the way, that is not going anywhere. It is going nowhere. The President is going to send up a veto message. The Senate is not even going to take it up.

So what we are spending our time doing, what we are spinning our wheels about right now is something that, basically, I guess my friends can use in a press release, but this is not real legislating. And I get it. Attacking Federal regulations has become a favorite sound bite for my friends on the other side of the aisle. They are always quick to remind us of the costs associated with these regulations, but completely dismiss the very real and typically much larger benefits of protecting consumers, the environment, public health, and safety.

I am against duplicative regulation. I am against warrantless regulation or needless regulation. It would be nice if we could actually function in a bipartisan way to identify where we have common ground and where there is agreement so that we can make some progress, but that is not the MO of the Republican leadership in this House. It is their way or the highway.

H.R. 3438 automatically freezes any covered rule when any lawsuit is filed,

regardless of how frivolous that lawsuit may be, instead of relying on the discretion and expertise of the courts.

Now, let's be honest with ourselves, Mr. Speaker. This isn't about good governance and it isn't about ensuring high-impact regulations pass legal muster. This is yet another election year giveaway to Republican special interests, and it is that time of year—lots of fundraisers, lots of political activity. People go home and say they voted for this bill that is going nowhere. Therefore, vote for them.

This is just yet another Republican effort to indefinitely delay regulations that they don't like—regulations that protect consumers, regulations that protect public health and that protect our environment.

In fact, one of the most troubling aspects of this bill is that it fails to include any exceptions for rules responding to public health emergencies.

Can you believe that?

I am disappointed that the Republicans in the Judiciary Committee rejected Democratic amendments to the bill that would have ensured lawsuits could not tie up responses to public health emergencies.

Why would anybody be against that?

This is especially troubling as we face major health crises, like the Zika virus, and rely on our government to protect our public health. We should be doing everything in our power to find a solution to this terrible emergency, not passing legislation that can make finding that solution even harder.

I strongly oppose this misguided and unnecessary legislation, which does nothing to promote an efficient regulatory process, but delays regulations needed to protect our public health and safety.

This week the House is also set to consider H.R. 5719, the Empowering Employees through Stock Ownership Act. By allowing rank-and-file employees of private companies to defer payments on their stock options for 7 years, this bill makes it easier for these employees—often lower-income earners—to receive equity as part of their compensation.

Our economy is recovering, but not for everyone. More and more wealth is becoming concentrated in the top 1 percent and income inequality is at its highest levels since the Great Depression. Meanwhile, working families struggle to make ends meet, often needing several jobs just to get by.

So I support efforts to allow rank-and-file employees to truly share in the long-term success of their companies and our greater innovation economy. I think the majority of us share in that belief. But I do share the concerns that have been expressed by my Democratic colleagues during the Ways and Means Committee markup and in the Rules Committee last night that this bill isn't paid for and adds \$1.03 billion to

the deficit. This bill not being paid for adds over a billion dollars to our deficit.

The Republican leadership in this House routinely refuses to bring up funding legislation that adequately addresses public health crises. They demand offsets anytime there is an emergency. When it comes to increases in our social safety net, we can't do it because we have to find offsets. But when it comes to tax breaks, there are no limits. They don't require offsets.

Just last week this House passed an unpaid-for tax cut that, if enacted, would add almost \$33 billion to the deficit. The Ways and Means Committee has marked up nearly \$54 billion worth of unpaid-for tax cuts just this year.

There was a time when caring about the deficit and the debt was something my Republican friends would talk about, but I guess that is no longer the case. So when my Republican friends talk about their commitment to fiscal responsibility, I have to ask: Why the double standard?

We can't help the people of Flint, Michigan, but we can pass tax breaks and tax cuts and not have to pay for them. By the way, the vast majority of tax cuts that my Republican friends support go to the wealthiest people in this country, not to the middle class.

We are told we have to fully offset emergency responses, as I said, to the water crisis in Flint, Michigan; the opioid epidemic; flooding disasters; and the growing threat of the Zika virus, but yet we don't have to pay for tax cuts. I just don't quite get it.

Last night, in the Rules Committee, my friends and colleagues, JOE CROWLEY and ANNA ESHOO, Democratic cosponsors of this bill, offered an amendment to offset the over \$1 billion cost by increasing a tax on oil barrels by two cents. That is just two cents that they would increase the cost. But what is important for people to remember is that what that means for the consumer is five one-thousandths of a penny on a gallon of gas.

□ 1345

So in order to offset something that we think is a good benefit, and to pay for it, it would cost consumers five one-thousandths of a penny on a gallon of gas. Most people that I talk to I don't believe think that that is an unreasonable thing, the choice between adding to the deficit, which, by the way, we all pay for anyway, or basically paying for things as we go. And so five one-thousandths of a penny on a gallon of gas, in order to offset the cost of this bill, I don't think, is unreasonable.

Now, this amendment was not made in order for consideration on the House floor because my Republican colleagues insisted that the offset was not germane to the bill.

But the House Rules Committee has the power to waive germaneness and

other rules, and frequently does so, when it suits the needs of the majority. And during this Congress alone, Republicans on the Rules Committee have granted 245 waivers; 242, or 98 percent of them, have been for Republican initiatives. So they do it all the time when they want to.

So, Mr. Speaker, we had the ability to move the Crowley-Eshoo amendment to the floor for consideration, but Republicans in the Rules Committee blocked our efforts to responsibly pay for the costs associated with this change in tax law.

Now, I appreciate the work of my colleagues in promoting employee ownership among all of a company's workers, not just those at the top. But I do have some serious concerns about this majority's insistence that emergency relief and other priorities be offset while tax cuts are able to sail through this House without a second thought and not be paid for. That is the wrong approach.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I would just like to make one comment, and then I think my friend from Massachusetts and I can look around. Nobody is beating our door down for time here.

There are no billion-dollar public health issues that were brought up that this—it doesn't waive for a billion-dollar public health emergency. In fact, probably if we did have over-a-billion-dollar health emergency, we could handle it better through statutory change than through a regulatory agency doing this. So it is an argument, but it is not a valid argument, I believe, in this case.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I am going to urge my colleagues to vote to defeat the previous question, vote "no" on the previous question. And if we defeat the previous question, I will offer an amendment to the rule to bring up the bipartisan no fly, no buy legislation that would allow the Attorney General to bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

Mr. Speaker, the time to act is now. There have been more than 10,000 gun-related deaths in this country this year alone. The country cannot tolerate the indifference on this issue any longer.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. DONOVAN). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, as I said at the beginning of my remarks, we have only a few days left here before there is another recess, and we have incredible challenges before us. We have an opioid crisis in this country. We passed legislation that said all the right things, but the funding to fund all those nice things wasn't following.

We are confronted with a Zika virus crisis, and the American people are expecting us to do something, and this House has been twiddling its thumbs for far too long. The time for action is now.

We have a water crisis in Flint, Michigan; can't seem to get anything done in this House. Yet, those poor people can't drink the water out of their faucets and have been poisoned for years as a result of the indifference on that situation.

On the issue of gun violence, I mean, every day somebody gets killed in gun violence. We have tried to bring up a bill that would require universal background checks. I don't care what your position on guns is, I think we all should be able to agree that there ought to be universal background checks.

Right now, if you go into a licensed gun dealer, you have to go through a background check. But you get around that if you go to a gun show or buy a gun online.

I think everybody, I don't care what your philosophy is, should want to keep guns out of the hands of violent criminals and people who are dangerously mentally ill. I don't know why that is such a controversy in this House of Representatives. Yet, we can't even get the leadership to allow us to bring that bill to the floor.

On the issue that the previous question is about, which is the no fly, no buy list, I don't think there is anybody in this country who can understand why we think it is okay to, on one hand, say to somebody who is on an FBI terrorist watch list: we are concerned about you so much that you can't fly on an airplane. But, at the same time, say: well, okay, but you can go out and buy a gun; you can buy an assault weapon; and you can go out and buy a weapon of war.

That doesn't make any sense. People can't quite get why we can't come together on that. But even if you don't want to vote for that, you ought to let us have that debate and that vote.

These are the kinds of issues that we should be talking about. Yet, we are doing message bills that are going nowhere, again, not just because the President wants to veto them, it is because the Senate won't even take some of these things up.

So in these few days we have left, let's do something radical. Let's actually do the people's business. Let's do

something that is going to help people in this country and improve their quality of life and protect them.

Mr. Speaker, again, I urge a "no" vote on the previous question and a "no" vote on the rule.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I think we have made our case for the rule. I think it needs to be passed—also the underlying bills. I urge my colleagues to support the rule and the underlying bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 875 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March

15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 875 will be followed by 5-minute votes on adopting House Resolution 875, if ordered; ordering the previous question on House Resolution 876; adopting House Resolution 876, if ordered; and suspending the rules and passing the

following bills: H.R. 3957, H.R. 5659, H.R. 5713, and H.R. 5613.

The vote was taken by electronic device, and there were—yeas 237, nays 171, not voting 23, as follows:

[Roll No. 524]

YEAS—237

Abraham	Griffith	Paulsen
Aderholt	Grothman	Pearce
Allen	Guinta	Perry
Amash	Guthrie	Peterson
Amodei	Hanna	Pittenger
Babin	Hardy	Pitts
Barletta	Harper	Poliquin
Barr	Harris	Pompeo
Barton	Hartzler	Posey
Benishek	Heck (NV)	Price, Tom
Bilirakis	Hensarling	Ratcliffe
Bishop (MI)	Herrera Beutler	Reed
Black	Hice, Jody B.	Reichert
Blackburn	Hill	Renacci
Blum	Holding	Ribble
Bost	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Buchanan	Hurt (VA)	Rohrabacher
Buck	Issa	Rokita
Bucshon	Jenkins (KS)	Rooney (FL)
Burgess	Jenkins (WV)	Ros-Lehtinen
Byrne	Johnson (OH)	Roskam
Calvert	Johnson, Sam	Ross
Carter (GA)	Jolly	Rothfus
Carter (TX)	Jones	Rouzer
Chabot	Jordan	Royce
Chaffetz	Joyce	Russell
Clawson (FL)	Katko	Salmon
Coffman	Kelly (MS)	Sanford
Cole	Kelly (PA)	Scalise
Collins (GA)	King (IA)	Schweikert
Collins (NY)	King (NY)	Scott, Austin
Comstock	Kinzinger (IL)	Sensenbrenner
Conaway	Kline	Sessions
Cook	Knight	Shimkus
Costello (PA)	Labrador	Shuster
Cramer	LaHood	Simpson
Crawford	LaMalfa	Smith (MO)
Crenshaw	Lamborn	Smith (NE)
Culberson	Lance	Smith (NJ)
Curbelo (FL)	Latta	Smith (TX)
Davidson	LoBiondo	Stefanik
Davis, Rodney	Long	Stewart
Denham	Loudermilk	Stivers
DeSantis	Love	Stutzman
DesJarlais	Lucas	Thompson (PA)
Diaz-Balart	Luetkemeyer	Thornberry
Dold	Lummis	Tipton
Donovan	MacArthur	Trott
Duffy	Marino	Turner
Duncan (SC)	Massie	Upton
Duncan (TN)	McCarthy	Valadao
Ellmers (NC)	McCaul	Wagner
Emmer (MN)	McClintock	Walberg
Farenthold	McHenry	Walden
Fincher	McKinley	Walker
Fitzpatrick	McMorris	Walorski
Fleischmann	Rodgers	Weber (TX)
Fleming	McSally	Webster (FL)
Flores	Meadows	Wenstrup
Forbes	Messer	Westerman
Fortenberry	Mica	Westmoreland
Fox	Miller (FL)	Williams
Franks (AZ)	Miller (MI)	Wilson (SC)
Frelinghuysen	Moolenaar	Wittman
Garrett	Mooney (WV)	Womack
Gibbs	Mullin	Woodall
Gibson	Mulvaney	Yoder
Gohmert	Murphy (PA)	Yoho
Goodlatte	Newhouse	Young (AK)
Gosar	Noem	Young (IA)
Gowdy	Nugent	Young (IN)
Granger	Nunes	Zeldin
Graves (GA)	Olson	Zinke
Graves (LA)	Palazzo	
Graves (MO)	Palmer	

NAYS—171

Adams	Beatty	Bishop (GA)
Aguilar	Becerra	Blumenauer
Ashford	Bera	Bonamici
Bass	Beyer	

Boyle, Brendan F.	Gutiérrez	Norcross
Brady (PA)	Hahn	O'Rourke
Brown (FL)	Hastings	Pallone
Brownley (CA)	Heck (WA)	Pascarell
Bustos	Himes	Payne
Butterfield	Hinojosa	Pelosi
Capps	Honda	Peters
Cárdenas	Hoyer	Pingree
Carney	Huffman	Pocan
Carson (IN)	Israel	Polis
Cartwright	Jackson Lee	Price (NC)
Castor (FL)	Jeffries	Quigley
Castro (TX)	Johnson (GA)	Rangel
Chu, Judy	Johnson, E. B.	Rice (NY)
Cicilline	Kaptur	Richmond
Clark (MA)	Keating	Roybal-Allard
Clay	Kelly (IL)	Ruiz
Cleaver	Kennedy	Ruppersberger
Clyburn	Kildee	Ryan (OH)
Cohen	Kilmer	Sarbanes
Connolly	Kind	Schakowsky
Conyers	Kirkpatrick	Schiff
Cooper	Kuster	Scott (VA)
Costa	Langevin	Scott, David
Courtney	Larsen (WA)	Serrano
Crowley	Lawrence	Sewell (AL)
Cuellar	Lee	Sherman
Cummings	Levin	Sinema
Davis (CA)	Lewis	Sires
Davis, Danny	Lieu, Ted	Slaughter
DeFazio	Lipinski	Smith (WA)
DeGette	Loebach	Speier
Delaney	Lofgren	Swalwell (CA)
DeLauro	Lowenthal	Takano
DelBene	Lowe	Thompson (CA)
DeSaulnier	Lujan Grisham (NM)	Thompson (MS)
Dingell	Lujan, Ben Ray	Titus
Doggett	(NM)	Tonko
Doyle, Michael F.	Lynch	Torres
Duckworth	Maloney, Carolyn	Tsongas
Edwards	Maloney, Sean	Van Hollen
Ellison	Matsui	Vargas
Engel	McCollum	Veasey
Eshoo	McDermott	Vela
Esty	McGovern	Velázquez
Foster	McNerney	Visclosky
Frankel (FL)	Meeks	Walz
Fudge	Meng	Wasserman
Gabbard	Moulton	Schultz
Gallo	Murphy (FL)	Waters, Maxine
Graham	Nadler	Watson Coleman
Grayson	Napolitano	Welch
Green, Al	Neal	Wilson (FL)
Green, Gene	Nolan	Yarmuth

NOT VOTING—23

Bishop (UT)	Grijalva	Poe (TX)
Brooks (IN)	Higgins	Rush
Capuano	Larson (CT)	Sánchez, Linda T.
Clarke (NY)	Marchant	Sanchez, Loretta
Dent	Meehan	Schrader
Deutch	Moore	Tiberi
Farr	Neugebauer	Walters, Mimi
Garamendi	Perlmutter	

□ 1413

Ms. EDDIE BERNICE JOHNSON of Texas, GRAHAM, Mr. CONNOLLY, and Ms. BONAMICI changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. MEEHAN. Mr. Speaker, on rollcall No. 524, I was at an Ethics Committee hearing. Had I been present, I would have voted "aye."

Mrs. BROOKS of Indiana. Mr. Speaker, on rollcall No. 524, I was unavoidably detained at an Ethics Committee meeting. Had I been present, I would have voted "aye."

Stated against:

Mr. DEUTCH. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted rollcall No. 524, "nay."

The SPEAKER pro tempore (Mr. FORTENBERRY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 239, noes 181, not voting 11, as follows:

[Roll No. 525]

AYES—239

Abraham	Gowdy	Murphy (PA)
Aderholt	Granger	Neugebauer
Allen	Graves (GA)	Newhouse
Amodei	Graves (LA)	Noem
Babin	Graves (MO)	Nugent
Barletta	Griffith	Nunes
Barr	Grothman	Olson
Barton	Guinta	Palazzo
Benishek	Guthrie	Palmer
Bilirakis	Hanna	Paulsen
Bishop (MI)	Hardy	Pearce
Bishop (UT)	Harper	Perry
Black	Harris	Pittenger
Blackburn	Hartzler	Pitts
Blum	Heck (NV)	Poliquin
Bost	Hensarling	Pompeo
Boustany	Herrera Beutler	Posey
Brady (TX)	Hice, Jody B.	Price, Tom
Brat	Holding	Ratcliffe
Bridenstine	Hudson	Reed
Brooks (AL)	Huelskamp	Reichert
Brooks (IN)	Huizenga (MI)	Renacci
Buchanan	Hultgren	Ribble
Buck	Hunter	Rice (SC)
Bucshon	Hurd (TX)	Rigell
Burgess	Hurt (VA)	Roby
Byrne	Issa	Roe (TN)
Calvert	Jenkins (KS)	Rogers (AL)
Carter (GA)	Jenkins (WV)	Rogers (KY)
Carter (TX)	Johnson (OH)	Rohrabacher
Chabot	Johnson, Sam	Rokita
Chaffetz	Jolly	Rooney (FL)
Clawson (FL)	Jones	Ros-Lehtinen
Coffman	Jordan	Roskam
Cole	Joyce	Ross
Collins (GA)	Katko	Rothfus
Collins (NY)	Kelly (MS)	Rouzer
Comstock	Kelly (PA)	Royce
Conaway	King (IA)	Russell
Cook	King (NY)	Salmon
Costello (PA)	Kinzinger (IL)	Sanford
Cramer	Kline	Scalise
Crawford	Knight	Schweikert
Crenshaw	Labrador	Scott, Austin
Culberson	LaHood	Sensenbrenner
Curbelo (FL)	LaMalfa	Sessions
Davidson	Lamborn	Shimkus
Davis, Rodney	Lance	Shuster
Denham	Latta	Simpson
Dent	LoBiondo	Sinema
DeSantis	Long	Smith (MO)
DesJarlais	Loudermilk	Smith (NE)
Diaz-Balart	Love	Smith (NJ)
Dold	Lucas	Smith (TX)
Donovan	Luetkemeyer	Stefanik
Duffy	Lummis	Stewart
Duncan (SC)	MacArthur	Stivers
Duncan (TN)	Marchant	Stutzman
Ellmers (NC)	Marino	Thompson (PA)
Emmer (MN)	McCarthy	Thornberry
Farenthold	McCaul	Tipton
Fincher	McClintock	Trott
Fitzpatrick	McHenry	Turner
Fleischmann	McKinley	Upton
Fleming	McMorris	Valadao
Flores	Rodgers	Wagner
Forbes	McSally	Walberg
Fortenberry	Meadows	Walden
Fox	Meehan	Walker
Franks (AZ)	Messer	Walorski
Frelinghuysen	Mica	Weber (TX)
Garrett	Miller (FL)	Webster (FL)
Gibbs	Miller (MI)	Wenstrup
Gibson	Moolenaar	Westerman
Gohmert	Mooney (WV)	Williams
Goodlatte	Mullin	Wilson (SC)
Gosar	Mulvaney	Wittman

Womack
Woodall
Yoder

NOES—181

Adams	Foster	Murphy (FL)
Aguilar	Frankel (FL)	Nadler
Amash	Fudge	Napolitano
Ashford	Gabbard	Neal
Bass	Gallego	Nolan
Beatty	Garamendi	Norcross
Becerra	Graham	O'Rourke
Bera	Grayson	Pallone
Beyer	Green, Al	Pascarell
Bishop (GA)	Green, Gene	Payne
Blumenauer	Gutiérrez	Pelosi
Bonamici	Hahn	Perlmutter
Boyle, Brendan F.	Hastings	Peters
Brady (PA)	Heck (WA)	Peterson
Brown (FL)	Higgins	Pingree
Brownley (CA)	Himes	Pocan
Bustos	Hinojosa	Polis
Butterfield	Honda	Price (NC)
Capps	Hoyer	Quigley
Capuano	Huffman	Rangel
Cárdenas	Israel	Rice (NY)
Carney	Jackson Lee	Richmond
Carson (IN)	Jeffries	Roybal-Allard
Cartwright	Johnson (GA)	Ruiz
Castor (FL)	Johnson, E. B.	Ruppersberger
Castro (TX)	Kaptur	Ryan (OH)
Chu, Judy	Keating	Sanchez, Linda T.
Cicilline	Kelly (IL)	Sarbanes
Clark (MA)	Kennedy	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Kind
Cleaver	Kirkpatrick	Scott (VA)
Clyburn	Kuster	Scott, David
Cohen	Langevin	Serrano
Connolly	Larsen (WA)	Sewell (AL)
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sires
Costa	Lee	Slaughter
Courtney	Levin	Smith (WA)
Crowley	Lewis	Speier
Cuellar	Lieu, Ted	Swalwell (CA)
Cummings	Lipinski	Takano
Davis (CA)	Loeb sack	Thompson (CA)
Davis, Danny	Lofgren	Thompson (MS)
DeFazio	Lowenthal	Titus
DeGette	Lowe	Tonko
Delaney	Lujan Grisham (NM)	Torres
DeLauro	Luján, Ben Ray (NM)	Tsongas
DeSaulnier	Maloney,	Van Hollen
Deutch	Carolyn	Vargas
Dingell	Maloney, Sean	Veasey
Doggett	Massie	Vela
Doyle, Michael F.	Matsui	Velázquez
Duckworth	McCollum	Visclosky
Edwards	McDermott	Walz
Ellison	McGovern	Wasserman
Engel	McNerney	Schultz
Eshoo	Meeks	Waters, Maxine
Esty	Meng	Watson Coleman
Farr	Moulton	Welch
		Wilson (FL)
		Yarmuth

NOT VOTING—11

Grijalva	Poe (TX)	Tiberi
Hill	Rush	Walters, Mimi
Lynch	Sanchez, Loretta	Westmoreland
Moore	Schrader	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1420

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HILL. Mr. Speaker, on rollcall No. 525, had I been present, I would have voted "yes."

PROVIDING FOR CONSIDERATION OF H.R. 5461, IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 876) providing for consideration of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 181, not voting 8, as follows:

[Roll No. 526]

YEAS—242

Abraham	Duncan (TN)	Kelly (PA)
Aderholt	Ellmers (NC)	King (IA)
Allen	Emmer (MN)	King (NY)
Amash	Farenthold	Kinzinger (IL)
Amodei	Fincher	Kline
Babin	Fitzpatrick	Knight
Barletta	Fleischmann	Labrador
Barr	Fleming	LaHood
Barton	Flores	LaMalfa
Benishek	Forbes	Lamborn
Bilirakis	Fortenberry	Lance
Bishop (MI)	Fox	Latta
Bishop (UT)	Franks (AZ)	LoBiondo
Black	Frelinghuysen	Long
Blackburn	Garrett	Loudermilk
Blum	Gibbs	Love
Bost	Gibson	Lucas
Boustany	Gohmert	Luetkemeyer
Brady (TX)	Goodlatte	Lummis
Brat	Gosar	MacArthur
Bridenstine	Gowdy	Marchant
Brooks (AL)	Granger	Marino
Brooks (IN)	Graves (GA)	Massie
Buchanan	Graves (LA)	McCarthy
Buck	Graves (MO)	McCaul
Bucshon	Griffith	McClintock
Burgess	Grothman	McHenry
Byrne	Guinta	McKinley
Calvert	Guthrie	McMorris
Carter (GA)	Hanna	Rodgers
Carter (TX)	Hardy	McSally
Chabot	Harper	Meadows
Chaffetz	Harris	Meehan
Clawson (FL)	Hartzler	Messer
Cole	Heck (NV)	Mica
Collins (GA)	Hensarling	Miller (FL)
Collins (NY)	Herrera Beutler	Miller (MI)
Comstock	Hice, Jody B.	Moolenaar
Conaway	Hill	Mooney (WV)
Cook	Holding	Mullin
Costello (PA)	Hudson	Mulvaney
Cramer	Huelskamp	Murphy (PA)
Crawford	Huizenga (MI)	Neugebauer
Crenshaw	Hultgren	Newhouse
Culberson	Hunter	Noem
Curbelo (FL)	Hurd (TX)	Nugent
Davidson	Hurt (VA)	Nunes
Davis, Rodney	Issa	Olson
Denham	Jenkins (KS)	Palazzo
Dent	Jenkins (WV)	Palmer
DeSantis	Johnson (OH)	Paulsen
DesJarlais	Johnson, Sam	Pearce
Diaz-Balart	Jones	Perry
Dold	Jordan	Pittenger
Donovan	Joyce	Pitts
Duffy	Katko	Poliquin
Duncan (SC)	Kelly (MS)	Pompeo
		Posey

Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon

NAYS—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster

NOT VOTING—8

Grijalva
Moore
Poe (TX)

Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton

Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1426

So the previous question was ordered.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 174, not voting 10, as follows:

[Roll No. 527]

AYES—247

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barrett
Barr
Barton
Benish
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellman (NC)
Emmer (MN)
Farenthold

Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador

LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Payne
Pearce
Perry
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shinkus
Shuster

Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden

NOES—174

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster

NOT VOTING—10

Brady (TX)
Grijalva
Johnson (GA)
Moore

Poe (TX)
Rush
Sanchez, Loretta
Schrader

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

□ 1433

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMERGENCY CITRUS DISEASE RESPONSE ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3957) to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BUCHANAN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 20, not voting 11, as follows:

[Roll No. 528]

YEAS—400

Abraham	Chabot	Duckworth
Adams	Chaffetz	Duffy
Aderholt	Chu, Judy	Duncan (TN)
Aguilar	Ciциlline	Edwards
Allen	Clark (MA)	Ellison
Amodei	Clarke (NY)	Ellmers (NC)
Ashford	Clawson (FL)	Emmer (MN)
Babin	Clay	Engel
Barletta	Cleaver	Eshoo
Barr	Clyburn	Esty
Barton	Coffman	Farenthold
Bass	Cohen	Farr
Beatty	Cole	Fincher
Becerra	Collins (GA)	Fitzpatrick
Benishkek	Collins (NY)	Fleischmann
Bera	Comstock	Fleming
Beyer	Conaway	Flores
Bilirakis	Connolly	Forbes
Bishop (GA)	Conyers	Fortenberry
Bishop (MI)	Cook	Foster
Bishop (UT)	Cooper	Fox
Black	Costa	Frankel (FL)
Blackburn	Costello (PA)	Franks (AZ)
Blum	Courtney	Frelinghuysen
Blumenauer	Cramer	Fudge
Bonamici	Crawford	Gabbard
Bost	Crenshaw	Galleo
Boustany	Crowley	Garamendi
Boyle, Brendan	Cuellar	Garrett
F.	Culberson	Gibbs
Brady (PA)	Cummings	Gibson
Brady (TX)	Curbelo (FL)	Gohmert
Brooks (AL)	Davidson	Goodlatte
Brooks (IN)	Davis (CA)	Gosar
Brown (FL)	Davis, Danny	Govdy
Brownley (CA)	Davis, Rodney	Graham
Buchanan	DeFazio	Granger
Buck	DeGette	Graves (GA)
Bucshon	Delaney	Graves (LA)
Burgess	DeLauro	Graves (MO)
Bustos	DelBene	Grayson
Butterfield	Denham	Green, Al
Byrne	Dent	Green, Gene
Calvert	DeSantis	Guinta
Capps	DeSaulnier	Guthrie
Capuano	DesJarlais	Gutiérrez
Cárdenas	Deutch	Hahn
Carney	Diaz-Balart	Hanna
Carson (IN)	Dingell	Hardy
Carter (GA)	Doggett	Harper
Carter (TX)	Dold	Harris
Cartwright	Donovan	Hartzler
Castor (FL)	Doyle, Michael	Hastings
Castro (TX)	F.	Heck (NV)

Heck (WA)	Massie	Ruiz
Hensarling	Matsui	Ruppersberger
Herrera Beutler	McCarthy	Russell
Hice, Jody B.	McCaul	Ryan (OH)
Higgins	McClintock	Salmon
Hill	McCollum	Sánchez, Linda
Himes	McGovern	T.
Hinojosa	McHenry	Sarbanes
Holding	McKinley	Scalise
Honda	McMorris	Schakowsky
Hoyer	Rodgers	Schiff
Hudson	McNerney	Schweikert
Huffman	McSally	Scott (VA)
Huizenga (MI)	Meadows	Scott, Austin
Hultgren	Meehan	Scott, David
Hunter	Meeks	Sensenbrenner
Hurd (TX)	Meng	Serrano
Hurt (VA)	Messer	Sessions
Israel	Mica	Sewell (AL)
Issa	Miller (FL)	Sherman
Jackson Lee	Miller (MI)	Shimkus
Jeffries	Moolenaar	Shuster
Jenkins (KS)	Mooney (WV)	Simpson
Jenkins (WV)	Moulton	Sinema
Johnson (GA)	Mullin	Sires
Johnson (OH)	Murphy (FL)	Slaughter
Johnson, E. B.	Murphy (PA)	Smith (MO)
Johnson, Sam	Nadler	Smith (NE)
Jolly	Napolitano	Smith (NJ)
Jordan	Neal	Smith (TX)
Kaptur	Neugebauer	Stefanik
Katko	Newhouse	Stewart
Keating	Noem	Stivers
Kelly (IL)	Nolan	Stutzman
Kelly (MS)	Norcross	Takano
Kelly (PA)	Nugent	Thompson (CA)
Kennedy	Nunes	Thompson (MS)
Kildee	O'Rourke	Thompson (PA)
Kilmer	Olson	Thornberry
Kind	Palazzo	Tipton
King (IA)	Pallone	Titus
King (NY)	Pascrell	Tonko
Kinzinger (IL)	Paulsen	Torres
Kirkpatrick	Payne	Trott
Kline	Pearce	Tsongas
Knight	Pelosi	Turner
Kuster	Perlmutter	Upton
LaHood	Perry	Valadao
LaMalfa	Peters	Van Hollen
Lamborn	Peterson	Vargas
Lance	Pingree	Veasey
Langevin	Pittenger	Vela
Larsen (WA)	Pitts	Velázquez
Larson (CT)	Pocan	Visclosky
Latta	Poliquin	Wagner
Lawrence	Pompeo	Walberg
Lee	Posey	Walden
Levin	Price (NC)	Walorski
Lewis	Price, Tom	Walz
Lieu, Ted	Quigley	Wasserman
Lipinski	Rangel	Schultz
LoBiondo	Ratcliffe	Waters, Maxine
Loebach	Reed	Watson Coleman
Lofgren	Reichert	Weber (TX)
Long	Renacci	Webster (FL)
Loudermilk	Rice (NY)	Welch
Love	Rice (SC)	Wenstrup
Lowenthal	Richmond	Westerman
Lowe	Rigell	Westmoreland
Lucas	Roby	Williams
Luetkemeyer	Roe (TN)	Wilson (FL)
Lujan Grisham	Rogers (AL)	Wilson (SC)
(NM)	Rogers (KY)	Womack
Luján, Ben Ray	Rohrabacher	Woodall
(NM)	Rooney (FL)	Yarmuth
Lynch	Ros-Lehtinen	Yoder
MacArthur	Roskam	Yoho
Maloney,	Ross	Young (AK)
Carolyn	Rothfus	Young (IA)
Maloney, Sean	Rouzer	Young (IN)
Marchant	Roybal-Allard	Zeldin
Marino	Royce	Zinke

NAYS—20

Amash	Labrador	Rokita
Brat	Lummis	Sanford
Bridenstine	McDermott	Smith (WA)
Griffith	Mulvaney	Speier
Grothman	Palmer	Swalwell (CA)
Huelskamp	Polis	Wittman
Jones	Ribble	

NOT VOTING—11

Duncan (SC)	Poe (TX)	Tiberi
Grijalva	Rush	Walker
Joyce	Sanchez, Loretta	Walters, Mimi
Moore	Schrader	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1439

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SWALWELL of California. Mr. Speaker, regarding the question considered earlier today on passage of H.R. 3957, the Emergency Citrus Disease Response Act of 2016 (Rollcall No. 528), I am recorded as voting "no." I intended to vote "yes."

EXPANDING SENIORS RECEIVING DIALYSIS CHOICE ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5659) to amend title XVIII of the Social Security Act with respect to expanding Medicare Advantage coverage for individuals with end-stage renal disease (ESRD), as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 8, as follows:

[Roll No. 529]

YEAS—423

Abraham	Brady (PA)	Clarke (NY)
Adams	Brady (TX)	Clawson (FL)
Aderholt	Brat	Clay
Aguilar	Bridenstine	Cleaver
Allen	Brooks (AL)	Clyburn
Amash	Brooks (IN)	Coffman
Amodei	Brown (FL)	Cohen
Ashford	Brownley (CA)	Cole
Babin	Buchanan	Collins (GA)
Barletta	Buck	Collins (NY)
Barr	Bucshon	Comstock
Barton	Burgess	Conaway
Bass	Bustos	Connolly
Beatty	Butterfield	Conyers
Becerra	Byrne	Cook
Benishkek	Calvert	Cooper
Bera	Capps	Costa
Beyer	Capuano	Costello (PA)
Bilirakis	Cárdenas	Courtney
Bishop (GA)	Carney	Cramer
Bishop (MI)	Carson (IN)	Crawford
Bishop (UT)	Carter (GA)	Crenshaw
Black	Carter (TX)	Crowley
Blackburn	Cartwright	Cuellar
Blum	Castor (FL)	Culberson
Blumenauer	Castro (TX)	Cummings
Bonamici	Chabot	Curbelo (FL)
Bost	Chaffetz	Davidson
Boustany	Chu, Judy	Davis (CA)
Boyle, Brendan	Ciциlline	Davis, Danny
F.	Clark (MA)	Davis, Rodney

DeFazio	Jackson Lee	Napolitano	Takano	Vela	Westerman	Castor (FL)	Graves (MO)	Lynch
DeGette	Jeffries	Neal	Thompson (CA)	Velázquez	Westmoreland	Castro (TX)	Grayson	MacArthur
Delaney	Jenkins (KS)	Neugebauer	Thompson (MS)	Visclosky	Williams	Chabot	Green, Al	Maloney,
DeLauro	Jenkins (WV)	Newhouse	Thompson (PA)	Wagner	Wilson (FL)	Chaffetz	Green, Gene	Carolyn
DelBene	Johnson (GA)	Noem	Thornberry	Walberg	Wilson (SC)	Chu, Judy	Griffith	Maloney, Sean
Denham	Johnson (OH)	Nolan	Tipton	Walden	Wittman	Ciicilline	Grothman	Marchant
Dent	Johnson, E. B.	Norcross	Titus	Walker	Womack	Clark (MA)	Guinta	Marino
DeSantis	Johnson, Sam	Nugent	Tonko	Walorski	Woodall	Clarke (NY)	Guthrie	Massie
DeSaulnier	Jolly	Nunes	Torres	Walz	Yarmuth	Clawson (FL)	Gutiérrez	Matsui
DesJarlais	Jones	O'Rourke	Trott	Wasserman	Yoder	Clay	Hahn	McCarthy
Deutch	Jordan	Olson	Tsongas	Schultz	Yoho	Cleaver	Hanna	McCaul
Diaz-Balart	Joyce	Palazzo	Turner	Waters, Maxine	Young (AK)	Clyburn	Hardy	McClintock
Dingell	Kaptur	Pallone	Upton	Watson Coleman	Young (IA)	Coffman	Harper	McCollum
Doggett	Katko	Palmer	Valadao	Weber (TX)	Young (IN)	Cohen	Harris	McDermott
Dold	Keating	Pascarell	Van Hollen	Webster (FL)	Zeldin	Cole	Hartzler	McGovern
Donovan	Kelly (IL)	Paulsen	Vargas	Welch	Zinke	Collins (GA)	Hastings	McHenry
Doyle, Michael	Kelly (MS)	Payne	Veasey	Wenstrup		Collins (NY)	Heck (NV)	McKinley
F.	Kelly (PA)	Pearce				Comstock	Heck (WA)	McMorris
Duckworth	Kennedy	Pelosi				Conaway	Hensarling	Rodgers
Duffy	Kildee	Perlmutter	Grijalva	Rush	Tiberi	Connolly	Herrera Beutler	McNerney
Duncan (SC)	Kilmer	Perry	Moore	Sanchez, Loretta	Walters, Mimi	Conyers	Hice, Jody B.	McSally
Duncan (TN)	Kind	Peters	Poe (TX)	Schrader		Cook	Higgins	Meadows
Edwards	King (IA)	Peterson				Cooper	Hill	Meehan
Ellison	King (NY)	Pingree				Costa	Himes	Meeks
Ellmers (NC)	Kinzing (IL)	Pittenger				Costello (PA)	Hinojosa	Meng
Emmer (MN)	Kirkpatrick	Pitts				Courtney	Holding	Messer
Engel	Kline	Pocan				Cramer	Mica	
Eshoo	Knight	Poliquin				Crawford	Hoyer	Miller (FL)
Esty	Kuster	Polis				Crenshaw	Hudson	Miller (MI)
Farenthold	Labrador	Pompeo				Crowley	Huelskamp	Moolenaar
Farr	LaHood	Posey				Cuellar	Huffman	Mooney (WV)
Fincher	LaMalfa	Price (NC)				Culberson	Huizenga (MI)	Moulton
Fitzpatrick	Lamborn	Price, Tom				Cummings	Hultgren	Mullin
Fleischmann	Lance	Quigley				Curbelo (FL)	Hunter	Mulvaney
Fleming	Langevin	Rangel				Davidson	Hurd (TX)	Murphy (FL)
Flores	Larsen (WA)	Ratcliffe				Davis (CA)	Hurt (VA)	Murphy (PA)
Forbes	Larson (CT)	Reed				Davis, Danny	Israel	Nadler
Fortenberry	Latta	Reichert				Davis, Rodney	Issa	Napolitano
Foster	Lawrence	Renacci				DeFazio	Jackson Lee	Neal
Fox	Lee	Ribble				DeGette	Jeffries	Neugebauer
Frankel (FL)	Levin	Rice (NY)				Delaney	Jenkins (KS)	Newhouse
Franks (AZ)	Lewis	Rice (SC)				DeLauro	Jenkins (WV)	Noem
Frelinghuysen	Lieu, Ted	Richmond				DelBene	Johnson (GA)	Nolan
Fudge	Lipinski	Rigell				Denham	Johnson (OH)	Norcross
Gabbard	LoBiondo	Roby				Dent	Johnson, E. B.	Nugent
Galleo	Loeb	Roe (TN)				DeSantis	Johnson, Sam	Nunes
Garamendi	Lofgren	Rogers (AL)				DeSaulnier	Jolly	O'Rourke
Garrett	Long	Rogers (KY)				DesJarlais	Jordan	Olson
Gibbs	Loudermilk	Rohrabacher				Deutch	Joyce	Palazzo
Gibson	Love	Rokita				Diaz-Balart	Kaptur	Pallone
Gohmert	Lowenthal	Rooney (FL)				Dingell	Katko	Palmer
Goodlatte	Lowe	Ros-Lehtinen				Doggett	Keating	Pascarell
Gosar	Lucas	Roskam				Dold	Kelly (IL)	Paulsen
Gowdy	Luetkemeyer	Ross				Donovan	Kelly (MS)	Payne
Graham	Lujan Grisham	Rothfus				Doyle, Michael	Kelly (PA)	Pearce
Granger	(NM)	Rouzer				F.	Kennedy	Pelosi
Graves (GA)	Luján, Ben Ray	Roybal-Allard				Duckworth	Kildee	Perlmutter
Graves (LA)	(NM)	Royce				Duffy	Kilmer	Perry
Graves (MO)	Lummis	Ruiz				Duncan (SC)	Kind	Peters
Grayson	Lynch	Ruppersberger				Duncan (TN)	King (IA)	Peterson
Green, Al	MacArthur	Russell				Edwards	King (NY)	Pingree
Green, Gene	Maloney,	Ryan (OH)				Ellison	Kinzing (IL)	Pittenger
Griffith	Carolyn	Salmon				Ellmers (NC)	Kirkpatrick	Pitts
Grothman	Maloney, Sean	Sánchez, Linda				Emmer (MN)	Kline	Pocan
Guinta	Marchant	T.				Engel	Knight	Poliquin
Guthrie	Marino	Sanford				Eshoo	Kuster	Polis
Gutiérrez	Massie	Sarbano				Esty	Labrador	Pompeo
Hahn	Matsui	Scalise				Farenthold	LaHood	Posey
Hanna	McCarthy	Schakowsky				Farr	LaMalfa	Price (NC)
Hardy	McCaul	Schiff				Fincher	Lamborn	Price, Tom
Harper	McClintock	Schweikert				Fitzpatrick	Lance	Quigley
Harris	McCollum	Scott (VA)				Fleischmann	Langevin	Rangel
Hartzler	McDermott	Scott, Austin				Fleming	Larsen (WA)	Ratcliffe
Hastings	McGovern	Scott, David				Flores	Larson (CT)	Reed
Heck (NV)	McHenry	Sensenbrenner				Forbes	Latta	Reichert
Heck (WA)	McKinley	Serrano				Fortenberry	Lawrence	Renacci
Hensarling	McMorris	Sessions				Foster	Lee	Ribble
Herrera Beutler	Rodgers	Sewell (AL)				Fox	Levin	Rice (NY)
Hice, Jody B.	McNerney	Sherman				Frankel (FL)	Lewis	Rice (SC)
Higgins	McSally	Shimkus				Franks (AZ)	Lieu, Ted	Richmond
Hill	Meadows	Shuster				Frelinghuysen	Lipinski	Rigell
Himes	Meehan	Simpson				Fudge	LoBiondo	Roby
Hinojosa	Meeks	Sinema				Gabbard	Loeb	Roe (TN)
Holding	Meng	Sires				Galleo	Lofgren	Rogers (AL)
Honda	Messer	Slaughter				Garamendi	Long	Rogers (KY)
Hoyer	Mica	Smith (MO)				Garrett	Loudermilk	Rohrabacher
Hudson	Miller (FL)	Smith (NE)				Gibbs	Love	Rokita
Huelskamp	Miller (MI)	Smith (NJ)				Gibson	Lowenthal	Rooney (FL)
Huffman	Moolenaar	Smith (TX)				Gohmert	Lowe	Ros-Lehtinen
Huizenga (MI)	Mooney (WV)	Smith (WA)				Goodlatte	Lucas	Roskam
Hultgren	Moulton	Speier				Gosar	Luetkemeyer	Ross
Hunter	Mullin	Stefanik				Gowdy	Lujan Grisham	Rothfus
Hurd (TX)	Mulvaney	Stewart				Graham	(NM)	Rouzer
Hurt (VA)	Murphy (FL)	Stivers				Granger	Luján, Ben Ray	Roybal-Allard
Israel	Murphy (PA)	Stutzman				Graves (GA)	(NM)	Royce
Issa	Nadler	Swalwell (CA)				Graves (LA)	Lummis	Ruiz

NOT VOTING—8

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1445

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUSTAINING HEALTHCARE INTEGRITY AND FAIR TREATMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5713) to provide for the extension of certain long-term care hospital Medicare payment rules, clarify the application of rules on the calculation of hospital length of stay to certain moratorium-excepted long-term care hospitals, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 3, not voting 8, as follows:

[Roll No. 530]

YEAS—420

Abraham	Bishop (GA)	Brown (FL)
Adams	Bishop (MI)	Brownley (CA)
Aderholt	Bishop (UT)	Buchanan
Aguiar	Black	Buck
Allen	Blackburn	Bucshon
Amodei	Blum	Burgess
Ashford	Blumenauer	Bustos
Babin	Bonamici	Butterfield
Barletta	Bost	Byrne
Barr	Boustany	Calvert
Barton	Boyle, Brendan	Capps
Bass	F.	Capuano
Beatty	Brady (PA)	Cardenas
Becerra	Brady (TX)	Carney
Benish	Brat	Carson (IN)
Bera	Bridenstine	Carter (GA)
Beyer	Brooks (AL)	Carter (TX)
Bilirakis	Brooks (IN)	Cartwright

Ruppersberger	Smith (WA)	Walden	Black	Engel	Kline	Pocan	Sarbanes	Tsongas
Russell	Speier	Walker	Blackburn	Eshoo	Knight	Poliquin	Scalise	Turner
Ryan (OH)	Stefanik	Walorski	Blum	Esty	Kuster	Polis	Schakowsky	Upton
Salmon	Stewart	Walz	Blumenauer	Farenthold	Labrador	Pompeo	Schiff	Valadao
Sánchez, Linda T.	Stivers	Wasserman	Bonamici	Farr	LaHood	Posey	Schweikert	Van Hollen
Sarbanes	Stutzman	Schultz	Bost	Fincher	LaMalfa	Price (NC)	Scott (VA)	Vargas
Scalise	Swalwell (CA)	Waters, Maxine	Boustany	Fitzpatrick	Lamborn	Price, Tom	Scott, Austin	Veasey
Schakowsky	Takano	Watson Coleman	Boyle, Brendan F.	Fleischmann	Lance	Quigley	Scott, David	Velázquez
Schiff	Thompson (CA)	Weber (TX)	Brady (PA)	Fleming	Langevin	Rangel	Sensenbrenner	Visclosky
Schweikert	Thompson (MS)	Webster (FL)	Brady (TX)	Flores	Larsen (WA)	Ratcliffe	Serrano	Wagner
Scott (VA)	Thompson (PA)	Welch	Brat	Forbes	Larson (CT)	Reed	Sessions	Walberg
Scott, Austin	Thornberry	Wenstrup	Bridenstine	Fortenberry	Latta	Reichert	Sewell (AL)	Walden
Scott, David	Tipton	Westerman	Brooks (AL)	Foster	Lawrence	Renacci	Sherman	Walker
Sensenbrenner	Titus	Westmoreland	Brooks (IN)	Fox	Lee	Ribble	Shimkus	Walorski
Serrano	Tonko	Williams	Brown (FL)	Frankel (FL)	Levin	Rice (NY)	Shuster	Walz
Sessions	Torres	Wilson (FL)	Brown (FL)	Franks (AZ)	Lewis	Rice (SC)	Simpson	Wasserman
Sewell (AL)	Trott	Wilson (SC)	Brownley (CA)	Frelinghuysen	Lieu, Ted	Richmond	Sinema	Schultz
Sherman	Tsongas	Wittman	Buchanan	Fudge	Lipinski	Rigell	Sires	Waters, Maxine
Shimkus	Turner	Womack	Buck	Gabbard	LoBiondo	Roby	Slaughter	Watson Coleman
Shuster	Upton	Woodall	Bucshon	Galleo	Loeb	Roe (TN)	Smith (MO)	Weber (TX)
Simpson	Valadao	Yarmuth	Burgess	Garamendi	Loftgren	Rogers (AL)	Smith (NE)	Webster (FL)
Sinema	Van Hollen	Yoder	Bustos	Garrett	Long	Rogers (KY)	Smith (NJ)	Welch
Sires	Vargas	Yoho	Butterfield	Gibbs	Loudermilk	Rohrabacher	Smith (TX)	Wenstrup
Slaughter	Veasey	Young (AK)	Byrne	Gibson	Love	Rokita	Smith (WA)	Westerman
Smith (MO)	Vela	Young (IA)	Calvert	Gohmert	Lowenthal	Rooney (FL)	Speier	Westmoreland
Smith (NE)	Velázquez	Young (IN)	Capps	Goodlatte	Lowey	Ros-Lehtinen	Stefanik	Williams
Smith (NJ)	Visclosky	Zeldin	Capuano	Gosar	Lucas	Roskam	Stewart	Wilson (FL)
Smith (TX)	Wagner	Zinke	Cárdenas	Gowdy	Luetkemeyer	Ross	Stivers	Wilson (SC)
	Walberg		Carney	Graham	Lujan Grisham	Rothfus	Stutzman	Wittman
			Carson (IN)	Granger	(NM)	Rouzer	Swalwell (CA)	Womack
			Carter (GA)	Graves (GA)	Luján, Ben Ray	Roybal-Allard	Takano	Woodall
			Carter (TX)	Graves (LA)	(NM)	Royce	Thompson (CA)	Yarmuth
			Cartwright	Graves (MO)	Lummis	Ruiz	Thompson (MS)	Yoder
			Castor (FL)	Grayson	Lynch	Ruppersberger	Thompson (PA)	Yoho
			Castro (TX)	Green, Al	MacArthur	Russell	Thornberry	Young (AK)
			Chabot	Green, Gene	Maloney, Carolyn	Ryan (OH)	Titus	Young (IA)
			Chaffetz	Griffith	Maloney, Sean	Salmon	Torres	Young (IN)
			Chu, Judy	Grothman	Marchant	Sánchez, Linda T.	Trott	Zeldin
			Cicilline	Guin	Marino	Sanford		Zinke
			Clark (MA)	Guthrie	Massie			
			Clarke (NY)	Gutiérrez	Matsui			
			Clawson (FL)	Hahn	McCarthy			
			Clay	Hanna	McCaul			
			Cleaver	Hardy	McClintock			
			Clyburn	Harper	McCollum			
			Coffman	Harris	McDermott			
			Cohen	Hartzer	McGovern			
			Cole	Hastings	McHenry			
			Collins (GA)	Heck (NV)	McKinley			
			Collins (NY)	Heck (WA)	McMorris			
			Comstock	Hensarling	Rodgers			
			Conaway	Herrera Beutler	McNerney			
			Connolly	Hice, Jody B.	McSally			
			Conyers	Higgins	Meadows			
			Cook	Hill	Meehan			
			Cooper	Himes	Meeks			
			Costa	Hinojosa	Meng			
			Costello (PA)	Holding	Messer			
			Courtney	Honda	Mica			
			Cramer	Hoyer	Miller (FL)			
			Crawford	Hudson	Miller (MI)			
			Crenshaw	Huelskamp	Moolenaar			
			Crowley	Huffman	Mooney (WV)			
			Cuellar	Huizenga (MI)	Moulton			
			Culberson	Hultgren	Mullin			
			Cummings	Hunter	Mulvaney			
			Curbelo (FL)	Hurd (TX)	Murphy (FL)			
			Davidson	Hurt (VA)	Murphy (PA)			
			Davis (CA)	Israel	Nadler			
			Davis, Danny	Issa	Napolitano			
			Davis, Rodney	Jackson Lee	Neal			
			DeFazio	Jeffries	Neugebauer			
			DeGette	Jenkins (KS)	Newhouse			
			Delaney	Jenkins (WV)	Noem			
			DeLauro	Johnson (GA)	Nolan			
			DelBene	Johnson (OH)	Norcross			
			Denham	Johnson, E. B.	Nugent			
			Dent	Johnson, Sam	Nunes			
			DeSantis	Jolly	O'Rourke			
			DeSaulnier	Jones	Olson			
			DesJarlais	Jordan	Palazzo			
			Deutch	Joyce	Pallone			
			Diaz-Balart	Kaptur	Palmer			
			Dingell	Katko	Pascarell			
			Doggett	Keating	Paulsen			
			Dold	Kelly (IL)	Payne			
			Donovan	Kelly (MS)	Pearce			
			Doyle, Michael F.	Kelly (PA)	Pelosi			
				Kennedy	Perlmutter			
				Kildee	Perry			
				Kilmer	Peters			
				Kind	Peterson			
				King (IA)	Pingree			
				King (NY)	Pittenger			
				Kinzie	Pitts			
				Kirkpatrick				

NAYS—3

Amash Jones Sanford

NOT VOTING—8

Grijalva Rush Tiberi
Moore Sanchez, Loretta Walters, Mimi
Poe (TX) Schrader

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1452

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONTINUING ACCESS TO HOSPITALS ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5613) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Kansas (Ms. JENKINS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 11, as follows:

[Roll No. 531]

YEAS—420

Abraham	Ashford	Benish
Adams	Babin	Bera
Aderholt	Barletta	Beyer
Aguilar	Barr	Bilirakis
Allen	Bass	Bishop (GA)
Amash	Beatty	Bishop (MI)
Amodei	Becerra	Bishop (UT)

Duckworth	Engel	Kline
Duffy	Eshoo	Knight
Duncan (TN)	Esty	Kuster
Edwards	Farenthold	Labrador
Ellison	Farr	LaHood
Ellmers (NC)	Fincher	LaMalfa
Emmer (MN)	Fitzpatrick	Lamborn
	Fleischmann	Lance
	Fleming	Langevin
	Flores	Larsen (WA)
	Forbes	Larson (CT)
	Fortenberry	Latta
	Foster	Lawrence
	Fox	Lee
	Frankel (FL)	Levin
	Franks (AZ)	Lewis
	Frelinghuysen	Lieu, Ted
	Fudge	Lipinski
	Gabbard	LoBiondo
	Galleo	Loeb
	Garamendi	Loftgren
	Garrett	Long
	Gibbs	Loudermilk
	Gibson	Love
	Gohmert	Lowenthal
	Goodlatte	Lowey
	Gosar	Lucas
	Gowdy	Luetkemeyer
	Graham	Lujan Grisham
	Granger	(NM)
	Graves (GA)	Luján, Ben Ray
	Graves (LA)	(NM)
	Graves (MO)	Lummis
	Grayson	Lynch
	Green, Al	MacArthur
	Green, Gene	Maloney, Carolyn
	Griffith	Maloney, Sean
	Grothman	Marchant
	Guin	Marino
	Guthrie	Massie
	Gutiérrez	Matsui
	Hahn	McCarthy
	Hanna	McCaul
	Hardy	McClintock
	Harper	McCollum
	Harris	McDermott
	Hartzer	McGovern
	Hastings	McHenry
	Heck (NV)	McKinley
	Heck (WA)	McMorris
	Hensarling	Rodgers
	Herrera Beutler	McNerney
	Hice, Jody B.	McSally
	Higgins	Meadows
	Hill	Meehan
	Himes	Meeks
	Hinojosa	Meng
	Holding	Messer
	Honda	Mica
	Hoyer	Miller (FL)
	Hudson	Miller (MI)
	Huelskamp	Moolenaar
	Huffman	Mooney (WV)
	Huizenga (MI)	Moulton
	Hultgren	Mullin
	Hunter	Mulvaney
	Hurd (TX)	Murphy (FL)
	Hurt (VA)	Murphy (PA)
	Israel	Nadler
	Issa	Napolitano
	Jackson Lee	Neal
	Jeffries	Neugebauer
	Jenkins (KS)	Newhouse
	Jenkins (WV)	Noem
	Johnson (GA)	Nolan
	Johnson (OH)	Norcross
	Johnson, E. B.	Nugent
	Johnson, Sam	Nunes
	Jolly	O'Rourke
	Jones	Olson
	Jordan	Palazzo
	Joyce	Pallone
	Kaptur	Palmer
	Katko	Pascarell
	Keating	Paulsen
	Kelly (IL)	Payne
	Kelly (MS)	Pearce
	Kelly (PA)	Pelosi
	Kennedy	Perlmutter
	Kildee	Perry
	Kilmer	Peters
	Kind	Peterson
	King (IA)	Pingree
	King (NY)	Pittenger
	Kinzie	Pitts
	Kirkpatrick	

NOT VOTING—11

Barton	Poe (TX)	Tiberi
Duncan (SC)	Rush	Vela
Grijalva	Sánchez, Loretta	Walters, Mimi
Moore	Schrader	

□ 1458

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 528 (motion to suspend the rules and pass, as amended H.R. 3957), 529 (motion to suspend the rules and pass, as amended H.R. 5659), 530 (motion to suspend the rules and pass, as amended H.R. 5713) and 531 (motion to suspend the rules and pass, as amended H.R. 5613), I did not cast my votes due to illness. Had I been present, I would have voted "yea" on all of the votes.

KOREAN WAR VETERANS MEMORIAL WALL OF REMEMBRANCE ACT OF 2016

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1475) to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:
Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Korean War Veterans Memorial Wall of Remembrance Act”.

SEC. 2. WALL OF REMEMBRANCE.

(a) **AUTHORIZATION.**—

(1) **IN GENERAL.**—Notwithstanding section 8908(c) of title 40, United States Code, the Korean War Veterans Memorial Foundation, Inc., may construct a Wall of Remembrance at the site of the Korean War Veterans Memorial.

(2) **REQUIREMENT.**—

(A) **IN GENERAL.**—The Wall of Remembrance shall include a list of names of members of the Armed Forces of the United States who died in the Korean War, as determined by the Secretary of Defense, in accordance with subparagraph (B).

(B) **CRITERIA; SUBMISSION TO THE SECRETARY OF THE INTERIOR.**—The Secretary of Defense shall—

(i) establish eligibility criteria for the inclusion of names on the Wall of Remembrance under subparagraph (A); and

(ii) provide to the Secretary of the Interior a final list of names for inclusion on the Wall of Remembrance under subparagraph (A) that meet the criteria established under clause (i).

(3) **ADDITIONAL INFORMATION.**—The Wall of Remembrance may include other information about the Korean War, including the number of members of the Armed Forces of the United States, the Korean Augmentation to the United States Army, the Republic of Korea Armed Forces, and the other nations of the United Nations Command who, in regards to the Korean War—

- (A) were killed in action;
- (B) were wounded in action;
- (C) are listed as missing in action; or
- (D) were prisoners of war.

(b) **COMMEMORATIVE WORKS ACT.**—Except as provided in subsection (a)(1), chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”), shall apply.

(c) **NO FEDERAL FUNDS.**—No Federal funds may be used to construct the Wall of Remembrance.

Mr. BISHOP of Utah (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Utah?

There was no objection.

A motion to reconsider was laid on the table.

GLOBAL ANTI-POACHING ACT

Mr. ROYCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2494) to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:
Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—PURPOSES AND POLICY

Sec. 101. Purposes.

Sec. 102. Statement of United States policy.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

Sec. 201. Report.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

Sec. 301. Presidential Task Force on Wildlife Trafficking.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

Sec. 401. Anti-poaching programs.

Sec. 402. Anti-trafficking programs.

Sec. 403. Engagement of United States diplomatic missions.

Sec. 404. Community conservation.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

Sec. 501. Amendments to Fisherman's Protective Act of 1967.

Sec. 502. Wildlife trafficking violations as predicate offenses under money laundering statute.

SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **CO-CHAIRS OF THE TASK FORCE.**—The term “Co-Chairs of the Task Force” means the Secretary of State, the Secretary of the Interior, and the Attorney General, as established pursuant to Executive Order 13648.

(3) **COMMUNITY CONSERVATION.**—The term “community conservation” means an approach to conservation that recognizes the rights of local people to manage, or benefit directly and indirectly from wildlife and other natural resources in a long-term biologically viable manner and includes—

(A) devolving management and governance to local communities to create positive conditions for resource use that takes into account current and future ecological requirements; and

(B) building the capacity of communities for conservation and natural resource management.

(4) **COUNTRY OF CONCERN.**—The term “country of concern” refers to a foreign country specially designated by the Secretary of State pursuant to subsection (b) of section 201 as a major source of wildlife trafficking products or their derivatives, a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products, in which the government has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(5) **FOCUS COUNTRY.**—The term “focus country” refers to a foreign country determined by the Secretary of State to be a major source of wildlife trafficking products or their derivatives,

a major transit point of wildlife trafficking products or their derivatives, or a major consumer of wildlife trafficking products.

(6) **DEFENSE ARTICLE; DEFENSE SERVICE; SIGNIFICANT MILITARY EQUIPMENT; TRAINING.**—The terms “defense article”, “defense service”, “significant military equipment”, and “training” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(7) **IMPLEMENTATION PLAN.**—The term “Implementation Plan” means the Implementation Plan for the National Strategy for Combating Wildlife Trafficking released on February 11, 2015, a modification of that plan, or a successor plan.

(8) **NATIONAL STRATEGY.**—The term “National Strategy” means the National Strategy for Combating Wildlife Trafficking published on February 11, 2014, a modification of that strategy, or a successor strategy.

(9) **NATIONAL WILDLIFE SERVICES.**—The term “national wildlife services” refers to the ministries and government bodies designated to manage matters pertaining to wildlife management, including poaching or trafficking, in a focus country.

(10) **SECURITY FORCE.**—The term “security force” means a military, law enforcement, gendarmerie, park ranger, or any other security force with a responsibility for protecting wildlife and natural habitats.

(11) **TASK FORCE.**—The term “Task Force” means the Presidential Task Force on Wildlife Trafficking, as established by Executive Order 13648 (78 Fed. Reg. 40621) and modified by section 201.

(12) **WILDLIFE TRAFFICKING.**—The term “wildlife trafficking” refers to the poaching or other illegal taking of protected or managed species and the illegal trade in wildlife and their related parts and products.

TITLE I—PURPOSES AND POLICY

SEC. 101. PURPOSES.

The purposes of this Act are—

(1) to support a collaborative, interagency approach to address wildlife trafficking;

(2) to protect and conserve the remaining populations of wild elephants, rhinoceroses, and other species threatened by poaching and the illegal wildlife trade;

(3) to disrupt regional and global transnational organized criminal networks and to prevent the illegal wildlife trade from being used as a source of financing for criminal groups that undermine United States and global security interests;

(4) to prevent wildlife poaching and trafficking from being a means to make a living in focus countries;

(5) to support the efforts of, and collaborate with, individuals, communities, local organizations, and foreign governments to combat poaching and wildlife trafficking;

(6) to assist focus countries in implementation of national wildlife anti-trafficking and poaching laws; and

(7) to ensure that United States assistance to prevent and suppress illicit wildlife trafficking is carefully planned and coordinated, and that it is systematically and rationally prioritized on the basis of detailed analysis of the nature and severity of threats to wildlife and the willingness and ability of foreign partners to cooperate effectively toward these ends.

SEC. 102. STATEMENT OF UNITED STATES POLICY.

It is the policy of the United States—

(1) to take immediate actions to stop the illegal global trade in wildlife and wildlife products and associated transnational organized crime;

(2) to provide technical and other forms of assistance to help focus countries halt the poaching of elephants, rhinoceroses, and other imperiled species and end the illegal trade in wildlife

and wildlife products, including by providing training and assistance in—

(A) wildlife protection and management of wildlife populations;

(B) anti-poaching and effective management of protected areas including community managed and privately-owned lands;

(C) local engagement of security forces in anti-poaching responsibilities, where appropriate;

(D) wildlife trafficking investigative techniques, including forensic tools;

(E) transparency and corruption issues;

(F) management, tracking, and inventory of confiscated wildlife contraband;

(G) demand reduction strategies in countries that lack the means and resources to conduct them; and

(H) bilateral and multilateral agreements and cooperation;

(3) to employ appropriate assets and resources of the United States Government in a coordinated manner to curtail poaching and disrupt and dismantle illegal wildlife trade networks and the financing of those networks in a manner appropriate for each focus country;

(4) to build upon the National Strategy and Implementation Plan to further combat wildlife trafficking in a holistic manner and guide the response of the United States Government to ensure progress in the fight against wildlife trafficking; and

(5) to recognize the ties of wildlife trafficking to broader forms of transnational organized criminal activities, including trafficking, and where applicable, to focus on those crimes in a coordinated, cross-cutting manner.

TITLE II—REPORT ON MAJOR WILDLIFE TRAFFICKING COUNTRIES

SEC. 201. REPORT.

(a) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall submit to Congress a report that lists each country determined by the Secretary of State to be a focus country within the meaning of this Act.

(b) **SPECIAL DESIGNATION.**—In each report required under subsection (a), the Secretary of State, in consultation with the Secretary of the Interior and the Secretary of Commerce, shall identify each country of concern listed in the report the government of which has actively engaged in or knowingly profited from the trafficking of endangered or threatened species.

(c) **SUNSET.**—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

TITLE III—FRAMEWORK FOR INTERAGENCY RESPONSE

SEC. 301. PRESIDENTIAL TASK FORCE ON WILDLIFE TRAFFICKING.

(a) **RESPONSIBILITIES.**—In addition to the functions required by Executive Order 13648 (78 Fed. Reg. 40621), the Task Force shall be informed by the Secretary of State's annual report required under section 201 and considering all available information, ensure that relevant United States Government agencies—

(1) collaborate, to the greatest extent practicable, with the national wildlife services, or other relevant bodies of each focus country to prepare, not later than 90 days after the date of submission of the report required under section 201(a), a United States mission assessment of the threats to wildlife in that focus country and an assessment of the capacity of that country to address wildlife trafficking;

(2) collaborate, to the greatest extent practicable, with relevant ministries, national wildlife services, or other relevant bodies of each focus country to prepare, not later than 180

days after preparation of the assessment referred to in paragraph (1), a United States mission strategic plan that includes recommendations for addressing wildlife trafficking, taking into account any regional or national strategies for addressing wildlife trafficking in a focus country developed before the preparation of such assessment;

(3) coordinate efforts among United States Federal agencies and non-Federal partners, including missions, domestic and international organizations, the private sector, and other global partners, to implement the strategic plans required by paragraph (2) in each focus country;

(4) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective support for anti-poaching activities, coordination of regional law enforcement efforts, development of and support for effective legal enforcement mechanisms, and development of strategies to reduce illicit trade and reduce consumer demand for illegally traded wildlife and wildlife products, and other relevant topics under this Act; and

(5) coordinate or carry out other functions as are necessary to implement this Act.

(b) **DUPLICATION AND EFFICIENCY.**—The Task Force shall—

(1) ensure that the activities of the Federal agencies involved in carrying out efforts under this Act are coordinated and not duplicated; and

(2) encourage efficiencies and coordination among the efforts of Federal agencies and inter-agency initiatives ongoing as of the date of the enactment of this Act to address trafficking activities, including trafficking of wildlife, humans, weapons, and narcotics, illegal trade, transnational organized crime, or other illegal activities.

(c) **CONSISTENCY WITH AGENCY RESPONSIBILITIES.**—The Task Force shall carry out its responsibilities under this Act in a manner consistent with the authorities and responsibilities of agencies represented on the Task Force.

(d) **TASK FORCE STRATEGIC REVIEW.**—One year after the date of the enactment of this Act, and annually thereafter, the Task Force shall submit a strategic assessment of its work and provide a briefing to the appropriate congressional committees that shall include—

(1) a review and assessment of the Task Force's implementation of this Act, identifying successes, failures, and gaps in its work, or that of agencies represented on the Task Force, including detailed descriptions of—

(A) what approaches, initiatives, or programs have succeeded best in increasing the willingness and capacity of focus countries to suppress and prevent illegal wildlife trafficking, and what approaches, initiatives, or programs have not succeeded as well as hoped; and

(B) which foreign governments subject to subsections (a) and (b) of section 201 have proven to be the most successful partners in suppressing and preventing illegal wildlife trafficking, which focus countries have not proven to be so, and what factors contributed to these results in each country discussed;

(2) a description of each Task Force member agency's priorities and objectives for combating wildlife trafficking;

(3) an account of total United States funding each year since fiscal year 2014 for all government agencies and programs involved in countering poaching and wildlife trafficking;

(4) an account of total United States funding since fiscal year 2014 to support the activities of the Task Force, including administrative overhead costs and congressional reporting; and

(5) recommendations for how to improve United States and international efforts to suppress and prevent illegal wildlife trafficking in

the future, based upon the Task Force's experience as of the time of the review.

(e) **TERMINATION OF TASK FORCE.**—The statutory authorization for the Task Force provided by this Act shall terminate 5 years after the date of the enactment of this Act or such earlier date that the President terminates the Task Force by rescinding, superseding, or otherwise modifying relevant portions of Executive Order 13648.

TITLE IV—PROGRAMS TO ADDRESS THE ESCALATING WILDLIFE TRAFFICKING CRISIS

SEC. 401. ANTI-POACHING PROGRAMS.

(a) **WILDLIFE LAW ENFORCEMENT PROFESSIONAL TRAINING AND COORDINATION ACTIVITIES.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and nongovernmental partners where appropriate, may provide assistance to focus countries to carry out the recommendations made in the strategic plan required by section 301(a)(2), among other goals, to improve the effectiveness of wildlife law enforcement in regions and countries that have demonstrated capacity, willingness, and need for assistance.

(b) **SENSE OF CONGRESS REGARDING SECURITY ASSISTANCE TO COUNTER WILDLIFE TRAFFICKING AND POACHING IN AFRICA.**—It is the sense of Congress that the United States should continue to provide defense articles (not including significant military equipment), defense services, and related training to appropriate security forces of countries of Africa for the purposes of countering wildlife trafficking and poaching.

SEC. 402. ANTI-TRAFFICKING PROGRAMS.

(a) **INVESTIGATIVE CAPACITY BUILDING.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with the heads of other relevant United States agencies and communities, regions, and governments in focus countries, may design and implement programs in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2) among other goals, with clear and measurable targets and indicators of success, to increase the capacity of wildlife law enforcement and customs and border security officers in focus countries.

(b) **TRANSNATIONAL PROGRAMS.**—The Secretary of State and the Administrator of the United States Agency for International Development, in collaboration with other relevant United States agencies, nongovernmental partners, and international bodies, and in collaboration with communities, regions, and governments in focus countries, may design and implement programs, including support for Wildlife Enforcement Networks, in focus countries to carry out the recommendations made in the strategic plan required under section 301(a)(2), among other goals, to better understand and combat the transnational trade in illegal wildlife.

SEC. 403. ENGAGEMENT OF UNITED STATES DIPLOMATIC MISSIONS.

As soon as practicable but not later than 2 years after the date of the enactment of this Act, each chief of mission to a focus country should begin to implement the recommendations contained in the strategic plan required under section 301(a)(2), among other goals, for the country.

SEC. 404. COMMUNITY CONSERVATION.

The Secretary of State, in collaboration with the United States Agency for International Development, heads of other relevant United States agencies, the private sector, nongovernmental organizations, and other development partners, may provide support in focus countries to carry out the recommendations made in the strategic

plan required under section 301(a)(2) as such recommendations relate to the development, scaling, and replication of community wildlife conservancies and community conservation programs in focus countries to assist with rural stability and greater security for people and wildlife, empower and support communities to manage or benefit from their wildlife resources in a long-term biologically viable manner, and reduce the threat of poaching and trafficking, including through—

(1) promoting conservation-based enterprises and incentives, such as eco-tourism and stewardship-oriented agricultural production, that empower communities to manage wildlife, natural resources, and community ventures where appropriate, by ensuring they benefit from well-managed wildlife populations;

(2) helping create alternative livelihoods to poaching by mitigating wildlife trafficking, helping support rural stability, greater security for people and wildlife, responsible economic development, and economic incentives to conserve wildlife populations;

(3) engaging regional businesses and the private sector to develop goods and services to aid in anti-poaching and anti-trafficking measures;

(4) working with communities to develop secure and safe methods of sharing information with enforcement officials;

(5) providing technical assistance to support land use stewardship plans to improve the economic, environmental, and social outcomes in community-owned or -managed lands;

(6) supporting community anti-poaching efforts, including policing and informant networks;

(7) working with community and national governments to develop relevant policy and regulatory frameworks to enable and promote community conservation programs, including supporting law enforcement engagement with wildlife protection authorities to promote information-sharing; and

(8) working with national governments to ensure that communities have timely and effective support from national authorities to mitigate risks that communities may face when engaging in anti-poaching and anti-trafficking activities.

TITLE V—OTHER ACTIONS RELATING TO WILDLIFE TRAFFICKING PROGRAMS

SEC. 501. AMENDMENTS TO FISHERMAN'S PROTECTIVE ACT OF 1967.

Section 8 of the Fisherman's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, in consultation with the Secretary of State,” after “Secretary of Commerce”;

(B) in paragraph (2), by inserting “, in consultation with the Secretary of State,” after “Secretary of the Interior”;

(C) in paragraph (3), by inserting “in consultation with the Secretary of State,” after “, as appropriate.”;

(D) by redesigning paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following new paragraph:

“(4) The Secretary of Commerce and the Secretary of the Interior shall each report to Congress each certification to the President made by such Secretary under this subsection, within 15 days after making such certification.”; and

(2) in subsection (d), by inserting “in consultation with the Secretary of State,” after “as the case may be.”.

SEC. 502. WILDLIFE TRAFFICKING VIOLATIONS AS PREDICATE OFFENSES UNDER MONEY LAUNDERING STATUTE.

Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking “; or” and inserting a semicolon;

(2) in subparagraph (F), by striking the semicolon and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(G) any act that is a criminal violation of subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (1) of section 9(a) of the Endangered Species Act of 1973 (16 U.S.C. 1538(a)(1)), section 2203 of the African Elephant Conservation Act (16 U.S.C. 4223), or section 7(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305a(a)), if the endangered or threatened species of fish or wildlife, products, items, or substances involved in the violation and relevant conduct, as applicable, have a total value of more than \$10,000.”.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from California?

There was no objection.

A motion to reconsider was laid on the table.

CONDEMNING IRAN'S PERSECUTION OF ITS BAHAI MINORITY AND CONTINUED VIOLATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 220) condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 220

Whereas, in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2014 Report stated, “The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as ‘heretics’ and consequently they face repression on the grounds of apostasy.”;

Whereas the United States Commission on International Religious Freedom 2014 Report stated that “[s]ince 1979, authorities have killed or executed more than 200 Baha'i lead-

ers, and more than 10,000 have been dismissed from government and university jobs” and “[m]ore than 700 Baha'is have been arbitrarily arrested since 2005”;

Whereas the Department of State 2013 International Religious Freedom Report stated that the Government of Iran “prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups” and “since the 1979 Islamic Revolution, formally denies Baha'i students access to higher education”;

Whereas the Department of State 2013 International Religious Freedom Report stated, “The government requires Baha'is to register with the police,” and “The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials.”;

Whereas the Department of State 2013 International Religious Freedom Report stated, “Baha'is are regularly denied compensation for injury or criminal victimization and the right to inherit property.”;

Whereas, on August 27, 2014, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/69/356), which stated, “The human rights situation in the Islamic Republic of Iran remains of concern. Numerous issues flagged by the General Assembly, the United Nations human rights mechanisms and the Secretary-General persist, and in some cases appear to have worsened, some recent overtures made by the Administration and the parliament notwithstanding.”;

Whereas, on December 18, 2014, the United Nations General Assembly adopted a resolution (A/RES/69/190), which “[e]xpress[ed] deep concern” over “[c]ontinued discrimination, persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i [F]aith . . . and the effective criminalization of membership in the Baha'i [F]aith,” and called upon the Government of Iran to “emancipate the Baha'i community . . . and to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed”;

Whereas, since May of 2008, the Government of Iran has imprisoned the seven members of the former ad hoc leadership group of the Baha'i community in Iran, known as the Yaran-i-Iran, or “friends of Iran”—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm—and these individuals are serving 20-year prison terms, the longest sentences given to any current prisoner of conscience in Iran, on charges including “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth”;

Whereas, beginning in May 2011, officials of the Government of Iran in 4 cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE, and 12 BIHE educators are now serving 4- or 5-year prison terms;

Whereas scores of Baha'i cemeteries have been attacked, and, in April 2014, Revolutionary Guards began excavating a Baha'i cemetery in Shiraz, which is the site of 950 graves;

Whereas the Baha'i International Community reported that there has been a recent surge in anti-Baha'i hate propaganda in Iranian state-sponsored media outlets, noting

that, in 2010 and 2011, approximately 22 anti-Baha'i articles were appearing every month, and, in 2014, the number of anti-Baha'i articles rose to approximately 401 per month—18 times the previous level;

Whereas there are currently 100 Baha'is in prison in Iran;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals "responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009": Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the 7 imprisoned Baha'i leaders, the 12 imprisoned Baha'i educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

AMENDMENT OFFERED BY MR. ROYCE

Mr. ROYCE. I have an amendment to the text of the resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the resolved clause and insert the following:

That the House of Representatives—

(1) condemns the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the 7 imprisoned Baha'i leaders, the 8 imprisoned Baha'i educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AMENDMENT TO THE PREAMBLE OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Speaker, I have an amendment to the preamble at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike the preamble and insert the following:

Whereas, in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2014 Report stated, "The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as 'heretics' and consequently they face repression on the grounds of apostasy.";

Whereas the United States Commission on International Religious Freedom 2014 Report stated that "[s]ince 1979, authorities have killed or executed more than 200 Baha'i leaders, and more than 10,000 have been dismissed from government and university jobs" and "[m]ore than 700 Baha'is have been arbitrarily arrested since 2005";

Whereas the Department of State 2013 International Religious Freedom Report stated that the Government of Iran "prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups" and "since the 1979 Islamic Revolution, formally denies Baha'i students access to higher education";

Whereas the Department of State 2013 International Religious Freedom Report stated, "The government requires Baha'is to register with the police," and "The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials.";

Whereas the Department of State 2013 International Religious Freedom Report stated, "Baha'is are regularly denied compensation for injury or criminal victimization and the right to inherit property.";

Whereas, on August 27, 2014, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/69/356), which stated, "The human rights situation in the Islamic Republic of Iran remains of concern. Numerous issues flagged by the General Assembly, the United Nations human rights mechanisms and the Secretary-General persist, and in some cases appear to have worsened, some recent overtures made by the Administration and the parliament notwithstanding.";

Whereas, on December 18, 2014, the United Nations General Assembly adopted a resolu-

tion (A/RES/69/190), which "[e]xpress[ed] deep concern" over "[c]ontinued discrimination, persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i [F]aith . . . and the effective criminalization of membership in the Baha'i [F]aith," and called upon the Government of Iran to "emancipate the Baha'i community . . . and to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed";

Whereas, since May of 2008, the Government of Iran has imprisoned the seven members of the former ad hoc leadership group of the Baha'i community in Iran, known as the Yaran-i-Iran, or "friends of Iran"—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm—and these individuals are serving 20-year prison terms, the longest sentences given to any current prisoner of conscience in Iran, on charges including "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth";

Whereas, beginning in May 2011, officials of the Government of Iran in 4 cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE, and 8 BIHE educators are now serving 4- or 5-year prison terms;

Whereas scores of Baha'i cemeteries have been attacked, and, in April 2014, Revolutionary Guards began excavating a Baha'i cemetery in Shiraz, which is the site of 950 graves;

Whereas the Baha'i International Community reported that there has been a recent surge in anti-Baha'i hate propaganda in Iranian state-sponsored media outlets, noting that, in 2010 and 2011, approximately 22 anti-Baha'i articles were appearing every month, and, in 2014, the number of anti-Baha'i articles rose to approximately 401 per month—18 times the previous level;

Whereas there are currently 60 Baha'is in prison in Iran;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals "responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009": Now, therefore, be it

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

GAO CIVILIAN TASK AND DELIVERY ORDER PROTEST AUTHORITY ACT OF 2016

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5995) to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the bill is as follows:

H.R. 5995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "GAO Civilian Task and Delivery Order Protest Authority Act of 2016".

SEC. 2. ORDERS.

Section 4106(f) of title 41, United States Code, is amended by striking paragraph (3).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRANIAN LEADERSHIP ASSET TRANSPARENCY ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials on the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 876 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5461.

The Chair appoints the gentleman from California (Mr. McCLINTOCK) to preside over the Committee of the Whole.

□ 1505

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indi-

rect control by certain senior Iranian leaders and other figures, and for other purposes, with Mr. McCLINTOCK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Islamic Republic of Iran is identified as both the world's foremost state sponsor of terrorism and a country of primary money laundering concern by the United States. So the American people rightfully question the wisdom behind the Obama administration's decision to hand Iran \$1.7 billion in cash as ransom for the release of several hostages earlier this year.

There are a lot of questions the American people still have about this cash payment and a lot of questions the Obama administration has not answered, but there are at least three things that we do already know:

Number one, we know that cash is the preferred currency of terrorists;

Number two, we know the Obama administration's payment to Iran was structured in such a way that it makes it easy for Iran to move that money anywhere it wants for any purpose it wants; and

Three, we know that much of Iran's terror activity is fueled by the vast sums of personal wealth acquired by its senior political and military leaders.

Mr. Chairman, Iran's economy is characterized by high levels of official corruption and substantial involvement of its security forces, particularly the Islamic Revolutionary Guard Corps and that nation's business sector. Many members of Iran's senior political and military leadership have acquired significant personal and institutional wealth by using their positions to secure control over major portions of the Iranian national economy. In fact, it is estimated that Iran's top political and military leaders control one-third—one-third—of Iran's economy through personal foundations in which money from corruption is funneled.

Because of this volatile mix of terrorist financing, corruption, and wealth, it is vitally important for the United States to clearly understand the assets held by Iran's powerful military and political elite. That is the goal of this bipartisan bill that we are discussing today offered by my colleague, the gentleman from Maine (Mr. POLQUIN).

This bill, the Iranian Leadership Asset Transparency Act, would require

the Treasury Secretary to develop and post online a list estimating the funds and assets held by senior Iranian political and military leaders. Along with this estimate would be a description of how these officials acquired these assets and how these assets are being deployed. The report would be posted on the Treasury Department's Web site in English, but also translated into the three main languages used by the Iranian people so that the people of Iran may better understand the nature of their economy and how corruption is harming their fellow citizens.

Mr. Chairman, under this bill, the report would also be in a form that is easily understandable and accessible to those in the financial or business sector who might be concerned about inadvertently doing business with an Iranian entity still covered by remaining sanctions. The Iranian Government's tolerance of corruption limits realistic opportunities for foreign and domestic investment, particularly given the significant involvement of its Revolutionary Guard in many sectors of the economy. This gives the Revolutionary Guard and its leaders vast amounts of funding to support terrorism at a time when the average Iranian citizen earns about \$15,000 a year.

The report required under the Iranian Leadership Asset Transparency Act would cover about 80 individuals, including Iran's Supreme Leader, President, the 12 members of Iran's Council of Guardians, the 42 members of its Expediency Council, and roughly two dozen senior military leaders. As I mentioned, the bill requires an estimate of the funds and assets held by those individuals, not a precise amount.

Further, the proposal allows Treasury to separately furnish any sensitive information to Congress in a classified form. Finally, the bill permits the administration to prepare the reports using a wide variety of publicly available and credible information, including commercial databases.

Developing and keeping a current estimate of the funds and assets held by top political and military leaders in Iran will also help financial institutions and private businesses comply with money laundering laws and also help them more carefully choose with whom they do business.

Just last week, the U.S. State Department said it couldn't rule out the possibility that President Obama's nuclear deal has emboldened Iran into becoming more confrontational with the United States. Indeed, as the State Department spokesman admitted last week, there are "disturbing trends" when it comes to Iran.

Since the President's cash ransom was delivered to the ayatollahs, Iran has taken more hostages, Mr. Chairman. It has stepped up its harassment of the U.S. military in the region and

has started building a \$10 billion nuclear plant with the help of Russia.

Clearly, we need to know as much as we possibly can about how Iran is financing terrorism. We need to make sure financial institutions and private businesses do not inadvertently become involved in money laundering and sponsorship of terrorism.

Mr. POLIQUIN's bill has attracted bipartisan support in the Committee on Financial Services. It is common sense. Frankly, it should be on the suspension calendar. I am sorry we are having to take up time for it today. This should be common sense for all Members. It is a bill that will, again, help achieve commonsense goals as we fight financing of terrorism. I urge all Members to support the bill.

Mr. Chair, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, I rise today in opposition to H.R. 5461, the so-called Iranian Leadership Asset Transparency Act.

The administration has stated this bill would endanger our ability to ensure that Iran's nuclear program is and remains exclusively peaceful. Indeed, this harmful bill is the latest in a series of Republican efforts aimed at undermining the landmark nuclear agreement reached last year by Iran and the world's six major powers.

The comprehensive nuclear deal with Iran was intended to address one specific problem, and it has so far been a success. This success should not be underestimated, given how much a nuclear-armed Iran would magnify risk in a turbulent region in a terrible way.

Despite the fact that the nuclear deal so far has delivered on its principal goal of blocking Iran's path to nuclear weapons for an extended period of time, opponents remain committed to undermining the ongoing viability of the deal, chipping away at it piece by piece, whether by passing legislation to block the sale of aircraft to Iran that was a central component of the agreement or accusing the administration of making extreme concessions to Iran by insisting, for example, that a legitimate legal settlement was an illegal ransom payment of some kind or by spreading rumors of suspected cheating by Iran. Republicans are intent on spreading this false narrative and dismantling the agreement.

So here we are, considering this bill, which requires the Secretary of the Treasury to report on the total estimated funds or assets under direct or indirect control of as many as 80 senior Iranian leaders, along with a description of how the funds were acquired and employed. The report would not be tied to any specific prohibition or legal action against Iran and clearly plays into the hands of critics who are seeking to gin up prospects of reputational

risks for companies that might seek to do business with Iran.

Moreover, the lack of a tie to any specific prohibition or legal action against the listed individuals will likely increase confusion regarding compliance obligations rather than make remaining sanctions more easily understood.

□ 1515

Undoubtedly, the report would be seized upon by Iran as an intentional effort to discourage international investment, which Iran would view as a violation of the express U.S. commitment under the nuclear deal not to interfere with the full realization of the relief provided under the accord. The major world powers that joined us in this agreement would also likely view the legislation as bad faith.

By denying Iran the economic benefits it was promised in exchange for dismantling critical elements of this nuclear program, this bill would remove the critical incentive for Iran to hold up its end of the bargain.

As the Statement of Administration Policy notes: "If the JCPOA were to fail on that basis, it would remove the unprecedented constraints on and monitoring of Iran's nuclear program, lead to the unraveling of the international sanctions regime against Iran, and deal a devastating blow to the credibility of America's leadership and our commitment to our closest allies."

In addition to my central concern that this bill destabilizes the Iran nuclear deal, I also share the administration's concerns that producing the report that is required under this bill would divert massive resources away from investigations and the targeting of sanctions on Iran related to terrorism, human rights violations, and ballistic missiles.

Meeting the requirements of this bill would place a very real strain on the Treasury Department and intelligence community. We need to think carefully about the national security implications of diverting resources away from the Treasury investigators who are tasked with implementing current sanctions on Iran and uncovering illicit conduct across the globe.

Proponents of this legislation have also underscored the importance of the need to show the people of Iran the corrupt practices in which their leaders are engaged. However, this bill would not accomplish that goal.

There is a profound trust gap between the United States and Iran, and any findings in this report would be met with a high degree of skepticism among the Iranian people and their leaders. Therefore, to the extent any portion of this report could actually be made public, since much of the most important facts would likely be classified anyway, it would do little to enlighten the people of Iran about their

leaders. In fact, it would inevitably be rejected as United States propaganda by both the regime and by its people as a predictable attack on the country's government by the United States.

In light of the bill's limited practical utility, its failure to meet its own stated objectives, its diversion of resources away from investigations related to sanctions, and the destabilizing effects it would have on the Iran nuclear deal, I urge its opposition. Moreover, the President has announced that he would veto this bill if it came across his desk.

I include in the RECORD the Statement of Administration Policy on this bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 5461—IRANIAN LEADERSHIP ASSET
TRANSPARENCY ACT—SEPTEMBER 21, 2016

The Administration shares the Congress' goals of increasing transparency and bringing Iran into compliance with international standards in the global fight against terror finance and money laundering. However, this bill would be counterproductive toward those shared goals.

The bill requires the U.S. Government to publicly report all assets held by some of Iran's highest leaders and to describe how these assets are acquired and used. Rather than preventing terrorist financing and money laundering, this bill would incentivize those involved to make their financial dealings less transparent and create a disincentive for Iran's banking sector to demonstrate transparency. These onerous reporting requirements also would take critical resources away from the U.S. Department of the Treasury's important work to identify Iranian entities engaged in sanctionable conduct. Producing this information could also compromise intelligence sources and methods.

One of our best tools for impeding destabilizing Iranian activities has been to identify Iranian companies that are controlled by the Islamic Revolutionary Guards Corps (IRGC) or other Iranians on the list of Specially Designated Nationals and Blocked Persons (SDN List) to non-U.S. businesses, so that they can block assets or stop material transfers. This process is labor-intensive and requires the judicious use of our national intelligence assets. Redirecting these assets to preparing this onerous public report would be counterproductive and will not reduce institutional corruption or promote transparency within Iran's system.

In addition, this bill's required public postings also may be perceived by Iran and likely our Joint Comprehensive Plan of Action (JCPOA) partners as an attempt to undermine the fulfillment of our commitments, in turn impacting the continued viability of this diplomatic arrangement that peacefully and verifiably prevents Iran from acquiring a nuclear weapon. If the JCPOA were to fail on that basis, it would remove the unprecedented constraints on and monitoring of Iran's nuclear program, lead to the unraveling of the international sanctions regime against Iran, and deal a devastating blow to the credibility of America's leadership and our commitments to our closest allies.

As we address our concerns with Iran's nuclear program through implementation of the JCPOA, the Administration remains clear-eyed regarding Iran's support for terrorism, its ballistic missile program, human rights abuses, and destabilizing activity in the region. The United States should retain

all of the tools needed to counter this activity, ranging from powerful sanctions to our efforts to disrupt and interdict illicit shipments of weapons and proliferation-sensitive technologies. This bill would adversely affect the U.S. Government's ability to wield these tools, would undermine the very goals it purports to achieve, and could even endanger our ability to ensure that Iran's nuclear program is and remains exclusively peaceful.

If the President were presented with H.R. 5461, his senior advisors would recommend that he veto this bill.

Ms. MAXINE WATERS of California. Mr. Chair, let me end this part of my presentation by saying that the world is watching us. And for us to do anything to undermine an agreement that the President has entered into along with other major allies in the world would be devastating. And for us to do that and not understand the implications of that is beyond my ability to understand.

With the combination of Donald Trump, who they think is way out of line and crazy and does not know or understand what is going on, and these kind of actions in the Congress of the United States, who is standing up for this country? Who is supporting the President? Who is making sure that we are safe? I raise that question.

Mr. Chair, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), who is the chairman of the Terrorism Financing Task Force in our Financial Services Committee and a real leader in this area.

Mr. FITZPATRICK. Mr. Chair, I thank Chairman HENSARLING for his leadership and impaneling a bipartisan task force to investigate terrorism finance, which I have chaired for the past 2 years, as we have looked into the increasing ability of terror groups to fund and to finance their actions and to evaluate the United States' response to these challenges.

Throughout the duration of this task force, several policy experts provided testimony to the Iranian regime's direct supportive groups like Hamas, Hezbollah, Iraqi Shiite militias, the Houthis in Yemen, and Syrian President Bashar al-Assad's regime in Damascus.

Prior to the Joint Comprehensive Plan of Action, the United States-led sanctions regime decimated the Iranian economy, suffocating domestic industry and causing the Iranian rial to free fall. However, even during this economic duress, the regime continued to provide billions to these destabilizing groups instead of providing for its citizens.

This bill, offered by Mr. POLIQUIN of Maine, H.R. 5461, will provide the citizens of the Islamic Republic of Iran—who have suffered great economic hardship as a result of their rogue government's nefarious policies—with the

transparency necessary to see how the other half lives.

This bill will make a positive advancement and change in their lives and provide the ability for them to see corruption in their economy and corruption in their government, and it will be for our security as well.

I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 5 minutes to the gentleman from Connecticut (Mr. HIMES), a member of the Financial Services Committee.

Mr. HIMES. Mr. Chair, I rise in opposition to this bill, with all due respect to my friends, Mr. POLIQUIN and Mr. HILL.

The Iranian Leadership Asset Transparency Act is one of those bills that sounds like a good idea. And I am sure many of my colleagues are thinking, Why not? Transparency is a good thing. The Iranian regime is a bad thing. Let's support this thing. What could possibly go wrong?

I have a couple of points to make in that respect. The first one is that—again, with all due respect to my friends on the other side—this bill, if it is intended to get at the wealth of the Iranian leadership, will fail, and it will fail in an embarrassing and spectacular and almost laughable fashion.

The reason I say that, of course, is that the bill specifies that the estimated total funds or assets held in accounts at U.S. and foreign financial institutions shall be enumerated. Funds are defined as cash, equity, and bonds.

So if we pass this bill, we are going to know that the Supreme Leader has a thousand shares of IBM down at the local Merrill Lynch office. But European real estate, private jets, boats, piles of gold bars, stacks of unrefined heroin, Swiss watches, shell businesses in South America, we won't know about any of them.

I ask my colleagues: How many shares of IBM do you think the Iranian regime has down at the local Merrill Lynch office?

Probably not a lot. We froze their assets for a very, very long time.

This bill, if it passes, will get at some tiny fraction of the wealth of the Iranian regime in a way that will, frankly, embarrass our country because we will show how little we know, which brings me to the second problem I have with this bill.

As a member of the Intelligence Committee, I am very concerned about what this bill would do with respect to disclosing or at least pointing at our sources and methods for intelligence gathering.

I think there are probably very few assets of the kinds captured by this bill in U.S. banks or banks that we would have ready access to in Europe, but I am not so sure there aren't perhaps cash or securities in Albanian, Paki-

stani, or Russian banks. If we enumerate those assets, we will be inevitably pointing at a capacity we may or may not have to determine what is going on inside those banks. I would suggest that this bill does not provide nearly enough good to put at risk the sources and methods of our intelligence gathering.

We know what is happening here. This bill is an installment in the relentless attempt by the majority to tank the Iranian nuclear bill. Look, we can disagree over whether that bill was a good idea. Certainly, we did. But the fact is—and I say this as a member of the Intelligence Committee—it is working. Iran is in compliance with their nuclear obligations.

The Prime Minister of Israel stood in the General Assembly a couple of years ago and had a little drawing of a bomb and said: We are 2 to 3 months away from breakout.

Today we are probably 12 to 15 months away from an Iranian nuclear breakout, in the worst case scenario. Yet the Republican majority, in this latest installment, wants to make that go away. Moreover, they do that without a backup plan.

If they succeed in tanking this bill and we are right back where we were a year ago, 2 to 3 months away from breakout, what then?

We are isolated. We have lost the moral high ground and we are probably a lot closer to another war in the Middle East. I don't understand that.

So think about where we wind up if the majority succeeds. We would be isolated, we would be closer to war, and we would be standing alone, clutching the moral low ground.

I ask my colleagues to think about these points, as well as the good points made by the ranking member, and to oppose this bill.

Mr. HENSARLING. Mr. Chair, I yield 4 minutes to the gentleman from Maine (Mr. POLIQUIN), the author of the Iranian Leadership Asset Transparency Act and a real leader in our committee and in this Congress in the fight against terrorist financing.

Mr. POLIQUIN. Mr. Chair, I thank the chairman very much for moving this very important bill through our Financial Services Committee onto the House floor. I also want to applaud my colleagues who have done so much work on this in our Terrorism Financing Task Force—of which I am a member—Democrat STEVE LYNCH from Massachusetts and Republican MIKE FITZPATRICK from Pennsylvania.

Mr. Chairman, the Iranian Government is a chief state sponsor of terrorism and instability throughout the world. For many years, the senior political leaders and the Islamic Revolutionary Guard have trained, armed, and funded terrorist organizations. More recently, they have become experts at using the Internet and social

media to recruit and teach other radical Islamic terrorists around the globe. The Iranian Government, Mr. Chair, has American blood on its hands.

The primary responsibility for every Member of Congress, Republicans and Democrats, is to support and defend our Constitution. That means keeping our families safe and keeping them free. National security, Mr. Chair, is not and should never be a political issue.

Today, about 70 to 80 top political and military leaders in Iran control approximately one-third of their economy. They use their power and their influence to corrupt the telecommunications, construction, and other important industries in that economy.

An investigation by Reuters found that the Supreme Leader alone has accumulated a tremendous amount of personal wealth through a foundation claiming to help the poor. While this corruption has grown, the average Iranian citizen earns the equivalent of about \$15,000 per year.

Mr. Chair, the people of Iran and the citizens of this world deserve to know how much the chief sponsors of terrorism in Iran have accumulated and what the money is being used for. Businesses around the world that are looking to possibly invest in Iran should know before their investment who and what they are dealing with.

Mr. Chairman, my bill, H.R. 5461, the Iranian Leadership Asset Transparency Act, is a straightforward Maine commonsense bill. It simply requires the United States Treasury Department to collect, maintain, and post online the list of 70 to 80 senior political and military leaders in Iran, their personal assets, how that money was acquired, and what it is being used for.

My bill further requires the Treasury Department to post on its Web site this information in English as well as the three main languages spoken in Iran: Farsi, Arabic, and Azeri. The information must be able to be downloaded and shared easily by everyone.

□ 1530

Mr. Chairman, sunshine is the best disinfectant. Let's use the transparency of one click of a computer from any corner of this globe to expose what the chief sponsor of terrorism in this world is doing with its money.

Americans are alarmed and frightened about the increased terror attacks here at home and in peace-loving nations around the world. Secrecy and corruption in Iran breed more terrorism, so let's shed light on this destructive behavior and put pressure on the Iranian leader to change their ways.

The CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. POLIQUIN. Mr. Chairman, I ask all of my colleagues here in the House, Republicans and Democrats, to stand with me, and to stand with our fellow Americans, and to stand with freedom-loving people throughout the world against terrorism. I ask, please, that everyone vote "yes" for H.R. 5461, the Iranian Leadership Asset Transparency Act.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE), a leading member of the House Appropriations Committee.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the latest Republican effort to undermine the Joint Comprehensive Plan of Action, a historic nuclear agreement negotiated by the world's major powers to stop Iran from getting a nuclear weapon.

Since the deal was finalized, Republicans have tried time and time again to undermine not just the JCPOA but also the credibility of the President of our country, both here at home and on the international stage.

We had this very same debate right before leaving in July, when the majority refused to act on such urgent matters as Zika funding or countering gun violence. Instead, they trotted out three bills that would scuttle the Iran agreement.

Now, here we are again with two bills, one that would hinder the U.S.' ability to abide by the spirit of the deal and one that promotes a false narrative about American diplomatic activity. Predictably, both bills target President Obama and could require the U.S. to violate international accords.

As I have said before, for House Republicans the Iran nuclear agreement has become the ObamaCare of foreign policy. Republicans repeatedly proclaim it a failure, despite its objective success. They call for its immediate repeal without offering any alternative, despite the potentially disastrous consequences of such action. And they continue to clutter the Congressional calendar with so-called message votes designed to score political points instead of addressing the real issues facing our Nation—such as funding research to develop a vaccine against the Zika virus; such as funding the government for the next fiscal year and avoiding the threat of a government shutdown; or such as doing anything constructive that would ensure military readiness, strengthen our infrastructure, or make our Nation more secure.

The bill before us today, H.R. 5461, would draw a Presidential veto and would not achieve the goals the sponsor claims it would achieve.

The text of this legislation states that a new report on a select number of Iranian assets would help the Treasury Department's "efforts to prevent the financing of terrorism" and make "re-

quired compliance with remaining sanctions more easily understood."

That sounds good, but, in reality, the bill would take away critical resources used to help the Treasury identify Iranian entities engaged in sanctionable conduct—such as human rights violations, financing terrorism, and ballistic missile development—in order to make this new report.

In reality, this bill would incentivize corrupt Iranian actors to conduct their financial dealings farther and farther in the shadows. It would actually decrease transparency in Iran's banking sector, thereby undermining existing efforts to force Iran's compliance with international financial standards.

In reality, the publication of this report would promote distrust and strengthen the position of hard-liners in Iran.

These legislative antics continue, even though the opponents of the JCPOA know full well that strong sanctions on Iran remain in place.

Instead of scoring political points or seeking to deny the President a foreign policy achievement, we should be working together in a bipartisan manner to ensure the agreement's success.

Mr. Chairman, we need to remember that the world is watching what we do here today. We may think a politicized bill that has no chance of being signed into law doesn't matter much, but, in fact, to the leaders of China, Russia, or Iran, it sends a message of hesitation and disunity. And to the American public, it shows that House leadership is more interested in debating messaging bills than addressing our Nation's most pressing policy concerns.

I urge my colleagues to oppose this bill, forego the partisan games, and focus on the needs of Americans and the security of our Nation.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. PITTENGER), vice chairman of our Task Force to Investigate Terrorism Financing.

Mr. PITTENGER. I thank the chairman for yielding the time. I also thank Congressman POLIQUIN for his leadership on this very critical issue.

Mr. Chairman, we are frequently reminded that Iran remains the world's number one state sponsor of terrorism, spreading their terrorism throughout the Middle East and throughout northern Africa.

Terrorism takes money. Training, recruiting, smuggling weapons, supporting sleeper cells, all of these are business activities of terrorist organizations which require major funding.

For Iran, much of the funding comes when Iran's small network of tyrannical leaders pilfer Iran's economy. Iran's top political and military leaders control roughly one-third of Iran's economy, including large portions of the telecommunications, construction, airport, and seaport sectors. This cozy

arrangement provides Iran's radical Islamic leaders with significant cash to export terror and evil, while leaving Iran's citizens to suffer the effects of a depleted economy.

The Iranian Leadership Asset Transparency Act will shine a bright light on the rampant corruption and the self-serving behavior of the Iranian mullahs. Through this report, we hope to make international corporations aware of how their dealings with Iran are supporting terrorism and barbaric evil and to help the Iranian people fully understand how their supposed leaders are not operating in their best interests.

Through this report, the American people will also better understand why President Obama's \$1.7 billion ransom payment to Iran is likely to be used, again, to support terrorism and why President Obama's unyielding commitment to negotiate with Iran's corrupt leaders will ultimately make America and the world less safe.

Iran is the new evil empire, a corrupt regime intent on spreading nefarious actions, destroying freedom, human rights, and free speech throughout the world. They exist by sucking dry the very people they claim to serve.

I urge my colleagues to join me in supporting H.R. 5461, the Iranian Leadership Asset Transparency Act.

Ms. MAXINE WATERS of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania, (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise today in strong support of the Iranian Leadership Asset Transparency Act. While everyday Iranians earn around \$15,000 a year, corruption pervades the highest levels of the Iranian Government, where bad actors use their wealth and positions of power to fund terrorism and to advance their own interests. The wealthiest and most powerful of the Iranian elites, including members of the Islamic Revolutionary Guard Corps, and the foundations they run control an estimated one-third of the nation's total economy.

While President Obama and his administration have engaged in negotiations with Iran's leadership under the delusional pretext that they are in any way trustworthy or honorable, we know better. The Iranian Ayatollah's favored slogan, "Death to America," should have tipped the administration off that Iran is our adversary, not a peace-loving ally.

President Obama's foreign policy with respect to Iran has set America back, endangering us and our allies. And with the implementation of the Joint Comprehensive Plan of Action, he has funneled billions of dollars to the world's leading state sponsor of terror. Indeed, Iran funds Hezbollah, which was responsible for more Amer-

ican deaths than any other terrorist organization prior to September 11, 2001.

This legislation is among several key efforts the House is making to mitigate the damage the Obama administration has already done by providing Iran with billions of dollars in sanctions relief and cash payments.

Requiring increased transparency regarding the funds that Iran's leaders hold, many of whom are engaged in sinister activities, will help financial institutions and private businesses comply with money laundering, related laws, and more carefully decide with whom they do business.

Mr. Chairman, to a large degree, holding corrupt Iranian leaders more accountable is a matter of life and death for Americans and our allies. Iran has made its evil intentions toward America clear, and its leaders are intent upon harming us. I strongly urge this House to pass this crucial legislation.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have received any number of letters and correspondence in opposition to this bill, but I thought it would be important to just share with you one such communication from J Street, which is an Israel lobbying group. They basically say that:

"... in light of its limited practical utility—this bill appears to be yet another piece of a sustained effort by US opponents of the JCPOA and other diplomatic engagement with Iran to undermine the agreement by weakening the domestic standing of Iranian President Hassan Rouhani and his allies vis-a-vis Iranian hardliners who also oppose the agreement and bilateral dialogue. It is likely not a coincidence that proponents have arranged for floor consideration of this bill just as Rouhani is in the United States for the United Nations General Assembly, and that it would require the finalization of the first report around the time of the next Iranian Presidential election.

"Hindering the US Government's ability to enforce the terms of the JCPOA and sanctions on Iran's dangerous non-nuclear behavior while simultaneously undermining Rouhani's standing would make America and our allies less safe and redound to the benefit of the very Iranian hardliners who seek to do us harm. Risking these consequences for the sake of procuring information that could not be shared with its intended audience would be both pointless and reckless. We therefore urge Members of Congress to oppose this bill."

That is from J Street, the Israel lobbying group.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, here are the facts: This summer, Congress was made aware that \$400 million worth of cash was secretly airlifted to Iran. Two days later, an additional \$1.3 billion was sent to Iran. This comes on top of the approximately \$55 billion Iran had access to after the Iran nuclear deal was reached.

But here is something that Americans do not know: Where is all the money going and why? Is it going to help Iran rebuild its badly aging infrastructure? Is it going to support expanding freedoms for the average Iranian, or improving basic living conditions? Who believes any of that?

In June of this year, Secretary Kerry admitted: Some of the money would go to groups labeled as terrorist organizations.

He then said: The rest of it, well, we just don't know.

I am proud to rise today in support of my friend from Maine's bill, a bill that will provide some transparency by requiring the Department of the Treasury to develop and post online a list that estimates the amount of funds and assets held by senior Iranian and military leaders and how they acquired those assets.

As a member of the Task Force to Investigate Terrorism Financing, our committee learned firsthand the dangers associated with approving the Iran nuclear deal and giving them access to large amounts of cash. Frankly, Iran's leaders cannot be trusted. They are our enemy.

Again, Mr. Chairman, the investment made by all U.S. taxpayers in Iran was very costly. Let's make sure we hold their leaders accountable. Please support the bill.

In God we trust.

□ 1545

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. HECK), a member of the Financial Services Committee.

Mr. HECK of Washington. Mr. Chairman, I thank the ranking member.

Mr. Chairman, I rise today in opposition to this bill because, well, it is a distraction. It is a distraction not just from the work we should be doing—I mean, I would ask more than rhetorically exactly how many babies have to be born with microcephaly before we actually get serious about dealing with that proposed issue and the menace that it threatens America with. Frankly, this bill is meant to be a distraction from the fact that when it actually mattered, the Financial Services Committee was absent from the debate over the Iran deal—MIA.

In May 2015, we passed the Iran Nuclear Agreement Review Act to provide a framework to consider the Iran deal, which we all know now is known as JCPOA. Frankly, as one Member—I

know a lot of others spent a lot of time thinking about that issue and that vote, and I, frankly, would suggest that Members on both sides of the aisle gave this a considerable amount of consideration, but we didn't learn anything about it from the Financial Services Committee—zero, zip, nada.

One would think that if the committee were so concerned about JCPOA, they would have explored these issues in detail while the deal was still under consideration, just as many other committees did.

In fact, I counted more than 30 Iran-related hearings in the House of Representatives between June 2014 and June 2016, including 9 in the 2-month review period mandated in the REVIEW Act. In that full 2 years, Financial Services had no Iran hearings in full committee or subcommittee—zip, zero, nada. All we got was one solitary hearing and a working group before the deal went into effect.

It is not just hearings where Financial Services was MIA. Since I have arrived in Congress, we have passed at least four bills dealing with financial sanctions or terrorism finance where the chair agreed in writing to waive jurisdiction with an exchange of letters. On two additional bills, the leadership brought to the floor without the chairman's seeking to protect the committee's jurisdiction over this critical issue.

So I would just ask, Mr. Chairman, if this issue were so important—and it is—where was the Financial Services Committee while the JCPOA was being debated? It was MIA. It was absent. Then, after sitting silent while the pivotal deal was being developed, considered, and debated, the committee has finally sprung to life to attempt to sabotage a deal that didn't fall apart, frankly, as a lot of the proponents of this deal would have liked.

The IAEA has stated clearly, for months, that Iran is compliant with its nuclear-related obligations under JCPOA, but we are only now bringing to the floor legislation that undermines our own commitments to the JCPOA.

Sadly, it is clear that the bill we have on the floor today is about politics. It is a distraction, and we should reject it.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. I thank the chairman of the Financial Services Committee.

Mr. Chairman, I rise in strong support of H.R. 5461 today, and I am a proud original cosponsor of this legislation.

Mr. POLIQUIN's approach is simply a commonsense thing to do. When you consider that this administration, 6 years ago, turned its back on the Iranian people when they were trying to protest their notorious regime and

take to the streets, but then instead of aiding those citizens, they turned their back on the people of Iran to negotiate with the ayatollahs what I believe to be an ill-conceived and poorly designed nuclear deal.

My friend from Connecticut (Mr. HIMES) makes the point of asset transparency and argues that this bill would not, in fact, help advance the transparency of the Quds Force or the aggregation of these assets in the hands of these 80 individuals. But, in fact, if the administration was serious about transparency, they would not give the largest state sponsor of terrorism \$1.7 billion in Swiss francs and euros to become an untraceable honey pot for the purchase of ballistic missile components or fund terrorism in the West Bank or back Assad.

Representative PRICE of North Carolina talks about this act actually strengthening the hard-liners. I would argue, if this is strengthening the hardliners, what, in fact, did the JCPOA accomplish when we report a 50 percent increase in incursions from the Iranian military in our air and sea activities in the Persian Gulf?

The hard-liners in Iran called the payment of \$1.7 billion a ransom—not the people of the United States. In fact, they have taken two more additional hostages as a result of this administration's process.

If we are not strengthening the hard-liners, then why is Iran doubling down on acquiring ballistic missile technology and backing the absolute destruction of Syria?

So, Mr. Chairman, I think this is a commonsense measure that will let the people of Iran see what the 80 powerful individuals are doing with the billions that have been freed up to come back to the people, to the country of Iran.

Street paving is not going on, Mr. Chairman. What is going on is the expansion of terrorism and billions in untraceable money backing a regime that our own State Department and Treasury says is undiminished in their sponsor of terrorism worldwide.

Mr. Chairman, I urge my colleagues to support Mr. POLIQUIN's commonsense bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MEEKS), a member of the Financial Services and Foreign Affairs Committees.

Mr. MEEKS. Mr. Chairman, let me see. Let's look at this bill.

H.R. 5461 would require the Secretary of the Treasury to submit a report to Congress on the estimated total assets under the direct or indirect control by Iranian leaders and certain senior political and other figures regardless of whether such individuals are subject to U.S. sanctions.

So what will that do? By creating this report, it would place a substan-

tial time and human resource burden on the Treasury and, in fact, divert critical energy and resources away from targeting sanctionable conduct and compliance over existing sanctions tied to human rights, terrorism, and ballistic missiles.

Moreover, since the report would not be tied to any prohibition or legal action, it would have little use as a compliance tool and, in fact, would likely confuse the Office of Foreign Assets Control's regulated publicly.

Finally, such a report would undoubtedly be seized upon by Iran—and quite possibly by all of our P5 allies—as an intended effort to discourage international investment in Iran, which, in turn, could be viewed as a violation of the expressed U.S. commitment under the JCPOA to prevent interference with the realization of the full benefit by Iran of the JCPOA and, therefore, undermine the continued support for the JCPOA with Iran.

So I know some people on the other side of the aisle don't believe that this is the right thing, but it is clear JCPOA prevents an armed nuclear Iran. We should vote against H.R. 5461.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Chairman, it has recently come to light that this administration may have sent the world's leading state sponsor of terrorism as much as \$33 billion in cash and gold payments over the last 2 years.

American lives have been lost because of Iran's state-sponsored terrorism; families have been ripped apart. Yet, just last month, we learned that the administration paid Iran \$1.7 billion—400 million of which was in unmarked, non-U.S. currency—before they could secure the release of American military personnel held hostage in Iran. There is no way to track how Iran is using this money—or any of the rest of the billions in payments it has received.

If this administration will not act to keep its citizens safe, then the House must force its hand. This starts by holding both our administration and Iran's government accountable. We are expressly prohibiting any future ransom payments to Iran, and we are requiring the Treasury to publicize any assets associated with members of Iran's government leadership. We are also requiring the Treasury to submit a report to Congress that shows how the assets were acquired and how they have been put to use.

Fighting terrorism should not be a partisan issue. Depriving evil regimes of the ability to fund terrorism should not be a partisan issue. Mr. Chairman, I urge my colleagues to support the two pieces of legislation that we have on the House side, on the Republican column. Mr. POLIQUIN's bill, H.R. 5461, is a step in the right direction, and I urge my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time remains?

The CHAIR. The gentleman from Texas has 7½ minutes remaining. The gentlewoman from California has 7 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, can I bring a slightly different discussion and weave it back into the things that have been said here?

Mechanically, we often have this conversation that if we had a more holistic understanding of the money that was going to bad actors around the world—I am holding parts of the report here talking about 18 tons of cocaine being moved through north Africa and then, ultimately, through Lebanon, through the handlers of Hezbollah and a billion-plus dollars of cash. As you and I know, we have all sat through the terrorism financing testimony and others that Hezbollah doesn't move, ultimately, without their puppet masters in Iran instructing them on what to do.

So take a step backwards. If I came to you and said I care about terrorism, I care about bad actors, I care about drug resources moving through the world, and I have the country of Iran whose proxies are functionally, today, the leading money launderers not only in the region, but probably the world, and then we look at what the administration has done—I understand many people support it for the nuclear arms side. I am fine. I am enraged that the openness and the misrepresentation and lying—just plain lying—to Congress on the timing, what happened, and how it was delivered—was it in cash, or was it in wires? So a piece of legislation like this, why would we fear another layer of just openness and disclosure saying that this is woven into many evil, bad actors in the world that are moving billions of dollars of illicit money and illicit narcotics, people—human smuggling—why wouldn't we want to sort of have the view of what is Iran's hand in it, what is their proxy's hand in it we call Hezbollah?

The CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. SCHWEIKERT. Mr. Chairman, many of us have sat on the terrorism finance committee, and I appreciate Chairman HENSARLING for allowing me to sit there. But the more you learn, the more you understand the levels of complication. We have this habit around here, when we get behind the microphones, we make things direct and simple in a sound bite. It is complex, and there are tremendous amounts of money and bad things happening here.

Why would a simple piece of legislation—one of the beautiful things in here is it gives me more openness so we understand what the bad actors are doing.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as I have said at the onset of this debate, it is clear that this bill is nothing more than an effort to derail the administration's diplomatic accomplishments with regard to the Iran nuclear deal.

□ 1600

After failing to block the deal from being implemented, opponents have shifted their focus towards unraveling and delegitimizing it bit by bit. This is despite the fact that over a year after the accord was signed, the JCPOA is widely seen as having diffused the global security threat of a nuclear armed Iran for at least a generation.

Despite the ongoing success of the agreement, my colleagues on the other side of the aisle have gone to great lengths to promote a false narrative that the administration too readily concedes to Iran's demands, including by pushing claims that the U.S. made secret ransom payments to Iran. Other efforts to destabilize the agreement have been aimed squarely at violating the terms of the agreement itself.

For example, Republicans moved a spate of measures earlier this summer that would block the sale of aircraft to Iran, despite the fact that these sales were a central component of the nuclear agreement. Moreover, Republicans also rushed legislation to the floor before leaving for the last congressional recess to undermine Iran's conduct of banking transactions outside of the United States—activity that became permissible as part of the nuclear deal.

So while the bill before us today, H.R. 5461, may appear to contain a simple reporting requirement, it is most certainly not a bill that promotes our national security interests. By requiring an extraneous report on the assets of Iranian leaders without regard to current sanctions or other obligations, the bill would prevent the Iranian people from receiving the full benefits of this agreement. This would put the agreement in jeopardy and strengthen the hand of the hardliners in Iran who want nothing more than to see the nuclear deal fall apart. This scenario would threaten global security and deal a severe blow in our efforts to prevent a nuclear Iran.

In closing, I would like to ask critics of the deal what they believe their moral responsibility will be if their relentless efforts to undo the deal are successful? How do you think rejection by the U.S. of the nuclear deal will affect American leadership on any future foreign policy negotiations?

Some critics of the Iran nuclear deal express outrage that the deal has not curtailed Iran's other destabilizing influence in the region or support for what they say is terrorism at this time.

I think it is important to note that the Iran nuclear deal was quite deliberately focused on the nuclear issue as the paramount concern regarding Iran's foreign policy. The Iran nuclear deal is an arms control agreement, and in that respect, it has been successful to date.

It is my hope that the ongoing success of the nuclear deal might give us the leverage to work toward constructing a better policy towards Iran that will help us address the range of Iran's destabilizing behavior in the region, but I urge my colleagues not to confuse the legislation like H.R. 5461 with any serious effort to move us in that direction. So rather than force the President to veto this harmful and misguided legislation, I urge my colleagues to block this bill from moving forward here in the House.

Mr. Chairman, I am going to reiterate that the world is watching what we do here. I want to reiterate that we didn't just enter into this deal by ourselves. We have all of our allies who have agreed to this deal. If this is undermined, if it is seen to cause us to act in bad faith, then what are we to say to our allies? What are we to say to the rest of the world about a deal that was negotiated by the leader of this country, the President of the United States?

If the President of the United States of America can't count on the Congress of the United States to back him up in the world, if the President of the United States can't count on the Members of Congress to stand with him, and if the President of the United States can't be comfortable that the Members of Congress are not going to make him look as if he did not mean what he said, that he was not truthful in the negotiation, then what can a leader do? How can a leader lead a country?

All of us who claim to love this country and to care about its safety and security have ourselves on the line with this legislation. This is legislation that will be deemed to undermine that agreement and be seen as just another attempt to undermine the President of the United States of America. It is not concerned about whether or not we have stopped the nuclear proliferation in Iran, not concerned that we have caused all of that region to feel safe and us to feel safe for another generation, but rather, pursuing to undermine the agreement simply because they don't like some part of it or they are not able to make the President do what they want him to do.

This is outrageous. This cannot go forward in the way that it is intended by my friends on the opposite side of

the aisle. I know that they are smart and they are bright and they are intelligent, but they cannot let their emotions about either not liking the President of the United States or simply not liking Iran to get in the way of this deal that will create safety in the world.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

I cannot imagine what the American people who are tuning in to C-SPAN must think. They must think that when they hear our friends on the other side of the aisle, that they have tuned in not to the United States Congress, but to the Iranian Parliament.

Rarely have I heard so many come to the House floor to defend this regime. Oh, oh, we might hurt their feelings if we make them disclose their personal finances.

Mr. Chairman, every Member of Congress has to disclose their personal finances. So what is wrong with the foremost state sponsor of terrorism exposing their assets, their funding, where they control one-third of the Iranian economy?

No. We hear: Oh, we might hurt their feelings, we may hurt their sensibilities.

Now, many have come to quote the administration. Well, Mr. Chairman, let me quote the administration—the State Department's Country Reports on Terrorism. The last one noted that: "Iran continued to sponsor terrorist groups around the world, principally through its Islamic Revolutionary Guard Corps. . . . These groups included Lebanese Hizballah, several Iraqi Shia militant groups, Hamas, and Palestine Islamic Jihad. Iran, Hizballah, and other Shia militia continued to provide support to the Assad regime, dramatically bolstering its capabilities, prolonging the civil war in Syria, and worsening the human rights and refugee crisis there."

Mr. Chairman, those aren't my words. Those are the words of the President's State Department. Now, this is their country report.

Maybe, maybe my colleagues on the other side of the aisle would like to offer an amendment so that no longer can the State Department publish such reports on terrorism because it might offend the sensibilities of the Iranians.

The truth is, Mr. Chairman, this is a total red herring. There is nothing, nothing in this bill that violates the JCPOA. I think it is a terrible agreement. This is well known. In fact, a strong majority of this body opposed it, but we understand the President entered into it.

How can they object? How can my friends on the other side of the aisle object to transparency and accountability for the leadership of the world's foremost state sponsor of terrorism—

again, that is the Obama administration saying that, Mr. Chairman—how can they object to a little transparency there and yet allow this report to come out from the State Department?

It makes no sense at all. We heard some say: Oh, my Lord, this might take up resources at the State Department.

Well, according to the Congressional Budget Office, this comes in in thousands. Not millions, not billions, not trillions, but thousands. And given that the most important thing we do as Members of Congress is to provide for the common defense, including the common defense against the world's foremost state sponsor of terrorism, I think that it would be wise that we put the resources towards this report. It may be a first because I have never heard, in the years I have been here, any of my Democratic colleagues ever be concerned about the resources of the United States of America, as they have worked to give us the worst debt and deficit in the history of our Republic, an unsustainable debt that undermines our common defense.

Again, Mr. Chairman, this is a regime involved in cyberterrorism. This is a regime trying to develop ballistic missile technology. This is a regime that funds Hezbollah as it rains missiles down on Israel.

The gentleman from Maine (Mr. POLIQUIN) has come up with a very commonsense piece of legislation. I applaud his leadership in bringing forth H.R. 5461. Let's have some transparency, let's have some accountability. We know—we know that to combat terrorist financing. We must follow the money. We must expose the money. And that is what the gentleman from Maine does with his bill.

I do not understand why such a commonsense piece of legislation is being so vigorously opposed by my friends on the other side of the aisle. Again, Americans must be in a tizzy trying to figure out if they have tuned in to the United States Congress or the Iranian Parliament. Let's make sure they understand this is the United States Congress. We will stand for the common defense, we will expose this terrorist financing, and we will stand with the gentleman from Maine (Mr. POLIQUIN) and stand for all Americans, and we will vote for H.R. 5461.

I yield back the balance of my time. Mr. SMITH of New Jersey. Mr. Chair, I rise today to support H.R. 5461, the "Iranian Leadership Transparency Act," introduced by my colleague BRUCE POLIQUIN.

This bill will give the Iranian people some measure of the transparency they deserve—but have long been denied—about the corrupt financial dealings of their government. H.R. 5461 would require the Administration to produce an annual report on the financial and other assets owned by Iran's senior leaders and the highest ranks of Iran's Islamic Revolutionary Guard Corps.

The report will be published in an easily downloadable format in English, Farsi, Arabic, and Azeri to make sure the information winds up in the hands of Iranians and empowers transparency advocates.

With a corruption index ranking of 130 out of 168 countries from Transparency International and a media freedom ranking of 169 out of 180 from Reporters Without Borders, Iran is one of the most difficult climates in which to discover and report the truth about official corruption.

This United States Government report would provide unique insights for Iranian and international audiences, particularly since so much of Iran's economy is controlled by shadowy organizations, such as the Islamic Revolutionary Guard Corps. The United States Institute of Peace assesses that the IRGC is Iran's single largest economic force with major stakes in most sectors of the economy, including construction, energy, and telecommunication, among others.

To further draw back the curtain on Iran's shadowy dealings, the report would detail how the IRGC and Iranian leaders acquired these assets, how they use them, and any methods or techniques they have employed to launder them.

Mr. Chair, the report will also enable us to whether the Administration is doing everything in its power to curtail Iran's well-known money laundering practices—which serve as the conduit for much of the support Iran provides to the terrorist groups and armed proxies that threaten American and Israeli lives on a daily basis.

I urge my colleagues to support this legislation.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 5461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iranian Leadership Asset Transparency Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Iran is characterized by high levels of official and institutional corruption, and substantial involvement by Iran's security forces, particularly the Islamic Revolutionary Guard Corps (IRGC), in the economy.

(2) Many members of Iran's senior political and military leadership have acquired significant personal and institutional wealth by using their positions to secure control of significant portions of Iran's national economy.

(3) Sanctions relief provided through the Joint Comprehensive Plan of Action has resulted in the removal of many Iranian entities that are tied to governmental corruption from the list of entities sanctioned by the United States.

(4) The Department of Treasury in 2011 designated the Islamic Republic of Iran's financial sector as a jurisdiction of primary money laundering concern under section 311 of the USA PATRIOT Act, stating "Treasury has for the first time identified the entire Iranian financial sector; including Iran's

Central Bank, private Iranian banks, and branches, and subsidiaries of Iranian banks operating outside of Iran as posing illicit finance risks for the global financial system.”.

(5) Iran continues to be listed by the Financial Action Task Force (FATF) among the “Non-Cooperative Countries or Territories”—countries which it perceived to be non-cooperative in the global fight against terror finance and money laundering.

(6) Iran and North Korea are the only countries listed by the FATF as “Non-Cooperative Countries or Territories” against which FATF countries should take measures.

(7) The Transparency International index of perceived public corruption ranks Iran 130th out of 168 countries surveyed.

(8) The State Department identified Iran as a country/jurisdiction of “primary concern” for money laundering in its 2014 International Narcotics Control Strategy Report (INCSR).

(9) The State Department currently identifies Iran, along with Sudan and Syria, as a state sponsor of terrorism, “having repeatedly provided support for acts of international terrorism”.

(10) The State Department’s “Country Reports on Terrorism”, published last in June 2015 noted that “Iran continued to sponsor terrorist groups around the world, principally through its Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF). These groups included Lebanese Hizballah, several Iraqi Shia militant groups, Hamas, and Palestine Islamic Jihad. Iran, Hizballah, and other Shia militia continued to provide support to the Assad regime, dramatically bolstering its capabilities, prolonging the civil war in Syria, and worsening the human rights and refugee crisis there.”.

(11) The Iranian Government’s tolerance of corruption and nepotism in business limits opportunities for foreign and domestic investment, particularly given the significant involvement of the IRGC in many sectors of Iran’s economy.

(12) The IRGC and the leadership-controlled bonyads (foundations) control an estimated one-third of Iran’s total economy, including large portions of Iran’s telecommunications, construction, and airport and port operations. These operations give the IRGC and bonyads vast funds to support terrorist organizations such as Hezbollah and Hamas.

(13) By gaining control of major economic sectors, the IRGC and bonyads have also served to further disadvantage the average Iranian.

SEC. 3. REPORT REQUIREMENT RELATING TO ASSETS OF IRANIAN LEADERS AND CERTAIN SENIOR POLITICAL FIGURES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, and annually thereafter (or more frequently if the Secretary of the Treasury determines it appropriate based on new information received by the Secretary) for the following 2 years, the Secretary of the Treasury shall, in furtherance of the Secretary’s efforts to prevent the financing of terrorism, money laundering, or related illicit finance and to make financial institutions’ required compliance with remaining sanctions more easily understood, submit a report to the appropriate congressional committees containing—

(1) the estimated total funds or assets held in accounts at U.S. and foreign financial institutions that are under direct or indirect control by each natural person described in subsection (b) and a description of such assets;

(2) an identification of any equity stake such natural person has in an entity on the Department of the Treasury’s list of Specially Designated Nationals or in any other sanctioned entity;

(3) a description of how such funds or assets or equity interests were acquired, and how they have been used or employed; and

(4) a description of any new methods or techniques used to evade anti-money laundering and related laws, including recommendations to improve techniques to combat illicit uses of the U.S. financial system by each natural person described in subsection (b).

(b) PERSONS DESCRIBED.—The natural persons described in this subsection are the following:

(1) The Supreme Leader of Iran.
(2) The President of Iran.
(3) Members of the Council of Guardians.
(4) Members of the Expediency Council.
(5) The Minister of Intelligence and Security.

(6) The Commander and the Deputy Commander of the IRGC.

(7) The Commander and the Deputy Commander of the IRGC Ground Forces.

(8) The Commander and the Deputy Commander of the IRGC Aerospace Force.

(9) The Commander and the Deputy Commander of the IRGC Navy.

(10) The Commander of the Basij-e Mostaz’afin.

(11) The Commander of the Qods Force.

(12) The Commander in Chief of the Police Force.

(13) The head of the IRGC Joint Staff.

(14) The Commander of the IRGC Intelligence.

(15) The head of the IRGC Imam Hussein University.

(16) The Supreme Leader’s Representative at the IRGC.

(17) The Chief Executive Officer and the Chairman of the IRGC Cooperative Foundation.

(18) The Commander of the Khatam-al-Anbia Construction Head Quarter.

(19) The Chief Executive Officer of the Basij Cooperative Foundation.

(20) The head of the Political Bureau of the IRGC.

(c) FORM OF REPORT; PUBLIC AVAILABILITY.—

(1) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(2) PUBLIC AVAILABILITY.—The unclassified portion of such report shall be made available to the public and posted on the website of the Department of the Treasury—

(A) in English, Farsi, Arabic, and Azeri; and

(B) in precompressed, easily downloadable versions that are made available in all appropriate formats.

(d) SOURCES OF INFORMATION.—In preparing a report described under subsection (a), the Secretary of the Treasury may utilize any credible publication, database, web-based resource, and any credible information compiled by any government agency, nongovernmental organization, or other entity provided to or made available to the Secretary.

(e) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) FUNDS.—The term “funds” means—

(A) cash;

(B) equity;

(C) any other intangible asset whose value is derived from a contractual claim, including bank deposits, bonds, stocks, a security as defined in section 2(a) of the Securities Act of 1933 (15 U.S.C. 77b(a)), or a security or an equity security as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(D) anything else that the Secretary determines appropriate.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 114-778. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POLIQUIN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-778.

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 23, strike “Committee on Financial Services” and insert “Committees on Financial Services and Foreign Affairs”.

Page 9, line 24, strike “Committee” and insert “Committees”.

Page 10, line 1, after “Affairs” insert the following: “and Foreign Relations”.

The CHAIR. Pursuant to House Resolution 876, the gentleman from Maine (Mr. POLIQUIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, I rise to offer the Poliquin amendment to the Iranian Leadership Asset Transparency Act.

My amendment is very simple, Mr. Chairman. It adds the Committee on Foreign Affairs to the reporting requirements in the bill.

Right now, the legislation requires the Department of Treasury to provide a report to the House Financial Services Committee and the Senate Banking Committee, the unclassified portion of which will be posted for everyone to see on the U.S. Department of Treasury’s Web site. My amendment, Mr. Chairman, adds the House Committee on Foreign Affairs and the Committee on Foreign Relations in the Senate as appropriate congressional committees to receive the report.

It is a small adjustment to the bill, but a good one, as I think we all benefit from the good work that Chairman ROYCE and his committee has conducted with regard to the Iranian regime.

I urge support of this amendment and, once again, for the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. POLIQUIN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. YOUNG OF INDIANA

The Acting CHAIR (Mr. SIMPSON). It is now in order to consider amendment No. 2 printed in House Report 114-778.

Mr. YOUNG of Indiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 7, strike "and".

Page 7, line 13, strike the period and insert a semicolon.

Page 7, after line 13, insert the following:

(5) recommendations for how U.S. economic sanctions against Iran may be revised to prevent the funds or assets described under this subsection from being used by the natural persons described in subsection (b) to contribute to the continued development, testing, and procurement of ballistic missile technology by Iran;

(6) a description of how the Department of the Treasury assesses the impact and effectiveness of U.S. economic sanctions programs against Iran; and

(7) recommendations for improving the ability of the Department of the Treasury to rapidly and effectively develop, implement, and enforce additional economic sanctions against Iran if so ordered by the President under the International Emergency Economic Powers Act or other corresponding legislation.

The Acting CHAIR. Pursuant to House Resolution 876, the gentleman from Indiana (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

□ 1615

Mr. YOUNG of Indiana. Mr. Chairman, I rise in support of my amendment to the Iranian Leadership Asset Transparency Act.

I thank the gentleman from Maine (Mr. POLIQUIN) for his timely and valuable bill.

Iran is a determined and treacherous enemy of the United States. Despite the hopes of the Obama administration's following the adoption of the JCPOA nuclear agreement, Iran has only escalated its aggressive foreign policy over the past year. It has not locked arms agreeably with the community of civilized nations.

While the Obama administration removed the sanctions related to Iran's nuclear program following the adoption of the JCPOA, U.S. sanctions remain in place against Iran in response to its state sponsorship of terrorism, ballistic missile program, and human rights violations.

Tracking and cataloging the assets and funds that are controlled by the Iranian regime is a necessary step towards uncovering how Iran continues

to challenge and attempts to circumvent the U.S. sanctions regime.

My amendment simply builds upon the excellent foundation laid out in the underlying bill by expanding the scope of the reporting requirements. These new components require Treasury to provide recommendations for improving the U.S. sanctions regime against Iran and a description of how Treasury assesses the impact and effectiveness of U.S. sanctions.

The amendment will enhance the ability of Congress to assess and exercise oversight over Iran policy. The expanding reporting requirements will also contribute to the ability of Congress to ensure that Iran policy is serving the national security interests of the United States.

Iran's continued aggression threatens all Americans regardless of one's political party. It is not partisan maneuvering for Congress to require the Department of the Treasury to provide valuable information to Congress on matters of great importance to our national security.

Mr. Chairman, I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, the Young amendment would add three additional requirements to the report that are called for under the underlying bill, including a description of how the administration views the effectiveness of its sanctions programs and recommendations for improving their enforcement.

I believe it would be a strategic mistake to disclose to our adversaries how we view the effectiveness of our sanctions programs and would be imprudent to signal to them how we might respond or alter our approach through the use of economic sanctions.

Furthermore, the amendment appears to be premised on the assumption that the administration isn't already actively enforcing sanctions related to Iran, particularly its pursuit of ballistic missile technology. Ironically, the extensive reporting requirements on roughly 80 senior Iranian officers in the underlying bill would detract from the administration's ability to implement the very sanctions that the Young amendment seeks to embrace.

Given its false premise, the increased burden the amendment would place on the Treasury Department, and the strategic folly of revealing our strategy for using sanctions to rein in Iran's nefarious behavior, I oppose the amendment.

Mr. Chairman, I simply don't believe that these Members who are engaging in this kind of activity really understand what they are doing. I refer to it as folly, but it is worse than that. It is

weighing in on something they really don't know about. In doing so, they don't recognize the damage they are doing to their own country and to the President of the United States. I oppose this amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. LANCE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-778.

Mr. LANCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, after line 23, insert the following:

(21) The head of the Atomic Energy Organization of Iran.

The Acting CHAIR. Pursuant to House Resolution 876, the gentleman from New Jersey (Mr. LANCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. LANCE. My thanks to Chairman HENSARLING, and my thanks, as well, to Congressman POLIQUIN for their tremendous leadership on this issue.

Mr. Chairman, this is not about the underlying Iranian nuclear agreement, and nothing in this amendment and nothing in the Poliquin bill will change that agreement. Obviously, there is significant debate about the underlying agreement. I am a strong opponent of that, as was the majority here in the House of Representatives. Unfortunately, the other Chamber never voted on the issue because we could not reach a conclusion of debate on that issue.

On this amendment, it is in our national security interest to be scrutinizing the assets that are held by senior Iranian political and military leaders so that we might know how those assets were acquired and how they are being spent. This amendment would add the name of the head of the Iranian Atomic Energy Organization, a position currently held by Ali Akbar Salehi, to a list of Iranian leaders who are named in this legislation.

Given Iran's known desire for a nuclear weapons program and its clear ties to international terror, we should be monitoring the finances of the head of its nuclear program regardless of who he is. For years, the Iranian regime has been mired in institutionalized corruption; and the nexus of nuclear weapons, state-sponsored terrorism, money laundering, secret financial agreements, and mass pilfering from the Iranian people is cause for great alarm.

Mr. Chairman, we need all of the tools at our disposal. Let's add the head of the Atomic Energy Organization of Iran to this legislation, and

let's have the U.S. Treasury do all it can to investigate the finances of this regime.

Mr. Chairman, I urge a "yes" vote on the amendment I am offering, and I certainly urge a "yes" vote on the underlying legislation that has been sponsored by Congressman POLIQUIN.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chairman, I really should not spend my time on this. This is kind of ridiculous that this long list we have of which they want to find out about the assets—where they came from, how they are managed, who they give them to, et cetera—is kind of senseless anyway because, even if the Treasury Department took all of this time and effort that it should be using on enforcing sanctions, et cetera, it would be classified. I don't know how they expect to get this to the Iranian people to view as they are trying to have them think that they can somehow undermine what their government is doing and, I guess, create a war between Iran and the United States.

I don't know what they are doing, but I know this—it doesn't make good sense. It ties up the Treasury Department to do all of this useless stuff. And to have a list where you spend time on the floor of the United States Congress saying, I want to add one more name—give me a break. I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. LANCE).

The amendment was agreed to.

The Acting CHAIR. There being no further amendment, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHABOT) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, and, pursuant to House Resolution 876, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5931, PROHIBITING FUTURE RANSOM PAYMENTS TO IRAN ACT, AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 114-781) on the resolution (H. Res. 879) providing for consideration of the bill (H.R. 5931) to provide for the prohibition on cash payments to the Government of Iran, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REQUIRE EVALUATION BEFORE IMPLEMENTING EXECUTIVE WISHLISTS ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 3438.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 875 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3438.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1627

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the

consideration of the bill (H.R. 3438) to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Washington's regulatory system is one that virtually every day places new obstacles in the path of American jobs and economic growth. The biggest obstacles of all are new regulations that impose more than \$1 billion per year in costs on the American economy.

Struggling workers, families, and small business owners have every right to ask why regulations that cost this much are ever promulgated at all. Surely, there are less costly measures that are effective and should be adopted instead.

Those less costly measures would allow many more resources to be devoted to job creation and productive investment. But billion-dollar rules are promulgated, and there are more and more as the Obama administration grinds to an end. This is one of the reasons our economy has faced so much difficulty in achieving a full recovery under the Obama administration's misguided policies.

Making matters worse, when billion-dollar rules are challenged in court, regulated entities must often sink billions of dollars into compliance while litigation is pending even if that litigation ultimately will be successful. Such was the case in *Michigan v. EPA*, for example, in which an Environmental Protection Agency rule for utilities imposed about \$10 billion in costs to achieve just \$4 million to \$6 million in benefits. That is, at best, about \$1,600 in costs for every \$1 of benefit.

□ 1630

This is money for job creation and economic recovery we simply cannot afford to waste. But EPA and the courts allowed it to be wasted for years during successful litigation challenging the rule, because neither the EPA nor the courts stayed the rule.

The REVIEW Act, introduced by Subcommittee on Regulatory Reform, Commercial and Antitrust Law Chairman MARINO, is a commonsense measure that responds to this problem with a simple, bright-line test. Under the bill, if a new regulation imposes \$1 billion or more in annual cost, it will not go into effect until after litigation challenging it is resolved. Of course, if the regulation is not challenged, it

may go into effect as normal. This is a balanced approach, and it provides a healthy incentive for agencies to promulgate effective, but lower-cost regulations that are more legally sound to begin with.

I want to thank Subcommittee on Regulatory Reform, Commercial and Antitrust Law Chairman TOM MARINO for his work on this important legislation.

I urge all of my colleagues to support the bill.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 3438 would stay the enforcement of any rule imposing an annual cost to the economy in excess of \$1 billion, pending judicial review.

Now, do you suspect what that might do? It would have a pernicious impact on rulemaking and the ability of agencies to respond to critical health and safety issues. In essence, the bill would encourage anyone who wants to delay a significant rule from going into effect to simply seek a judicial review of the rule.

Please, we all know that the judicial review process can take months—sometimes years—to finalize, especially if the appellate process reaches the United States Supreme Court. So rather than ensuring predictability and streamlining the rulemaking process, this bill would have the completely opposite impact by making the process less predictable and more time-consuming.

Equally important, H.R. 3438 has absolutely no health or safety emergency exceptions. If anything, this bill would empower the very entities that caused a serious health or safety risk to delay and maybe even derail legitimate efforts by regulatory agencies to respond to such threats.

As with other bills proposed by my colleagues on the other side of the aisle, this legislation myopically focuses only on the cost of a proposed rule while ignoring the rule's benefits, which often exceed its costs by many multiples.

In closing, there is broad agreement among experts in the administrative law field that our Nation's regulatory system is already too cumbersome and slow-moving.

Now, in addition to the Administrative Procedure Act's procedural mechanisms which are designed to ensure an open and fair rulemaking system, Congress has passed various additional Federal laws that impose further rulemaking requirements, and rulemaking agencies must also comply with a number of executive orders issued over the past several decades that have created additional layers of analytical and procedural requirements. The result of this dense web of existing requirements is a complex, time-consuming rulemaking process.

In response to the explosion of analytical requirements imposed on the rulemaking process, the American Bar Association as well as many administrative law experts have urged Congress to exercise restraint and assess the usefulness of existing requirements before considering sweeping legislation.

Imposing new analytical and procedural requirements on the administrative system also carries real human and economic costs. As Professor Weissman, the president of Public Citizen, has observed, the cost of regulatory delay is "far more severe than generic inefficiency. Lengthy delay costs money and lives; it permits ongoing ecologic destruction and the infliction of needless injury; and it enables fraudsters and wrongdoers to perpetuate their misdeeds."

Rather than alleviating these problems, H.R. 3438 would clearly exacerbate them. Accordingly, I must urge Members to oppose this ill-conceived legislation.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MARINO), the chief sponsor of the legislation and the chairman of the Regulatory Reform, Commercial and Antitrust Law Subcommittee of the Judiciary Committee.

Mr. MARINO. Mr. Chairman, I thank the full committee chairman, Mr. GOODLATTE, for supporting the REVIEW Act as an original cosponsor and for moving it through the Judiciary Committee. I am also grateful for the many other Members who have cosponsored this bill.

The REVIEW Act rests upon a very simple premise: that regulations with annual costs exceeding \$1 billion annually should receive full judicial review before they go into effect.

The regulations we are concerned about are so massive that their compliance costs are felt nationwide. These regulations touch every corner of our economy. They drive up the cost to put food on the table and clothes on our backs, and, in the worst of situations, they take away the very jobs Americans have earned.

Due to these immense costs, it is not only prudent, but appropriate that aggrieved parties have their day in court. These costs demand that executive agencies must justify their reasoning and legal underpinnings of their rulemaking. Requiring American taxpayers and businesses to comply before the judicial process runs its course reeks of injustice.

Historically, these high-impact rules with costs over \$1 billion annually have been few and far between. Since 2006, there have been just 26 in total. However, in recent years, their number has grown exponentially alongside the growth and reach of the regulatory

state. There have been an average of three over the past 8 years and six in 2014 alone.

Although some may insist that the straightforward reforms in this bill overreach, recent events indicate otherwise. Last summer, in the Supreme Court's decision in *Michigan v. EPA*, we saw firsthand the irreparable harm that can occur when expansive, costly, and poorly crafted regulations are not given time for review. In this case, the Court found that the EPA had promulgated its Utility MACT power plant rule through a faulty process and on legally infirm grounds because it chose not to consider costs when promulgating the rule. The costs of the rule were estimated by the EPA itself—by the EPA who created the rule—at \$9.6 billion per year. In return, the EPA's best estimate of potential benefits were in the range of a mere \$4 million to \$6 million—with an M—annually.

As the late Justice Antonin Scalia wrote in his opinion for the Court: "One would not say that it is even rational, never mind 'appropriate,' to impose billions of dollars in economic costs in return for a few dollars in health or environmental benefits."

Unfortunately for workers, homeowners, and taxpayers across the country, when the Utility MACT rule was promulgated in early 2012 and after litigation began, neither the EPA nor Court stayed it, pending judicial review. It remained in effect as litigation took 3 years to work itself to a final decision in the Supreme Court in 2015. When review finally got to the Court, the effects were nearly irreversible.

Action on the REVIEW Act is a reasonable step on our part to continue proper and reasonable regulatory reforms.

The CHAIR. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Chairman, I yield an additional 2 minutes to the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, action on the REVIEW Act is a reasonable step on our part to continue proper and responsible regulatory reform.

In the end, this is a bill that encourages smaller, sensible rulemaking. When the costs are borne on the back of our constituents, this is a cause that we all certainly can get behind.

Mr. Chairman, it is not only important because of the jobs that are lost, because of the businesses, the manufacturing companies that are going out of business because of these rules by the EPA and other agencies, but it is Congress' responsibility to litigate and Congress' responsibility to set budgets and control the purse strings.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise to speak in opposition to H.R. 3438, the Require Evaluation Before Implementing Executive Wishlists

Act of 2016, also known as the REVIEW Act, which would automatically stay so-called high-impact rules that a party challenges by filing suit in court.

Now, this is a very arcane and esoteric subject that my colleagues on the other side of the aisle will literally put you to sleep listening to their arguments about it. But make no mistake about it, this is a very important piece of legislation that would torpedo the good work of legislators who are trying to protect the health, safety, and well-being of the American people.

Simply put, this bill is yet another reckless measure designed to delay the implementation of the most important rules protecting the health, safety, and financial well-being of everyday people. Passage of this bill will only benefit the pocketbooks of the large corporations in the top 1 percent while the American people will be left unprotected from corporate greed.

Other than satisfying the insatiable thirst of the superwealthy for more and more and more profits to stuff into their already fat and overflowing pockets, this bill is completely unnecessary and is not in the best interest of the greater good.

Under current law, both courts and the agency issuing a rule may stay the effective date of a final rule. While agencies have broad discretion in postponing the effective date of a rule, a court considers several factors in deciding whether to stay a rule, including whether the party is likely to succeed on the merits.

In 2009, the Supreme Court, in *Nken v. Holder*, instructed courts to consider four factors when deciding whether to issue a stay: One, whether the stay applicant has made a strong showing that he is likely to succeed on the merits; two, whether the applicant will be irreparably injured absent a stay; three, whether the issuance of the stay will substantially injure the other parties interested in the proceedings; and, four, where the public interest lies.

The REVIEW Act would discard this very flexible and practical test in favor of an inflexible and unyielding requirement that agencies automatically delay the effective date of any rule exceeding \$1 billion in costs that is challenged in court regardless of whether the party challenging the rule has any likelihood of success on the merits, is actually harmed by the rule, or whether staying the rule would be contrary to the public interest.

□ 1645

It is virtually guaranteed that every high-impact rule would be delayed through litigation challenges, regardless of whether the litigation is meritorious. Frivolous litigation would almost certainly create years of delays for these rules which, in many cases, have already taken years to promulgate.

But the bill wouldn't just simply apply to lifesaving rules that exceed \$1 billion in costs that keep our air clean and our children safe. Rather, it would likely apply to transfer rules which involve the transfer of funds for budgetary programs authorized by Congress, such as transfer rules involving the Medicare program or the Federal Pell Grant Program, as the Office of Management and Budget has clarified.

Lastly, Mr. Chairman, I oppose this bill because it is a dangerous solution to a nonexistent problem. Any party affected by a final agency action may challenge that action in court while agencies may also delay the effective date of rules on a discretionary basis. Professor William Funk, a leading administrative law expert, explains that existing law "weeds out frivolous claims and takes account of both the cost of the rule and the benefits of the rule that would be avoided by granting the stay." Absent any evidence whatsoever that courts have inappropriately refused to grant stays, I am confident that existing law provides adequate protection.

In closing, I urge my colleagues to oppose this legislation and make in order any of the amendments that you will hear hereafter.

Mr. GOODLATTE. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, I rise today in support of the REVIEW Act. Since 2009, this administration has imposed almost 21,000 rules and regulations on U.S. families and job creators. Of those, over 200 are major regulations, costing \$108 billion annually, \$22 billion of that coming from 43 major rules just last year.

These regulations suffocate opportunity and economic freedom. Whether it is EPA's rule that will double the electricity bills of hardworking families or EPA's waters of the U.S. Federal land grab rule that will force landowners to get permission from the Federal Government in order to make decisions on their land or face onerous fines, it is time to rein in the Federal control over our lives that is hurting people.

In my district in western central Missouri, one of these rules, the Department of Labor's overtime rule, which is set to go into effect December 1, will hurt everyday Americans, raising the cost of living while reducing wages and incomes.

A senior care group in my district has told me that this rule will likely lead to a reduction in hiring, meaning fewer seniors will be able to get care. Schools have expressed concerns that they will be forced to cut staff and limit the educational services and extracurricular activities they provide for our students. A bank in my district will have to transition 13 of their salaried tellers on staff to hourly wage

workers in order to assume the \$129,000 in anticipated compliance costs from this rule. Religious organizations have also told me that they will have to cut staff, reducing their ability to provide charitable services to those in need.

Washington's top-down mandates are hurting our friends and our neighbors. We need this bill to stop these overbearing regulations which cripple industries and harm American livelihoods. Instead of stifling opportunity, we should remove barriers to job creation and economic prosperity. I urge my colleagues to support this important piece of legislation.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the ranking member for yielding.

The majority argues that H.R. 3438 responds to cases where a court vacates a rule after it has already gone into effect. The majority argues that H.R. 3438 responds to the Supreme Court's 2015 decision in *Michigan v. EPA*, where the Court remanded a clean air rule adopted by the Environmental Protection Agency to reduce power plants' emissions of hazardous air pollutants.

As leading administrator and law professor William Funk has noted, the Court remanded the rule rather than vacating it altogether because the "grounds upon which the Supreme Court found the rule invalid appear to be easily remedied." He further observes that delaying this rule would cost the U.S. economy \$20 to \$80 billion per year.

Importantly, the industry and State challengers to the EPA's rule at issue in *Michigan v. EPA* did not seek judicial stay of the rule prior to the Court's remand. Perhaps that is because they knew it would fail and that they could not meet the judicial test requiring showings of irreparable harm and likelihood of success on the merits.

These challengers are hardly in a good position to complain now about the rule being found unlawful in one respect but not unlawful with respect to every other issue raised by the challengers when they themselves even failed to ask the Court to stay the rule beforehand.

Furthermore, notwithstanding the majority's misleading claims that this rule caused irreparable harm and cost billions of dollars to implement while only offering potential benefits in the millions of dollars, the Office of Information and Regulatory Affairs, which is the same entity that would be charged with conducting cost estimates under the bill, states that annual benefits of the rule range between \$30 and \$90 billion, very much dwarfing its annual cost of \$9.6 billion.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 1 minute to the gentleman.

Mr. JOHNSON of Georgia. Mr. Chair, I thank the ranking member.

Following the Court's remand, the EPA has reaffirmed its original finding that it is appropriate to achieve deep cuts in mercury and up to 7 dozen hazardous air pollutants such as lead, arsenic, and benzene from coal-burning power plants even after considering cost, which was the only issue in the Supreme Court's remand of the case.

This rule delivers immense benefits to Americans, with monetized benefits greatly outweighing compliance costs. An automatic stay brought by the REVIEW Act would result in all of those health hazards—4,200 premature deaths, 2,800 cases of chronic bronchitis, and on and on and on. The automatic stay brought by the REVIEW Act, if it passes, would result in so many health hazards occurring to Americans and health costs being borne by the public after the rules compliance date.

I urge my colleagues to vote against this ill-founded and ill-conceived piece of legislation.

Mr. GOODLATTE. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, there is broad opposition to H.R. 3438. In the context of a veto threat, the Obama administration notes in its Statement of Administration Policy that H.R. 3438 would "promote unwarranted litigation, introduce harmful delay, and, in many cases, thwart implementation of statutory mandates and execution of duly enacted laws," and would also "increase business uncertainty and undermine much-needed protections for the American public, including critical rules that provide financial reform and protect public health, food safety, and the environment."

The Coalition for Sensible Safeguards, which includes more than 150 diverse labor, consumer, public health, food safety, financial reform, faith, environmental, and scientific integrity groups representing millions of Americans, strongly opposes H.R. 3438, stating that it "will make the single biggest problem in our current regulatory process, namely, excessive and out of control regulatory delays, even worse."

Other leading consumer and public interest groups strongly oppose this misguided legislation, noting that, "like numerous other anti-regulatory bills," H.R. 3438 "further tilts the regulatory process in favor of corporate special interests by creating more opportunities for the manipulation and abuse of the process to their benefit and at the expense of protecting consumers, working families, and other vulnerable communities."

Indeed, this bill is no different than the many other antiregulatory bills

considered this Congress. It is a dangerous solution to a problem that is nonexistent. Accordingly, I urge each and every one of my colleagues on both sides of the aisle to resist this and oppose H.R. 3438.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from Michigan makes reference to the administration's Statement of Administration Policy on H.R. 3438. The administration opposes this bill precisely because it would be effective. It would help to halt their regulatory overreach. The administration claims that this bill is unnecessary because rulemaking procedures already exist to ensure that new rules are as least burdensome as possible and produce a net benefit, and courts already can issue judicial stays. But the whole reason for this legislation is that the administration is ignoring such procedures. The courts rarely issue judicial stays, and by the time the courts finally strike down illegal rules, it is too late.

For example, the administration lost in *Michigan v. EPA* because it failed to consider the costs and benefits of the rule which imposed about \$10 billion in costs to achieve just \$4 to \$6 million in benefits. By the time the Court issued the ruling, huge sums had already been spent on compliance.

These are resources that otherwise could have gone into productive jobs and investment rather than complying with an illegal rule. Our economy cannot afford this waste. Do not be fooled by the administration's fear-mongering about delaying rules addressing public safety emergencies. It is difficult to imagine a public safety emergency requiring a billion-dollar rule to solve.

Indeed, we reviewed a list of billion-dollar rules issued since 2000, and not one responds to an immediate public safety emergency. Even if there were such a case, imposing costs of that magnitude for whatever reason should be made by elected representatives accountable to the people, not agency bureaucrats. Instead of recommending a veto of this bill, the President's senior advisers should recommend agencies faithfully follow rulemaking procedures so Congress does not have to shorten the leash even further.

Billion-dollar rules are a fast-growing plague inflicted by Washington's out-of-control regulators on small businesses and ordinary citizens throughout the land. According to a 2014 report by the U.S. Chamber of Commerce, over 30 billion-dollar rules since the year 2000 are imposing roughly \$100 billion a year in costs on our struggling economy. The American Action Forum reports that the Obama administration plans to impose at least another \$113 billion in regulatory costs before it

leaves office, and this is on top of the estimated \$2 trillion-plus in total costs from Washington regulators that are crushing our economy and strangling economic recovery.

□ 1700

It is time for measures that shout, "Stop," to Washington's regulators and force them to find a better way. That is exactly what this bill does. It imposes automatic stays when new billion-dollar rules are challenged in court so small businesses and hard-working Americans don't have to bear the crushing cost of illegal rules while they pursue their rights in court. It creates a powerful incentive for agencies tempted to zoom past the billion-dollar mark to stop, turn around, and find a less costly way to achieve the same benefits for the American people.

Hopefully, once this bill becomes law, we will stop seeing needless billion-dollar rules. And if we ever do need a billion-dollar-a-year solution, this bill will help make sure regulators leave it to the accountable Members of Congress to make such monumental policy decisions by statute.

I urge all of my colleagues to support the bill.

Mr. Chair, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 3438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Require Evaluation before Implementing Executive Wishlists Act of 2016" or as the "REVIEW Act of 2016".

SEC. 2. RELIEF PENDING REVIEW.

Section 705 of title 5, United States Code, is amended—

(1) by striking "When" and inserting the following:

"(a) IN GENERAL.—When"; and

(2) by adding at the end the following:

"(b) HIGH-IMPACT RULES.—

"(1) DEFINITIONS.—In this subsection—

"(A) the term 'Administrator' means the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget; and

"(B) the term 'high-impact rule' means any rule that the Administrator determines may impose an annual cost on the economy of not less than \$1,000,000,000.

"(2) IDENTIFICATION.—A final rule may not be published or take effect until the agency making

the rule submits the rule to the Administrator and the Administrator makes a determination as to whether the rule is a high-impact rule, which shall be published by the agency with the final rule.

“(3) RELIEF.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an agency shall postpone the effective date of a high-impact rule of the agency until the final disposition of all actions seeking judicial review of the rule.

“(B) FAILURE TO TIMELY SEEK JUDICIAL REVIEW.—Notwithstanding section 553(d), if no person seeks judicial review of a high-impact rule—

“(i) during any period explicitly provided for judicial review under the statute authorizing the making of the rule; or

“(ii) if no such period is explicitly provided for, during the 60-day period beginning on the date on which the high-impact rule is published in the Federal Register,

the high-impact rule may take effect as early as the date on which the applicable period ends.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to impose any limitation under law on any court against the issuance of any order enjoining the implementation of any rule.”.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114-777. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CICILLINE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-777.

Mr. CICILLINE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 19, strike “; and” and insert a semicolon.

Page 3, line 21, insert after “rule” the following: “(other than an excepted rule)”.

Page 3, line 23, strike the period and insert “; and”.

Page 3, insert after line 23 the following:

(C) the term “excepted rule” means any rule that would reduce the cost of healthcare for a person over the age of 65.

The CHAIR. Pursuant to House Resolution 875, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chair, my amendment would exempt rules that reduce the cost of health care for Americans over the age of 65 from the unnecessary requirements of this legislation.

Mr. Chair, our country's seniors face growing healthcare costs, and any delays in rules that could reduce those

costs would be a terrible burden to place on America's seniors.

According to the latest retiree healthcare cost estimates from Fidelity Benefits Consulting, a 65-year-old couple retiring this year will need an average of \$260,000 in today's dollars to cover medical expenses throughout their retirement. That applies only to retirees with traditional Medicare insurance coverage and does not include costs associated with nursing home care.

Fidelity estimates that a 65-year-old couple would need an additional \$130,000 to ensure against long-term care expenses. That is because the median annual cost for the base rent at an assisted living community is about \$41,000 per year. The average annual cost for skilled nursing is about \$71,000 per year. Because much long-term care is provided by unpaid family caregivers or is covered by Medicaid, the average senior's lifetime out-of-pocket long-term care expenses are about \$50,000.

The legislation before us would open up the rulemaking process to lengthy delay tactics, allowing companies or entities opposed to certain rules to take advantage of the court system to stymie final rulemaking for years. Our seniors don't have years to wait on policies that could save them precious dollars in their retirement. There is already a robust process in place for opponents to challenge them in court, with the decision whether to delay a rule rightly placed in the court's hands.

This legislation is a gift to special interests who will benefit from the delay of the imposition of rules that reduce costs for seniors. These special interests are willing to spend millions of dollars and waste years fighting regulations that will benefit the American people, particularly our seniors.

High-impact rules typically involve either the transfer of Federal funds or rules with billions of dollars in benefits to the public. During fiscal year 2014, for example, executive branch agencies adopted 53 major rules, 35 of which were transfer rules. According to the Office of Management and Budget, transfer rules merely implement Federal budgetary programs as required or authorized by Congress, such as rules associated with the Medicare program and the Federal Pell Grant Program.

There are 44.9 million seniors on Medicare in this country. Frivolous lawsuits to delay rules that will increase benefits or those that will produce cost savings would be a grave betrayal of the promise that we have made to keep America's seniors healthy.

My amendment simply ensures that any rule that reduces costs of health care for Americans 65 or older will not be subject to unnecessary delays.

I urge my colleagues to support this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the REVIEW Act applies to all new billion-dollar rules. That is for one simple reason: the harm that wasting billions of dollars in unnecessary compliance costs does to job creation, productive investment, and economic recovery. Those costs should not have to be incurred during ultimately successful litigation challenging new billion-dollar rules.

The amendment is concerned primarily with transfer rules that authorize the flow of funding between Federal healthcare accounts for seniors. With respect to those rules, there is no need for concern that the bill would impede the operation of those rules. To my knowledge, there has never been a billion-dollar transfer rule, much less one affecting seniors, that has been challenged in court, nor am I am aware of any reason to expect that one ever will be challenged. The bill, of course, only requires a stay if a timely challenge to a rule is brought in court.

As for other rules that may be within the amendment's scope, if such rules are needed, then agencies can avoid the bill's application by coming up with effective regulations that cost less than \$1 billion a year. That is a goal to be pursued, not blocked.

If, in an unusual case, the needed solution truly must cost a billion dollars a year or more, then the decision to adopt that solution is a decision Congress should make, not an agency. Congress, moreover, can make that decision without hindrance of litigation through fair and open consideration and debate by the people's Representatives, not unaccountable bureaucrats.

I urge my colleagues to oppose the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, the chairman just made my point. This legislation, as currently written, would apply to all rules, including rules that would reduce the cost of health care for America's seniors. In fact, the OMB says—and I repeat—that a transfer rule merely implements Federal budgetary programs, as required or authorized by Congress, such as rules associated with the Medicare program and the Federal Pell Grant Program.

So we know, in fact, that, according to OMB, the Medicare program is considered part of the transfer rule. So this legislation, as currently written, means that all rules, including any rule that is promulgated that would reduce costs for seniors would, in fact, be subjected to this delay.

My amendment is necessary, by the chairman's own admission. We need

this amendment so that we can at least exempt out those provisions that might produce real savings for America's seniors.

Mr. Chair, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I oppose this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CICILLINE. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. DELBENE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-777.

Ms. DELBENE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 19, strike “; and” and insert a semicolon.

Page 3, line 21, insert after “rule” the following: “(other than an excepted rule)”.

Page 3, line 23, strike the period and insert “; and”.

Page 3, insert after line 23 the following:

(C) the term “excepted rule” means any rule that would increase college affordability.

The CHAIR. Pursuant to House Resolution 875, the gentlewoman from Washington (Ms. DELBENE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. DELBENE. Mr. Chair, I rise in support of my amendment to H.R. 3438, which would exempt from the bill any rule related to increasing the affordability of higher education.

It is no secret that the rising cost of college is posing grave challenges to students and families across the country. Every year, Americans are being forced to take out higher loan amounts to pay for tuition, fees, textbooks, and housing. Today, student debt totals more than \$1.3 trillion.

In my home State of Washington, 56 percent of graduates from 4-year universities leave school with debt and, on average, those students owe more than \$23,000 upon graduation. At a time when Americans owe more in student loan debt than credit card debt, it is more critical than ever that we prioritize college affordability for all.

The issue is personal for me. When I was young, my father lost his job, and my parents never got back on track financially. But thanks to student loans and financial aid, I was still able to get a great education. With that education

and hard work, I was able to build a successful career and be in the position that I am in today.

We need to make sure students have the same opportunities that were available to us. That starts by protecting the Department of Education's ability to administer vital financial aid programs like Pell grants and Federal student loans. These programs have enabled millions of low-income students to attend college. If we restrict the Department's ability to administer them, we are also endangering the millions of hardworking Americans who rely on their critical support.

This year alone, more than 8.4 million low-income students will benefit from Pell grants. Over 20 million student loans will be issued to help students and families afford the cost of college. We cannot put these essential resources at risk. They help ensure higher education is never out of reach, and they must be protected.

That is why I am offering this straightforward and narrowly tailored amendment. It simply protects the Department of Education's ability to administer Federal student aid programs that keep college affordable and accessible to all.

Today, too many families are struggling to put their kids through college, and we should be making it easier for them, not harder. My amendment will prevent the underlying bill from threatening the vital assistance offered each year through Pell grants, student loans, and other forms of financial aid.

Particularly as students are heading back to school in communities across the country, I urge my colleagues to support this important amendment.

Mr. Chair, I reserve the balance of my time.

Mr. MARINO. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Once again, the REVIEW Act applies to all new billion-dollar rules. The bill's relief is urgently needed. Failures to require stays of billion-dollar rules during litigation wastes billions of dollars in unnecessary compliance costs and resources that are needlessly paid. Those costs are essential to job creation, productive investment, and economic recovery. These costs should not have to be incurred during ultimate successful litigation challenging new billion-dollar rules.

If education rules like those the amendment would carve out are needed, the relevant agencies can avoid the bill's application by coming up with effective regulations that cost less than \$1 billion a year. That is a goal to be pursued, not blocked, especially when it is the presence in higher education that is actually driving up much of the

cost concerning the upward spiral in the cost of higher education.

If, in an unusual case, a needed solution truly must cost a billion dollars a year or more, then, once again, the decision to adopt that solution is a decision Congress should make, not an agency.

With all due respect, my friend and I have worked on legislation together. I have a list here of the billion-dollar rules and there is nothing—not one name on here—that has anything to do with the Department of Education.

Furthermore, I would love to work on a piece of legislation reducing the cost of post-high school education with my colleague. I didn't start college until after I was 30. My wife and I put me through college and law school. We borrowed money through grants and anything we could do. I know the cost of education was expensive back then, and I am stymied at what it is now, but this is not the mechanism to do that.

This legislation that Republicans brought to the floor—my legislation—deals with overseeing the government and the regulation that is crushing jobs in this country. Congress has the responsibility, as I repeat, to make the laws and to control the purse strings.

So I offer again to my good friend an opportunity to work with her on lowering the cost of education in this country, but I think it should be in a separate piece of legislation and not this. I ask my colleagues to not support the amendment and I ask them to support the overall legislation that we brought to the floor.

Mr. Chairman, I yield back the balance of my time.

Ms. DELBENE. Mr. Chairman, the bill, as it exists, doesn't require challenges to have any merit, so it opens the door to frivolous lawsuits. The Office of Management and Budget did say that this would hit the billion-dollar threshold.

I do think that it is very, very important that we support my amendment so that we protect students today from harmful, unintended consequences of the REVIEW Act. I want to thank my colleague for being willing to work together on ways to improve college affordability going forward. I would ask that he support this amendment as part of that, but I would be happy to work with him on other issues as well.

Mr. Chair, I yield back the balance of my time.

□ 1715

The CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. DELBENE).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MARINO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Washington will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-777 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. CICILLINE of Rhode Island.

Amendment No. 2 by Ms. DELBENE of Washington.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. CICILLINE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 232, not voting 10, as follows:

[Roll No. 532]

AYES—189

Adams	Davis, Danny	Johnson, E. B.
Aguilar	DeFazio	Jones
Ashford	DeGette	Kaptur
Bass	Delaney	Katko
Beatty	DeLauro	Keating
Becerra	DelBene	Kelly (IL)
Bera	Dent	Kennedy
Beyer	DeSaulnier	Kildee
Bishop (GA)	Deutch	Kilmer
Blum	Dingell	Kind
Blumenauer	Doggett	Kirkpatrick
Bonamici	Doyle, Michael	Kuster
Boyle, Brendan	F.	Langevin
F.	Duckworth	Larsen (WA)
Brady (PA)	Edwards	Larson (CT)
Brown (FL)	Ellison	Lawrence
Brownley (CA)	Engel	Lee
Bustos	Eshoo	Levin
Butterfield	Esty	Lewis
Capps	Farr	Lieu, Ted
Capuano	Foster	Lipinski
Cárdenas	Frankel (FL)	Loebsack
Carney	Fudge	Lofgren
Carson (IN)	Gabbard	Lowenthal
Cartwright	Gallago	Lowey
Castor (FL)	Garamendi	Lujan Grisham
Castro (TX)	Graham	(NM)
Chu, Judy	Grayson	Lujan, Ben Ray
Cicilline	Green, Al	(NM)
Clark (MA)	Green, Gene	Lynch
Clarke (NY)	Grijalva	Maloney
Clay	Gutiérrez	Carolyn
Cleaver	Hahn	Maloney, Sean
Clyburn	Hastings	Matsui
Cohen	Heck (WA)	McCollum
Connolly	Higgins	McDermott
Conyers	Himes	McGovern
Cooper	Hinojosa	McNerney
Costa	Honda	Meeks
Courtney	Hoyer	Meng
Crowley	Huffman	Moulton
Cuellar	Israel	Murphy (FL)
Cummings	Jackson Lee	Nadler
Curbelo (FL)	Jeffries	Napolitano
Davis (CA)	Johnson (GA)	Neal

Nolan	Ruiz
Norcross	Ruppersberger
O'Rourke	Ryan (OH)
Pallone	Sánchez, Linda
Pascarella	T.
Payne	Sarbanes
Pelosi	Schakowsky
Perlmutter	Schiff
Peters	Scott (VA)
Pingree	Scott, David
Pocan	Serrano
Poliquin	Sewell (AL)
Polis	Sherman
Price (NC)	Sinema
Quigley	Sires
Rangel	Slaughter
Rice (NY)	Smith (WA)
Richmond	Speier
Rigell	Swalwell (CA)
Ros-Lehtinen	Takano
Roysal-Allard	Thompson (CA)

NOES—232

Abraham	Goodlatte	Mica
Aderholt	Gosar	Miller (FL)
Allen	Gowdy	Miller (MI)
Amash	Granger	Moolenaar
Amodei	Graves (GA)	Mooney (WV)
Babin	Graves (LA)	Mullin
Barletta	Graves (MO)	Mulvaney
Barr	Griffith	Murphy (PA)
Barton	Grothman	Neugebauer
Benishek	Guinta	Newhouse
Bilirakis	Guthrie	Noem
Bishop (MI)	Hanna	Nugent
Bishop (UT)	Hardy	Nunes
Black	Harper	Olson
Blackburn	Harris	Palazzo
Bost	Hartzer	Paulsen
Boustany	Heck (NV)	Pearce
Brady (TX)	Hensarling	Perry
Brat	Herrera Beutler	Peterson
Bridenstine	Hice, Jody B.	Pittenger
Brooks (IN)	Hill	Pitts
Buchanan	Holding	Pompeo
Buck	Hudson	Posey
Bucshon	Huelskamp	Price, Tom
Burgess	Huizenga (MI)	Ratcliffe
Byrne	Hultgren	Reed
Calvert	Hunter	Reichert
Carter (GA)	Hurd (TX)	Renacci
Carter (TX)	Hurt (VA)	Ribble
Chabot	Issa	Rice (SC)
Chaffetz	Jenkins (KS)	Roby
Clawson (FL)	Jenkins (WV)	Roe (TN)
Coffman	Johnson (OH)	Rogers (KY)
Cole	Johnson, Sam	Rohrabacher
Collins (GA)	Jolly	Rokita
Collins (NY)	Jordan	Rooney (FL)
Comstock	Joyce	Roskam
Conaway	Kelly (MS)	Ross
Cook	Kelly (PA)	Rothfus
Costello (PA)	King (IA)	Rouzer
Cramer	King (NY)	Royce
Crenshaw	Kinzing (IL)	Russell
Culberson	Kline	Salmon
Davidson	Knight	Sanford
Davis, Rodney	Labrador	Scalise
Denham	LaHood	Schweikert
DeSantis	LaMalfa	Scott, Austin
DesJarlais	Lamborn	Sensenbrenner
Diaz-Balart	Lance	Sessions
Dold	Latta	Shimkus
Donovan	LoBiondo	Shuster
Duffy	Long	Simpson
Duncan (SC)	Loudermilk	Smith (MO)
Duncan (TN)	Love	Smith (NE)
Ellmers (NC)	Lucas	Smith (NJ)
Emmer (MN)	Luetkemeyer	Smith (TX)
Farenthold	Lummis	Stefanik
Fincher	MacArthur	Stewart
Fitzpatrick	Marchant	Stivers
Fleischmann	Marino	Stutzman
Fleming	Massie	Thompson (PA)
Flores	McCarthy	Thornberry
Forbes	McCauley	Tipton
Fortenberry	McClintock	Trott
Fox	McKinley	Turner
Franks (AZ)	McMorris	Upton
Frelinghuysen	Rodgers	Valadao
Garrett	McSally	Wagner
Gibbs	Meadows	Walberg
Gibson	Meehan	Walden
Gohmert	Messer	Walker
		Walorski

Thompson (MS)	Webster (FL)	Wilson (SC)	Young (AK)
Titus	Wenstrup	Wittman	Young (IA)
Tonko	Westerman	Womack	Young (IN)
Torres	Westmoreland	Woodall	Zeldin
Tsongas	Williams	Yoder	Zinke
Van Hollen		Yoho	
Vargas			
Veasey			
Vela			
Velázquez			
Visclosky			
Walz			
Wasserman			
Schultz			
Sires			
Waters, Maxine			
Watson Coleman			
Welch			
Wilson (FL)			
Yarmuth			

Webster (FL)	Wilson (SC)	Young (AK)
Wenstrup	Wittman	Young (IA)
Westerman	Womack	Young (IN)
Westmoreland	Woodall	Zeldin
Williams	Yoder	Zinke
	Yoho	

NOT VOTING—10

Brooks (AL)	Rogers (AL)	Tiberi
Moore	Rush	Walters, Mimi
Palmer	Sanchez, Loretta	
Poe (TX)	Schrader	

□ 1742

Messrs. AUSTIN SCOTT of Georgia, WEBSTER of Florida, WESTERMAN, REICHERT, HURT of Virginia, BURGESS, BILIRAKIS, COLLINS of New York, Ms. STEFANIK, Messrs. WOODALL, GOODLATTE, JOLLY, Ms. GRANGER, and Mr. MOOLENAAR changed their vote from “aye” to “no.”

Messrs. DAVID SCOTT of Georgia, DENT, BLUM, CURBELO of Florida, and KATKO changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. DELBENE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Ms. DELBENE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 237, not voting 10, as follows:

[Roll No. 533]

AYES—184

Adams	Clyburn	Foster
Aguilar	Cohen	Frankel (FL)
Ashford	Connolly	Fudge
Beatty	Conyers	Gabbard
Becerra	Cooper	Gallago
Bera	Costa	Garamendi
Beyer	Costello (PA)	Graham
Bishop (GA)	Courtney	Grayson
Blumenauer	Crowley	Green, Al
Bonamici	Cuellar	Green, Gene
Boyle, Brendan	Cummings	Grijalva
F.	Curbelo (FL)	Gutiérrez
Brady (PA)	Davis (CA)	Hahn
Brown (FL)	Davis, Danny	Hanna
Brownley (CA)	DeFazio	Hastings
Bustos	DeGette	Heck (WA)
Butterfield	Delaney	Higgins
Capps	DeLauro	Himes
Capuano	DelBene	Hinojosa
Cárdenas	DeSaulnier	Honda
Carney	Deutch	Hoyer
Carson (IN)	Dingell	Huffman
Cartwright	Doggett	Israel
Castor (FL)	Doyle, Michael	Jackson Lee
Castro (TX)	F.	Jeffries
Chu, Judy	Duckworth	Johnson (GA)
Cicilline	Edwards	Johnson, E. B.
Clark (MA)	Ellison	Jones
Clarke (NY)	Engel	Kaptur
Clay	Eshoo	Keating
Cleaver	Esty	Kelly (IL)

Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks

Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Payne
Pelosi
Perlmuter
Peters
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff

NOES—237

Abraham
Aderholt
Allen
Amash
Amodel
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold

Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador

LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby

Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster

Bass
Moore
Poe (TX)
Rice (NY)

Rogers (AL)
Rush
Sanchez, Loretta
Schrader

NOT VOTING—10

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1746

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3438) to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review, and, pursuant to House Resolution 875, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1745

MOTION TO RECOMMIT

Mr. THOMPSON of Mississippi. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of Mississippi. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of Mississippi moves to recommit the bill H.R. 3438 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 21, insert after "rule" the following: "(except as provided in subsection (c))".

Page 5, insert after "of any rule." on line 4 the following:

"(c) EXCEPTION FOR RULES TO DECREASE THE VULNERABILITY OF THE PUBLIC TO A TERRORIST ATTACK.—The provisions of subsection (b) do not apply in the case of a rule that pertains to protecting the Nation against security threats."

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 5 minutes.

Mr. THOMPSON of Mississippi. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage, as amended.

Just over a week ago, the Nation observed the 15th anniversary of the September 11, 2001, terrorist attack. On that day, terror and hate not only took the lives of 3,000 innocent people, but also inflicted \$3.3 trillion in economic damage to our Nation. In response to this unprecedented attack on U.S. soil, the Department of Homeland Security was established.

To be successful, DHS must work with State, local, and private sector partners. Many of DHS's programs are voluntary, but in some areas, where the threats are high and voluntary measures are inadequate, DHS utilizes Federal rulemaking.

As we saw last weekend in Minnesota, New York, and New Jersey, the threat picture is constantly evolving. Today, the threat of individuals acting alone, inspired online by foreign and domestic terrorist groups, is arguably one of the greatest homeland security challenges we face. Our government needs to be able to respond to evolving threats like the "lone wolf" threat.

I am alarmed to see that, under this bill, critical action by the Department of Homeland Security could be indefinitely hamstrung, as protracted, possibly frivolous, legal challenges move through the courts. From a homeland security standpoint, there is no justification for putting arbitrary obstacles in the way of DHS when it needs to issue regulations to protect critical infrastructure from infiltration by terrorists, keep dangerous materials out of terrorists' hands, and secure the border, yet the underlying bill would do just that.

Mr. Speaker, my motion to recommit would provide for an exception to the rule in instances that "pertain to protecting the Nation against security threats." There are things we can do to make the country more secure, but it seems that the majority lacks the will to do so.

Earlier today, Democrats tried to get legislation to bar individuals on the no-fly terrorist watch list from buying guns considered. The majority blocked the legislation.

Then we tried to get considered a measure that I authored to expand DHS' overseas screening and vetting operations to protect ISIL-trained European foreign fighters and other dangerous people from entering the United States. This measure was blocked, too.

This morning, Mr. Speaker, in my committee, we received testimony from prominent law enforcement officials about how the availability of firearms put their officers and the citizens they protect in harm's way. In fact, Mr. Speaker, the Austin, Texas, police chief testified that police chiefs are "haunted" by the threat posed by the "widespread availability of firearms in our country," which "makes it possible for potentially dangerous persons to legally acquire weapons to cause mayhem and colossal casualties."

To this point, this past weekend, in a St. Cloud, Minnesota, mall, 10 people, including a pregnant woman, were stabbed by a young man who is believed to have been radicalized by ISIL. Thankfully, all the injured individuals are expected to recover.

These days, it is not too hard to imagine the carnage that could have been inflicted on this innocent population if the assailant had, instead, entered the mall with an AK-47 assault weapon and large-capacity clips.

This Congress must show leadership on the pressing homeland security challenges to the Nation. Standing in the way of the Department of Homeland Security, as it tries to protect our citizens, is the wrong thing to do.

For these and a number of other reasons, Mr. Speaker, I urge Members to vote "aye" on my motion to recommit.

I yield back the balance of my time.

Mr. MARINO. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MARINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, billion-dollar rules are among the worst offenses of the pen-and-phone Obama administration. This administration is using overreaching billion-dollar rules to insert EPA's water permitting agents into every American's backyard. It is using overreaching billion-dollar rules to shut down this country's cheap generation of electricity. It is using overreaching billion-dollar rules to impose unachievable ozone standards that will strangle economic opportunities in counties all over this Nation. Above all, wherever it can, it is using overreaching billion-dollar rules to execute end runs around Congress and achieve legislative ends it knows it cannot achieve in Congress.

The Obama administration says, on spurious grounds, it will veto this bill.

This motion to recommit tries to obstruct this bill by means of procedural obstruction. The House has already passed antiterrorism measures. Why do my colleagues across the aisle want to block this good bill?

The legislation that we have passed is H.R. 4401, the Amplifying Local Efforts to Root Out Terror Act; H.R. 4820, the Combating Terrorist Recruitment Act; and H.R. 4407, the Counterterrorism Advisory Board Act. These were all almost unanimously passed. I sit on the Committee on Homeland Security. We have been passing good legislation, and we continue to pass good legislation.

This administration and its allies on the other side of the aisle would rather let Congress duck accountability to the voters for billion-dollar decisions. It would rather give billion-dollar phones and pens to unaccountable bureaucrats up and down Pennsylvania Avenue so they can do things the voters cannot stop.

The American people are telling us every day, "Enough." I am telling President Obama and my colleagues, "Enough."

Stand up for accountability. Stand up for the small-business owners and workers who are being crushed by Washington's bureaucratic billion-dollar bullies who are against this motion and please vote for this bill.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. THOMPSON of Mississippi. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; passage of H.R. 5461; and suspending the rules and passing the following bills: H.R. 5859, H.R. 6007, H.R. 5977, H.R. 6014, and H.R. 5147.

The vote was taken by electronic device, and there were—ayes 182, noes 240, not voting 9, as follows:

[Roll No. 534]

AYES—182

Adams	Bonamici	Cárdenas
Aguilar	Boyle, Brendan	Carney
Ashford	F.	Carson (IN)
Bass	Brady (PA)	Cartwright
Beatty	Brown (FL)	Castor (FL)
Becerra	Brownley (CA)	Castro (TX)
Bera	Bustos	Chu, Judy
Beyer	Butterfield	Cicilline
Bishop (GA)	Capps	Clark (MA)
Blumenauer	Capuano	Clarke (NY)

Clay	Israel	Pelosi
Cleaver	Jackson Lee	Perlmutter
Clyburn	Jeffries	Peters
Cohen	Johnson (GA)	Pingree
Connolly	Johnson, E. B.	Pocan
Conyers	Kaptur	Polis
Cooper	Keating	Price (NC)
Costa	Kelly (IL)	Quigley
Courtney	Kennedy	Rangel
Crowley	Kildee	Rice (NY)
Cuellar	Kilmer	Richmond
Cummings	Kind	Roysal-Allard
Davis (CA)	Kirkpatrick	Ruiz
Davis, Danny	Kuster	Ruppersberger
DeFazio	Langevin	Ryan (OH)
DeGette	Larsen (WA)	Sánchez, Linda
Delaney	Larson (CT)	T.
DeLauro	Lawrence	Sarbanes
DelBene	Lee	Schakowsky
DeSaulnier	Levin	Schiff
Deutch	Lewis	Schrader
Dingell	Lieu, Ted	Scott (VA)
Doggett	Lipinski	Scott, David
Doyle, Michael	Loebuck	Serrano
F.	Lofgren	Sewell (AL)
Duckworth	Lowenthal	Sherman
Edwards	Lowe	Sinema
Ellison	Lujan Grisham	Sires
Engel	(NM)	Slaughter
Eshoo	Lujan, Ben Ray	Smith (WA)
Esty	(NM)	Speier
Farr	Lynch	Swalwell (CA)
Foster	Maloney,	Takano
Frankel (FL)	Carolyn	Thompson (CA)
Fudge	Maloney, Sean	Thompson (MS)
Gabbard	Matsui	Titus
Galleo	McCollum	Tonko
Garamendi	McDermott	Torres
Graham	McGovern	Tsongas
Grayson	McNerney	Van Hollen
Green, Al	Meeks	Vargas
Green, Gene	Meng	Veasey
Grijalva	Moulton	Vela
Gutiérrez	Murphy (FL)	Velázquez
Hahn	Nadler	Visclosky
Hastings	Napolitano	Walz
Heck (WA)	Neal	Wasserman
Higgins	Nolan	Schultz
Himes	Norcross	Waters, Maxine
Hinojosa	O'Rourke	Watson Coleman
Honda	Pallone	Welch
Hoyer	Pascrell	Wilson (FL)
Huffman	Payne	Yarmuth

NOES—240

Abraham	Cook	Graves (LA)
Aderholt	Costello (PA)	Graves (MO)
Allen	Cramer	Griffith
Amash	Crawford	Grothman
Amodei	Crenshaw	Guinta
Babin	Culberson	Guthrie
Barletta	Curbelo (FL)	Hanna
Barr	Davidson	Hardy
Barton	Davis, Rodney	Harper
Benishek	Denham	Harris
Bilirakis	Dent	Hartzler
Bishop (MI)	DeSantis	Heck (NV)
Bishop (UT)	DesJarlais	Hensarling
Black	Diaz-Balart	Herrera Beutler
Blackburn	Dold	Hice, Jody B.
Blum	Donovan	Hill
Bost	Duncan (SC)	Holding
Boustany	Duncan (TN)	Hudson
Brady (TX)	Ellmers (NC)	Huelskamp
Brat	Emmer (MN)	Huizenga (MI)
Bridenstine	Farenthold	Hultgren
Brooks (AL)	Fincher	Hunter
Brooks (IN)	Fitzpatrick	Hurd (TX)
Buchanan	Fleischmann	Hurt (VA)
Buck	Fleming	Issa
Bucshon	Flores	Jenkins (KS)
Burgess	Forbes	Jenkins (WV)
Byrne	Fortenberry	Johnson (OH)
Calvert	Fox	Johnson, Sam
Carter (GA)	Franks (AZ)	Jolly
Carter (TX)	Frelinghuysen	Jones
Chabot	Garrett	Jordan
Chaffetz	Gibbs	Joyce
Clawson (FL)	Gibson	Katko
Coffman	Gohmert	Kelly (MS)
Cole	Goodlatte	Kelly (PA)
Collins (GA)	Gosar	King (IA)
Collins (NY)	Gowdy	King (NY)
Comstock	Granger	Kinzing (IL)
Conaway	Graves (GA)	Kline

Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent

Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Sanford
Schalise
Schweikert
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Duffy
Moore
Poe (TX)

Rush
Sanchez, Loretta
Stivers

Tiberi
Walters, Mimi
Yoder

□ 1804

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 180, not voting 7, as follows:

[Roll No. 535]

AYES—244

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany

Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)

Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)

Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)

Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)

Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Schalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—180

Adams
Aguliar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carlson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn

Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaunier
Deutsch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick

Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David

Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swallow (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Crenshaw
Moore
Poe (TX)

Rush
Sanchez, Loretta
Tiberi

Walters, Mimi

□ 1811

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

IRANIAN LEADERSHIP ASSET
TRANSPARENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 5461) to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 282, nays 143, not voting 6, as follows:

[Roll No. 536]

YEAS—282

Abraham
Aderholt
Aguiar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishkek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn

Blum
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Cárdenas

Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson

Curbelo (FL)
Davidson
Davis, Rodney
DeFazio
Delaney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce

Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lieu, Ted
Lipinski
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble

NAYS—143

Adams
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)

Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney

Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Salmon
Sanford
Scalise
Schradner
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Titus
Trott
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Eshoo
Esty
Farr
Foster
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)

Moore
Poe (TX)

Lawrence
Lee
Levin
Lewis
Loebbeck
Lofgren
Lowenthal
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maloney,
Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis

NOT VOTING—6

Rush
Sanchez, Loretta
Tiberi
Walters, Mimi

□ 1818

So the bill was passed.
The result of the vote was announced
as above recorded.
A motion to reconsider was laid on
the table.

COMMUNITY COUNTERTERRORISM
PREPAREDNESS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5859) to amend the Homeland Security Act of 2002 to establish the major metropolitan area counterterrorism training and exercise grant program, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. McCaul) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 30, not voting 6, as follows:

[Roll No. 537]

YEAS—395

Abraham
Adams
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek

Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany

Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert

Capps
Capuano
Cardenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gowdy
Graham

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebbeck
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch

MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascarelli
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff

Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski

Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—30

Aderholt
Amash
Brat
Brooks (AL)
Buck
Byrne
Davidson
Duncan (TN)
Fleming
Gohmert

Gosar
Harris
Huelskamp
Jones
Jordan
Labrador
Lummis
Massie
Meadows
Mulvaney

Palmer
Posey
Ribble
Rigell
Roby
Salmon
Sanford
Schweikert
Stutzman
Webster (FL)

NOT VOTING—6

Moore
Poe (TX)

Rush
Sanchez, Loretta
Tiberi
Walters, Mimi

□ 1826

Messrs. RICE of South Carolina, WITTMAN, and DUNCAN of South Carolina changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDING TITLE 49 TO INCLUDE CONSIDERATION OF CERTAIN IMPACTS ON COMMERCIAL SPACE LAUNCH AND REENTRY ACTIVITIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6007) to amend title 49, United States Code, to include consideration of certain impacts on commercial space launch and reentry activities in a navigable airspace analysis, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 6, as follows:

[Roll No. 538] YEAS—425

Abraham
Adams
Aderholt
Aguiar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney

DeFazio
DeGette
DeLaney
DeLauro
DeBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter

Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCauley
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar

Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby

Moore
Poe (TX)

Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sanchez, Linda
T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)

NOT VOTING—6

Rush
Sanchez, Loretta
Tiberi
Walters, Mimi

□ 1832

Mr. CONYERS changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING THE SECRETARY OF TRANSPORTATION TO PROVIDE CONGRESS ADVANCE NOTICE OF CERTAIN ANNOUNCEMENTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5977) to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 1, not voting 6, as follows:

[Roll No. 539]

YEAS—424

Abraham	Cummings	Hill
Adams	Curbelo (FL)	Himes
Aderholt	Davidson	Hinojosa
Aguilar	Davis (CA)	Holding
Allen	Davis, Danny	Honda
Amash	Davis, Rodney	Hoyer
Amodei	DeFazio	Hudson
Ashford	DeGette	Huffman
Babin	Delaney	Huizenga (MI)
Barletta	DeLauro	Hultgren
Barr	DelBene	Hunter
Barton	Denham	Hurd (TX)
Bass	Dent	Hurt (VA)
Beatty	DeSantis	Israel
Becerra	DeSaulnier	Issa
Benishek	DesJarlais	Jackson Lee
Bera	Deutch	Jeffries
Beyer	Diaz-Balart	Jenkins (KS)
Bilirakis	Dingell	Jenkins (WV)
Bishop (GA)	Doggett	Johnson (GA)
Bishop (MI)	Dold	Johnson (OH)
Bishop (UT)	Donovan	Johnson, E. B.
Black	Doyle, Michael	Johnson, Sam
Blackburn	F.	Jolly
Blum	Duckworth	Jones
Blumenauer	Duffy	Jordan
Bonamici	Duncan (SC)	Joyce
Bost	Duncan (TN)	Kaptur
Boustany	Edwards	Katko
Boyle, Brendan	Ellison	Keating
F.	Ellmers (NC)	Kelly (IL)
Brady (PA)	Emmer (MN)	Kelly (MS)
Brady (TX)	Engel	Kelly (PA)
Brat	Eshoo	Kennedy
Bridenstine	Esty	Kildee
Brooks (AL)	Farenthold	Kilmer
Brooks (IN)	Farr	Kind
Brown (FL)	Fincher	King (IA)
Brownley (CA)	Fitzpatrick	King (NY)
Buchanan	Fleischmann	Kinzing (IL)
Buck	Fleming	Kirkpatrick
Bucshon	Flores	Kline
Burgess	Forbes	Knight
Bustos	Fortenberry	Kuster
Butterfield	Foster	Labrador
Byrne	Fox	LaHood
Calvert	Frankel (FL)	LaMalfa
Capps	Franks (AZ)	Lamborn
Capuano	Frelinghuysen	Lance
Cardenas	Fudge	Langevin
Carney	Gabbard	Larsen (WA)
Carson (IN)	Gallego	Larson (CT)
Carter (GA)	Garamendi	Latta
Carter (TX)	Garrett	Lawrence
Cartwright	Gibbs	Lee
Castor (FL)	Gibson	Levin
Castro (TX)	Gohmert	Lewis
Chabot	Goodlatte	Lieu, Ted
Chaffetz	Gosar	Lipinski
Chu, Judy	Gowdy	LoBiondo
Cicilline	Graham	Loeb
Clark (MA)	Granger	Lofgren
Clarke (NY)	Graves (GA)	Long
Clawson (FL)	Graves (LA)	Loudermilk
Clay	Graves (MO)	Love
Cleaver	Grayson	Lowenthal
Clyburn	Green, Al	Lowe
Coffman	Green, Gene	Lucas
Cohen	Griffith	Luetkemeyer
Cole	Grijalva	Lujan Grisham
Collins (GA)	Grothman	(NM)
Collins (NY)	Guinta	Lujan, Ben Ray
Comstock	Guthrie	(NM)
Conaway	Gutiérrez	Lummis
Connolly	Hahn	Lynch
Conyers	Hanna	MacArthur
Cook	Hardy	Maloney
Cooper	Harper	Carolyn
Costa	Harris	Maloney, Sean
Costello (PA)	Hartzer	Marchant
Courtney	Hastings	Marino
Crawford	Heck (NV)	Massie
Crenshaw	Heck (WA)	Matsui
Crowley	Hensarling	McCarthy
Cuellar	Herrera Beutler	McCaull
Culberson	Hice, Jody B.	McClintock
	Higgins	McCollum

McDermott	Quigley	Smith (WA)
McGovern	Rangel	Speier
McHenry	Ratcliffe	Stefanik
McKinley	Reed	Stewart
McMorris	Reichert	Stivers
Rodgers	Renacci	Stutzman
McNerney	Ribble	Swalwell (CA)
McSally	Rice (NY)	Takano
Meadows	Rice (SC)	Thompson (CA)
Meehan	Richmond	Thompson (MS)
Meeks	Rigell	Thompson (PA)
Meng	Roby	Thornberry
Messer	Roe (TN)	Tipton
Mica	Rogers (AL)	Titus
Miller (FL)	Rogers (KY)	Tonko
Miller (MI)	Rohrabacher	Torres
Moolenaar	Rokita	Trott
Mooney (WV)	Rooney (FL)	Tsongas
Moulton	Ros-Lehtinen	Turner
Mullin	Roskam	Upton
Mulvaney	Ross	Valadao
Murphy (FL)	Rothfus	Van Hollen
Murphy (PA)	Rouzer	Vargas
Nadler	Roybal-Allard	Veasey
Napolitano	Royce	Vela
Neal	Ruiz	Velázquez
Neugebauer	Ruppersberger	Visclosky
Newhouse	Russell	Wagner
Noem	Ryan (OH)	Walberg
Nolan	Salmon	Walden
Norcross	Sánchez, Linda	Walker
Nugent	T.	Walorski
Nunes	Sanford	Walz
O'Rourke	Sarbanes	Wasserman
Olson	Scalise	Schultz
Palazzo	Schakowsky	Waters, Maxine
Pallone	Schiff	Watson Coleman
Palmer	Schrader	Weber (TX)
Pascrell	Schweikert	Webster (FL)
Paulsen	Scott (VA)	Welch
Payne	Scott, Austin	Wenstrup
Pearce	Scott, David	Westerman
Pelosi	Sensenbrenner	Westmoreland
Perlmutter	Serrano	Williams
Perry	Sessions	Wilson (FL)
Peters	Sewell (AL)	Wilson (SC)
Peterson	Sherman	Wittman
Pingree	Shimkus	Womack
Pittenger	Shuster	Woodall
Pitts	Simpson	Yarmuth
Pocan	Sinema	Yoder
Poliquin	Sires	Yoho
Polis	Slaughter	Young (AK)
Pompeo	Smith (MO)	Young (IA)
Posey	Smith (NE)	Young (IN)
Price (NC)	Smith (NJ)	Zeldin
Price, Tom	Smith (TX)	Zinke

NAYS—1

Huelskamp

NOT VOTING—6

Moore	Rush	Tiberi
Poe (TX)	Sanchez, Loretta	Walters, Mimi

□ 1839

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING THE FEDERAL AVIATION ADMINISTRATION TO ALLOW CERTAIN CONSTRUCTION OR ALTERATION OF STRUCTURES BY STATE DEPARTMENTS OF TRANSPORTATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6014) to direct the Federal Aviation Administration to allow certain construction or alteration of structures by State departments of transportation without requiring an

aeronautical study, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ZELDIN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 6, as follows:

[Roll No. 540]

YEAS—425

Abraham	Cook	Grayson
Adams	Cooper	Green, Al
Aderholt	Costa	Green, Gene
Aguilar	Costello (PA)	Griffith
Allen	Courtney	Grijalva
Amash	Cramer	Grothman
Amodei	Crawford	Guinta
Ashford	Crenshaw	Guthrie
Babin	Crowley	Gutiérrez
Barletta	Cuellar	Hahn
Barr	Culberson	Hanna
Barton	Cummings	Hardy
Bass	Curbelo (FL)	Harper
Beatty	Davidson	Harris
Becerra	Davis (CA)	Hartzer
Benishek	Davis, Danny	Hastings
Bera	Davis, Rodney	Heck (NV)
Beyer	DeFazio	Heck (WA)
Bilirakis	DeGette	Hensarling
Bishop (GA)	Delaney	Herrera Beutler
Bishop (MI)	DeLauro	Hice, Jody B.
Bishop (UT)	DelBene	Higgins
Black	Denham	Hill
Blackburn	Dent	Himes
Blum	DeSantis	Hinojosa
Blumenauer	DeSaulnier	Holding
Bonamici	DesJarlais	Honda
Bost	Deutch	Hoyer
Boustany	Diaz-Balart	Hudson
Boyle, Brendan	Dingell	Huelskamp
F.	Doggett	Huffman
Brady (PA)	Dold	Huizenga (MI)
Brady (TX)	Donovan	Hultgren
Brat	Doyle, Michael	Hunter
Bridenstine	F.	Hurd (TX)
Brooks (AL)	Duckworth	Hurt (VA)
Brooks (IN)	Duffy	Israel
Brown (FL)	Duncan (SC)	Issa
Brownley (CA)	Duncan (TN)	Jackson Lee
Buchanan	Edwards	Jeffries
Buck	Ellison	Jenkins (KS)
Bucshon	Ellmers (NC)	Jenkins (WV)
Burgess	Emmer (MN)	Johnson (GA)
Bustos	Engel	Johnson (OH)
Butterfield	Eshoo	Johnson, E. B.
Byrne	Esty	Johnson, Sam
Calvert	Farenthold	Jolly
Capps	Farr	Jones
Capuano	Fincher	Jordan
Cardenas	Fitzpatrick	Joyce
Carney	Fleischmann	Kaptur
Carson (IN)	Fleming	Katko
Carter (GA)	Flores	Keating
Carter (TX)	Forbes	Kelly (IL)
Cartwright	Fortenberry	Kelly (MS)
Castor (FL)	Foster	Kelly (PA)
Castro (TX)	Fox	Kennedy
Chabot	Frankel (FL)	Kildee
Chaffetz	Franks (AZ)	Kilmer
Chu, Judy	Frelinghuysen	Kind
Cicilline	Fudge	King (IA)
Clark (MA)	Gabbard	King (NY)
Clarke (NY)	Gallego	Kinzing (IL)
Clawson (FL)	Garamendi	Kirkpatrick
Clay	Garrett	Kline
Cleaver	Gibbs	Knight
Clyburn	Gibson	Kuster
Coffman	Gohmert	Labrador
Cohen	Goodlatte	LaHood
Cole	Gosar	LaMalfa
Collins (GA)	Gowdy	Lamborn
Collins (NY)	Graham	Lance
Comstock	Granger	Langevin
Conaway	Graves (GA)	Larsen (WA)
Connolly	Graves (LA)	Larson (CT)
Conyers	Graves (MO)	Latta

Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mullivaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson

NOT VOTING—6

Moore
Poe (TX)

Rush
Sanchez, Loretta

Tiberi
Walters, Mimi

□ 1845

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to allow the Administrator of the Federal Aviation Administration to enter into reimbursable agreements for certain airport projects.”.

A motion to reconsider was laid on the table.

BATHROOMS ACCESSIBLE IN EVERY SITUATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5147) to amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 34, not voting 8, as follows:

[Roll No. 541]

YEAS—389

Abraham
Adams
Aderholt
Aguiar
Allen
Amodei
Ashford
Babin
Bartletta
Barr
Barton
Bass
Beatty
Becerra
Benishiek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (IA)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)

Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
Desantis
DeSaunier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego

Garamendi
Garrett
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind

King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler

Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sanchez, Linda
T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)

NAYS—34

Amash
Brat
Brooks (AL)
Burgess
Chaffetz
Clawson (FL)
Collins (GA)
Duncan (SC)
Farenthold
Gibbs
Gosar
Griffith

Grothman
Harris
Hice, Jody B.
Huelskamp
Jones
Loudermilk
Lummis
Massie
McClintock
Mullivaney
Perry
Rohrabacher

NOT VOTING—8

Larson (CT)
Moore
Poe (TX)

Rush
Sanchez, Loretta
Tiberi

□ 1851

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walz
Wasserman
Schultz
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (IA)
Young (IN)
Zeldin

Rokita
Salmon
Sanford
Stutzman
Thornberry
Weber (TX)
Westmoreland
Yoho
Young (AK)
Zinke

Walters, Mimi
Walters, Maxine

The title of the bill was amended so as to read: "A bill to amend title 40, United States Code, to require restaurants in public buildings to be equipped with baby changing facilities."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 535 (on passage of H.R. 3438), 536 (on passage of H.R. 5461), 537 (motion to suspend the rules and pass, as amended H.R. 5859), 538 (motion to suspend the rules and pass, as amended H.R. 6007), 539 (motion to suspend the rules and pass, as amended H.R. 5977), 540 (motion to suspend the rules and pass, as amended H.R. 6014), and 541 (motion to suspend the rules and pass, as amended H.R. 5147) I did not cast my votes due to illness. Had I been present, I would have voted "yea" on all of the votes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RATCLIFFE). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2315) to limit the authority of States to tax certain income of employees for employment duties performed in other States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mobile Workforce State Income Tax Simplification Act of 2015".

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting re-

quirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term "employee" has the same meaning given to it by the State in which the employment duties are performed, except that the term "employee" shall not include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term "professional athlete" means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term "professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term "certain public figures" means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remunera-

tion are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term "employer" has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—The term "State" means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term "time and attendance system" means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term "wages or other remuneration" may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) APPLICABILITY.—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2315, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

The Mobile Workforce State Income Tax Simplification Act provides a clear, uniform framework for when States may tax nonresident employees who travel to the taxing State to perform work. In particular, this bill prevents States from imposing income tax compliance burdens on nonresidents who work in a foreign State for fewer than 30 days in a year.

The State tax laws that determine when a nonresident must pay a foreign State's income tax and when employers must withhold this tax are numerous and varied. Some States tax income earned within their borders by nonresidents even if the employee only works in the State for just 1 day. These complicated rules impact everyone who travels for work and many industries.

As just one example, the Judiciary Committee heard testimony in 2015 that the patchwork of State laws resulted in a manufacturing company issuing 50 W-2s to a single employee for a single year. The company executive also noted, regarding the compliance burden: many of our affected employees make less than \$50,000 per year and have limited resources to seek professional advice.

States generally allow a credit for income taxes paid to another State. However, it is not always dollar for dollar when local taxes are factored in. Credits also do not relieve workers of substantial paperwork burdens.

There are substantial burdens on employers as well. The committee heard testimony in 2014 that businesses, including small businesses, that operate interstate are subject to significant regulatory burdens with regard to compliance with nonresident State income tax withholding laws. These burdens distract from productive activity and job creation.

Nevertheless, some object that the States will lose revenue if the bill is enacted. However, an analysis from Ernst & Young found that the bill's revenue impact is minimal.

There is little motive for fraud and gaming because the amount of money at issue—taxes on less than 30 days' wages—is minimal. Also, the income tax generally has to be paid; the question is merely to whom.

I commend the bill's lead sponsors, Representatives BISHOP and JOHNSON, and thank all of the bill's cosponsors. I urge the bill's passage.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent to yield control of my time to the gentleman from Michigan (Mr. BISHOP).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I rise in opposition to H.R. 2315.

A large and broad coalition of 11 large labor and tax organizations all oppose this bill because it is an attempt to impose standardized criteria for a uniform framework for the tax treatment of out-of-state residents, would cause certain States to lose massive State income tax revenues, and would facilitate tax liability avoidance through manipulation by employers and employees alike.

It achieves this flawed result in several ways. To begin with, rather than promoting uniformity, H.R. 2315 would have a significant adverse impact on income tax revenues for certain States.

According to the Congressional Budget Office, for example, as the gentleman from New York (Mr. NADLER) will explain, New York could lose be-

tween \$50 million and \$125 million annually if this measure were signed into law. Other States that would also be adversely impacted and affected include Illinois, Massachusetts, and California.

As a result of the lost revenues from nonresident taxpayers, these States would be forced to make up these losses by shifting the tax burden to resident taxpayers. It may even cause these States to cut government services, such as funding for education and critical infrastructure improvements.

Another problem with H.R. 2315 is that it essentially provides a roadmap for State income tax liability avoidance.

□ 1900

By allowing an employer to rely on an employee's determination of the time he or she is expected to spend working in another State during the year, the bill prevents the employer from withholding an employee's State income taxes to a nonresident State.

This would be the result even if the employer is aware that the employee has been working in a State for more than 30 days, as long as that State cannot prove that the employee committed fraud in making his annual determination and the employer knew it.

Rather than proceeding with this flawed bill, I urge my colleagues to pass a fair and uniform framework to allow States to collect taxes owed on remote sales. By staying silent since the Supreme Court's 1992 Quill decision, the Congress has failed to ensure that States have the authority to collect sales and use tax on Internet purchases. I am disappointed that, rather than moving the bipartisan eFairness legislation that our communities need, we are considering this measure instead.

For these concerns and other reasons, I hope that you will join me in opposing H.R. 2315.

Mr. BISHOP of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the opportunity to address my colleagues regarding my bipartisan, bicameral, H.R. 2315, the Mobile Workforce State Income Tax Simplification Act.

Mr. Speaker, according to the 10th Amendment, States are generally free to set their own public policy. It is important, however, that they do so in a way that does not place a substantial burden upon the Commerce Clause of the United States Constitution.

As the American workforce becomes increasingly more mobile, Congress has the constitutional duty to ensure that State public policy does not interfere with interstate economic activity.

As an attorney and businessowner, I have seen firsthand how complicated all these different State income tax laws are for those who travel and work.

These burdens affect small businesses in particular, as well as their employees, because they simply do not have the resources to comply with all the varying State income tax requirements that exist today.

Employees are currently being punished with complex reporting standards and the expense that results from filing all of this paperwork simply because they must travel outside their home State for work. And rather than expanding payroll or reducing prices for consumer goods, businesses are being forced to spend their hard-earned and scarce resources on complying with convoluted State income tax laws. This certainly fits the definition, in my opinion, of government red tape.

During the subcommittee hearing on my bill last year, one witness testified that his employer had filed 10,500 W-2s on behalf of their numerous employees, primarily because they had crossed State lines for work. He went on to tell us that one of his coworkers had to file 50 W-2s just for himself.

Imagine an individual making less than \$50,000 a year having to file 50, 20, or even 10 W-2s. It is simply unacceptable to place that burden on our workforce today, and, moreover, it is unacceptable for us to let it go unresolved any longer.

The Constitution grants Congress the authority to enact laws to protect the free flow of commerce among the States. It is imperative that Congress respects the 10th Amendment, but States must not use that power to prey upon workers from different States simply to raise revenues.

That said, the complex array of State income tax laws in this Nation deserve a serious overhaul, and that is why conservative states' rights legislative groups such as the American Legislative Exchange Council agree and support this legislation, specifically identifying H.R. 2315 as the type of interstate commerce regulation Congress should enact. In fact, that is why more than 300 outside organizations, to date, have pledged their support for this bill.

With the help of my colleague, Representative HANK JOHNSON, on the other side of the aisle, our Mobile Workforce State Income Tax Simplification Act is a carefully crafted, bipartisan, bicameral measure that streamlines income tax laws across the Nation. It creates a uniform 30-day threshold before which a nonresident cannot be exposed to another State's income tax liability. This ensures employees will have a clear understanding of their tax liability, and it gives employers a clear and consistent rule so that they can plan and accurately withhold taxes, knowing that the same rule applies for all States with an income tax. And best of all, it means much less paperwork and reduced compliance costs for everyone involved—businessowners and employees.

The goal of H.R. 2315 is to protect our mobile workforce, and that includes traveling emergency workers, first responders, trade union workers, non-profit staff, teachers, and Federal, State, and local government employees. Any organization that has employees that cross State lines for temporary periods will benefit from this law.

I would also note that great care was taken with this bill to diminish the impact on State revenues. My colleague across the aisle suggested concerns with this, and I would point out that a 2015 study the chairman raised earlier, conducted by Ernst & Young, found that H.R. 2315 would actually raise tax revenues in some States, while other States would only see a de minimis change.

Mr. Speaker, I would like to take this opportunity to thank the 308 members of the Mobile Workforce Coalition who support the bill. I want to thank Chairman GOODLATTE for all of his time and effort, all 180 of my colleagues who have cosponsored this House bill, as well as Senator THUNE, Senator BROWN, and nearly half of the United States Senate that have cosponsored our companion bill so far.

The Mobile Workforce State Income Tax Simplification Act is a simple way to reduce obvious administrative burdens with so much red tape interwoven in today's Tax Code. This bill is just a plain commonsense way to cut through the clutter and simplify part of the filing process moving forward.

Together, we can make our workforce a priority and help our small businesses grow and save. I strongly urge my colleagues to pass H.R. 2315.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 2315. This bill represents a major assault on the sovereignty of the States, and does particular damage to my home State of New York, depriving it of more than \$100 million of its own tax revenue. The Mobile Workforce State Income Tax Simplification Act would prohibit States from collecting income tax from an individual unless the person works more than 30 days in that State in a calendar year.

Simplifying and harmonizing the rules on tax collection across the country is a worthy goal, but this bill would block States from setting their own tax policy within their own borders. That is both highly questionable, as a matter of constitutional law, and deeply troubling, as a matter of policy.

The power to tax is a key index of sovereignty, yet this legislation tells States they may not tax activity solely within their borders except as prescribed in the bill. I find this constitutionally dubious. Although I take a broad view generally of the Commerce

Clause, I do not think it extends to a State's ability to tax a person doing business within its own borders.

Setting aside that concern, however, this bill would do great harm to a number of States, most especially to New York. According to some estimates, New York State could lose up to \$125 million annually if this bill were enacted.

New York City's unique location as the center of commerce for the Nation as well as its physical proximity to two other States means that many individuals go there throughout the year for business purposes. But if you work fewer than 30 days, which is up to six 5-day workweeks, this bill would strip New York of its right to tax any of your business activity within its borders. That is both grossly unfair and extremely costly. While a de minimis exception might make sense, I hardly think that 6 weeks and \$125 million is de minimis.

This bill comes at a time when Congress is intent on shifting more and more responsibilities to the States. As States continue to struggle with budgets that are stretched ever thinner, we should not further limit their authority to tax and deprive them of yet more revenue. The fiscal impact of this bill on certain States may be quite minimal but, on others like New York, it would be catastrophic. If we deprive a State of \$125 million each year, vital services like education, law enforcement, and health care could all be on the chopping block.

During consideration of H.R. 2315 in the Judiciary Committee, I offered two amendments that would have mitigated its impact. The first would have reduced the bill's 30-day threshold to a more reasonable 14 days, which is still almost 3 weeks of work without being subject to taxation. The other would have added highly paid individuals to the bill's list of exemptions, which would help avoid loopholes that could allow wealthy people to escape millions of dollars of taxation.

Had my amendments been accepted, the expected impact on New York would have been reduced from more than \$100 million to roughly \$20 million a year. While still causing a significant drain on resources, these amendments would have gone a long way toward making the bill fairer, while still achieving its underlying goals. Unfortunately, they were defeated and, therefore, I must oppose the bill.

When the gentleman speaks of a company with 50 W-2 forms for one employee, if those W-2 forms total a few million dollars, that is not very burdensome. If they are for \$50,000, I understand the point. My amendment would have taken care of that.

I should note that this is not just about New York and that several other States would be similarly affected by this legislation. In addition, the bill is

opposed by a broad coalition of labor and tax organizations, including the AFL-CIO, AFSCME, SEIU, the International Union of Police Associations, the Federation of Tax Administrators, the Multistate Tax Commission, and many others.

We should not be depriving States of the ability to tax within their own borders as we are transferring more functions to the States and cutting back on Federal spending. I urge my colleagues to join me in opposing this unfair and misguided legislation.

I reserve the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in response to the previous speaker, my colleague from across the aisle, I would respectfully respond to his concerns about states' rights. This bill does not violate federalism principles. On the contrary, it is an exercise of Congress' Commerce Clause authority in precisely the situation for which it was intended.

The Supreme Court has explained that the Commerce Clause was informed by structural concerns about the effects of State regulation on the national economy. Under the Articles of Confederation, State taxes and duties hindered and suppressed interstate commerce. The Framers intended the interstate Commerce Clause as a cure for these structural ills. This bill fits squarely within the authority by bringing uniformity to cases of de minimis presence by interstate workers in order to reduce compliance costs.

I might also say, Mr. Speaker, in regard to this bill, this bill enjoys broad bipartisan support. It has 180 cosponsors from both sides of the aisle. This bill will minimize compliance burdens on both workers and employers so that they can get back to being productive, creating and performing jobs. We have received letters of support from hundreds of entities across the employment spectrum.

But this bill is not just about business; it is about individuals.

One businessowner told the Judiciary Committee that the compliance burdens from the patchwork of State laws falls on the employees who "make less than \$50,000 per year and have limited resources to seek professional advice."

□ 1915

It may not seem like a lot to those who oppose this bill, but for folks that make that kind of money, it is a great burden.

It has been questioned whether there will be revenue loss to these States. Analysis shows that the impact is minimal, affecting mainly the allocation of revenues, not the overall size of the tax revenue pot.

This legislation is a great example of Congress working in a bipartisan way to relieve burdens on hardworking Americans.

Mr. Speaker, I urge Members to support the bill.

I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the gentleman from New York for the time.

Mr. Speaker, I rise in support of H.R. 2315, the Mobile Workforce State Income Tax Simplification Act of 2015, which is an important bipartisan bill that will help workers and small businesses across the country.

As a proud sponsor of this legislation in both the 110th and 111th Congresses, I am very familiar with this issue.

H.R. 2315 would provide for a uniform and easily administrable law that will simplify the patchwork of existing inconsistent and confusing State rules. It would also reduce administrative costs to the States and lessen compliance burdens on consumers.

From a national perspective, the mobile workforce bill will vastly simplify the patchwork of existing inconsistent and confusing State rules. It would also reduce administrative costs to States and lessen compliance burdens on consumers.

Take my home State of Georgia as an example. If an Atlanta-based employee of a St. Louis company travels to headquarters on a business trip once a year, that employee would be subject to Missouri tax, even if his annual visit only lasts a day. However, if that employee travels to Maine, her trip would only be subject to tax if her trip lasts for 10 days. If she travels to New Mexico on business, she would only be subject to tax if she was in the State for 15 days.

For example, in Georgia, Acuity Brands is a leading lighting manufacturer that employs over 1,000 associates and has over 3,200 associates nationwide who travel extensively across the country for training, conferences, and other business.

Mr. Speaker, I include in the RECORD a letter in support of H.R. 2315.

ACUITY BRANDS,
Conyers, GA, September 19, 2016.

Re H.R. 2315, the Mobile Workforce State Income Tax Simplification Act.

Hon. HANK JOHNSON,
Washington, DC.

DEAR REPRESENTATIVE JOHNSON: We are writing to express our strong support for H.R. 2315, the Mobile Workforce State Income Tax Simplification Act, and urge you to support the legislation when the bill is considered by the House this week.

H.R. 2315, which would establish unified, clear rules and definitions for nonresident personal income tax reporting and withholding, is supported by 300+ organizations comprising the Mobile Workforce Coalition, and has over 170 bipartisan co-sponsors. The bill was approved by the House Judiciary Committee in June 2015, and a nearly identical version of the legislation was passed by voice vote in the House during the 112th Congress (H.R. 1864).

Acuity Brands, Inc. is one of the leading manufacturers of lighting and controls

equipment in the world. We are a U.S. corporation based in Georgia with offices, manufacturing facilities, and training centers across the United States. We employ over 4,000 associates in the United States, and our fiscal year 2015 net sales totaled over \$2.7 billion.

Acuity Brands is a large multinational company with locations in many states and customers in all 50 states, which requires a large number of our associates to travel outside of their respective states of residency in order to properly manage and grow our business. Our associates travel all over the country for training, conferences, intracompany business, and volunteer activities for communities or non-profit entities. Many of these activities contribute to the economy of those non-resident states. Our associates, some of the country's foremost experts on matters impacting the lighting industry, also travel at the invitation of state legislators and regulators to provide testimony and technical expertise on energy-related issues.

Given the extensive travel required of our associates, some of which is done at the behest of others, the current state-by-state system of nonresident personal income tax reporting and withholding imposes substantial operational and administrative burdens on Acuity Brands and our associates. The current requirements vary by state and are often changing, which presents significant compliance challenges. Furthermore, state laws are not always clear on what constitutes work travel or work days, or what exclusions apply. Thus, significant resources are expended trying to interpret various states' requirements and then attempting to satisfy them.

H.R. 2315 would simplify the current system and greatly reduce the burden on Acuity Brands and other businesses. Unified, simple rules and definitions for nonresident reporting and withholding obligations would undoubtedly improve compliance rates and it would strike the correct balance between state sovereignty and ensuring that America's modern mobile workforce is not unduly encumbered.

In light of the foregoing, we would sincerely appreciate your support on this legislation.

Thank you very much for your consideration.

Sincerely,

CHERYL ENGLISH,
VP, Government & Industry Relations,
Acuity Brands.

Mr. JOHNSON of Georgia. In a letter, Richard Reece, Acuity's executive vice president, writes that current State laws are numerous, varied, and often changing, requiring that the company expend significant resources merely interpreting and satisfying States' requirements.

He concludes that:

Unified, clear rules and definitions for nonresident reporting and withholding obligations would undoubtedly improve compliance rates, and it would strike the correct balance between State sovereignty and ensuring that America's modern mobile workforce is not unduly encumbered.

We should heed the calls of Acuity and numerous other businesses across the country by enacting H.R. 2315 into law. With over 175 cosponsors this Congress, it is clear that mobile workforce is an idea whose time has come.

I thank my colleagues for their work on the bill, and, in particular, Con-

gressman BISHOP of Michigan for his leadership on this bill in the 114th Congress; also Chairman GOODLATTE for allowing this bill to come to the floor. Congressman BISHOP has carried the torch for our esteemed former colleague, the late Howard Coble, who fought alongside me in support of this bill when it passed out of the House by a voice vote in the 112th Congress.

I also thank our staffs who have worked tirelessly to build support for this legislation along bipartisan lines. This bill is a testament to the good that can come from working across the aisle on bipartisan tax fairness reforms.

I am optimistic that the passage of H.R. 2315 augurs well for the passage of e-fairness legislation, which is critical to countless small businesses across the country this Congress.

Mr. Speaker, in closing, I urge my colleagues in the Senate to bring this bill up for a vote as soon as possible. This country's employees and businesses deserve quick action.

Mr. BISHOP of Michigan. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 7½ minutes remaining.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, whatever the gentleman may say, the fact is this bill, since it deals only with earnings earned completely within a State, represents a major assault on the sovereignty of the States. It is one thing to say that interstate commerce must be regulated, that the State's ability to extend its tax out, its tax through a company without much nexus to the State that sells into the State can be regulated, but that is not this.

What this says is: We are going to limit the State's ability to tax economic activity that occurs entirely within the State.

Now, one might argue that if someone only spends a couple days in the State, you shouldn't tax that because it will discourage doing business in the State; and maybe if I were still a member of the State legislature, maybe I would argue that. But that is an argument for the State legislature. It is not an argument for Congress. That is an argument on the economic merits of the State's exercise of its own tax powers and its own judgment within its own borders. For Congress to step in and say: New York must forgo \$125 million in revenue or some other State must forgo \$55 million or maybe \$22.38 entirely based on economic activity within that State is, frankly, none of our business.

Today we talk about the burden that this imposes. Yes, a State might be wise to exempt small amounts of income so you don't need 50 W-2s to

someone who earns a total of \$50,000, but for someone who earns \$50 million and may earn \$20 million in a couple of days in a State, that State ought to be able to tax it, and it ought to be up to the economic and political judgment of that State as to how, in the interests of economic intelligence, to limit its exercise of its taxing power so as not to discourage business. That is a State's decision.

We hear a lot of rhetoric about States' rights and sovereignty and yielding power to the States on the floor, but here is an example going much farther than anything else I have seen, frankly, of the Federal Government stepping in and saying to a State: You may not exercise your taxing power within your State when it has nothing to do with another State.

If someone comes into the State and earns \$50 million in 10 days or 3 weeks or 4½ weeks, why shouldn't that State be able to tax it if it wishes to? By what right does Congress tell it that it can't? By what right does Congress tell New York: You must forgo \$100 to \$125 million in revenue?

Even the efficiency argument doesn't make much sense with today's computers and computer ability.

So I think that this is an invasion of States' rights. It is an invasion of the core ability of the State to tax within its own borders. It is an invasion of—it is not a theft—it is a deprivation, my own State is about \$125 million, which our taxpayers will have to make up, and it is wrong for that reason.

Now, I understand why ALEC might support this bill. ALEC wants government to do nothing, wants the Federal Government not to tax, the State governments not to tax, and have as little power as possible. That is a view, but it is not a view that justifies the Federal Government telling a State and telling the States' voters that, whether they like it or not, they shouldn't tax economic activity within that State, they should come up with the money some other way or they should have less State services. That is for the States' taxpayers, the States' voters to decide.

This bill is an imposition on the States. It is an imposition on the people of the States. It is wrong.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 9½ minutes remaining.

Mr. BISHOP of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I came to the United States Congress, I served as general counsel and chief legal officer for a small business. One of my primary functions was to ensure compliance on the patchwork of government requirements and issues that presented itself every day. It was a huge burden

for our company. It was a huge burden for the employees of our company.

This is exactly what we are talking about today. This is the exact kind of compliance that is choking out small business and really, really falling on the shoulders of those who can least afford it.

Mr. Speaker, this is a commonsense solution to a real problem. We live in a global economy. It is something we can't deny. Our mobile workforce is there, and it is going to continue to grow. We cannot continue to penalize companies and individuals for that fact.

We have 180 cosponsors for this that accede the exact basis for what we are trying to accomplish here. These are bipartisan folks—Republicans and Democrats. The same is true with a companion bill in the Senate. There are lots and lots of outside groups that support it, not just specific legislative groups, but businesses that deal with this every day.

So I am very proud of this bill. I am grateful to Representative JOHNSON of Georgia for his work on the bill.

Mr. Speaker, I urge all Members to support the bill.

I yield back the balance of my time.

Mr. KILMER. Mr. Speaker, I rise today to discuss H.R. 2315. I'm glad to see that the House of Representatives is taking up legislation to address a confusing state income tax issue that is leading to some unfair results. But I am concerned that another issue important to my state is being ignored.

Many states currently face legal limitations on their ability to collect sales tax from out-of-state sellers. With the boom of the internet, economic transactions are increasingly moving online. For states that rely on sales tax revenues to fund state agencies and programs, they've seen a real hit to their balance sheets.

What's worse, we're seeing brick and mortar retail outlets all across the state and country—businesses that have made real investments in their communities—face a competitive disadvantage against online retailers. That means more empty storefronts on Main Street and fewer jobs in local communities.

That's why I've supported efforts to help level the playing field and ensure that Washington retail stores have the ability to compete. The Remote Transactions Parity Act would authorize states to collect sales on products sold to Washingtonians that cross state lines. This bill now has nearly seventy bipartisan cosponsors.

Mr. Speaker, there are very few legislative days left before the end of this Congress. I'd encourage my friends in the majority to make a real effort to address this important issue before we adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2315.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROTECTION OF THE RIGHT OF TRIBES TO STOP THE EXPORT OF CULTURAL AND TRADITIONAL PATRIMONY RESOLUTION

Mr. BISHOP of Michigan. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 122) supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of American Indians, Alaska Natives, and Native Hawaiians in the United States and internationally, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 122

Whereas this resolution may be cited as the "Protection of the Right of Tribes to stop the Export of Cultural and Traditional Patrimony Resolution" or the "PROTECT Patrimony Resolution";

Whereas the tribal cultural items of American Indians, Alaska Natives, and Native Hawaiians (collectively "tribes" or "Native Americans") in the United States of America include ancestral remains; funerary objects; sacred objects; and objects of cultural patrimony (hereinafter "tribal cultural items"), which are objects that have ongoing historical, traditional, or cultural importance central to a Native American group or culture itself, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual;

Whereas tribal cultural items are vital to tribal cultural survival and the maintenance of tribal ways of life;

Whereas the nature and the description of tribal cultural items are sensitive and to be treated with respect and confidentiality, as appropriate;

Whereas violators often export tribal cultural items overseas with the intent of evading Federal and tribal laws;

Whereas tribal cultural items continue to be removed from tribal possession and sold in black or public markets in violation of Federal and tribal laws, including laws designed to protect tribal cultural property rights;

Whereas the illegal trade of tribal cultural items involves a sophisticated and lucrative black market, as items make their way through domestic markets, and then are often exported overseas;

Whereas auction houses in foreign countries have held sales of tribal cultural items from the Pueblo of Acoma, the Pueblo of Laguna, the Pueblo of San Felipe, the Hopi Tribe, and other tribes;

Whereas after tribal cultural items are exported abroad, tribes have difficulty stopping the sale of these items and securing their repatriation to their home communities, where the items belong;

Whereas Federal agencies have a responsibility to consult with tribes to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items;

Whereas an increase in the investigation and successful prosecution of violations of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) and

the Archaeological Resources Protection Act (16 U.S.C. 470aa–470mm) is necessary to deter illegal traders; and

Whereas many tribes and tribal organizations have passed resolutions condemning the theft and sale of tribal cultural items, including—

(1) the National Congress of American Indians passed Resolutions SAC–12–008 and SD–15–075 to call upon the United States, in consultation with tribes, to address international repatriation and take affirmative actions to stop the theft and illegal sale of tribal cultural items both domestically and abroad;

(2) the All Pueblo Council of Governors, representative of 20 Pueblo Indian tribes, noting that the Pueblo Indian tribes of the southwestern United States have been disproportionately affected by the illegal sale of tribal cultural items both domestically and internationally and in violation of Federal and tribal laws, passed Resolutions Nos. 2015–12 and 2015–13 to call upon the United States, in consultation with tribes, to address international repatriation and take affirmative actions to stop the theft and illegal sale of tribal cultural items both domestically and abroad;

(3) the United South and Eastern Tribes, an intertribal organization comprised of twenty-six federally recognized tribes, passed Resolution No. 2015:007, which calls upon the United States to address all means to support repatriation of ancestral remains and cultural items from beyond United States borders; and

(4) the Inter-Tribal Council of the Five Civilized Tribes, uniting the Chickasaw, Choctaw, Cherokee, Muscogee (Creek), and Seminole Nations, passed Resolution No. 12–07, which requests that the United States assist in international repatriations and take immediate action, after consultation with tribes, to address repatriation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) condemns the theft, illegal possession or sale, transfer, and export of tribal cultural items;

(2) calls upon the Secretaries of the Department of the Interior, the Department of State, the Department of Commerce, and the Department of Homeland Security and the Attorney General to consult with tribes and traditional Native American religious leaders in addressing this important issue, to take affirmative action to stop these illegal practices, and to secure repatriation of tribal cultural items to tribes;

(3) supports the development of explicit restrictions on the export of tribal cultural items; and

(4) encourages State and local governments and interested groups and organizations to work cooperatively in deterring the theft, illegal possession or sale, transfer, and export of tribal cultural items and in securing the repatriation of tribal cultural items.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. BISHOP) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. BISHOP of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their

remarks and include extraneous materials on H. Con. Res. 122, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BISHOP of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 122, the PROTECT Patrimony Resolution, which expresses support for efforts to stop the theft, illegal sale, and trafficking of Native American tribal cultural items. I commend my colleague from New Mexico (Mr. PEARCE) for introducing this important resolution.

The United States is home to 567 federally recognized tribes. Tribal cultural items and sacred artifacts of these tribes are central to Native American culture and religion. As we study and learn from these items, it is imperative that we also protect them from theft and commercialization for personal gain.

The extent and nature of this illegal activity is largely understudied. While the exact numbers have yet to be determined, the Bureau of Indian Affairs reports in its most recent statistics that more than 8,000 objects of cultural patrimony have been repatriated since 1990. It remains unclear, however, how many items have been stolen or illegally sold. We must obtain more comprehensive data to better understand the nature of this issue.

For that reason, I joined Congressman PEARCE and Crime, Terrorism, Homeland Security, and Investigations Subcommittee Chairman SENSENBRENNER in requesting a study by the Government Accountability Office to determine how the Federal Government can help prevent the illegal excavation and removal of cultural items from Federal and tribal land, the status of Federal agency efforts to repatriate Native American cultural items, and information about the international market for trafficking these cultural items.

Several auctions around the world have been criticized for routinely selling Native American goods. Earlier this year, the planned sale of an Acoma shield used in religious ceremonies was halted after the Federal Government and the Acoma Tribe advocated for its repatriation, claiming that there was reason to believe that this object was stolen.

H. Con. Res. 122 condemns the theft, illegal possession, or sale and export of tribal cultural items; supports the development of explicit restrictions on the export of tribal cultural items; calls upon the secretaries of various Federal agencies and the Attorney General to take affirmative steps to secure the repatriation of these items to their respective tribes, and encourages

cooperation between governmental and tribal entities in these efforts.

□ 1930

Protection of tribal cultural items is critical to maintaining our Nation's cultural heritage. I look forward to obtaining more information through the GAO's research, and I urge passage of the resolution sponsored by my colleague, Congressman PEARCE.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Con. Res. 122, the Protection of the Right of Tribes to stop the Export of Cultural and Traditional Patrimony Resolution, or the PROTECT Patrimony Resolution. I commend Mr. PEARCE and his Democratic cosponsor, Ms. MCCOLLUM, for their leadership on this issue.

This important resolution condemns the theft, illegal possession, sale, transfer, and export for tribal cultural items belonging to American Indians, Alaska Natives, and American Hawaiians in the United States and internationally.

For those of us who have visited reservations, such as those in the State of Texas and Pueblos in New Mexico, we are well aware of the long, long history of Native Americans throughout the United States. For far too long, Native Americans have struggled to protect their sacred and cultural artifacts—such as ancestral remains, funerary objects, and sacred items—from thieves who steal these precious objects, all in the pursuit of profits; and I hope it will now stop.

These irreplaceable objects are vital to the survival of tribal culture and to the maintenance of tribal ways of life. Yet, time and again, they are stolen by thieves who come in the dark of the night with axes, shovels, and even power tools to remove them from historical sites, which are often destroyed in the process.

In turn, these tribal cultural items are illegally sold domestically and internationally through black and public markets in violation of Federal and tribal laws that protect tribal cultural property rights. The loss of these artifacts harms not only Native Americans but all Americans. It robs our Nation of an incredibly important opportunity to learn from and respect these rich and vibrant cultures.

In recognition of these concerns, H. Con. Res. 122 calls upon various Federal agencies to consult with Native American tribes and their religious leaders in order to better understand the problem and, thereby, stop these illegal practices and repatriate stolen tribal cultural items to their rightful owners.

This resolution also asks the Government Accountability Office to study

the scope of illegal trafficking in these artifacts, both domestically and internationally, which will help identify ways to end illegal trafficking.

Further, the resolution expresses support for the development of explicit restrictions on the export of tribal cultural items. Specifically, it encourages cooperation among State and local governments, as well as groups and organizations, in an effort to deter the theft, illegal possession, sale, and export of these items.

Accordingly, I support H. Con. Res. 122.

I reserve the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico (Mr. PEARCE), the sponsor of the resolution.

Mr. PEARCE. Mr. Speaker, I thank Mr. BISHOP for yielding the time. I appreciate the comments from my colleague, the gentlewoman from Texas (Ms. JACKSON LEE), on this significant bill and resolution that we are talking about tonight.

I grew up in the corner of New Mexico that does not have Indian tribes in it, so when I was elected to Congress in 2003, I began service, started traveling into some of the Indian reservations, and slowly began to develop relationships and friendships with those tribes.

In 2013, one of my friends from Laguna Pueblo called and said: we have one of our culturally significant items that is going on sale in Paris and in France.

And he said: we are going to try to buy it, but we are not sure that we can bring it home.

They ended up purchasing that item at the auction. And, sure enough, France would not allow them to take it out of the country, so we negotiated between our State Department and the French State Department. Finally, they were allowed to bring that item out.

They bought a first-class ticket for it. It was so significant that they did not want to let it travel as cargo in the hold of the airplane, instead, buying that first-class ticket to where it would sit there in the compartment with them.

Now, that is not a culture that I was familiar with until I began to form friendships among the Native Americans, but it is a story I hear repeated.

The same young man who purchased the item was going to buy the second item in that same sale and was dropped off the Internet down on the Indian reservation and did not purchase it. It is in his explanation of the missing of that second article. He said that he and his wife had lost a child in childbirth. And he said the feeling of missing that item was exactly the same as losing the child in childbirth.

Now, that is not something I necessarily can identify with, but I certainly identify with the emotions that

say there are things that are so significant they should not be trafficked in.

We continued our kind of unofficial visits with the auction house at that point, and they began to say: look, many of the collectors would simply give the items back. They just don't want to be charged for things. These were sold usually in some sort of legal process. And so we had discussions, but nothing ever came of it.

Then again, at that same point, the Hopi Tribe in Arizona had articles for sale. One of them cost \$130,000. They had to buy them back. Again, the French Government would not help them at all. They took it to court and were simply turned down.

This year, Acoma came and said: look, we have got a couple of items that are in France, they are going on auction. We contacted the French Government, and they were simply resistant.

So we decided, with the help of the Acoma Tribe, with my friend, Mr. COLE, and Ms. MCCOLLUM, who has been a champion for Native American rights—we all formed the idea of this bill and submitted it. The day we submitted the bill, the French pulled the item. It was this time a shield from Acoma. They pulled it out of the auction.

Negotiations are still going on to bring that item back. But the idea that we as a government, we as the U.S. Government, should be studying these things that are around the world being sold internationally, maybe have enough significance that we would want them to be repatriated, we would want them to come back to where people would know about their heritage.

Now, as I began to be familiar with the Indian culture, the U.S. Government was not always gracious in dealing with those Native American tribes. And so the least that we can do is help them reestablish that culture that lets them tell the children who are coming up about who they were, where they came from, and the things that are significant to them.

When I visit the tribes, occasionally they will bring out canes that were given to them to indicate their sovereignty. Those were given by Abraham Lincoln. Now, it sends goose bumps up and down my spine when I am standing on a tribal ground and they carefully bring out these canes that came from Abraham Lincoln to just signify their importance to the country. That is the value that their culture places on these items, and those items are passed around from one family to another to be in charge of the caretaking for it.

So this resolution today simply says that we want to study it, we want to figure out what we can do better, and let's do better.

Again, I thank my Democrat cosponsors. It is a very good bipartisan bill. It

is a bicameral piece of legislation. I thank Chairman GOODLATTE and subcommittee Chairman SENSENBRENNER and the entire Judiciary Committee staff for the work on it.

I urge the passage of H. Con. Res. 122.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Again, let me thank my good friend, Mr. PEARCE, and his cosponsors, Ms. MCCOLLUM and Mr. COLE, for their leadership.

In closing, tribal cultural objects play a crucial role in ensuring that Native Americans and generations to come retain the opportunity to learn about their rich heritage. They help to connect tribal members to their history, traditions, and personal identity. The story Mr. PEARCE told was a moving one and evidences how important this legislation is.

The theft of these objects is a direct assault against the vitality of Native American cultures. When they are stolen or destroyed, a piece of that culture is irretrievably gone not only for Native Americans but for all Americans and all others to understand that culture.

Our Nation has a responsibility to do everything in its power to protect and return these priceless artifacts. H. Con. Res. 122 recognizes the importance of this responsibility.

I, therefore, urge my colleagues to support this resolution.

I yield back the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I rise today in strong support of H. Con. Res. 122, the Protection of the Right of Tribes to stop the Export of Cultural and Traditional (PROTECT) Patrimony Resolution. I joined as an original cosponsor of the Resolution, which was introduced by Congressman PEARCE, and I am pleased that it has gathered broad bipartisan support. This resolution is an important first step in resolving an issue for all of Indian Country: protecting Native American cultural objects from removal and trafficking and ensuring their repatriation back to their tribal owners.

There are many tribes located within my district. They, like other tribes around the country, strive to protect their cultural heritage and traditional ways of life. Possession and protection of their cultural objects, including their sacred objects and objects of cultural patrimony, is imperative for tribes' cultural practices and their ability to pass those practices down to future generations. These items or objects are distinct from the many wonderful works of tribal arts and crafts that tribes proudly share with the world. Objects of cultural patrimony have such ongoing historical, traditional, or cultural importance to a tribe that they are considered communally owned and protected as such.

Unfortunately, many seek tribes' cultural objects for their artistic value, not understanding that to tribes they mean so much more. These cultural objects end up being taken from tribes and trafficked domestically and abroad. Once

abroad, tribes are forced to fight often-losing battles to regain possession of them.

We as an American people have our own cultural objects deemed so necessary to our identity that they are owned by the people jointly, such as the United States Constitution or the flag that inspired the Star Spangled Banner. If these objects were displayed as art in a private home or sold overseas, we would stand together to call for their return.

Laws like the Native American Graves Protection and Repatriation Act and the Archaeological Resources Protection Act exist to protect Native American cultural objects. However, through practice it has become clear that they are not sufficient to address the tribal loss of objects of cultural patrimony. As such, the PROTECT Patrimony resolution is a step in the right direction.

The PROTECT Patrimony resolution aims to raise awareness of the importance of Native American cultural objects, as well as the proliferation of the removal and trafficking of these objects. It supports Congressional development of explicit restrictions on exportation, and it calls on federal agencies to consult with tribes to address the issue. Further still, this resolution calls on local stakeholders to cooperate with tribes and condemn illegal activity.

The PROTECT Patrimony resolution is just the first step to a more comprehensive solution to protect Native American cultural objects from removal and trafficking and to facilitate their repatriation. I urge all my colleagues to stand in strong support of this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. BISHOP) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 122, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

STRENGTHENING THE DEPARTMENT OF HOMELAND SECURITY SECURE MAIL INITIATIVE ACT

Mr. BISHOP of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4712) to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may require that the United States Postal Service obtain a signature from that person in order to deliver the document, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4712

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening the Department of Homeland Security Secure Mail Initiative Act”.

SEC. 2. OPTION FOR SIGNATURE REQUIREMENT UNDER THE SECURE MAIL INITIATIVE.

(a) IN GENERAL.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall provide for an option under the Secure Mail Initiative (or any successor program) under which a person to whom a document is sent under that initiative may require that the United States Postal Service obtain a signature from that person in order to deliver the document.

(b) FEE.—The Secretary shall require the payment of a fee from a person requiring a signature under subsection (a). Such fee may be set at a level that will ensure recovery of the full costs of providing all such services. Such fee may also be set at a level that will recover any additional costs associated with the administration of the fees collected.

SEC. 3. REPORT.

Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report which includes—

- (1) the implementation of the requirements under section 2;
- (2) the fee imposed under section 2(b); and
- (3) the number of times during the previous year that a person required a signature under section 2(a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. BISHOP) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. BISHOP of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4712, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BISHOP of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4712, the Strengthening the Department of Homeland Security Secure Mail Initiative Act of 2016.

The bill is short, but it will have a great impact in the lives of many aliens seeking to play by the rules and legally live and work in the United States.

H.R. 4712 directs the Secretary of Homeland Security to allow immigration benefits recipients to elect to pay a fee and have their immigration documents sent to them via U.S. mail, signature required.

Currently, immigration documents are delivered via priority mail through the U.S. Postal Service. And while delivery can be monitored through use of a tracking number, there are numerous incidents of individuals not, in fact, receiving the documents that the U.S. Postal Service notes as delivered.

One obvious concern in such a case is that the document was intercepted by

an unscrupulous individual who will fraudulently use it. Another concern is the cost and time it takes for the individual to reapply for the document, which, at this point, is the only recourse if a document has gone missing.

The U.S. Citizenship and Immigration Services ombudsman discussed this problem in its FY16 report, noting that delays in receipt of immigration documents can adversely affect the ability of aliens to work or prove lawful immigration status.

H.R. 4712 imposes no cost to the United States taxpayer, since if an alien elects for their document to be delivered via signature required, the immigrant must first pay a fee set by USCIS that covers the cost of such delivery, as well as any administrative costs for the agency.

H.R. 4712 is a needed antifraud and good government measure.

I urge my colleagues to support it.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support H.R. 4712, a narrow and commonsense measure that requires U.S. Citizenship and Immigration Services to provide an option for green cards and employment authorization documents to be delivered via U.S. mail with a signature confirmation.

I congratulate and thank the gentlewoman from California (Ms. SPEIER) for offering this important legislation.

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Each year, the USCIS sends millions of secure documents to applicants through the U.S. Postal Service, including green cards, employment authorization documents, and travel documents. Currently, the delivery status of these documents is monitored solely through tracking numbers. While we know when a document is delivered to the address on file, we have no way of knowing if the immigration applicant actually received the document; and if we don't know if the secure documents reach the intended recipient, we also don't know if they have fallen into the wrong—possibly criminal—hands. Although specific data is not available, conservative estimates indicate that, every year, thousands of documents—perhaps tens of thousands—are lost in the mail or, worse yet, are stolen.

According to USCIS policy, if the U.S. Postal Service does not return a document or a notice and if there has been no change of address, the USCIS will consider the document as having been properly delivered, and the applicant must refile and again pay the filing fee in order to obtain a replacement document. For green cards, the fee is \$450 even if the failure to receive the document was no fault of the individual's. This is not only unfair to the immigration applicant, but a lost or a stolen document also raises national

security, identity theft, and other fraud concerns.

Today's bill makes just one simple but important change in that it requires the USCIS to allow immigration applicants to elect to pay a fee and have their documents mailed with an added level of security by requiring a signature from the person who accepts delivery. The cost will be borne by the applicant; so immigrants can be assured that the document won't be delivered without there being a signature from the recipient.

I urge the USCIS to consider other options to address these basic mailing issues, such as holding documents at USCIS facilities for direct pickup by the applicant. But, for today, I am pleased that we have agreement on this bill, which will help ameliorate document mailing and receipt problems and will strengthen the security and reliability of the immigration document delivery.

I reserve the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. SPEIER), the author of the legislation.

Ms. SPEIER. I thank the gentlewoman from Texas for giving me the opportunity to speak about this bill.

Mr. Speaker, every once in a while, we get complaints, questions from constituents, and we actually can try and fix them. This is one of those situations.

For the longest time, I was getting complaints from residents in my district who had not received their immigration documentation. For the most part, I was not able to tell them that we could do anything, because we would call the Postal Service, and they would say there was really nothing we could do for them. I realized this was a serious problem.

There are some 50,000 green cards every year that go temporarily displaced or permanently displaced due to loss in delivery. That is about 5 percent of all green cards. With 50,000 green cards over 435 districts, you can see that we are talking about 10, 15, 20 complaints that we get every year. In my case, frankly, we stopped even logging them in because there was nothing that we could do about them. This idea came to be, and I thought why not try it. I am really very grateful that we are taking it up today.

My most recent constituent with this problem is from San Francisco. He has gone through the lawful process of getting his green card, only to have it lost. It has been over a year that he has been waiting for this document now. That means he can't travel, that he can't change jobs, that he can't get financial aid for college, that he can't open a retirement account, that he can't buy a house or anything else that

most of us take for granted. This case shows that, when these documents are not properly delivered, the only solution is to reapply and pay another \$425. It is a small fix, but it carries a big wallop. That is why I am so grateful that we are taking it up.

The other issue is one of identity theft. You can also see how it could be used in a way that could create a national security risk. A stolen card could be used to travel or to purchase a firearm. We could easily fix this problem, as my colleagues have noted, by giving the applicant the option of paying an additional \$3 to require a signature at the time it is delivered.

I thank the committee, and especially my colleague Representative WOODALL from Georgia, for joining me in this effort. I urge my colleagues to support this legislation.

Mr. BISHOP of Michigan. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank the gentleman from Michigan for yielding me the time, and I appreciate the leadership of the gentlewoman from California.

Mr. Speaker, I stuck around tonight because we are doing two of my favorite things in this institution. We are taking ideas that came from constituents with problems who trusted us enough to bring us those problems. We are putting those things into action, and we are doing it not with a lot of shouting and not with a lot of pomp and circumstance. We are doing it just the way the process was supposed to work by which the gentlewoman from California crafts an idea, and she goes out and she solicits cosponsors, and the team on the Judiciary Committee works it through the process. Then it comes down here to the House floor, Mr. Speaker, where it is going to make real differences for real people.

Imagine you have done everything the right way—you have stood in line; you have played by the rules. You have done everything the way citizen and American law has asked you to do it. Finally, your green card is ready to be delivered, and you are waiting at the post office for it to come—right there by the mailbox, waiting for it to come. You check online. Online, it says it was delivered yesterday, but you don't have it. You call your Congressman for help, and your Congressman says, "There is nothing we can do," and there hasn't been until this Speier legislation today.

For the first time, we give constituents who have played by the rules an opportunity to pay, at their expense, in order to guarantee that this document that will allow them to work, that will allow them to feed their families, that will allow them to pursue that American Dream is going to end up in their hands. Golly, it sounds small when you read the legislation, but if you are that

family, Mr. Speaker, there is nothing bigger in your life.

I am grateful for the partnership of all of my colleagues who made this possible tonight.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

In closing, let me again congratulate Congresswoman SPEIER and Congressman WOODALL. I am equally grateful when we have the opportunity to work together. I see this as an opportunity on many, many issues.

For example, this legislation, albeit simple in context, has a broad influence and impact. It means that anyone who is intending to do harm by either having stolen mail or by having taken a document that does not belong to them now can be thwarted. In this climate in which we must be particularly sensitive in protecting the Nation against terrorism, domestic terrorism, people misusing documents, or identity theft, this is a very important contribution to thwarting that effort. As has been indicated, it gives individuals who work very hard and who desire the American Dream the opportunity to be documented.

I think it fits very well in what I hope will be an ongoing commitment to improving the immigration system to the extent of passing comprehensive immigration reform, because it does recognize that there are people who are desiring to do good who come to this country.

For that reason, I ask my colleagues to support this important contribution to those who work hard, who choose to support the values of this Nation, and who work hard as new immigrants and as potential citizens of this Nation. I ask my colleagues to support H.R. 4712.

I also thank the Judiciary Committee for its work on this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Michigan. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 4712, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IMPROVING SMALL BUSINESS CYBER SECURITY ACT OF 2016

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5064) to amend the Small Business Act to allow small business development centers to assist and advise small business concerns on relevant cyber security matters, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 5064

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Small Business Cyber Security Act of 2016”.

SEC. 2. ROLE OF SMALL BUSINESS DEVELOPMENT CENTERS IN CYBER SECURITY AND PREPAREDNESS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended—

(1) in subsection (a)(1), by striking “and providing access to business analysts who can refer small business concerns to available experts:” and inserting “providing access to business analysts who can refer small business concerns to available experts; and, to the extent practicable, providing assistance in furtherance of the Small Business Development Center Cyber Strategy developed under section 5(b) of the Improving Small Business Cyber Security Act of 2016:”;

and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (E), by striking “and” at the end;

(ii) in subparagraph (F), by striking the period and inserting “; and”; and

(iii) by adding at the end of the following:

“(G) access to cyber security specialists to counsel, assist, and inform small business concern clients, in furtherance of the Small Business Development Center Cyber Strategy developed under section 5(b) of the Improving Small Business Cyber Security Act of 2016.”.

SEC. 3. ADDITIONAL CYBER SECURITY ASSISTANCE FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

“(8) CYBER SECURITY ASSISTANCE.—The Department of Homeland Security, and any other Federal department or agency in coordination with the Department of Homeland Security, may leverage small business development centers to provide assistance to small businesses by disseminating cyber security risk information and other homeland security information to help small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, and cyber training programs for employees.”.

SEC. 4. CYBER SECURITY OUTREACH FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148) is amended—

(1) by redesignating subsection (1) as subsection (m); and

(2) by inserting after subsection (k) the following:

“(1) CYBERSECURITY OUTREACH.—

“(1) IN GENERAL.—The Secretary may leverage small business development centers to provide assistance to small business concerns by disseminating information on cyber threat indicators, defensive measures, cyber security risks, incidents, analyses, and warnings to help small business concerns in developing or enhancing cybersecurity infrastructure, cyber threat awareness, and cyber training programs for employees.

“(2) DEFINITIONS.—For purposes of this subsection, the terms ‘small business concern’ and ‘small business development center’ have the meaning given such terms, respectively, under section 3 of the Small Business Act.”.

SEC. 5. GAO STUDY ON SMALL BUSINESS CYBER SUPPORT SERVICES AND SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.

(a) REVIEW OF CURRENT CYBER SECURITY RESOURCES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of current cyber security resources at the Federal level aimed at assisting small business concerns with developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(2) CONTENT.—The review required under paragraph (1) shall include the following:

(A) An accounting and description of all Federal Government programs, projects, and activities that currently provide assistance to small business concerns in developing or enhancing cyber security infrastructure, cyber threat awareness, or cyber training programs for employees.

(B) An assessment of how widely utilized the resources described under subparagraph (A) are by small business concerns and a review of whether or not such resources are duplicative of other programs and structured in a manner that makes them accessible to and supportive of small business concerns.

(3) REPORT.—The Comptroller General shall issue a report to the Congress, the Administrator of the Small Business Administration, the Secretary of Homeland Security, and any association recognized under section 21(a)(3)(A) of the Small Business Act containing all findings and determinations made in carrying out the review required under paragraph (1).

(b) SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the issuance of the report under subsection (a)(3), the Administrator of the Small Business Administration and the Secretary of Homeland Security shall work collaboratively to develop a Small Business Development Center Cyber Strategy.

(2) CONSULTATION.—In developing the strategy under this subsection, the Administrator of the Small Business Administration and the Secretary of Homeland Security shall consult with entities representing the concerns of small business development centers, including any association recognized under section 21(a)(3)(A) of the Small Business Act.

(3) CONTENT.—The strategy required under paragraph (1) shall include, at minimum, the following:

(A) Plans for leveraging small business development centers (SBDCs) to access existing cyber programs of the Department of Homeland Security and other appropriate Federal agencies to enhance services and streamline cyber assistance to small business concerns.

(B) To the extent practicable, methods for the provision of counsel and assistance to improve a small business concern’s cyber security infrastructure, cyber threat awareness, and cyber training programs for employees, including—

(i) working to ensure individuals are aware of best practices in the areas of cyber security, cyber threat awareness, and cyber training;

(ii) working with individuals to develop cost-effective plans for implementing best practices in these areas;

(iii) entering into agreements, where practical, with Information Sharing and Analysis Centers or similar cyber information sharing entities to gain an awareness of actionable threat information that may be beneficial to small business concerns; and

(iv) providing referrals to area specialists when necessary.

(c) An analysis of—

(i) how Federal Government programs, projects, and activities identified by the Comptroller General in the report issued under subsection (a)(1) can be leveraged by SBDCs to improve access to high-quality cyber support for small business concerns;

(ii) additional resources SBDCs may need to effectively carry out their role; and

(iii) how SBDCs can leverage existing partnerships and develop new ones with Federal, State, and local government entities as well as private entities to improve the quality of cyber support services to small business concerns.

(4) DELIVERY OF STRATEGY.—Not later than 180 days after the issuance of the report under subsection (a)(3), the Small Business Development Center Cyber Strategy shall be issued to the Committees on Homeland Security and Small Business of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Small Business and Entrepreneurship of the Senate.

(c) DEFINITION.—The term “small business development center” has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 6. PROHIBITION ON ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated to carry out the requirements of this Act or the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

It is an honor to serve as chairman of the House Small Business Committee. It affords me the special opportunity of hearing directly from the very men and women who help drive our economy—America’s small-business owners.

At a hearing several months ago, a small business owner shared his personal experience with a serious cyber attack. He said:

I logged into our bank accounts, and to my utter horror, I found that my balance was zero. This was a payday, and I was terrified that the paychecks that were issued that day would not clear. We were supporting a number of families, many of which live paycheck to paycheck and could not have made it without the paycheck we issued that day. I was also very worried about our business’ reputation since a restaurant nearby had just bounced their paychecks, and the company never recovered from the bad publicity they received from not making their payroll.

Stories like this show the real-world consequences of cyber attacks. Small businesses are at serious risk from a growing number of cyber threats.

There is no doubt that the information technology revolution has provided small businesses with new tools and opportunities to compete in the global economy. However, technology changes mean hackers are coming up with more and more sophisticated methods to go after intellectual property, bank accounts, Social Security numbers, and anything else that can be used for financial gain or for a competitive edge.

In 2015, the average amount stolen from small business bank accounts after a cyber attack was over \$32,000; and according to a recent report by Verizon Enterprise Solutions, a shocking 71 percent of cyber attacks occurred in businesses with fewer than 100 employees.

It is absolutely critical to both the economic and national security of this country that our small businesses have all of the necessary cyber tools to protect themselves from cyber attacks. Small businesses lack the resources to combat cyber attacks. The Federal Government needs to step up its game when it comes to protecting the cybersecurity of small businesses and individuals. That is why I support H.R. 5064, the Improving Small Business Cyber Security Act of 2016.

This legislation will help small businesses that face cyber threats by providing access to additional tools, resources, and expertise through existing Federal cyber resources by allowing the Department of Homeland Security and other Federal agencies to provide assistance to small businesses through the Small Business Administration's non-Federal partners, the Small Business Development Centers, or SBDCs. This increased coordination will lead to greater cyber support for small businesses.

I commend Mr. HANNA for his hard work on this legislation. He has done a great job as chairman of his subcommittee. Unfortunately, he announced his retirement, and he will be leaving us after this term. He has really done a tremendous amount of work for small businesses all over the country because he, himself, has been a successful small-business person; so he knows what the challenges are, and he has tried to put them to work in his years here in the House in helping small businesses all across the country. After all, 70 percent of the new jobs that are created in the American economy are created by small businesses, so they are absolutely critical. Again, I commend Mr. HANNA for his hard work on behalf of these folks.

I urge my colleagues to support H.R. 5064.

Mr. Speaker, I reserve the balance of my time.

□ 2000

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5064, the Improving Small Business Cyber Security Act of 2016. Technology has changed the way we all live, but none more so than for small businesses. It has afforded America's small employers a unique opportunity to sell their products not just nationally, but globally.

Despite new occasions for economic growth, technology has also introduced profound risks. We hear too often of data breaches and cyber espionage. Yet, we never really think this could happen to us until it does. All it takes is one incident to have devastating impacts to small businesses. In fact, 60 percent of small entities go out of business after 6 months of being hacked.

Clearly, cybersecurity should be a priority to protect our national security and economy. Failure to do so leaves us all at risk. Whether a business is adopting cloud computing or simply maintaining a Web site, cybersecurity should be part of their plan. However, only 31 percent of small firms take active measures to guard against such attacks, making them the ideal target for cybercriminals.

A lack of awareness and the high cost to install security mechanisms leaves many small-business owners exposed. Those that are aware of the threat, like government contractors, must navigate demanding IT specifications and complex regulations in order to stay competitive and win Federal contracts.

To help facilitate the preventive measures within the private sector, H.R. 5064, the Improving Small Business Cyber Security Act, will leverage the Small Business Administration's vast network of Small Business Development Centers.

With 63 lead centers and 900 outreach locations, SBDCs have the capacity to reach small businesses throughout the country. They also have a proven record of assisting entrepreneurs with extensive courses in management and technical assistance. In the last fiscal year, SBDCs trained over 260,000 clients and advised almost 190,000 clients.

This bill will utilize these existing resource partners by allowing the centers to assist small firms in developing and enhancing their cybersecurity infrastructure and employee training programs. The bill also calls for an SBDC cyber strategy to be designed to further support small employers to protect themselves, their employees, and their customers.

This legislation ensures that our national efforts combating cyber attacks can be utilized by our Nation's more vulnerable businesses. We cannot continue to accept the bare minimum as our Nation seeks to end continued data breaches. Therefore, I ask my fellow Members to support this bill.

Let me just take this opportunity, also, to commend the gentleman from New York (Mr. HANNA) for the great work that he has done on this issue.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I want to thank Chairman CHABOT, Chairman MCCAUL, Ranking Member VELÁZQUEZ, and Ranking Member THOMPSON for the support of their committees on this bill. This bill was a collaborative endeavor and all of their staffs worked hard and long to help ensure this bill made it to the floor today.

I also want to thank the bill's lead sponsor, Representative KILMER, for working with us on this bipartisan legislation.

America's small businesses are a critical part of our Nation's economy. There are 28 million small businesses, and in recent years they have increasingly become the victims of cyber attacks. By one estimate, nearly 70 percent of all cyber attacks are now being directed at our Nation's small businesses.

The reason for this is clear. Small businesses too often lack the resources or the experience required to make prudent investments in cybersecurity.

The Improving Small Business Cyber Security Act addresses this issue by empowering the more than 900 Small Business Development Centers across our country to provide cyber support to these small businesses. This support would be offered in accordance with a small business cybersecurity strategy, which would be developed jointly by the Department of Homeland Security and the Small Business Administration.

Cyber attacks can decimate small businesses, potentially costing them tens of thousands of dollars to recover lost data and secure networks. It is clear to all of us that the upfront cost to invest in state-of-the-art technologies are prohibitive for many businesses.

This bill represents an opportunity to help small businesses bridge the knowledge gap in cyberspace by empowering the Small Business Development Centers to provide up-to-date relevant and cost-effective cyber support to service them.

This bill also makes good financial sense. By relying on already existing programs and infrastructure, it improves the Federal resources we already have to ensure that they better work for America's small businesses and at no additional cost.

I urge my colleagues to support this commonsense bill. Again, I would like to thank Chairman CHABOT for his support.

Ms. VELÁZQUEZ. Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. KNIGHT), a member of the Small Business Committee.

Mr. KNIGHT. Mr. Speaker, we talk a lot about cybersecurity in the context of national defense, and rightfully so. As a Nation, we ought to take steps now to ensure our security into the 21st century. But this is an issue that affects so many people. One that often gets overlooked is the small business community.

As small businesses increasingly rely on Web-based products and services, they offer themselves more and more attacks from cybercriminals. Increases in technology have resulted in more sophisticated methods of cyber attacks, including hacking, malicious software, physical error, and lost or stolen devices.

Even a simple cyber attack can effectively destroy a small business. In fact, 81 percent of small businesses are concerned about a cyber attack, but only 63 percent have a cybersecurity measure in place.

Many businesses do not feel that they have the adequate legal protections to share cyber threat indicators with the National Cybersecurity and Communications Integration Center, the NCCIC. It is clear to me that the public and private sector must work together to protect our small businesses.

The Improving Small Business Cyber Security Act of 2016 eases the burden on small businesses facing cyber threats by providing access to additional tools, resources, and expertise through existing Federal cyber resources.

I am proud to cosponsor this legislation, and it will lead to increased security for our small businesses, which will lead to greater growth and opportunities for them.

I urge this Chamber to support this important measure.

Ms. VELÁZQUEZ. Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. RATCLIFFE), who is the chairman of Homeland Security's Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, which handles cybersecurity and a number of other very important issues.

Mr. RATCLIFFE. Mr. Speaker, I rise today in support of H.R. 5064, the Improving Small Business Cyber Security Act of 2016. I thank the gentleman from New York (Mr. HANNA) for leading the charge on this very important piece of legislation. I also thank Chairman CHABOT for his leadership on the Small Business Committee and Chairman McCaul for his leadership on the Committee on Homeland Security.

Mr. Speaker, American small businesses are on the frontlines in the battle against cybercriminals, but right

now many of them lack the resources to combat this growing and sophisticated threat. America's 28 million small businesses constitute 54 percent of our annual sales here in the United States and, because of that, they are under cyber attack like never before. The frequency and high costs of such attacks on small businesses is causing ripple effects throughout our economy right now.

H.R. 5064 amends the Homeland Security Act to ensure that Small Business Development Centers can leverage existing cybersecurity programs at the Department of Homeland Security. Additionally, this bill requires the Department of Homeland Security and the Small Business Administration to jointly develop a cyber strategy for small businesses so that they can better utilize cyber programs from DHS and from the Federal Government.

H.R. 5064 also requires a review by the Government Accountability Office of current cybersecurity programs offered by the Federal Government to small businesses.

Mr. Speaker, Small Business Development Centers have been on the ground helping small businesses in this country for more than 30 years. They have a presence in virtually every community in this country. This bill provides them with tools, resources, and the expert guidance that they need to tap into the already existing cyber resources in order to better meet the 21st century needs of small businesses in this country.

Small businesses, Mr. Speaker, are the life blood of the American economy, so we need to ensure that resources are available to all of them to combat these cyber threats. This bill works to achieve that goal.

I, therefore, ask my colleagues to join me in supporting H.R. 5064.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Our committee hears from small businesses too often about the cost and complexities associated with cybersecurity. With businesses having to be familiar with small business data regulations, ever-changing cyber threats, and the cost to install and maintain a cybersecurity system, many small-business owners wonder when they will have time to actually operate their business.

The changes made by H.R. 5064 will unify our efforts and create a streamlined process for small employers seeking to install cyber safeguards. Utilizing the existing national network of SBDCs—many of which small businesses already seek assistance from—as a source for cyber education and awareness provides a critical tool for American entrepreneurs.

I, once again, urge my colleagues to support this measure.

I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I would, first of all, like to thank my colleague, Ranking Member VELÁZQUEZ, for, once again, working in a bipartisan and cooperative effort. That is one thing on the Small Business Committee we always try to do, and we have a very good working relationship. I want to thank the gentlewoman for continuing that on this bill and bills in the past and, hopefully, bills in the future as well.

Relative to cybersecurity attacks, we have seen the United States under a legion of attacks in recent years. They happen virtually every day. The Federal Government itself has been hit a number of times. The Office of Personnel Management had 20-plus-million personal individuals who had their files hacked in the government. We have seen the Postal Service, we have seen the State Department, and we have even seen the White House hacked. So it is a big problem.

Now, this happens to large corporations. We have had some of the largest corporations who have really taken it on the chin, and literally it cost them millions of dollars. Corporations like Target and you name it, they have really been hit. They generally have the resources that they can recover from this. As detrimental as it is to their business, they survive.

When this happens to small businesses, it may virtually be the death knell for them. You may have families who no longer have their source of support because the business just can't take a hit like this.

In my opening statement, I mentioned the person who knew the restaurant down the street that it happened to them. The businessowner wanted to pay his employees, and he couldn't pay them because his balance was zero. So this is a serious threat.

The small business community needs help. This is a step in the right direction. Representative HANNA, whom we have all praised, really does deserve the praise because he took this and worked very hard to get this bill to the point where we are here tonight. Hopefully we are going to pass the bill.

So I think this is a great piece of legislation. H.R. 5064 would offer much-needed cybersecurity support to America's small businesses. It would also better coordinate the Federal Government's overall strategy in helping small businesses to thwart cyber attacks.

I would urge my colleagues to support this bill.

I yield back the balance of my time.

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The SPEAKER pro tempore (Mr. POLIQUIN). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 5064, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NICARAGUAN INVESTMENT CONDITIONALITY ACT (NICA) OF 2016

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Committee on Financial Services be discharged from further consideration of the bill (H.R. 5708) to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

H.R. 5708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nicaraguan Investment Conditionality Act (NICA) of 2016”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2006, Nicaragua, under President Enrique Bolaños, entered into a \$175,000,000, 5-year compact with the Millennium Challenge Corporation (MCC).

(2) After the 2008 municipal elections, the MCC stated that there was a pattern of decline in political rights and civil liberties in Nicaragua.

(3) In 2009, the MCC terminated the compact and reduced the amount of MCC funds available to Nicaragua by \$61,500,000, which led to the compact ending in 2011.

(4) According to Nicaraguan law, the National Assembly is the only institution allowed to change the constitution but in 2009, Daniel Ortega circumvented the legislature and went to the Supreme Court, which he controls, to rule in his favor that Presidential term limits were inapplicable.

(5) The House Committee on Foreign Affairs convened a congressional hearing on December 1, 2011, entitled “Democracy Held Hostage in Nicaragua: Part 1” where former United States Ambassador to Nicaragua Robert Callahan testified, “First, that Daniel Ortega’s candidacy was illegal, illegitimate, and unconstitutional; second, that the period leading to the elections and the elections themselves were marred by serious fraud; third, that Daniel Ortega and his Sandinista party have systematically undermined the country’s fragile governmental institutions”.

(6) From fiscal year 2012 until present, the Department of State found that Nicaragua did not meet international standards of fiscal transparency.

(7) On January 25, 2012, a press statement from Secretary of State Hillary Clinton said: “As noted by international observers and Nicaraguan civil society groups, Nicaragua’s

recent elections were not conducted in a transparent and impartial manner, and the entire electoral process was marred by significant irregularities. The elections marked a setback to democracy in Nicaragua and undermined the ability of Nicaraguans to hold their government accountable.”.

(8) According to the Department of State’s 2015 Fiscal Transparency Report: “The government does not publicly account for the expenditure of significant off-budget assistance from Venezuela and this assistance is not subject to audit or legislative oversight. Allocations to and earnings from state-owned enterprises are included in the budget, but most state-owned enterprises are not audited. The supreme audit institution also does not audit the government’s full financial statements. Nicaragua’s fiscal transparency would be improved by including all off-budget revenue and expenditure in the budget, auditing state-owned enterprises, and conducting a full audit of the government’s annual financial statements and making audit reports publicly available within a reasonable period of time.”.

(9) According to the Department of State’s Country Reports on Human Rights Practices for 2015: “In 2011 the Supreme Electoral Council (CSE) announced the re-election of President Daniel Ortega Saavedra of the Sandinista National Liberation Front (FSLN) in elections that international and domestic observers characterized as seriously flawed. International and domestic organizations raised concerns regarding the constitutional legitimacy of Ortega’s re-election. The 2011 elections also provided the ruling party with a supermajority in the National Assembly, allowing for changes in the constitution, including extending the reach of executive branch power and the elimination of restrictions on re-election for executive branch officials and mayors. Observers noted serious flaws during the 2012 municipal elections and March 2014 regional elections.”.

(10) According to the Department of State’s Country Reports on Human Rights Practices for 2015 in Nicaragua: “The principal human rights abuses were restrictions on citizens’ right to vote; obstacles to freedom of speech and press, including government intimidation and harassment of journalists and independent media, as well as increased restriction of access to public information, including national statistics from public offices; and increased government harassment and intimidation of nongovernmental organizations (NGOs) and civil society organizations.”.

(11) The same 2015 report stated: “Additional significant human rights abuses included considerably biased policies to promote single-party dominance; arbitrary police arrest and detention of suspects, including abuse during detention; harsh and life-threatening prison conditions with arbitrary and lengthy pretrial detention; discrimination against ethnic minorities and indigenous persons and communities.”.

(12) In February 2016, the Ortega regime detained and expelled Freedom House’s Latin America Director, Dr. Carlos Ponce, from Nicaragua.

(13) On May 10, 2016, the Supreme Electoral Council announced and published the electoral calendar which aims to govern the electoral process.

(14) After receiving the electoral calendar for the 2016 Presidential elections, the Nicaraguan political opposition raised concerns and pointed to a number of anomalies such as: the electoral calendar failed to con-

template national and international observations, failed to agree to publicly publish the precincts results of each Junta Receptora de Voto (JRV), and failed to purge the electoral registration rolls in a transparent and open manner.

(15) Nicaragua’s constitution mandates terms of 5 years for municipal authorities, which would indicate that the next municipal elections must occur in 2017.

(16) On June 3, 2016, the Nicaraguan Supreme Court—which is controlled by Ortega—instructed the Supreme Electoral Council not to swear in Nicaraguan opposition members to the departmental and regional electoral councils.

(17) On June 5, 2016, regarding international observers for the 2016 Presidential elections, Daniel Ortega stated: “Here, the observation ends. Go observe other countries . . . There will be no observation, neither from the European Union, nor the OAS . . .”.

(18) On June 7, 2016, the Department of State’s Bureau of Democracy, Human Rights and Labor posted on social media: “Disappointed government of Nicaragua said it will deny electoral observers requested by Nicaraguan citizens, church, and private sector . . . We continue to encourage the government of Nicaragua to allow electoral observers as requested by Nicaraguans.”.

(19) On June 8, 2016, the Supreme Electoral Council—which is controlled by Ortega—announced a ruling, which changed the leadership structure of the opposition party and in practice allegedly barred all existing opposition candidates from running for office.

(20) On June 14, 2016, Daniel Ortega expelled three United States Government officials (two officials from U.S. Customs and Border Protection and one professor from the National Defense University) from Nicaragua.

(21) On June 22, 2016, a Global Fellow from the Woodrow Wilson Center chose to leave Nicaragua because of fear. According to a media report, the fellow stated “Police were following me. I did not understand the reason why they were following me, but it was clear to me what they were doing . . . Of course (I felt fear), I was surprised especially because the research I am doing is completely academic, not journalistic, and that made me wonder why they would be so interested in something like that.”.

(22) On June 29, 2016, the Department of State issued a Nicaragua Travel Alert which stated: “The Department of State alerts U.S. citizens about increased government scrutiny of foreigners’ activities, new requirements for volunteer groups, and the potential for demonstrations during the upcoming election season in Nicaragua . . . Nicaraguan authorities have denied entry to, detained, questioned, or expelled foreigners, including U.S. government officials, academics, NGO workers, and journalists, for discussions, written reports or articles, photographs, and/or videos related to these topics. Authorities may monitor and question private U.S. citizens concerning their activities, including contact with Nicaraguan citizens.”.

(23) On June 30, 2016, the Human Rights Foundation issued a press release stating: “. . . Daniel Ortega has used all sorts of trickery to push for constitutional reforms and illegal court rulings in order to extend his time in power indefinitely . . . If the opposition is not allowed to meaningfully compete, the upcoming elections in Nicaragua cannot be considered free and fair and the Inter-American Democratic Charter should be applied to the Sandinista regime.”. The release continued, stating that “The principle of alternation of power is enshrined in

the Inter-American Democratic Charter (IADC) as an essential element of democracy. Even though Ortega pushed through a constitutional amendment allowing for indefinite re-election, he did so by circumventing the separation of powers illegally. An uncontested re-election of Ortega would clearly violate the IADC, which was signed by Nicaragua in 2001. If that is the case, Secretary General Almagro should activate the IADC and, if necessary, call for the suspension of Nicaragua from the OAS.”

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) independent pro-democracy organizations in Nicaragua; and

(3) free, fair, and transparent elections under international and domestic observers in Nicaragua in 2016 and 2017.

SEC. 4. INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The President shall instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the United States to oppose any loan or other utilization of the funds of the respective institution for the benefit of the Government of Nicaragua, other than to address basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Nicaragua is taking effective steps to—

(1) hold free, fair, and transparent elections overseen by credible domestic and international electoral observers;

(2) promote democracy, as well as an independent judiciary system and electoral council;

(3) strengthen the rule of law; and

(4) respect the right to freedom of association and expression.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives;

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTION.—The term “international financial institution” means the International Monetary Fund, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(c) TERMINATION.—This section shall terminate on the day after the date on which the Secretary of State certifies and reports to the appropriate congressional committees that the requirements of subsection (a) are met.

SEC. 5. ORGANIZATION OF AMERICAN STATES.

(a) FINDINGS.—Congress finds that, according to the Organization of American States (OAS) report on the Nicaraguan 2011 Presidential elections, Nicaragua: Final Report,

General Elections, OAS (2011), the OAS made the following recommendations to the Government of Nicaragua:

(1) “Prepare alternative procedures for updating the electoral roll when a registered voter dies.”

(2) “Publish the electoral roll so that new additions, changes of address and exclusions can be checked.”

(3) “Reform the mechanism for accreditation of poll watchers using a formula that ensures that the political parties will have greater autonomy to accredit their respective poll watchers.”

(4) “Institute regulations to ensure that party poll watchers are involved in all areas of the electoral structure, including the departmental, regional and municipal electoral councils and polling stations. Rules should be crafted to spell out their authorities and functions and the means by which they can exercise their authority and perform their functions.”

(5) “Redesign the CSE administrative structure at the central and field levels, while standardizing technical and operational procedures, including the design of control mechanisms from the time registration to the delivery of the document to the citizens; the process of issuing identity cards should be timed to the calendar and, to avoid congestion within the process, be evenly spaced.”

(b) ELECTORAL OBSERVATION MISSION.—The President shall direct the United States Permanent Representative to the Organization of American States (OAS) to use the voice, vote, and influence of the United States at the OAS to strongly advocate for an Electoral Observation Mission to be sent to Nicaragua in 2016 and 2017.

SEC. 6. STATEMENT OF POLICY.

The Department of State and the United States Agency for International Development should prioritize foreign assistance to the people of Nicaragua to assist civil society in democracy and governance programs, including human rights documentation.

AMENDMENT OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Speaker, I have an amendment to the bill at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nicaraguan Investment Conditionality Act (NICA) of 2016”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In 2006, Nicaragua, under President Enrique Bolaños, entered into a \$175,000,000, 5-year compact with the Millennium Challenge Corporation (MCC).

(2) After the 2008 municipal elections, the MCC stated that there was a pattern of decline in political rights and civil liberties in Nicaragua.

(3) In 2009, the MCC terminated the compact and reduced the amount of MCC funds available to Nicaragua by \$61,500,000, which led to the compact ending in 2011.

(4) According to Nicaraguan law, the National Assembly is the only institution allowed to change the constitution but in 2009, Daniel Ortega circumvented the legislature and went to the Supreme Court, which he controls, to rule in his favor that Presidential term limits were inapplicable.

(5) The House Committee on Foreign Affairs convened a congressional hearing on

December 1, 2011, entitled “Democracy Held Hostage in Nicaragua: Part 1” where former United States Ambassador to Nicaragua Robert Callahan testified, “First, that Daniel Ortega’s candidacy was illegal, illegitimate, and unconstitutional; second, that the period leading to the elections and the elections themselves were marred by serious fraud; third, that Daniel Ortega and his Sandinista party have systematically undermined the country’s fragile governmental institutions”.

(6) From fiscal year 2012 until present, the Department of State found that Nicaragua did not meet international standards of fiscal transparency.

(7) On January 25, 2012, a press statement from Secretary of State Hillary Clinton said: “As noted by international observers and Nicaraguan civil society groups, Nicaragua’s recent elections were not conducted in a transparent and impartial manner, and the entire electoral process was marred by significant irregularities. The elections marked a setback to democracy in Nicaragua and undermined the ability of Nicaraguans to hold their government accountable.”

(8) According to the Department of State’s 2015 Fiscal Transparency Report: “Nicaragua’s fiscal transparency would be improved by including all off-budget revenue and expenditure in the budget, auditing state-owned enterprises, and conducting a full audit of the government’s annual financial statements and making audit reports publicly available within a reasonable period of time.”

(9) According to the Department of State’s Country Reports on Human Rights Practices for 2015: “In 2011 the Supreme Electoral Council (CSE) announced the re-election of President Daniel Ortega Saavedra of the Sandinista National Liberation Front (FSLN) in elections that international and domestic observers characterized as seriously flawed. International and domestic organizations raised concerns regarding the constitutional legitimacy of Ortega’s re-election. The 2011 elections also provided the ruling party with a supermajority in the National Assembly, allowing for changes in the constitution, including extending the reach of executive branch power and the elimination of restrictions on re-election for executive branch officials and mayors. Observers noted serious flaws during the 2012 municipal elections and March 2014 regional elections.”

(10) According to the Department of State’s Country Reports on Human Rights Practices for 2015 in Nicaragua: “The principal human rights abuses were restrictions on citizens’ right to vote; obstacles to freedom of speech and press, including government intimidation and harassment of journalists and independent media, as well as increased restriction of access to public information, including national statistics from public offices; and increased government harassment and intimidation of nongovernmental organizations (NGOs) and civil society organizations.”

(11) The same 2015 report stated: “Additional significant human rights abuses included considerably biased policies to promote single-party dominance; arbitrary police arrest and detention of suspects, including abuse during detention; harsh and life-threatening prison conditions with arbitrary and lengthy pretrial detention; discrimination against ethnic minorities and indigenous persons and communities.”

(12) In February 2016, the Ortega regime detained and expelled Freedom House’s Latin

America Director, Dr. Carlos Ponce, from Nicaragua.

(13) On May 10, 2016, the Supreme Electoral Council announced and published the electoral calendar which aims to govern the electoral process.

(14) After receiving the electoral calendar for the 2016 Presidential elections, the Nicaraguan political opposition raised concerns and pointed to a number of anomalies such as: the electoral calendar failed to contemplate national and international observations, failed to agree to publicly publish the precincts results of each Junta Receptora de Voto (JRV), and failed to purge the electoral registration rolls in a transparent and open manner.

(15) Nicaragua's constitution mandates terms of 5 years for municipal authorities, which would indicate that the next municipal elections must occur in 2017.

(16) On June 3, 2016, the Nicaraguan Supreme Court—which is controlled by Nicaragua's leader, Daniel Ortega—instructed the Supreme Electoral Council not to swear in Nicaraguan opposition members to the departmental and regional electoral councils.

(17) On June 5, 2016, regarding international observers for the 2016 Presidential elections, President Ortega stated: "Here, the observation ends. Go observe other countries . . . There will be no observation, neither from the European Union, nor the OAS . . .".

(18) On June 7, 2016, the Department of State's Bureau of Democracy, Human Rights and Labor posted on social media: "Disappointed government of Nicaragua said it will deny electoral observers requested by Nicaraguan citizens, church, and private sector . . . We continue to encourage the government of Nicaragua to allow electoral observers as requested by Nicaraguans."

(19) On June 8, 2016, the Supreme Electoral Council—which is controlled by Nicaragua's leader, Daniel Ortega—announced a ruling, which changed the leadership structure of the opposition party and in practice allegedly barred all existing opposition candidates from running for office.

(20) On June 14, 2016, President Ortega expelled three United States Government officials (two officials from U.S. Customs and Border Protection and one professor from the National Defense University) from Nicaragua.

(21) On June 29, 2016, the Department of State issued a Nicaragua Travel Alert which stated: "The Department of State alerts U.S. citizens about increased government scrutiny of foreigners' activities, new requirements for volunteer groups, and the potential for demonstrations during the upcoming election season in Nicaragua . . . Nicaraguan authorities have denied entry to, detained, questioned, or expelled foreigners, including United States Government officials, academics, NGO workers, and journalists, for discussions, written reports or articles, photographs, and/or videos related to these topics. Authorities may monitor and question private United States citizens concerning their activities, including contact with Nicaraguan citizens."

(22) On August 1, 2016, the Department of State issued a press release to express grave concern over the Nicaraguan government limiting democratic space leading up to the elections in November and stated that "[o]n June 8, the Nicaraguan Supreme Court stripped the opposition Independent Liberal Party (PLI) from its long recognized leader. The Supreme Court took similar action on

June 17 when it invalidated the leadership of the Citizen Action Party, the only remaining opposition party with the legal standing to present a presidential candidate. Most recently, on July 29, the Supreme Electoral Council removed 28 PLI national assembly members (16 seated and 12 alternates) from their popularly-elected positions."

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

- (1) the rule of law and an independent judiciary and electoral council in Nicaragua;
- (2) independent pro-democracy organizations in Nicaragua; and
- (3) free, fair, and transparent elections under international and domestic observers in Nicaragua in 2016 and 2017.

SEC. 4. INTERNATIONAL FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—The President shall instruct the United States Executive Director at each international financial institution to use the voice, vote, and influence of the United States to oppose any loan for the benefit of the Government of Nicaragua, other than to address basic human needs or promote democracy, unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Nicaragua is taking effective steps to—

- (1) hold free, fair, and transparent elections overseen by credible domestic and international electoral observers;
- (2) promote democracy, as well as an independent judicial system and electoral council;
- (3) strengthen the rule of law; and
- (4) respect the right to freedom of association and expression.

(b) REPORT.—The Secretary of the Treasury shall submit to the appropriate congressional committees a written report assessing—

- (1) the effectiveness of the international financial institutions in enforcing applicable program safeguards in Nicaragua; and
- (2) the effects of the matters described in section 2 on long-term prospects for positive development outcomes in Nicaragua.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) INTERNATIONAL FINANCIAL INSTITUTION.—The term "international financial institution" means the International Monetary Fund, International Bank for Reconstruction and Development, European Bank for Reconstruction and Development, International Development Association, International Finance Corporation, Multilateral Investment Guarantee Agency, African Development Bank, African Development Fund, Asian Development Bank, Inter-American Development Bank, Bank for Economic Cooperation and Development in the Middle East and North Africa, and Inter-American Investment Corporation.

(d) TERMINATION.—This section shall terminate on the day after the earlier of—

- (1) the date on which the Secretary of State certifies and reports to the appropriate congressional committees that the requirements of subsection (a) are met; or

(2) 5 years after the date of the enactment of this Act.

(e) WAIVER.—The President may waive this section if the President determines that such a waiver is in the national interest of the United States.

SEC. 5. ORGANIZATION OF AMERICAN STATES.

(a) FINDINGS.—Congress finds that, according to the Organization of American States (OAS) report on the Nicaraguan 2011 Presidential elections, Nicaragua: Final Report, General Elections, OAS (2011), the OAS made the following recommendations to the Government of Nicaragua:

(1) "Prepare alternative procedures for updating the electoral roll when a registered voter dies."

(2) "Publish the electoral roll so that new additions, changes of address and exclusions can be checked."

(3) "Reform the mechanism for accreditation of poll watchers using a formula that ensures that the political parties will have greater autonomy to accredit their respective poll watchers."

(4) "Institute regulations to ensure that party poll watchers are involved in all areas of the electoral structure, including the departmental, regional and municipal electoral councils and polling stations. Rules should be crafted to spell out their authorities and functions and the means by which they can exercise their authority and perform their functions."

(5) "Redesign the CSE administrative structure at the central and field levels, while standardizing technical and operational procedures, including the design of control mechanisms from the time registration to the delivery of the document to the citizens; the process of issuing identity cards should be timed to the calendar and, to avoid congestion within the process, be evenly spaced."

(b) ELECTORAL OBSERVATION MISSION.—The President shall direct the United States Permanent Representative to the Organization of American States (OAS) to use the voice, vote, and influence of the United States at the OAS to strongly advocate for an Electoral Observation Mission to be sent to Nicaragua in 2016 and 2017.

SEC. 6. STATEMENT OF POLICY.

The Department of State and the United States Agency for International Development should prioritize foreign assistance to the people of Nicaragua to assist civil society in democracy and governance programs, including human rights documentation.

SEC. 7. REPORT ON CORRUPTION IN NICARAGUA.

(a) REPORT REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), shall submit to Congress a report on the involvement of senior Nicaraguan government officials, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in acts of public corruption or human rights violations in Nicaragua.

(b) FORM.—The report required in subsection (a) shall be submitted in unclassified form, but may contain a classified annex. The unclassified portion of the report shall be made available to the public.

Mr. ROYCE (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to oppose loans at international financial institutions for the Government of Nicaragua, other than to address basic human needs or promote democracy, unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes."

A motion to reconsider was laid on the table.

STABILITY AND DEMOCRACY FOR UKRAINE ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5094) to contain, reverse, and deter Russian aggression in Ukraine, to assist Ukraine's democratic transition, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5094

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Stability and Democracy for Ukraine Act" or "STAND for Ukraine Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Statements of policy.

TITLE I—CRIMEA ANNEXATION NON-RECOGNITION

- Sec. 101. United States policy against recognition of territorial changes effected by force alone.
- Sec. 102. Prohibitions against United States recognition of the Russian Federation's annexation of Crimea.
- Sec. 103. Determinations and codification of sanctions under Executive Order 13685.

TITLE II—SANCTIONS PROVISIONS

- Sec. 201. Prohibiting certain transactions with foreign sanctions evaders and serious human rights abusers with respect to the Russian Federation.
- Sec. 202. Report on certain foreign financial institutions.
- Sec. 203. Requirements relating to transfers of defense articles and defense services to the Russian Federation.

TITLE III—OTHER MATTERS

- Sec. 301. Strategy to respond to Russian Federation-supported information and propaganda efforts directed toward Russian-speaking communities in countries bordering the Russian Federation.
- Sec. 302. Cost limitation.
- Sec. 303. Sunset.

SEC. 2. STATEMENTS OF POLICY.

(a) IN GENERAL.—It is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and territorial integrity to contain, reverse,

and deter Russian aggression in Ukraine. That policy shall be carried into effect, among other things, through a comprehensive effort, in coordination with allies and partners of the United States where appropriate, that includes sanctions, diplomacy, and assistance, including lethal defensive weapons systems, for the people of Ukraine intended to enhance their ability to consolidate a rule of law-based democracy with a free market economy and to exercise their right under international law to self-defense.

(b) ADDITIONAL STATEMENT OF POLICY.—It is further the policy of the United States—

(1) to use its voice, vote, and influence in international fora to encourage others to provide assistance that is similar to assistance described in subsection (a) to Ukraine; and

(2) to ensure that any relevant sanctions relief for the Russian Federation is contingent on timely, complete, and verifiable implementation of the Minsk Agreements, especially the restoration of Ukraine's control of the entirety of its eastern border with the Russian Federation in the conflict zone.

TITLE I—CRIMEA ANNEXATION NON-RECOGNITION

SEC. 101. UNITED STATES POLICY AGAINST RECOGNITION OF TERRITORIAL CHANGES EFFECTED BY FORCE ALONE.

Between the years of 1940 and 1991, the United States did not recognize the forcible incorporation and annexation of the three Baltic States of Lithuania, Latvia, and Estonia into the Soviet Union under a policy known as the "Stimson Doctrine".

SEC. 102. PROHIBITIONS AGAINST UNITED STATES RECOGNITION OF THE RUSSIAN FEDERATION'S ANNEXATION OF CRIMEA.

(a) IN GENERAL.—In accordance with United States policy enumerated in section 101, no Federal department or agency should take any action or extend any assistance that recognizes or implies any recognition of the de jure or de facto sovereignty of the Russian Federation over Crimea, its airspace, or its territorial waters.

(b) DOCUMENTS PORTRAYING CRIMEA AS PART OF RUSSIAN FEDERATION.—In accordance with United States policy enumerated in section 101, the Government Printing Office should not print any map, document, record, or other paper of the United States portraying or otherwise indicating Crimea as part of the territory of the Russian Federation.

SEC. 103. DETERMINATIONS AND CODIFICATION OF SANCTIONS UNDER EXECUTIVE ORDER 13685.

(a) DETERMINATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains the assessment described in paragraph (2).

(2) ASSESSMENT DESCRIBED.—The assessment described in this paragraph is—

(A) a review of each person designated pursuant to Executive Order 13660 (March 6, 2014; 79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine) or Executive Order 13661 (March 16, 2014; 79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine); and

(B) a determination as to whether any such person meets the criteria for designation pursuant to Executive Order 13685 (December 19, 2014; 79 Fed. Reg. 77357; relating to block-

ing property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine).

(3) FORM.—The assessment required by paragraph (2) shall be submitted in unclassified form but may contain a classified annex.

(b) CODIFICATION.—United States sanctions provided for in Executive Order 13685, as in effect on the day before the date of the enactment of this Act, shall remain in effect until the date on which the President submits to the appropriate congressional committees a certification described in subsection (c).

(c) CERTIFICATION.—A certification described in this subsection is a certification of the President that Ukraine's sovereignty over Crimea has been restored.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to restrict the authority of the President to impose additional United States sanctions with specific respect to the Russian Federation's occupation of Crimea pursuant to Executive Order 13685.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

TITLE II—SANCTIONS PROVISIONS

SEC. 201. PROHIBITING CERTAIN TRANSACTIONS WITH FOREIGN SANCTIONS EVADERS AND SERIOUS HUMAN RIGHTS ABUSERS WITH RESPECT TO THE RUSSIAN FEDERATION.

The Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (Public Law 113-95; 22 U.S.C. 8901 et seq.) is amended by adding at the end the following new sections:

"SEC. 10. PROHIBITING CERTAIN TRANSACTIONS WITH FOREIGN SANCTIONS EVADERS WITH RESPECT TO THE RUSSIAN FEDERATION.

"(a) IN GENERAL.—The President is authorized to impose with respect to a foreign person the sanctions described in subsection (b) if the President determines that the foreign person knowingly—

"(1) has materially violated, attempted to violate, conspired to violate, or caused a violation of any license, order, regulation, or prohibition contained in, or issued pursuant to any covered Executive order; or

"(2) has facilitated significant deceptive or structured transactions for or on behalf of any person subject to United States sanctions concerning the Russian Federation.

"(b) SANCTIONS DESCRIBED.—

"(1) IN GENERAL.—The sanctions described in this subsection are the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

"(2) PENALTIES.—A person that is subject to sanctions described in paragraph (1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a

person that commits an unlawful act described in subsection (a) of that section.

“(c) **WAIVER.**—The President may waive the application of sanctions under subsection (b) on a case-by-case for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days with respect to a person if the President determines that such a waiver is in the national interests of the United States and on or before the date on which the waiver takes effect, submits to the appropriate congressional committees a notice of and justification for the waiver.

“(d) **IMPLEMENTATION AUTHORITY.**—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

“(e) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

“(f) **DEFINITIONS.**—In this section:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

“(B) Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

“(2) **COVERED EXECUTIVE ORDER.**—The term ‘covered Executive order’ means any of the following:

“(A) Executive Order 13660 (March 6, 2014; 79 Fed. Reg. 13493; relating to blocking property of certain persons contributing to the situation in Ukraine).

“(B) Executive Order 13661 (March 16, 2014; 79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine).

“(C) Executive Order 13685 (December 19, 2014; 79 Fed. Reg. 77357; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine).

“(3) **FOREIGN PERSON.**—The term ‘foreign person’ has the meaning given such term in section 595.304 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

“(4) **STRUCTURED.**—The term ‘structured’, with respect to a transaction, has the meaning given the term ‘structure’ in paragraph (xx) of section 1010.100 of title 31, Code of Federal Regulations.

“(5) **UNITED STATES PERSON.**—The term ‘United States person’ has the meaning given such term in section 589.312 of title 31, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

“SEC. 11. PROHIBITING CERTAIN TRANSACTIONS IN AREAS CONTROLLED BY THE RUSSIAN FEDERATION.

“(a) **IN GENERAL.**—The President is authorized to impose with respect to a foreign person the sanctions described in subsection (b) if the President determines that the foreign person, based on credible information—

“(1) is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation;

“(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, a foreign person that is responsible for,

complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation; or

“(3) is owned or controlled by a foreign person, or has acted or purported to act for or on behalf of, directly or indirectly, a foreign person, that is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses in any territory forcibly occupied or otherwise controlled by the Government of the Russian Federation.

“(b) **SANCTIONS DESCRIBED.**—

“(1) **IN GENERAL.**—The sanctions described in this subsection are the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), without regard to section 202 of such Act, to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

“(2) **PENALTIES.**—A person that is subject to sanctions described in paragraph (1) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

“(c) **WAIVER.**—The President may waive the application of sanctions under subsection (b) on a case-by-case for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days with respect to a person if the President determines that such a waiver is in the national interests of the United States and on or before the date on which the waiver takes effect, submits to the appropriate congressional committees a notice of and justification for the waiver.

“(d) **IMPLEMENTATION AUTHORITY.**—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

“(e) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

“(f) **DEFINITIONS.**—In this section:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

“(B) Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

“(2) **FOREIGN PERSON.**—The term ‘foreign person’ has the meaning given such term in section 595.304 of title 31, Code of Federal Regulations, as in effect on the date of enactment of this section.

“(3) **UNITED STATES PERSON.**—The term ‘United States person’ has the meaning given such term in section 589.312 of title 31, Code of Federal Regulations, as in effect on the date of enactment of this section.”

SEC. 202. REPORT ON CERTAIN FOREIGN FINANCIAL INSTITUTIONS.

The Support for the Sovereignty, Integrity, Democracy, and Economic Stability of

Ukraine Act of 2014 (Public Law 113-95; 22 U.S.C. 8901 et seq.) is amended by inserting after section 11 (as added by section 201 of this Act) the following new section:

“SEC. 12. REPORT ON CERTAIN FOREIGN FINANCIAL INSTITUTIONS.

“(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this section, the Secretary of State and the Secretary of the Treasury shall jointly submit to the appropriate congressional committees a report on—

“(1) foreign financial institutions that are in direct control of assets owned or controlled by the Government of Ukraine in a manner determined by the Secretary of State and the Secretary of the Treasury to be in violation of the sovereignty, independence, or territorial integrity of Ukraine;

“(2) foreign financial institutions that are directly or indirectly assisting or otherwise aiding the violation of sovereignty, independence, and territorial integrity of Ukraine; and

“(3) foreign financial institutions determined by the Secretary of State and the Secretary of the Treasury to be complicit in illicit financial activity, including money laundering, financing of terrorism, transnational organized crime, or misappropriation of state assets, that are—

“(A) organized under the laws of the Russian Federation; or

“(B) owned or controlled by a foreign person whose property or interests in property have been blocked pursuant to any covered Executive order.

“(b) **FORM.**—The report required to be submitted under this subsection shall be submitted in unclassified form but may include a classified annex.

“(c) **DEFINITIONS.**—In this section:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives; and

“(B) Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

“(2) **COVERED EXECUTIVE ORDER.**—The term ‘covered Executive order’ has the meaning given the term in section 10(f) of this Act.”

SEC. 203. REQUIREMENTS RELATING TO TRANSFERS OF DEFENSE ARTICLES AND DEFENSE SERVICES TO THE RUSSIAN FEDERATION.

(a) **STATEMENT OF POLICY.**—It is the policy of the United States to oppose the transfer of defense articles and defense services from any country that is a member of the North Atlantic Treaty Organization (NATO) to, or on behalf of, the Russian Federation, during any period in which the Russian Federation forcibly occupies the territory of Ukraine or of a NATO member country.

(b) **ADOPTION OF NATO POLICY.**—The President shall use the voice, vote, and influence of the United States in NATO to seek the adoption of a policy by NATO that is consistent with the policy of the United States specified in subsection (a).

(c) **MONITORING AND IDENTIFICATION OF TRANSFERS.**—

(1) **IN GENERAL.**—The President shall direct the heads of the appropriate departments and agencies of the United States to identify those transfers of defense articles and defense services described in subsection (a) that are contrary to the policy of the United States specified in subsection (a).

(2) REPORT.—

(A) IN GENERAL.—The President shall submit a written report to the chairmen and ranking members of the appropriate committees of Congress within 5 days of the receipt of information indicating that a transfer described in paragraph (1) has occurred.

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(2) DEFENSE ARTICLES AND DEFENSE SERVICES.—The terms “defense article” and “defense service” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794 note).

TITLE III—OTHER MATTERS**SEC. 301. STRATEGY TO RESPOND TO RUSSIAN FEDERATION-SUPPORTED INFORMATION AND PROPAGANDA EFFORTS DIRECTED TOWARD RUSSIAN-SPEAKING COMMUNITIES IN COUNTRIES BORDERING THE RUSSIAN FEDERATION.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall develop and implement a strategy to respond to Russian Federation-supported dis-information and propaganda efforts directed toward persons in countries bordering the Russian Federation.

(b) MATTERS TO BE INCLUDED.—The strategy required under subsection (a) should include the following:

(1) Development of a response to propaganda and dis-information campaigns as an element of the ongoing crisis in Ukraine, specifically—

(A) assistance in building the capacity of the Ukrainian military to document conflict zones and disseminate information in real-time;

(B) assistance in enhancing broadcast capacity with terrestrial television transmitters in Eastern Ukraine; and

(C) media training for officials of the Government of Ukraine.

(2) Establishment of a partnership with partner governments and private-sector entities to provide Russian-language entertainment and news content to broadcasters in Russian-speaking communities bordering the Russian Federation.

(3) Assessment of the extent of Russian Federation influence in political parties, financial institutions, media organizations, and other entities seeking to exert political influence and sway public opinion in favor of Russian Federation policy across Europe.

(c) REPORT.—The Secretary of State shall submit to the appropriate congressional committees a report on the strategy required under subsection (a) and its implementation.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

SEC. 302. COST LIMITATION.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

SEC. 303. SUNSET.

This Act and the amendments made by this Act shall cease to be effective beginning on the date that is 5 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the people of Ukraine have struggled against great odds to defend their freedom and ensure their national existence. It is a tortured history.

One of the Members who is on the floor today, ELIOT ENGEL, who was in Ukraine with me, his family, grandparents, all four of them came from Ukraine. Together we saw some of the evidence of that history in a gorge in Ukraine where so many Jewish Ukrainians were slaughtered. It is a reminder. The Holocaust and the other deprivations, the famine that Ukrainians lived through, are a reminder of the perils to the people in that country.

For several years, Vladimir Putin has employed all of the tools at his command to dominate that country, and that includes arming separatists in the east where almost 10,000 people have lost their lives in the fighting. It includes annexing Crimea, and the latest effort to legitimize his aggression was to include Crimea in Russia's parliamentary elections held last Sunday. These were a sham, and the delegates represent no one but the rulers in Moscow.

The administration cannot allow Putin to believe that U.S. opposition to his aggression is weakening. Instead, the U.S. and its allies and partners in Europe must step up their pressure against Moscow, including providing the lethal assistance needed to stop Russian tanks, that the Ukrainians have repeatedly asked for. Their primary concern is to be able to check that armor in the east.

This legislation strengthens the sanctions imposed on Russia as well. It is a clear demonstration that the U.S. remains committed to supporting the Ukrainian peoples' unyielding defense

of their freedom and their national existence.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 15, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 5094, the “Stability and Democracy for Ukraine Act,” on which the Committee on Ways and Means was granted an additional referral.

In order to allow H.R. 5094 to move expeditiously to the House floor, I agree to waive formal consideration of this bill. The Committee on Ways and Means takes this action with the mutual understanding that by forgoing formal consideration of H.R. 5094, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 15, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 5094, the STAND for Ukraine Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 5094 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 16, 2016.
Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: I am writing concerning H.R. 5094, the "STAND for Ukraine Act."

As a result of your having consulted with the Committee on Financial Services concerning provisions in the bill that fall within our Rule X jurisdiction, I agree to forgo action on the bill so that it may proceed expeditiously to the House Floor. The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 5094 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the legislation.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 15, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN HENSARLING: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 5094, the STAND for Ukraine Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 5094 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 16, 2016.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Wash-
ington, DC.

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 5094, the "STAND for Ukraine Act," which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary among others. As a result of your having consulted with us on provisions within H.R. 5094 that fall with-

in the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5094 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 5094 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during floor consideration of H.R. 5094.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, September 15, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Wash-
ington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 5094, the STAND for Ukraine Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 5094 into the Congressional Record during floor consideration of the resolution. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. Let me, first of all, thank our chairman, ED ROYCE, for helping advance this bill. I introduced this bill in April along with the gentleman from Illinois (Mr. KINZINGER). I am proud to say we now have 36 additional cosponsors, both Democrats and Republicans.

Mr. Speaker, we shouldn't kid ourselves about the intentions of Russia's President, Vladimir Putin. Inside his own borders, he has stripped away the rights of Russia's citizens. He has silenced a free and open press. He has stolen countless billions and spread the wealth around to his cronies. And in the wake of a sham election that boost-

ed his party's majority, it is being reported that he wants to breathe new life into the KGB.

His record abroad is more of the same. He has trampled his neighbors' sovereignty, worked to undermine NATO and Western unity, and posed a real threat to America's work and the work of our friends over the past seven decades to build a Europe that is whole, free, and at peace.

Perhaps most egregious is Russia's ongoing illegal occupation of Crimea and parts of eastern Ukraine. Russia recently renewed its attack on Ukraine's sovereignty by holding parliamentary elections for the duma in Crimea. It is just outrageous, as the chairman mentioned. The United States will never recognize these claims, just as we never recognized Soviet control of the Baltic States during the 50-year occupation there.

My legislation underscores America's support for Ukraine's right to defend itself, and it keeps pressure on Russia so long as Russia's criminal behavior in Ukraine continues. This bill says that if Russia wants to see sanctions relief, it must abide by its Minsk Agreement obligations, namely, if Ukraine controls the entirety of its eastern border. It makes Crimea-related sanctions permanent so long as the Russian occupation there continues. It tightens sanctions enforcement with the new anti-evasion framework, and it requires reporting on banks illegally controlling Ukrainian assets, particularly Russian banks in Crimea.

This bill also takes steps to make it harder for Russia to buy defense equipment or services from our NATO allies. It goes after human rights abusers in Russian-occupied areas, and it calls for a comprehensive strategy from our own government to push back against Russian propaganda. The people of Ukraine need to know the United States stands with them. This Government of Ukraine is the most pro-Western government they have ever had. We need to help them. Vladimir Putin needs to know that his reckless ambition won't go unanswered.

The gentleman from New Jersey (Mr. PASCRELL) had to leave, but he submitted testimony. He strongly supports this bill and everything that the chairman and I are saying this evening. I ask that all Members support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the chairman. I just want to come to applaud both the chairman and the ranking member for their work on this important measure.

I think this bill is incredibly important because, in the simplest of forms,

conflicting signals never work with regard to foreign policy. Some people have said that the Korean war was, in many cases, in large measure created based on a void as to uncertainty as to what the American Government would or wouldn't do in the event that North Korea was attacked by South Korea. I think you can look at a long host of different examples that point to the simple fact that conflicting signals are never a good signal when it comes to foreign policy.

I just want to thank the gentlemen for their resolution and to stress its importance. I think if we learned anything in the days leading up to World War II, with the actions of Neville Chamberlain, it is that appeasement doesn't work and that unchecked aggression always creates problems.

I think this is about sending a clear message to the Russians, but it ultimately sends a message to more than just the Russians. This is, as well, about a message to the Chinese in the South China Sea or other parts around the globe. In that regard, I think that this bill is ultimately about things that are ultimately much bigger than Ukraine and Russia.

Let me give you two examples. One, this is about reminding our allies and even ourselves that, for sovereignty to mean anything, a border has to mean something. That means a border can't be porous. It means that a border can't be regulated and controlled by whoever your biggest and strongest neighbor is in the region.

I would say, secondly, that this is about what it means to be an American ally. I think that the Budapest Memorandum was unequivocally clear that, if you give up nuclear arms, we will do certain things in terms of your security.

So the question that we now have to ask as Americans, and I think what this bill ultimately does so forcefully is to say: What does that mean and what are we going to do about it? Indeed, that is the question.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time to close.

Let me say before I close that Mr. SANFORD was absolutely right in what he just said. The fact is that Ukraine, which was part of the Soviet Union, gave up its nuclear weapons when the Soviet Union collapsed. As a result, they were given assurances that they would not have aggression perpetrated against them; and, of course, like other promises made by Mr. Putin, that fell by the wayside. I agree with the gentleman from South Carolina. I think he is absolutely right on the money. I thank him for his remarks.

Mr. Speaker, we have no shortage of crises smoldering around the world, but we cannot take our eye off what is happening in Ukraine and the threat that Russia poses. NATO is being tested. Western democracy is being called

into question. The progress we have made since the cold war is at risk.

Even if the administration is trying to work with Russia on other issues, we need to be clear-eyed when Vladimir Putin flouts international law and threatens the security of Europe. This bill would say plainly that no matter what happens in other parts of the world, if Russia continues to illegally occupy parts of Ukraine, Russia will pay a price.

I am pleased that the House is acting on my bill. I want to again thank Chairman ROYCE for being a partner with me and helping with this bill. I ask that all Members support it.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I thank the gentleman from New York (Mr. ENGEL), the ranking member.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, as an original sponsor of the STAND for Ukraine Act and a Co-Chair of the Congressional Ukraine Caucus, I rise in support of this important measure. This bill codifies and tightens existing U.S. sanctions on Russia for its violation of Ukraine's territorial integrity, including its illegal annexation of Crimea.

In passing this measure, I join my colleagues in making a strong statement that the United States stands with the people of Ukraine. Earlier this month, we celebrated the 25th anniversary of Ukraine's independence. It is the Ukraine people's will for a free, democratic, and sovereign country that is the underlying impetus for change and international support.

I believe we have a duty to stand behind democratic nations such as Ukraine against foreign aggression, and it is in our national interest to have an ally who shares our values. The STAND for Ukraine Act takes a meaningful step in helping Ukraine defend against foreign aggression. At the same time, we must continue our work in helping Ukraine develop the rule of law, root out corruption, and bring about economic prosperity.

I support the STAND for Ukraine Act, and urge my colleagues to do the same.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of the STAND for Ukraine Act. I'd like to thank my good friend and colleague Mr. ENGEL for introducing this legislation, which aims to solidify U.S. support for Ukraine's territorial integrity, under assault by the Russian government since 2014.

Last weekend Russian-occupied Crimea took part in Russia's parliamentary elections for the first time since Russia took over the peninsula in 2014. In the judgment of OSCE election observers, the elections took place in an environment marked by "restrictions to fundamental freedoms and political rights, firmly controlled media and a tightening grip on civil society. . . ." In timely response, this legislation solidifies the U.S. commitment to the territorial integrity of Ukraine.

The administration has applied various sanctions to Russia. In its leading provisions, this bill will give the sanctions created by executive orders the permanence of statutory law—until Ukraine's sovereignty over Crimea

is fully restored. These sanctions relate to blocking property of certain persons contributing to the situation in Ukraine. In addition, the bill provides that no federal agency shall take any action or extend any assistance that recognizes Russian sovereignty over Crimea.

Mr. Speaker, the Russian government's invasion of Ukraine, and particularly its land grab in Crimea—its forcible, illegal attempt to incorporate that peninsula into Russia—violated the core principles of several bilateral and multilateral agreements and treaties, including all ten of the core principles of the Helsinki Final Act.

In July I led the U.S. delegation to the OSCE Parliamentary Assembly, which met this year in Tbilisi. Russian parliamentarians continually sought to undermine, and even demean and provoke the Ukrainian delegation. Mr. Speaker, our delegation provided strong and constant support for the Ukrainians. In the words of this bill's policy statement, we used our "voice, vote, and influence in international fora to encourage others to provide assistance" to Ukraine, particularly to restore its sovereignty and territorial integrity. In my own speeches, I focused on the issue of Crimea, and on the sharply declining human rights situation there.

Russian "anti-extremism" laws have been used to criminalize opposition and stifle free speech. The majority of victims have been Crimean Tatars and ethnic Ukrainians, who have been subject to killings, kidnappings, torture, harassment and intimidation.

I urge my House colleagues to support this measure that will ensure the United States' non-recognition of Russia's illegal occupation, solidify and sharpen sanctions against Russia over Crimea, and support the full territorial integrity of Ukraine.

Mr. PASCRELL. Mr. Speaker, I rise today to stand in solidarity with my brothers and sisters in Ukraine by urging my colleagues to swiftly pass the STAND for Ukraine Act.

Nearly two and a half years ago, Russian President Vladimir Putin undermined Ukrainian sovereignty when the Russians began illegally occupying Crimea.

This act emboldened him to double down on bullying his neighbors, testing the resolve of NATO and trying to fracture Western unity.

His disrespect for global order knows no bounds. That is why the United States must reiterate to the world that it will not tolerate Russia's aggression.

While some misguided people have said that "Putin is not going into Crimea," this bill makes it perfectly clear: Russia's illegal occupation of Crimea will not be tolerated by the United States.

We must hold Russia accountable for its disrespect for global order and continued violations of international law.

That is why I am a strong supporter and co-sponsor of the STAND for Ukraine Act, which tightens sanctions on Russia and rejects any form of recognition of Russian rule over Crimea.

Mr. Speaker, I hope this bill will become law quickly so we can make sure that President Putin knows the United States stands with our ally Ukraine.

Mr. KINZINGER of Illinois. Mr. Speaker, I rise in strong support of H.R. 5094.

Ukraine continues to face significant challenges from Russian meddling and aggression. We in Congress are under no illusions when seeing Vladimir Putin's true intentions for Ukraine.

Vladimir Putin and Russia are tearing Europe apart. Russian-backed separatists continue their shelling of Ukrainian military positions in Donetsk and Donbass, which in some cases has killed civilians.

Additionally, Vladimir Putin and Russia are delivering bombs on medical facilities and on children in Syria. Further proof that they are no ally of ours.

Rather than continuing to negotiate with Putin, we need to stand up to him. The best way to push back against Russia is to give the Ukrainians what they need to defend their sovereign territory, such as lethal weaponry to counter the Russian-backed "little green men."

This important bill does a number of things to continue to show American support for Ukraine, while also putting additional pressure on Russia for its continued violation of Ukraine's territorial sovereignty.

Most importantly, this bill states that the United States will never recognize Russian sovereignty over Crimea, which it illegally annexed in 2014.

This bill would also enhance our sanctions regime on Russia for its ongoing illegal and destabilizing activities against Ukraine.

In our history, we have always seen the impact that our nation has on others when we stand up and help them achieve a better tomorrow. It is imperative that we continue to help Ukraine achieve that better future for its citizens.

Mr. Speaker, I was proud to work with Congressman ELIOT ENGEL to introduce this critical bill. By reaffirming U.S. support for Ukraine's self-defense, emphasizing that we never have nor will recognize Russia's illegal annexation of Crimea, and by holding Russia accountable for its continued violation of Ukraine's sovereignty, we will 'Stand with Ukraine' legislatively and most effectively.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3924, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GLOBAL DEVELOPMENT LAB ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3924) to establish in the United States Agency for International Development an entity to be known as the United States Global Development Lab, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3924

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global Development Lab Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The effectiveness of United States foreign assistance can be greatly enhanced by fostering innovation, applying science and technology, and leveraging the expertise and resources of the private sector to find low-cost, common sense solutions to today's most pressing development challenges.

(2) Breakthroughs that accelerate economic growth and produce better health outcomes in developing countries can help support the growth of healthier, more stable societies and foster trade relationships that translate into jobs and economic growth in the United States.

(3) In 2014, the Office of Science and Technology and the Office of Innovation and Development Alliances at the United States Agency for International Development (USAID) were streamlined and merged into the United States Global Development Lab.

(4) The Lab partners with entrepreneurs, experts, nongovernmental organizations, universities, and science and research institutions to find solutions to specific development challenges in a faster, more cost-efficient, and more sustainable way.

(5) The Lab utilizes competitive innovation incentive awards, a "pay-for-success" model, whereby a development challenge is identified, competitions are launched, ideas with the greatest potential for success are selected and tested, and awards are provided only after the objectives of a competition have been substantially achieved.

(6) Enhancing the authorities that support this pay-for-success model will better enable the Lab to diversify and expand both the number and sources of ideas that may be developed, tested, and brought to scale, thereby increasing USAID's opportunity to apply high value, low-cost solutions to specific development challenges.

SEC. 3. UNITED STATES GLOBAL DEVELOPMENT LAB.

(a) ESTABLISHMENT.—There is established in USAID an entity to be known as the United States Global Development Lab.

(b) DUTIES.—The duties of the Lab shall include—

(1) increasing the application of science, technology, innovation and partnerships to develop and scale new solutions to end extreme poverty;

(2) discovering, testing, and scaling development innovations to increase cost effectiveness and support United States foreign policy and development goals;

(3) leveraging the expertise, resources, and investment of businesses, nongovernmental organizations, science and research organizations, and universities to increase program impact and sustainability;

(4) utilizing innovation-driven competitions to expand the number and diversity of solutions to development challenges; and

(5) supporting USAID missions and bureaus in applying science, technology, innovation, and partnership approaches to decision-making, procurement, and program design.

(c) AUTHORITIES.—

(1) IN GENERAL.—In carrying out the duties of the Lab under subsection (b), the Administrator, in addition to such other authorities as may be available to the Administrator, including authorities under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and subject to the limitations described in paragraph (3), is authorized to—

(A) provide innovation incentive awards (as defined in section 4(5) of this Act); and

(B) use funds made available to carry out the provisions of part I of the Foreign Assistance Act of 1961 for each of the fiscal years 2017 through 2021 for the employment of not more than 30 individuals on a limited term basis pursuant to schedule A of subpart C of part 213 of title 5, Code of Federal Regulations, or similar provisions of law or regulations.

(2) RECOVERY OF FUNDS.—

(A) AUTHORITY.—

(i) IN GENERAL.—In carrying out the duties of the Lab under subsection (b), the Administrator, subject to the limitation described in clause (ii), is authorized to require a person or entity that receives funding under a grant, contract, or cooperative agreement made by the Lab to return to the Lab any program income that is attributable to funding under such grant, contract, or cooperative agreement.

(ii) LIMITATION.—The amount of program income that a person or entity is required to return to the Lab under clause (i) shall not exceed the amount of funding that the person or entity received under the grant, contract, or cooperative agreement.

(B) TREATMENT OF PAYMENTS.—

(i) IN GENERAL.—The amount of any program income returned to the Lab pursuant to subparagraph (A) may be credited to the account from which the obligation and expenditure of funds under the grant, contract, or cooperative agreement described in subparagraph (A) was made.

(ii) AVAILABILITY.—

(I) IN GENERAL.—Except as provided in subclause (II), amounts returned and credited to an account under clause (i)—

(aa) shall be merged with other funds in the account; and

(bb) shall be available, subject to appropriation, for the same purposes and period of time for which other funds in the account are available for programs and activities of the Lab.

(II) EXCEPTION.—Amounts returned and credited to an account under clause (i) may not be used to pay for the employment of individuals described in paragraph (1)(B).

(3) LIMITATIONS.—

(A) IN GENERAL.—Concurrent with the submission of the Congressional Budget Justification for Foreign Operations for each fiscal year, the Administrator shall submit to the appropriate congressional committees a detailed accounting of USAID's use of authorities under this section, including the sources, amounts, and uses of funding under each of paragraphs (1) and (2).

(B) INNOVATION INCENTIVE AWARDS.—In providing innovation incentive awards under paragraph (1)(A), the Administrator shall—

(i) limit the amount of individual awards for fiscal year 2017 to not more than \$100,000;

(ii) limit the total number of awards for fiscal year 2017 to not more than 10 awards; and

(iii) notify the appropriate congressional committees not later than 15 days after providing each such award.

(C) STAFF.—In exercising the authority under paragraph (1)(B), the Administrator should seek to ensure that increases in the number of staff assigned to the Lab are offset by an equivalent reduction in the total number of staff serving elsewhere in USAID.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committees on Foreign Relations and the Committee on Appropriations of the Senate.

(3) LAB.—The term “Lab” means the United States Global Development Lab established under section 3.

(4) USAID.—The term “USAID” means the United States Agency for International Development.

(5) INNOVATION INCENTIVE AWARD.—The term “innovation incentive award” means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem relating to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices, facilitating further development of an idea or practice by third parties.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

□ 2030

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3924, which authorizes the U.S. Global Development Lab within the U.S. Agency for International Development. Through the Lab, USAID workers, with the private sector, partner up; and they tap into the science and technology needed to source and to test proven, low-cost, high-impact solutions to pressing development challenges around the world.

From maternal health to food security, the innovations supported by the Lab are changing the way we think about and the way we deliver foreign aid. This bill provides important authorities to improve the Lab's efficacy and efficiency, and it approves incentive awards through a competitive pay-for-performance process.

It enables the Lab to bring in technical experts on a short-term basis without long-term salary and benefit obligations. When one of these new technologies becomes successful, it allows USAID to keep a portion of its initial investment so the Lab can become financially self-sustaining.

Mr. Speaker, this is the approach that will bend the development curve. This is effective foreign aid.

I want to thank Representative CASTRO and Representative McCAUL for introducing this very important, bipartisan measure.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this measure. I want to thank Chairman ED ROYCE for bringing this bill forward. I want to also thank Mr. CASTRO of Texas for his leadership and hard work on this measure, and I thank Mr. McCAUL as well.

Mr. Speaker, around the world, 1.2 billion people live in extreme poverty. That means they live on less than \$1.25 a day. It is hard to imagine. No one should have to live on so little.

At the same time, we know that areas of extreme poverty can be hotbeds for other problems. Poverty leads to broader instability. It creates vulnerabilities that can be exploited by violent extremists, jihadists, or others spreading dangerous ideologies. It holds communities and countries back. So we view alleviating poverty as the right thing to do and also as a strategic concern.

That is why USAID established the Development Lab to help develop and deploy poverty reduction technologies more widely and at a lower cost.

I want to acknowledge former USAID Administrator Rajiv Shah, who did tremendous work at USAID helping build the Lab into a world-class center of innovation, working toward new solutions to extreme poverty.

The Lab works with NGOs, corporations, and universities to bring in the best ideas and stay on the cutting edge of development. It is also expanding USAID's impact through a public-private dollar-for-dollar matching program that allows us to scale these innovations up without expanding USAID's budget.

We are seeing real results. In 2014, the Lab invested in 362 new solutions that touch nearly 14 million people around the world. For example, the Lab funded an initiative aimed at producing more food where fresh water is hard to come by.

Securing Water for Food: A Grand Challenge for Development led to a system that makes seawater or brackish water usable for drinking or agriculture. It consumes so little energy that the cost to use it is low, even in areas off the power grid. This is what we mean when we talk about innovation.

Last May, the Development Lab hosted an international competition to develop technology to fight wildlife trafficking and crimes. I know that Chairman ROYCE has been very interested in this issue. This led to the development of an app called the Wildlife Scan that allows law enforcement to easily identify endangered species

being smuggled out of countries. After just a couple of months, the app has already been downloaded more than 1,000 times.

And just last month, the Global Lab finished up a Zika challenge initiative, which led to 21 new solutions targeted at combating the spread of the Zika virus and are on track to be tested and deployed. They could be available within months.

The bill would build on the Lab's success by creating new authorities for the Lab to expand and manage its partnerships. It will give the Lab greater flexibility for hiring experts on a project-by-project basis, and it will allow the Lab to award small, targeted grants that have proven so effective in supporting healthcare providers.

I commend Mr. CASTRO for his hard work on this very good bill. It makes a good initiative better, and I am pleased to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CASTRO), a very valuable member of the Foreign Affairs Committee and the author of this measure.

Mr. CASTRO of Texas. Mr. Speaker, I thank Ranking Member ENGEL for yielding me this time and for his support of this legislation. He, Chairman ROYCE, as well as their staff members have been terrific partners in moving this bill forward.

I also want to say a big thank you to my fellow Texan, Representative MIKE McCAUL, for being the lead Republican cosponsor of this legislation, which aims to make our foreign aid efforts more impactful and cost-efficient.

Created in 2014 through the streamlining and merging of two offices, USAID's Global Development Lab is spearheading a new approach that supports the invention, testing, and utilization of more cost-efficient solutions to development challenges.

The Lab collaborates with entrepreneurs, corporations, NGOs, universities, and science and research institutions to solve some of the world's most difficult development challenges faster, more cheaply, and more sustainably.

Essentially, the Lab democratizes problem solving by crowdsourcing ideas and applications to find the best solutions from around the world. For example, the Lab has used what it calls Grand Challenges for Development to incentivize problem solvers to develop solutions for specific problems.

The Saving Lives at Birth Grand Challenge led to the creation of the Pratt Pouch, a small ketchup packet-like pouch filled with medication that women can use in rural areas to prevent birth-related HIV infections. Other Grand Challenges have led to the development of breakthrough products

that keep healthcare workers treating Ebola patients safe, desalinate water in an environmentally sustainable manner, and bring electricity to folks living off the electrical grid in Africa.

The Lab also partners with outside entities, such as universities, to cultivate solutions to specific development challenges ranging from health and food insecurity to chronic conflict. Participating institutions equally match USAID's funding and leverage additional resources from private foundations.

The legislation before us today formally authorizes the U.S. Global Development Lab within USAID and provides new legislative authorities to augment the Lab's current capabilities, allowing the initiative to achieve greater results and maximize its impact.

The bill allows the Lab to use a pay-for-success model and tap into good ideas, no matter their source; bring in term-limited technical experts in a more cost-effective manner; and gain the flexibility to use program income more effectively.

In conclusion, Congress can be proud of the work that the Lab is currently doing and will continue to pursue once we authorize it and provide proper oversight.

Mr. ROYCE. Mr. Speaker, I congratulate Mr. CASTRO and Mr. McCAUL for their innovation.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time now to close.

Let me just say, in recent years, it has become very clear the way issues like global poverty fit into our broader national and international concerns. We see the links between poverty, health, stability, and security. So when we work to relieve this burden and lift up communities, we are also advancing a wide range of interests. As I like to say, it is the smart thing to do, and it is also the right thing to do.

The administration has already taken steps to incorporate poverty alleviation into our development efforts. This bill will help USAID do even more.

So, once again, I want to thank Mr. CASTRO for his hard work. I am glad to support this bill. I thank Chairman ROYCE for his help. I urge all of my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I thank the gentleman from New York (Mr. ENGEL).

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3924, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VOTING RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Alabama (Ms. SEWELL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to discuss the importance of voting rights for all Americans across this country.

With less than 50 days before Americans go to the polls to elect our next President and other elected officials, we are still faced with the harsh reality that this will be the first election in 50 years where Americans will not have the full protections of the Voting Rights Act of 1965.

Today's Special Order hour is on behalf of the House Democratic Outreach and Engagement Task Force. I want to thank Assistant Leader CLYBURN for his leadership on the task force and all of the members of the task force as we work together to make sure that we engage all Americans on the importance of voting. In fact, one of the first things the task force did was to host a series of voting rights forums across this Nation to put together a report that shows modern-day barriers to voting still exist.

The Voting Rights Act of 1965 was passed not only by legislation but, Mr. Speaker, the Voting Rights Act of 1965 was passed with the blood, sweat, and tears of so many Americans. In fact, all of us know of the courageous sacrifices of our very own JOHN LEWIS, but there were so many known and unknown foot soldiers that made it possible for America to live up to its ideals of democracy and justice for all.

As a daughter of Selma, Alabama, I am painfully aware that the injustices suffered on the Edmund Pettus Bridge 50 years ago have not been fully vindicated.

Although we no longer are required to count how many marbles are in a jar or recite how many counties there are in the State of Alabama, my proposition to you, Mr. Speaker, is that modern-day barriers to voting still exist. Those barriers may not be as overt as they were 50 years ago, but,

Mr. Speaker, they are no less stained. They are no less important as those other barriers were.

I have seen example after example, as the Representative of Alabama's Seventh Congressional District, of the modern-day barriers that exist to voting.

Since the Supreme Court struck down critical parts of the Voting Rights Act of 1965 in the Shelby County v. Holder decision, so many Members have taken to the floor—mostly Democrats—day after day, week after week, month after month, year after year, urging our Republican colleagues to work with us to restore the essential protections of the Voting Rights Act of 1965.

Several of my Democratic colleagues, including myself, have hosted voting rights forums across this country to highlight the continued need for restoring the Voting Rights Act. Members have also introduced legislation. I, for one, am quite proud of the Voting Rights Advancement Act, a bill that I sponsored, along with several other Members of the House, including Representative LINDA T. SÁNCHEZ and Representative JUDY CHU. Our bill, H.R. 2867, has over 187 cosponsors, Mr. Speaker.

□ 2045

It actually answers the Supreme Court's challenge to come up with a modern-day formula by which to have preclearance provisions in the Voting Rights Act.

I think it is so important, Mr. Speaker, and I know that so many will agree, that we make sure that we find these pernicious examples of restraining people's rights to vote on the front end because, after all, Mr. Speaker, once the elections have happened, you can't unring that bell.

So the beauty of the Voting Rights Act of 1965 was that it allowed preemptive efforts to stop discrimination in voting. Therefore, any changes in voting practices in the covered States had to be precleared by the Justice Department or by the D.C. Court of Appeals. This was quite important.

I have to tell you that what the Shelby decision did was it struck down that key provision, section 4, which gave the covered States and provided the formula by which we know which States would be covered. Therefore, in the Shelby decision, the Supreme Court really issued a challenge to Congress to come up with a modern-day formula.

It was the Supreme Court who said that we can't punish States like Alabama, the State from which I hail, and other southern States, for what happened 50 years ago. Congress must come up with a modern-day formula that talks about current efforts to restrict the right to vote.

Mr. Speaker, that is exactly what we have done in the Voting Rights Advancement Act of 2015. I want you to

know that, of the 187 sponsors we currently have, not one Republican has signed on.

Mr. Speaker, this is a sad day in the House of Representatives when voting rights becomes a partisan issue. Voting rights is an American issue. It is neither red nor blue but, rather, it is what our founding fathers fought for, drafted, and ensured that all Americans have a right, a fundamental right, to exercise that right to vote. After all, the integrity of our democracy depends upon every eligible voter being able to vote.

Most recently, I was privileged to also join with my colleagues and my fellow House Members, Representative MARK VEASEY of Texas and Representative BOBBY SCOTT of Virginia, and other Members of Congress, to launch the Congressional Voting Rights Caucus. The Caucus is committed to restoring the Voting Rights Act of 1965 to its original state and restoring the vote to all suppressed voices in this Nation.

I want to commend my fellow colleagues, Representatives VEASEY and SCOTT, for their visionary leadership in starting this Caucus. I am honored to be a co-chair of the Congressional Voting Rights Caucus, and we will take as our charge to make sure that we fully restore all of the protections of the 1965 Voting Rights Act.

In spite of these continued efforts, Mr. Speaker, it is disheartening to see that State after State, including my own State, after the Shelby decision, instituted photo ID laws, voter-restrictive photo ID laws.

So many of my colleagues, they say: Well, what is so restrictive about requiring a photo ID? After all, you need a photo ID in order to get on a plane or to get your passport.

But I say to all of my colleagues who question the restrictive nature of photo IDs that not all Americans fly, not all Americans have a passport, but all Americans who are eligible have the fundamental right to vote. And we, the elected Representatives on behalf of these Americans, must not impede that most fundamental right.

We should be looking at ways that we can encourage voting not discourage voting. After all, the fundamental foundation of our democracy is the right to vote.

So I submit to you, Mr. Speaker, that it is quite important that we, in this House, do what so many of our predecessors have done and restore full protections on the right to vote.

I wish I were alive when Lyndon Johnson signed the voting rights into law. But I can tell you that there were no more fundamental seminal pieces of legislation that passed this omniscient House than the right to vote. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 are still some of the most seminal pieces of legislation that this body has ever passed.

And I say to you, Mr. Speaker: How can we, today, 50 years since the passage—53 years, to be exact—how can we stand on the cusp of electing another President and, for the first time in those 50 years, not have the full protections of the Voting Rights Act?

It is, indeed, a sad day. But I know that this body will and should do the people's work. And the people's work is to allow all Americans who qualify, who have registered to vote, who turned 18—these Americans have the right to vote.

I would love it if this body would pass an automatic voter registration bill. I have signed on to such a bill. But those bills don't get a hearing in the Judiciary Committee, and I am not sure why, Mr. Speaker, because nothing is more fundamental than to have every American, when they reach that certain age of 18, and they go and get their driver's license, be automatically registered to vote.

We are not talking about protecting one class of voters against another class of voters. We are talking about protecting that fundamental right to vote for all Americans. Nothing seems more American and democratic than that.

The sad reality is that old battles have become new again, and so many States have now really taken the Shelby decision and allowed themselves to put up restrictive laws. We are reminded that they are restrictive laws by the judicial system.

Most recently, the Fourth Circuit overturned the North Carolina photo ID law, in which they said, point blank, that they were targeting—that that voter ID law targeted and discriminated against African American voters. They said that it did so with precision, Mr. Speaker.

There is a fallacy that goes around that says that there is voter fraud rampant in America. Well, I want you to know, Mr. Speaker, that voter fraud does not exist in the volumes by which Americans think they do. A very recent poll by The Washington Post-ABC came out and said that over 50 percent of Americans believe that there is voter fraud.

Well, I will have you know, Mr. Speaker, that study after study, including that by the Brennan Center, have shown that there are very few cases of voter fraud. In fact, their study, between the years of 2000 and 2014, a 14-year period, only showed 31 cases of voter impersonation. And I want you to know that many of those were, in fact, errors, errors in folks' names, when the III or the Junior of a person's name was confused with the Senior of that same name.

Mr. Speaker, the reality is that voter fraud is not rampant, so I am not really sure why States like Alabama have instituted these photo ID laws. My State not only instituted a photo ID

law but, last summer, my State, due to "budgetary reasons," closed down more than 31 DMVs, mostly in areas that were disproportionately African American.

So I submit to you, Mr. Speaker, if photo IDs are required, and the most popular form of the photo ID is a driver's license, how can that very State also close down opportunities, foreclosing opportunities for those citizens of that State to get a photo ID?

My State also says that that photo ID is free. Well, I submit to you, Mr. Speaker, that they may say it is free and, in fact, it is free if you can come along on those rare days in which the mobile goes through your city.

But I want you to know that many of my constituents, many of whom were born in rural Alabama, many of whom were born over 80 years ago by midwife, those constituents don't have birth certificates. And those that do, well, in order to acquire a birth certificate, that costs money. You have to still be able to produce a birth certificate in order to get this "free" ID from the State of Alabama. So I submit to you that it is not free. I also submit to you that it is unfair that we put up such barriers.

I am humbled every year by the pilgrimage that JOHN LEWIS takes with many of the Members of Congress in this body. Every year, for the past 18 years, he has taken a pilgrimage through my district. He goes back in time and allows those Members who travel with him to actually retrace his footsteps 50-plus years ago. We go to Birmingham, we go to Montgomery, and we end up, on that Sunday, reenacting Bloody Sunday, that moment in history, that seminal moment in history, in which he was bludgeoned on Edmund Pettus Bridge for the simple right to vote.

And I can tell you, Mr. Speaker, that it does not go unnoticed by me, as I drive across the Edmund Pettus Bridge each time I go home to Selma to visit my parents, the sacrifices that ordinary Americans did in order to achieve what ultimately was an extraordinary feat.

When you think of the fact that a young JOHN LEWIS, who was in college at the time, and so many who were out there marching for the right to vote were children, and when you think about the fact that ordinary Americans, collectively working together, achieved this extraordinary feat, it makes you realize how fragile the right to vote really is.

I don't know how any of us can join hands with JOHN LEWIS and walk across the Edmund Pettus Bridge and not understand how important it is to rededicate ourselves to the fight that he once led. We, as elected Representatives of this great Nation, owe it to our own constituents to make sure that every eligible American has the right to vote.

I have to tell you that one of the most moving opportunities for me, as a Member of Congress, was in 2015, when I got a chance to be in my hometown and to welcome over 100 Members of Congress, Republicans and Democrats, two Presidents, Barack Obama and George W. Bush, to my hometown. It was to celebrate America's promise, a promise that became reality through the sacrifice, blood, sweat, and tears of average Americans.

We all came on that beautiful day, March 7, 2015. It was glorious, but it was a kumbaya moment in time. We owe more to the sacrifices of those foot soldiers like JOHN LEWIS than a gold medal. Although, I was proud to put forth that bill, and even prouder to be able to bestow the gold medal to those foot soldiers that did march in the Selma-to-Montgomery March. It was a great day.

But, Mr. Speaker, we came back to this body, to this House of Representatives, and we did absolutely nothing to restore the Voting Rights Act of 1965. There have been several bills that have come forth. There has been the Voting Rights Amendment Act that had bipartisan support, both from Congressman CONYERS and from Congressman SENBRENNER of Wisconsin. That bill didn't get more than 30 cosponsors.

Then, of course, there is my bill, the Voting Rights Advancement Act of 2015, which has over 187 sponsors.

We have to meet in the middle, Mr. Speaker, because voting rights are so essential. And on this, less than 50 days before we have a Presidential election, it is simply unacceptable that we go without the full protections of the Voting Rights Act.

What do I mean by that? What is at stake really by not having those full protections?

Well, we witnessed, in the primary in Arizona in Maricopa County—this was a county that was covered by the Voting Rights Act of 1965, but, because of the Shelby decision, there was no more preclearance. And so, this county in Arizona went from a height of 400 polling stations down—that was in 2012—down to 60 polling stations in 2016.

There were long lines, Mr. Speaker, in Maricopa County. People had to wait hours for the right to vote.

I would venture to guess, had the Shelby decision not occurred, and we had the full protections of the Voting Rights Act of 1965, that there would be no way that Maricopa County, Arizona, would have been able to change those polling stations and reduce the number of the polling stations to 60 from 400 had there been preclearance.

□ 2100

So what is at stake really is the integrity of our democracy. What is at stake is the fact that we in America should not have to wait hours to vote. We in America should not have to

produce documents that we do not have to vote. I think it is ironic that in many of these States you can present a gun permit license with a photo and be able to vote, but you can't produce a student ID from a State university and vote.

I believe that what is at stake right now is the integrity of our democracy, and that all of us should be outraged if even one person is denied the right to vote. This is a very important, very important issue that I, again, submit to you is neither Republican nor Democrat. It is truly bipartisan, and that is the right to vote.

Mr. Speaker, I yield to the gentleman from Texas (Mr. VEASEY), my colleague.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman, Congresswoman SEWELL, for organizing this very important Special Order hour today to talk about something that is really timely, especially with elections coming up. I want to be able to stand here today with my colleagues to bring awareness to the injustice—the injustices really—that are oppressing the most vulnerable members of our democracy.

I want to start with some history from the 1960s, and then some more recent history. As you know, in 1965, the Voting Rights Act sought to ensure that voters would never again face intimidation or unnecessary obstacles in exercising their right to vote as American citizens. But in 2013, *Shelby County v. Holder* gutted the 1965 Voting Rights Act and set in motion what many feared: the subjection of minorities, seniors, and low-income Americans to unfair, punitive barriers that make it hard for them to vote—make it hard for people to exercise their very basic right as an American citizen.

As a native of Texas representing the Dallas and Fort Worth area, I have seen firsthand the effects of these suppressive laws that have been put in place in 33 States since the Supreme Court issued in *Shelby County v. Holder*. Some of the tactics in Texas that were used—and you heard Representative SEWELL talk about it a little bit earlier. If you have a license—a school ID from Texas A&M University or the University of Texas or Prairie View A&M or Texas Southern University, any of our State universities, these are the same IDs that students can use. Let's say they are on campus and they are doing something they are not supposed to do, they can use those IDs to identify themselves to law enforcement authorities on the campuses there; but if they were to try to come home and use that ID, they would be denied the right to vote. But, again, if you are the owner of a handgun and you have a concealed handgun license, you can use that particular ID to vote. It is almost unfair. You can see how everything is stacked against the everyday voters.

With the requirement that a photo ID be used to vote, some individuals

without an ID had to travel great distances to get them or struggled to pay for the supporting documents they needed in order to get the ID to vote. You heard Representative SEWELL talk about that a little bit earlier.

Let me give you an example of that. In Texas we have 254 counties. Everybody knows that Texas is a big State. Some of those counties don't even have driver's license centers or ID centers where people can get their voter ID cards or their driver's license or their State ID or the other documentation that is needed to be able to vote. So that is why I got involved as the lead plaintiff in *Veasey v. Abbott*, which was the voter ID case, to overturn the law.

Our case has been heard before three—literally three—Federal courts, including what is considered the most conservative appellate court in the entire country, which is the Fifth Circuit. In July 2016, the full Fifth Circuit ruled in favor of Texas voters. That ought to tell you something that the Fifth Circuit was even like, hey, this thing has some real, real problems.

That same month, the U.S. Court of Appeals for the Fourth Circuit struck down North Carolina's restrictive voting laws, and the U.S. District Court for the Western District of Wisconsin invalidated portions of their voting law there that was designed to prevent individuals from casting their right to vote.

The courts have found what we have always known to be true, and that is that these restrictive voter ID laws intentionally discriminate against minority voters and disenfranchise eligible American voters.

These victories are a few of the major victories, but we have also had victories in non-Southern States. It is mentioned that it is the Southern States where a lot of these issues have historically been a problem, but we know that even outside of the South there have been issues—Ohio, Kansas, and Michigan—and so far the courts continue to rule in the favor of the voter. I hope they will continue to do so in the future.

But while we see these victories, we also continue to face challenges. Some of you recently have heard that Judge Ramos in the Texas case, who issued the interim voting rules in the Texas case, had to actually order the attorney general, the Governor, and the secretary of state to stop sending out misleading and confusing election materials to try to confuse people about the voter ID ruling.

That worries me a lot because what is that saying is going to happen to this upcoming election in November in 2016? Are we getting a sneak preview of some of the dirty tricks that may take place around the country?

The fact that a Federal judge issued these guidelines and State officials

tried to send out misleading information from a Federal judge is scary. Those are dirty tricks that we have to watch out for in this November 2016 election.

We know that the attorney general, because he said so, is going to appeal this case to the Supreme Court. But until we see an end to barriers to voting and the distribution of misinformation to discourage eligible citizens from casting their ballots, we will not stop fighting. Every day, my colleagues and I, led by the Democratic Outreach and Engagement Task Force and the Congressional Voting Rights Caucus, will continue to fight to have these suppressive laws invalidated. Even in the face of lengthy court battles, we welcome the challenge because it means we have to protect the right to vote.

One of the things that I did to continue to shed light on this issue is I actually introduced a resolution last week to designate September as National Voting Rights Month. This year, Americans will cast their ballots in one of the most important general elections that this country has ever seen. The designation of September as National Voting Rights Month will serve to assist in spreading information and awareness about voter registration dates and voting dates, early voting, polling place locations, how to maintain voter rolls, and some of the suppressive tactics that are being used. We want to inform people about that as well because it would be an affront, Representative SEWELL, to our predecessors to allow suppressive tactics to deny Americans the right that many have fought and died for.

That is why Congress must continue to lead the charge in restoring the right for all Americans to vote by fixing the Voting Rights Act and by encouraging participation in, again, what is our most sacred right as Americans, and that is the right to vote.

Ms. SEWELL of Alabama. Mr. Speaker, I thank Representative VEASEY for his tireless effort not only as a plaintiff in the Texas case courageously fighting against the injustices against voters, but I want to also thank the gentleman for his leadership on the Congressional Voting Rights Caucus and for his participation in tonight's Special Order hour. We are all with the gentleman in his efforts to make sure that all Americans have the right to vote.

Mr. Speaker, I have said that I introduced a bill called the Voting Rights Advancement Act. I would like to talk a little bit about the Voting Rights Advancement Act of 2015 in an effort to really encourage the rest of my colleagues here in this august body to join with me in passing the Voting Rights Advancement Act.

What the Voting Rights Advancement Act does is it provides a modern-day formula, exactly what the Supreme

Court asked of Congress. By striking down the old formula in the Shelby decision, the Supreme Court issued a challenge to Congress to come up with a modern-day formula. That is exactly what we do in this bill. This bill doesn't look back to 1940, 1950 or 1960. Oh, no. This bill looks at 1990 going forward. It is a 25-year lookback. If a State has had five or more statewide violations, then it will be a covered State. So it is a modern-day formula looking at any incidents of discriminatory practices since 1990 going forward.

Mr. Speaker, you should not be surprised that even in looking at modern-day barriers or instituting this modern-day formula that you would still have 13 States that have had five or more statewide violations in the last 26 years. Those States include Alabama, Georgia, Mississippi, Texas, Louisiana, Florida, South Carolina, North Carolina, Arizona, California, New York, and Virginia. Yes, Mr. Speaker, it includes Arizona, it includes California and New York, not just Deep South Southern States.

In the last 26 years, these States have had five or more statewide violations of voting rights. I have to tell you that this goes to show you that there is a need for us to have continued full protections of the Voting Rights Act. There is no way, Mr. Speaker, that we can only rely on those lawsuits on section 2 which occur after the election has occurred. We need the efforts to be able to stop the discriminatory practices before they have the discriminatory effect. That is exactly what the Voting Rights Act of 1965 does and what the Voting Rights Advancement Act, H.R. 2867, would do. It would put teeth back into the preclearance provision.

Now, we call it the Voting Rights Advancement Act because it also talks about discriminatory effects and practices on tribal lands. Back in 1965, we didn't protect tribal lands and the right to vote of those Americans. It is critically important that we modernize the Voting Rights Act of 1965 and make sure that we cover all Americans, including those who live in tribal lands.

The Voting Rights Advancement Act of 2015 would allow Federal courts to immediately halt questionable voting practices until a final ruling is made. This provision would recognize that, when voting rights are at stake, prohibiting a discriminatory practice after the election has concluded is too late to truly protect voter rights.

This bill would also give the Attorney General authority to request that Federal observers be present anywhere in the country where discriminatory voting practices pose a serious threat. This bill would also increase transparency by requiring reasonable public notice for voting changes.

So, Mr. Speaker, if this bill had been in effect during the primary in Ari-

zona, there would be no way that the election officials in Maricopa County, Arizona, would have been able to shrink the size of the number of polling stations—the populations stood the same or grew, and yet they shrunk the number of polling stations from 400 in 2012 to 60 in 2016, in 4 years. There is no way that that would have stood. You cannot tell me that that did not have a discriminatory impact on voters. Those lines being so long, I can't tell you—we will never know how many people got discouraged, how many working mothers or working family parents had to leave the line in order to go pick up their children or be able to provide for their family. We don't know how many people didn't get the chance to vote.

To me, Mr. Speaker, that is exactly the integrity of the democracy that is being questioned by not having the full protections of the Voting Rights Act.

So I ask my colleagues to join me and the 187 other cosponsors of the Voting Rights Advancement Act and let us put teeth back into the Voting Rights Act of 1965 by coming up and approving, passing, this modern-day formula. I believe that a lookback of 1990 going forward is ample evidence of voter discrimination and discriminatory practices and that States that have had five or more statewide violations should be a covered State.

□ 2115

This bill would allow them to be a covered State for 10 years. Now, obviously, during this 10-year period, if the State remedies itself, it can no longer be a covered State. There are ample provisions to allow for States to be opted in and opted out. I think that what, ultimately, we all want is that the full integrity of our democratic process be preserved, and that is exactly what would happen with this Voting Rights Advancement Act.

Mr. Speaker, I include in the RECORD witness testimony from the voting rights townhall hosted by Representatives JEFFRIES, MENG, and VELÁZQUEZ in New York.

[From LatinoJustice]

TESTIMONY OF JUAN CARTAGENA, PRESIDENT & GENERAL COUNSEL LATINOJUSTICE PRLDEF ON FRAGILE AT 50: THE URGENT NEED TO STRENGTHEN AND RESTORE THE VOTING RIGHTS ACT

Good morning Congresswoman Velázquez, Congressman Jeffries, and Congresswoman Meng. On behalf of LatinoJustice PRLDEF—formerly known as the Puerto Rican Legal Defense & Education Fund—I respectfully submit this testimony at the forum Fragile at 50: The Urgent Need to Strengthen and Restore the Voting Rights Act.

My testimony will center on the historical significance of Section 5 of the Voting Rights Act in the three formerly covered counties of Bronx, Kings and New York for both general compliance problems and bilingual assistance problems.

THE HISTORICAL CONTEXT

The historical foundations of Section 5 of the Voting Rights Act in New York City—a

subject that has been a focus of my previous research and publications, I submit, provides the context for the Act's salience today.

Two important lessons emanate from this history. The first is that New York City was in effect, the laboratory of bilingual voting assistance for language minority citizens in the entire country—and it all started with Puerto Rican voters. The second is that Section 5 arguably had its most direct and prophylactic effects for minority voters as a tool against discriminatory voting schemes beyond redistricting plans. I now turn to those two historical episodes.

Section Five's application to three counties in New York stems directly from the previous application of Section 4(e) of the Voting Act which is colloquially known as the Puerto Rican section of the Act. While the VRA was historically and rightfully aimed at restoring the dignity of the African-American vote, it was never just black and white, not even in 1965. Section 4(e) was championed in a bipartisan manner by Senators Robert Kennedy and Jacob Javits. It drew support from Puerto Rican icons like Herman Badillo, Gilberto Gerena-Valentin and Irma Vidal Santaella who testified in Congress against the notion that one can only be a productive and effective voter in New York only if literate in English. Their testimony led to Section 4(e) which outlawed any English-only literacy test that would deny voter registration to any Puerto Rican who achieved at least a 6th grade education in Puerto Rico's schools. The remedy was bilingual voter registration and bilingual ballot access. The litigation spawned by this law—all of it filed by the Puerto Rican Legal Defense & Education Fund—set the stage for major court decisions declaring that English-only election systems deprived citizens of a meaningful right to vote and were discriminatory under the VRA. Those decisions, especially *Torres v. Sachs*, were used by the NAACP to argue that Section 5 coverage of New York City—previously certified but exempted by a separate court at the State's urging—should be reinstated. That argument prevailed and Section 5 became a reality directly because of the discrimination against Puerto Rican voters.

The impact of Section 4(e) did not stop there, however. During the 1975 congressional deliberations to create bilingual assistance provisions of the Act to cover all Spanish-language, Asian language and Native American language voters the House clearly recognized that bilingual voting structures were both viable and effective. They cited New York City as the example that bilingual voting could not be deemed radical as it had been in place for a decade under Section 4(e). In sum, Puerto Rican voters challenged the discriminatory nature of English only systems and won, to their benefit and the benefit of all other language minority citizens nationwide.

The second major lesson of Section 5 coverage in New York City stems from its powerful effect of stemming discriminatory practices beyond redistricting plans. Redistricting, continued to be at the heart of the importance of the VRA in New York. In 1981 the councilmanic redistricting plan was passed but never precleared as required by law. This led to multiple suits by black and Latino voters that resulted in suspending the entire citywide primary elections just two days before the September election day. This victory put teeth into Section 5 and forced the City to justify the fact that they refused to create additional black and Latino council districts despite major demo-

graphic change. Weeks later the Department of Justice interposed an objection under Section 5 and the map was redrawn clearing the way for the eventual majority of black, Asian American and Latino council men and women in this decade. From 1982 through 2006—the year Section 5 was reauthorized by an overwhelming bipartisan vote in Congress—additional objections were interposed by the Department of Justice to discriminatory redistricting plans including a 1991 objection to the NYC City Council plan and a 1992 objection to the NYS Assembly plan.

Section 5 objections also addressed other practices beyond redistricting including switching the form of voting of community school board members in 1999; replacing elected school board members with appointed trustees in 1996; the creation of additional judgeships for state courts in 1994; failure to accurately translate names and instructions in the Chinese language in 1994; and failure to provide appropriate language assistance to Chinese voters in 1993.

VRA compliance activity was not limited to Section 5 actual objections in the decades in which the City was covered. The Department of Justice continuously deployed Federal Observers to monitor the City for language assistance compliance for both Spanish and Asian languages. Indeed, from 1985 to 2004 alone 881 Federal Observers were dispatched to ensure compliance with the VRA. Moreover, Section 5 had a strong prophylactic effect in the City as measured by the impact of More Information Request letters issued by the Department of Justice to the City. These letters often stemmed discriminatory practices when the City withdrew its request for preclearance upon receiving the More Information Request letter—a regular occurrence throughout other Section 5 covered jurisdictions. One study by Luis Fraga and Maria Ocampo found that in the City alone from 1990 to 2005 113 letters were issued and 53 resulted in the equivalent of interposing an objection.

THE EFFECTS OF A RENEWED VRA TODAY

It is clear that the recent episodes of purging voters in Brooklyn and mis-deployment of Spanish language interpreters in the Congressional Democratic primaries in Congressman RANGEL's district in Washington Heights would have been ameliorated if not completely avoided had Section Five been in effect after the Shelby County decision. The historical context described above demonstrates that these episodes of potentially discriminatory practices would have been addressed by the power of Section Five. Accordingly, its absence is sorely felt in the City.

I end, however, with an example of the power of Section 5 in New York City in 2014 just months after the Supreme Court's decision in *Shelby County v. Holder* earlier that year in June. The scene is a press conference in September 2014 on the steps of City Hall after the New York City Council voted to pass the Community Safety Act after then Mayor Bloomberg had vetoed the measure weeks before. Speaker Quinn was not in favor of the bill and noted her reservations. After considerable pressure from the minority members of the Council she allowed the bill to come to a vote. The legislation was intended to address some of the worst features of the notorious Stop & Frisk practices of the New York Police Department that by the end of the Bloomberg administration skyrocketed to over 4 million stops, predominantly directed at black and Latino residents of the City with such a level of ineffectiveness that minimally 86% of those

stopped were never charged with a crime or violation. The Mayor and Police Commissioner Raymond Kelley insisted on preserving the practice going so far as painting a doomsday scenario or rampant violent crime if the practice were curbed. References to retrogressing to the Dinkins' administration—another example of Dog Whistle Politics—were all over the tabloids. The black and Latino members of the Council knew better. They listened to the voices of the victims of this abuse, they spearheaded hearings on the matter, they debated the efficacy and unjustness of the practice in the tabloids. In short they were being responsive to the needs of black, Latino and Asian-American voters.

The Council voted that day to overcome the mayor's veto and enact that portion of the Community Safety Act. It was the first time in New York City history that the Council overcame a mayoral veto! The historical significance of the vote was not lost on me as I commented to the press how critical that vote became on a quintessential minority issue because it was directly attributed to the strength of Section 5 of the Voting Rights Act. It was Section 5 that permitted council districts to be drawn to fully reflect black, Latino and Asian American voting strength going back to the 1980s when Section 5 was used to stop a discriminatory councilmanic redistricting plan. And it was Section 5 that preserved that minority voting strength in all subsequent decennial redistricting plans. *Shelby County v. Holder* may have taken that tool away but its importance was nonetheless evident months later.

I respectfully submit, that this is why Congress must restore this aspect of the Voting Rights Act.

Ms. SEWELL of Alabama. Mr. Speaker, as I close out this Special Order on voting rights, I would be remiss if I didn't say that, as a daughter of Selma, I can think of no more noble thing for me to fight for than voting rights and the full restoration of those voting rights. After all, it was because of the blood, sweat, and tears in my district and in my hometown that we have so many elected officials that are of color.

It is no small wonder why we are seeing such efforts to go out and make sure that people don't have a right to vote when elected officials say in their remarks as they are introducing legislation for restrictive voting photo IDs, make comments like, "Well, the people that we are restricting will only be Democratic voters." That just suggests to me that the reason why these restrictive voting photo ID laws were being promulgated was to do exactly that—suppress certain groups of voters. That is absolutely unacceptable and un-American.

I could also tell you that one of the greatest moments for me on this House floor was when I had an opportunity to escort, as my State of the Union guest in 2015, Miss Amelia Boynton Robinson, who was 104 when she came to the State of the Union in 2015.

You see, Miss Amelia Boynton Robinson, on Bloody Sunday in 1965, was bludgeoned on the Edmund Pettus Bridge, along with Congressman JOHN LEWIS. But at 104 years old, she was so

excited to come to this august body and to hear President Barack Obama's State of the Union Address. She was excited not because she would get an opportunity to meet the first African American President, but she was excited because she got a chance to see this elected body at work.

She told me that one of her proudest moments was not only casting a ballot, but she told me that one of her proudest moments was to be the first African American woman to be on the ballot in the State of Alabama running for Congress. She ran, Mr. Speaker, for this seat, the Seventh Congressional seat that I am so fortunate to have. She ran for that seat in 1964.

So when I think about Miss Amelia Boynton, I not only think about Bloody Sunday and her sacrifice on that bridge, but I also think about her courage, the courage of this African American woman to have the audacity to think that she could be a Member of Congress from the great State of Alabama in 1964.

I know I get to walk these hallowed Halls and I get to stand here today and speak with you, Mr. Speaker, because of her courage and her sacrifice. It is not lost on me that she is looking down now wondering what that sacrifice truly meant to America, that we could 50 years later have a Court case that totally dismantled the full protections of the Voting Rights Act of 1965.

Now, when Miss Amelia Boynton Robinson came to the State of the Union, we had an opportunity to meet and talk with President Barack Obama before his speech. I will never forget being in the holding room, if you will, behind this Chamber. As many of the members of his Cabinet would come into the room, they would say the same thing: "Miss Boynton, we stand on your shoulders." "Miss Boynton, we are so glad that you made those sacrifices on that bridge because we get to do what we do now because you made those sacrifices. We stand on your shoulders."

I can tell you that person after person—Secretary of State, Secretary of Transportation, Secretary of HUD—they were all saying the same thing. By the time the Attorney General came up to her and said, "Miss Boynton, I stand on your shoulders," she looked up at him and said, "Get off my shoulders. Do your own work." Yes, Mr. Speaker, at 104 years old, she had the temerity to say, "Do your own work."

It is not enough that we stand on the shoulders of giants like Amelia Boynton Robinson and JOHN LEWIS; we have to do our own work. And so I say to this body that we can do our own work by protecting that sacred right to work, and that we should do our own work, as we dedicate ourselves to the proposition that these average, ordinary Americans had the nerve, the au-

dacity to fight for. If they could fight for it over 50 years ago, we can fight for it today.

I am grateful to have the opportunity to lead the Special Order hour on voting rights not only as a native of Selma, Alabama, but as a very proud, proud beneficiary of the strength and power of the right to vote and of their sacrifices.

I say in closing, I hope that my fellow colleagues will join us by signing on to H.R. 2867, the Voting Rights Advancement Act. I urge all of my colleagues to do so. It is in some way, some small way, with a huge impact potentially, that we can ensure that this great democracy lives on. After all, if one American is denied access to the ballot box, it does, in fact, go to the integrity of all of the election process.

So much is at stake not only in this Presidential election, but in every election, because in every election, Americans use their vote as their voice. So when you don't have a vote, you don't have a voice in this great democracy. No vote, no voice; we should remember that as elected officials.

As we grapple with the opportunity that we have to come up with a modern-day formula, I would be willing to sit with any of my Republican colleagues to come up with a modern-day formula that would work in both Houses and by both parties. I think it is critically important that we do this work. I think that there is no greater work that we could be doing than to restore the full protections of the Voting Rights Act of 1965.

I am also reminded of what Mrs. Boynton said when she finally did meet the President. It was quite a moment for all of us who were present when he finally walked into that small holding room, and he knelt beside her and he took her hand and he said, "Mrs. Boynton, I don't know how to say thank you enough. I get to give a speech as a President of the United States in a few minutes, and it is because of your sacrifice." And Mrs. Boynton, at 104, without missing a beat, looked up at our President and said, "Make it a good one." Yes, she said, "Make this speech a good one." Why? Because of the sacrifices that she and so many brave Americans had on that bridge.

We, as Americans, who are beneficiaries of that amazing legacy, owe it to them to make every day a good one, to make everything we do good because people sacrificed for us to have the rights that we have. So I remember "Make it a good one," and I say to my colleagues, let us make it a good one right here in this august body by passing the Voting Rights Advancement Act of 2015 and fully restoring the voting rights protections of all Americans.

Mr. Speaker, I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Speaker, this November, voters across our country are

faced with the likely prospect of heading to the polls without the full protections of the Voting Rights Act.

Signed into law in 1965 by President Lyndon Johnson, the Voting Rights Act broke down state and local laws that kept minorities from exercising their constitutional right to vote.

That fundamental right of our democracy was severely undermined by the 2013 Supreme Court decision in *Shelby County vs. Holder*.

That misguided decision gutted Section 5, the heart of the Voting Rights Act, which barred states and localities with a history of discriminatory policies from implementing new voting changes without the approval of the Department of Justice.

Based on the Supreme Court ruling, states are now free to pass and enforce laws that create obstacles to voting.

That is exactly what many states are doing: in fact in the 2014 mid-term election and in this year's presidential primaries numerous voters were denied the ability to participate in our democratic process.

A report from the NALEO Educational Fund, estimates these restrictive voting changes, could result in more than 875,000 eligible Latinos finding it more difficult to vote this year than in 2012.

In other words, without the protections of The Voting Rights Act this presidential election will be the first in over 50 years in which American voters of color will be faced with new and renewed obstacles to voting. According to the Brennan Center for Justice, 14 states will have new voting restrictions in place for this year's presidential election. These new laws include strict photo ID requirements, cutbacks to early voting, and new registration restrictions.

To help our constituents gain a better understanding of the negative impact of the Supreme Court decision, this past May, like many of my colleagues, I hosted a forum titled "Protect Your Future: Restore the Vote." My co-chairs were Representative LINDA SANCHEZ, Chair of the Congressional Hispanic Caucus; Representative JUDY CHU, Chair of the Asian Pacific American Caucus; and special guest, Representative KAREN BASS.

Members from our communities heard expert testimony from the NAACP, the Mexican American Legal Defense Fund, Asian Americans Advancing Justice and NALEO.

Panelists gave examples of the concerted assault on minorities at the ballot box and testified to the undeniable value of Congress restoring the pre-clearance provisions of Section 5 by passing H.R. 2867, the Voting Rights Advancement Act.

I thank our panelists for sharing their expertise and will submit their testimony into the CONGRESSIONAL RECORD today.

On a positive note, as we rapidly approach the 2016 presidential election, critical victories are being won as courts continue to strike down racist and discriminatory voting laws.

In July of this year, the Texas U.S. Court of Appeals for the 5th Circuit, found that the state's voter ID law discriminated against African-American and Latino voters. Days later, judges of the 4th U.S. Circuit Court of Appeals in North Carolina found that North Carolina

state law targeted black voters, and I quote, "with almost surgical precision."

While these are important victories it is nevertheless a tragedy to our Democracy that so much time and money has been spent for American voters to win back a right already granted to them under the Constitution of the United States.

The ability to vote is not a Democratic or Republican right. It is an American right and the cornerstone of our democracy.

Today, I join my colleagues in urging the Republican leadership to join Democrats to live up to their Constitutional responsibility to protect every American's right to vote by passing H.R. 2867, the Voting Rights Advancement Act.

The ability to vote is one of the most fundamental rights. That right is not a Democratic or Republican right. It is an American right and the cornerstone of our democracy.

I include in the RECORD the following testimony:

TESTIMONY OF STEWART KWOH, EXECUTIVE DIRECTOR AND PRESIDENT, ASIAN AMERICANS ADVANCING JUSTICE-LOS ANGELES, MAY 20, 2016

HON. CONGRESSMEMBERS: Thank you for inviting me to this critical subject of voting rights.

My name is Stewart Kwoh, and I am the Executive Director and President of Asian Americans Advancing Justice-Los Angeles. We are the largest civil rights organization in the nation dedicated to issues affecting the Asian American, Native Hawaiian, and Pacific Islander (AANHPI) communities. As a civil rights organization, we have a voting rights project working to ensure that systems and policies do not dilute the AANHPI votes and that language assistance is provided under federal and state laws. We are part of a national affiliation with offices in Los Angeles, San Francisco, Chicago, Atlanta, and Washington D.C.

On July 18, 2013, our entire affiliation filed a joint statement with Asian Americans Legal Defense and Education Fund before the Subcommittee on the Constitution and Civil Justice Committee on the Judiciary United States House of Representatives at the hearing on "The Voting Rights Act after the Supreme Court's Decision in Shelby County." My plan today is not to repeat our joint statement. Instead, I will first provide a brief overview of what the Shelby County v. Holder decision means for Asian Americans nationally. I will then briefly outline issues faced by Asian American voters in California and close with the importance of the Voting Rights Advancement Act.

IMPACT OF SHELBY COUNTY V. HOLDER DECISION

Immediately prior to Shelby, there were 15 states that were covered in whole or in part under Section 5 (not including states in which the state or localities terminated coverage through bailout). Over half of these states are among the top 20 states having the largest Asian American populations in the country.

Former Section 5 jurisdictions are also home to the most rapidly growing Asian American populations. From 2000 to 2010, the country's Asian American population grew by 46%, making Asian Americans the fastest-growing racial group in the nation. Notably, in over two-thirds of former Section 5 states, the Asian American population grew at a more rapid rate than this.

The following list illustrates this point:

California (partial coverage for Kings, Monterey and Yuba Counties)—5.6 million Asian Americans, largest Asian American population by state, 34% growth since 2000

New York (partial coverage for Bronx, Kings and New York Counties)—1.6 million Asian Americans, second-largest Asian American population by state, 35% growth since 2000

Texas (statewide coverage)—1.1 million Asian Americans, third-largest Asian American population by state, 72% growth since 2000

Florida (partial coverage for Collier, Hardee, Hendry, Hillsborough and Monroe Counties)—over 570,000 Asian Americans, eighth-largest Asian American population by state, 72% growth since 2000

Virginia (statewide coverage)—over 520,000 Asian Americans, ninth-largest Asian American population by state, 71% growth since 2000

Georgia (statewide coverage)—over 360,000 Asian Americans, 13th-largest Asian American population by state, 83% growth since 2000

North Carolina (partial coverage for 40 counties)—over 250,000 Asian Americans, 15th-largest Asian American population by state, 85% growth since 2000

Arizona (statewide coverage)—over 230,000 Asian Americans, 19th-largest Asian American population by state, 95% growth since 2000

The termination of Section 5 coverage for these states comes at a pivotal moment for Asian American communities, which in recent years have begun to emerge politically in these states as they increase in size. As our nation has historically witnessed, when groups of racial minorities move into an area, or outpace the general population growth in an area, the result is often racial tension and sometimes racial discrimination, including voting discrimination.

CONTINUING BARRIERS TO VOTING

Asian Americans in California continue to face barriers in the electoral process. While a number of jurisdictions meet their obligations to provide language assistance under Section 203 of the Voting Rights Act in commendable fashion, enforcement actions to bring jurisdictions into compliance have been necessary in some instances. In the past decade, the U.S. Department of Justice brought Section 203 enforcement actions against San Diego County (2004), the City of Rosemead (2005), the City of Walnut (2007), and Alameda County (2011), for non-compliance with respect to Asian language requirements.

In 2013, the Asian Americans Advancing Justice affiliation released a report that examined Asian language assistance in Section 203-covered jurisdictions across the country, including the eight counties in California covered for Asian American populations. Drawing upon poll monitoring carried out at nearly 900 election precincts during the November 2012 election, the report shows that some jurisdictions are making use of good practices to provide written and oral assistance. At the same time, the report found low visibility or no display of translated materials at 45% of poll sites monitored and a lack of bilingual poll workers at nearly a quarter of poll sites monitored.

In the vote dilution context, Asian Americans are confronted with racially polarized voting that impairs their ability to elect candidates of choice, perhaps not in every area of the state where Asian Americans are concentrated, but at least in certain areas of the state. Leading up to the post-2010 Census

redistricting, Asian Americans Advancing Justice-Los Angeles worked with a political scientist to assess the existence of racially polarized voting against Asian Americans in the San Gabriel Valley and South Bay regions of Los Angeles County. In his analysis of 13 elections, the political scientist found that in all elections Asian American voters demonstrated cohesive voting patterns in favor of Asian American candidates. Non-Asian Americans tended to vote against the candidates preferred by Asian American voters; in ten of the elections, non-Asian Americans gave less than 50% of their vote to candidates preferred by Asian Americans.

IMPORTANCE OF THE VOTING RIGHTS ADVANCEMENT ACT

On June 24, 2015, the Voting Rights Advancement Act (Advancement Act) was introduced in the Senate (S. 1659) and the House (H.R. 2867). The Advancement Act has received broad and vocal support from the civil rights community because it responds to the unique, modern-day challenges of voting discrimination that have evolved in the 50 years since the Voting Rights Act first passed. The Advancement Act recognizes that changing demographics require tools that protect voters nationwide—especially voters of color, voters who rely on languages other than English, and voters with disabilities. It also requires that jurisdictions make voting changes public and transparent. The Advancement Act would modernize the preclearance formula to cover states with a pattern of discrimination that puts voters at risk, ensure that last-minute voting changes will not adversely affect voters, protect voters from the types of voting changes most likely to discriminate against people of color and language minorities, enhance the ability to apply preclearance review when needed, and expand the effective Federal Observer program and improve voting rights protections for Native Americans and Alaska Natives.

Since the Shelby decision, 17 states have implemented or adopted new voting restriction laws which are in place for the first time for the 2016 presidential election. Many of these restrictions, such as ID requirements, proof of citizenship, and limitations to early voting, are practices that would require preclearance by the Department of Justice under the Advancement Act. These are known practices which often result in the disenfranchisement of voters, particularly voters of color and low-income voters.

Some of the known practices disproportionately affect naturalized citizens, and in the United States, 63% of Asian Americans who are U.S. citizens and 18 or older are naturalized citizens. Proof of citizenship, in particular, has a disparate impact on naturalized citizens. Unlike birth certificates, naturalization certificates cannot be copied without lawful authority. When Arizona implemented its proof of citizenship requirement (which was later found to violate the National Voter Registration Act), some counties accepted copies of the naturalization certificate, others did not. In the counties that did not, a naturalized citizen without a passport would have to register in person at the election official's office during normal business hours. Moreover, duplicate or replacement copies of the certificate can take over a year and costs \$345 to obtain a copy. For those without the funds to obtain a duplicate copy, the proof of citizenship requirement is a denial of the right to vote. Even for those who are able to afford the fee, many elections can occur during the time it takes to obtain a duplicate. It is, therefore,

crucial for the Department of Justice to have the authority to critically review proof of citizenship requirements linked to voting.

Earlier this year, we saw the implementation of North Carolina's new photo ID law. As noted above, North Carolina has the 15th largest Asian American community by state. Rudy Ravindra, a resident of North Carolina, wrote an op-ed for Raleigh's *The News & Observer* recounting his March 2016 early voting experience. According to Mr. Ravindra, after giving his driver's license to the poll worker, the poll worker required Mr. Ravindra to spell his name as he (the poll worker) typed it into the system. Mr. Ravindra reported that his wife had the same experience on election day. In both situations, poll workers simply looked at the white voters' identification cards and did not ask them to spell their names. While the Advancement Act focuses on policies before implementation, the Department of Justice might have blocked North Carolina's ID law in the first place.

Another known practice that would be subject to preclearance by the Advancement Act is changes that reduce, consolidate, or relocate voting locations. In Arizona's March primary, the election official in Maricopa County consolidated precincts into large vote centers but failed to provide enough staff support. Each vote center was assigned 21,000 voters. News coverage reported voters having to wait 4 to 5 hours to vote. As noted above, Arizona saw 95% growth in the Asian American population since 2000, and Maricopa County is home to 82,000 Asian American eligible voters. Oversight by the Department of Justice could have stopped the closure of neighborhood precincts and prevented the disenfranchisement of the voters who could not stand in line for hours.

In the three years since the Shelby decision, Congress has failed to restore the Voting Rights Act, and voters have been disenfranchised due to new laws and practices implemented post-Shelby. While the three Congressmembers holding this roundtable have been champions in advocating for the Voting Rights Advancement Act, the time is now for the full Congress to take up and debate the bill. Congress must come together, as it has each time the Voting Rights Act has been before it, to restore the protections found in the Voting Rights Act to ensure a stronger democracy.

Thank you again for the invitation to testify before you today.

Ms. VELÁZQUEZ. Mr. Speaker, it's ironic that, as a country, we consistently advocate for other countries to support democratic traditions and institutions—and empower their citizens.

Sadly, because of the Shelby decision, we are not living up to our own standards.

But, we cannot lay all the blame on the Supreme Court. The Court was clear in their ruling. While they invalidated the mechanism used to determine what jurisdictions required preclearance—they also suggested that Congress could come up with a standard that passes constitutional muster.

Sadly, thanks to Republican inaction, we have failed in that task.

Now, we are about to have the first Presidential election—in five decades—without the very basic protections that were enshrined in the Voting Rights Act.

What does this mean? It means that some of our most vulnerable populations—communities of color, young people, students and women—are more likely to encounter obstacles to exercising their most basic right.

And, let's be absolutely clear—there remain serious challenges and problems when it comes to protecting voters. By no means are the protections in the VRA out-of-date or no longer necessary.

We saw a stark example of this earlier this year—in Brooklyn. In April, some 120,000 voters from the rolls in Kings County—the largest county in the state—were improperly purged from the voter rolls.

And, an analysis by local media outlets found those affected were disproportionately Latino voters—mostly in working class neighborhoods like Sunset Park, East New York, and parts of Bushwick and Williamsburg.

Now, let's recall that Kings County was previously covered by Section 5 of the Voting Rights Act. Would these voters have been removed if the VRA were still intact? The fact is we do not know.

But we do know this—our democracy and our system of voting is not perfect—and to argue that voters are no longer disenfranchised is simply false. We've seen that clearly in Brooklyn.

And, let me make one other observation—those who argue that we need more stringent voter ID laws to prevent “voter fraud” are making a dishonest argument. Every credible expert who has examined the data has concluded this—voter fraud is exceedingly rare, if not completely nonexistent.

Voting rights should not be a Republican issue or a Democratic issue. We should all be passionate about defending and upholding this most basic right—for all Americans.

Yet, this Congress—thanks to the Republican Leadership—has failed to do the necessary work to restore the protections in the Voting Rights Act.

Earlier this year, my colleagues HAKEEM JEFFRIES, GRACE MENG and I hosted a forum on the Voting Rights Act. We heard from local experts about the need to restore these protections.

Let me conclude simply by saying this—it is shameful this Congress has not addressed this issue. But it is also not surprising. Just as this House has not acted on gun violence and has not yet allocated appropriate funding to address Zika, or deal with the Flint water crisis—this is yet one more example of how House Republicans are simply not doing their job.

So, I call on my colleagues—do your job. Let's do the hard work of reinstating these democratic protections so voters are not disenfranchised.

Ms. MENG. Mr. Speaker, I rise in support of the Voting Rights Advancement Act, H.R. 2867, introduced by my friends and colleagues Representatives TERRI SEWELL, LINDA SÁNCHEZ, and JUDY CHU. It is long past time that we take up their bipartisan bill, which would restore the protections of the Voting Rights Act.

Mr. Speaker, I think it surprises few of us that following the Supreme Court's misguided decision in *Shelby County v. Holder*, the right to vote has been increasingly attacked in states across the country. The court's decision invalidated the coverage formula in the Voting Rights Act by which certain states and jurisdictions with a history of discrimination were required to preclear election changes with the

U.S. Department of Justice. The results have been grave. Since 2010, twenty-two states have implemented new voting restrictions that make it more difficult for students, seniors, those with disabilities, and minorities to vote. This past summer alone, federal courts struck down new prohibitive voting laws in five different states. Federal protections, such as preclearance, prevent these pernicious laws from being passed in the first place, and this recent surge of court cases only underscores the importance of restoring the Voting Rights Act. Disenfranchisement and voter discrimination are realities that Americans face across the country, including in my district in New York City.

To further investigate the effects of voter discrimination, I hosted a Voting Rights Forum this past May through the leadership of the Democratic Outreach and Engagement Task Force with my colleagues Representatives VELÁZQUEZ and JEFFRIES. We were fortunate to host voting rights experts to talk about the effects of the Shelby County decision on our constituents.

I invited Jerry Vattamala from the Asian American Legal Defense and Education Fund to talk about the particular barriers that the Asian-American community faces to participating in the electoral process, and why Congress needs to restore the Voting Rights Act. I include in the RECORD his testimony from the event:

STATEMENT OF THE ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND JERRY VATTAMALA, ESQ. DIRECTOR, DEMOCRACY PROGRAM HEARING

“FRAGILE AT FIFTY: THE URGENT NEED TO STRENGTHEN AND RESTORE THE VOTING RIGHTS ACT” BEFORE HON. NYDIA VELÁZQUEZ, HON. GRACE MENG AND HON. HAKEEM JEFFRIES, NEW YORK CITY

MAY 20, 2016

The Asian American Legal Defense and Education Fund (AALDEF) is a 42-year-old national civil rights organization based in New York City that promotes and protects the civil rights of Asian Americans through litigation, legal advocacy, and community education.

Enforcement of the Voting Rights Act of 1965 (VRA) has been critical in preventing actual and threatened discrimination aimed at Asian Americans in national and local elections. As a result of the Supreme Court's decision in *Shelby County v. Holder*, Asian American voters have suffered a serious roll-back in their right to vote. AALDEF submits this testimony to elucidate the precarious landscape of Asian American voting rights in wake of the decision in *Shelby County v. Holder*.

AALDEF has monitored elections and conducted annual multilingual exit polls since 1988. Consequently, AALDEF has collected valuable data that documents the continued need for the VRA's protections. In 2012, AALDEF dispatched over 800 attorneys, law students, and community volunteers to 127 poll sites in 14 states to document voter problems on Election Day. The survey polled 9,298 Asian American voters. In 2014, AALDEF surveyed 4,102 Asian American voters at 64 poll sites in 37 cities in 11 states.

Many voting problems that we observed in 2012 have persisted through 2014 and beyond. Operating without the preclearance provisions, the most effective tool of the VRA, the Department of Justice has lost its ability to

block voting changes before they occur. As a result, AALDEF and other organizations and individuals have had to engage in more affirmative litigation to protect the fundamental right to vote.

AALDEF has previously submitted testimony to Congress, filed amicus briefs in the Supreme Court of the United States, and released detailed reports regarding Asian American voting problems and the continued need for the full protections of the VRA, including Section 5 preclearance.

Asian Americans continue to face pervasive and current discrimination in voting, particularly in jurisdictions that were previously covered for Section 5 preclearance. For example, in the 2004 primary elections in Bayou La Batre, Alabama, supporters of a white incumbent running against Phuong Tan Huynh, a Vietnamese American candidate, made a concerted effort to intimidate Asian American voters. They challenged Asian Americans at the polls, falsely accusing them of not being U.S. citizens or city residents, or of having felony convictions. The challenged voters were forced to complete a paper ballot and have that ballot vouched for by a registered voter. In explaining his and his supporters' actions, the losing incumbent stated, "We figured if they couldn't speak good English, they possibly weren't American citizens." The Department of Justice (DOJ) investigated the allegations and found them to be racially motivated. As a result, the challengers were prohibited from interfering in the general election, and Bayou La Batre, for the first time, elected an Asian American to the City Council.

Also in 2004, New York poll workers required Asian American voters to provide naturalization certificates before they could vote. At another poll site, a police officer demanded that all Asian American voters show photo identification, even though photo ID is not required to vote in New York elections. If voters could not produce such identification, the officer turned them away and told them to go home.

Overt racism and discrimination against Asian Americans at the polls persists to the present day and will worsen without Section 5 to combat such behavior. Prior to the Supreme Court's decision, voting rights advocates used Section 5 to protect Asian American voters in redistricting, changes to voting systems, and changes to polling sites. The following are recent examples of harmful actions against Asian American voters that were stopped by Section 5. Now that the coverage formula has been struck, and many jurisdictions are no longer covered by Section 5, Asian Americans are once again vulnerable to nefarious discriminatory actions such as these that will weaken their voting rights and power.

For example, redistricting plans continue to be drafted with discriminatory intent in states with large Asian American communities. As shown in *Perry v. Perez*, 132 S. Ct. 934 (2012), the Texas Legislature drafted a redistricting plan, Plan H283, that would have had significant negative effects on the ability of minorities, and Asian Americans in particular, to exercise their right to vote.

Since 2004, the Asian American community in Texas State House District 149 has voted as a bloc with Hispanic and African American voters to elect Hubert Vo, a Vietnamese American, as their state representative. District 149 has a combined minority citizen voting-age population of 62 percent. Texas is home to the third-largest Asian American community in the United States, growing 72 percent between 2000 and 2010.

In 2011, the Texas Legislature sought to eliminate Vo's State House seat and redistribute the coalition of minority voters to the surrounding three districts with larger non-minority populations. Plan H283 would have thus abridged the Asian American community's right to vote in Texas by diluting the large Asian American populations across the state.

In addition to discrimination in redistricting, Asian American voters have also endured voting system changes that impair their ability to elect candidates of choice. For example, before 2001 in New York City, the only electoral success for Asian Americans was on local community school boards. In each election—in 1993, 1996, and 1999—Asian American candidates ran for the school board and won. These victories were due, in part, to the alternative voting system known as "single transferable voting" or "preference voting." Instead of selecting one representative from single-member districts, voters ranked candidates in order of preference, from "1" to "9." In 1998, New York attempted to switch from a "preference voting" system, where voters ranked their choices, to a "limited voting" system, where voters could select only four candidates for the nine-member board, and the nine candidates with the highest number of votes were elected. This change would have put Asian American voters in a worse position to elect candidates of their choice.

Furthermore, the ability of Asian Americans to vote is also frustrated by sudden changes to poll sites without informing voters. For example, there have been numerous instances of sudden poll site closures in Asian American neighborhoods in New York City, where the Board of Elections failed to take reasonable steps to ensure that Asian American voters are informed of their correct poll sites. Voters have been misinformed about their poll sites before the elections or have been misdirected by poll workers on Election Day, thus creating confusion for Asian American voters and disrupting their ability to vote.

In 2001, primary elections in New York City were rescheduled due to the attacks on the World Trade Center. The week before the rescheduled primaries, AALDEF discovered that a certain poll site, I.S. 131, a school located in the heart of Chinatown and within the restricted zone in lower Manhattan, was being used by the Federal Emergency Management Agency for services related to the World Trade Center attacks. The Board chose to close down the poll site and no notice was given to voters. The Board provided no media release to the Asian-language newspapers, made no attempts to send out a mailing to voters, and failed to arrange for the placement of signs or poll workers at the site to redirect voters to other sites. In fact, no consideration at all was made for the fact that the majority of voters at this site were limited English proficient, and that the site had been targeted for Asian language assistance under Section 203. With Section 5 no longer applicable in most jurisdictions, disruptive changes to polling sites, voting systems, and redistricting plans can now occur unfettered, wreaking havoc on Asian American voters' ability to cast an effective ballot.

American citizens of Asian ancestry have long been targeted as foreigners and unwanted immigrants, and racism and discrimination against Asian Americans persist to this day. These negative perceptions have real consequences for the ability of Asian Americans to fully participate in the elec-

toral and political process. Section 5 of the VRA was an effective tool in protecting Asian American voters against a host of actions that threaten to curtail their voting rights. However, the Supreme Court's recent decision dismantling the coverage formula has left a large gap in protections for Asian American voters that requires Congressional action. We look to Congress to work in a bipartisan fashion to respond to the Court's ruling and strengthen the VRA, as it did during the 2006 reauthorizations and each previous reauthorization. We respectfully offer our assistance in such a process.

Mr. CLYBURN. Mr. Speaker, in just three days, the National Museum of African American History & Culture will officially open its doors to the public. One hundred years in the making, the museum explores the richness and diversity of the African American experience.

As a former public school history teacher in Charleston, South Carolina and a lifelong student of history, I have always worked to improve our understanding of the past. History frames our views on current events and has been called the study of human nature by using examples.

The struggle for the right to vote is an important part of that history. It's a history that I know quite well—having lived through some of it. I met my wife while in jail for helping to organize one of the biggest student demonstrations in the South. More than one thousand students from South Carolina State and Claflin University assembled to march to downtown Orangeburg in March 1960. 388 of us were arrested.

A few months later, in October 1960, I met JOHN LEWIS and Dr. King on the campus of Morehouse College in Atlanta, Georgia. We were seeking the right to vote.

When the Voting Rights Act was signed into law in August 1965, it restored the promise of the 19th amendment. It prohibited racial discrimination in voting and has been called the most successful piece of civil rights legislation in American history.

It was reauthorized by Congress on a strong bipartisan basis in 1970, 1975, 1982, 1992 and, most recently, in 2006.

I testified before the House Judiciary Subcommittee on Civil and Constitutional Rights in support of extending Section 5, with its strong preclearance requirements, in 1981. I was South Carolina's Human Affairs Commissioner at the time. At the time, the preclearance requirements were necessary to prevent states with a history of discrimination from engaging in further discriminatory practices. They were necessary again in 1992, in 2006, and they still are necessary today.

With no coverage formula in place for the last three years, states have been free to engage in nefarious schemes to suppress minority turnout, dilute the voting strength of communities of color, erect new barriers to the ballot box and make it harder for millions of Americans to exercise their constitutional right to vote.

And they have.

When Americans go to the ballot box in less than fifty days they'll find new voting restrictions in place in 17 states for the first time in a presidential election.

Nearly 8 million Latino voters living in previously covered jurisdictions will be vulnerable

to voting discrimination and changes in election administration.

Five federal lawsuits involving Native American voting rights in ND, UT, SD, AZ and AK have been filed since *Shelby County v. Holder*.

North Carolina's legislature got to work within hours of the *Shelby County* decision on its "monster" voting law which imposed strict photo ID requirements and cut back early voting. The state has spent more than \$5 million defending the law—which the 4th Circuit said, "target[ed] African Americans with almost surgical precision" and "impose[d] cures for problems that did not exist."

Six former preclearance states have closed voter registration offices and moved or closed polling places. And six local jurisdictions have redrawn districts or changed the rules to dilute minority votes.

In Georgia alone, 372,000 voters have been purged or removed from the voter rolls in the last two years with little or no awareness. And in Hancock County, one in twenty voters—virtually all African-Americans—were removed from the voting rolls and sheriff's deputies began showing up at their homes commanding they defend themselves at board meetings as a so-called "courtesy."

Texas has spent more than \$3.5 million defending its discriminatory photo ID law and just yesterday, was ordered by a federal court to stop purposefully misleading voters about the requirements to vote.

A recent study from 2006–2014 found that the racial turnout gap doubles or triples in states with strict voter ID requirements. They concluded that "strict voter identification laws substantially alter the makeup of who votes and ultimately skew democracy in favor of whites and those on the political right."

I'm not reading from a history book. This is happening right now—in the United States of America in 2016.

This Congress—Republicans in this Congress—have done little more than pay lip service to voting rights for the last three years. As we approach the upcoming election, I cannot help but feel as if the lessons of history are creeping up on us. Let us not be doomed to repeat it.

Congress must restore the Voting Rights Act. We can do it immediately and we should.

Mr. CONYERS. Mr. Speaker, in the fifty plus years since the Rev. Dr. Martin Luther King, Jr., articulated the dream of a generation, this nation has seen inspiring progress toward the ideal of equality under the law. Nowhere has this progress been more dramatic than in the arena of voting rights. The passage of the Voting Rights Act of 1965 heralded a new era of political opportunity for African-Americans not seen since Reconstruction.

At the state and local level, Section 5 of the Act—which required jurisdictions with a history of voting discrimination to obtain advanced approval for voting changes—was especially important in leveling the playing field by shifting notice requirements and the burden of proof to jurisdictions with a history of discrimination, rather than relying on traditional litigation which would have taken years and countless costs to root out patterns of discrimination in voting. More than any other provision of the Act, Section 5 can be credited with the sustained progress to voting equality.

The Supreme Court, in its 5–4 *Shelby County v. Holder* decision from 2013, has suspended implementation of the Section 5 preclearance program by invalidating the formula used to designate covered jurisdictions. This decision has seriously undermined the nation's progress toward equal voting rights by allowing discriminatory voting measures to evade streamlined review and requiring minority voters to engage in costly protracted litigation.

In the wake of a divided Supreme Court, many former Section 5 covered states have enacted harsh "second generation" obstacles to voting rights, such as restrictive voter ID laws, limits on early voting and voter registration, and bans on ex-offenders from being able to regain their voting rights. Most of these voter suppression measures have a disproportionate impact on minorities, seniors, young people, and other historically-disadvantaged individuals. Not surprisingly, an ever increasing number of voters on election day are plagued by long lines at the polls, confusing voter rules, and restrictions intended to deter them from voting.

Literally days after Supreme Court issued the *Shelby County* ruling, formerly covered jurisdictions enacted discriminatory voting practices that would have been blocked by Section 5 or not even attempted passage of legislation. Texas implemented its restrictive photo ID law, which had been previously blocked by Section 5. The North Carolina state legislature passed a law that imposed a strict photo ID requirement, significantly cut back on early voting, and reduced the window for voter registration. Alabama moved ahead with its law requiring strict photo ID to vote. And Mississippi officials moved to enforce its photo ID law, which the state submitted for preclearance but was never allowed to implement.

In 2013 and 2014, at least 10 of the 15 states that had been covered in whole or in part by Section 5 introduced new restrictive legislation that would make it harder for minority voters to cast a ballot. These have passed in two states: Virginia (stricter photo ID requirement and increased restrictions on third-party voter registration) and North Carolina (the above-discussed omnibus bill, which included the ID requirement, early voting cutbacks, and the elimination of same-day voter registration).

Further, seven other formerly covered states also passed restrictive legislation in 2011 and 2012, prior to the *Shelby County* decision in anticipation of victory.

Section 5's loss perhaps has been felt most acutely at the local level. The great majority of voting law changes that were blocked as discriminatory under the Voting Rights Act were enacted at the local level: counties, municipalities, and other state sub-jurisdictions. We have witnessed local jurisdictions step into the void left by Section 5 to pass all manner of discriminatory voting procedures: discriminatory local redistricting plans; closing polling places and DMV's in minority communities and changing election dates, just to name a few.

Though Section 2 of the Voting Rights Act is still available to challenge these discriminatory practices, the time and expense of litigation leaves these practices in place to do

years of damage and places a substantial burden on the rights of minority voters. It took years of litigation to roll back the challenged practices mentioned earlier in Texas and North Carolina.

We will enter a Presidential election without Section 5 protection for the first time in 50 years. The danger to our democratic process cannot be overstated. Already, we have heard political candidates discussing voting intimidation tactics and we must focus on the status of federal observers under the law.

As a staunch proponent, and a remaining member of Congress who voted for the Act in 1965, I joined Representative SENSENBRENNER to introduce H.R. 885, the Voting Rights Amendment Act, which is designed to restore the vitality and effectiveness of Section 5 of the Voting Rights Act.

Though we have made progress in the courts over the past several weeks in overturning some of these voter suppression measures, the states and some localities have been quick to re-enact substitute measures. This tactic was the very reason for the enactment of Section 5 in the first place and evidence of the need for reauthorizing legislation.

In addressing these calculated voter suppression tactics, we cannot forget those who have lost their voting rights and have no voice in government. Currently, nearly 4 million of disqualified voters are not in prison, but on probation or parole. Nearly 3 million of the disenfranchised have completed their entire sentence, including probation and parole. I believe that such prohibitions on voting undermine the fundamental rights of people with felony convictions.

To correct this injustice, I have introduced H.R. 1459, the Democracy Restoration Act which declares the right of a U.S. citizen to vote in any election for federal office shall not be denied because that individual has been convicted of a criminal offense.

Just as the Brennan Center has observed in their report on voting rights post-*Shelby County*, "For all the real progress Section 5 facilitated, the nation and its voters now lack a critical tool to protect those earned advances. Bad laws with lasting, harmful consequences now lack a review mechanism, the method of fighting these laws is now limited to costly and time-intensive litigation, and the public has lost the one centralized means to track the thousands of changes annually that affect Americans' right to vote."

Just as Congress ignored political headwinds and set partisan differences aside five decades ago to prohibit discriminatory voting practices, this Congress must again muster the political courage to enact legislation to protect the voting rights of all Americans.

Ms. LEE. Mr. Speaker, thank you to my friend, Congresswoman SEWELL, for leading this special order and for all her work to empower underrepresented voices in our country.

I also want to thank my good friend and colleague, Assistant Democratic Leader JAMES CLYBURN, for his tireless leadership of the Democratic Outreach and Engagement Task Force. I also want to thank him for coming to my district for the town hall meeting I hosted about voting rights. Under his guidance, the taskforce held forums across the country and heard from thousands of constituents.

Mr. Speaker, it is clear—we need to urgently protect voting rights.

That is why I rise today as a member of the Democratic Outreach and Engagement Task Force to challenge this House to do the right thing and protect the sacred right of Americans to vote.

Last summer, the Voting Rights Act celebrated its 50th anniversary. Tragically, five decades after this monumental legislation was passed, the voting rights of Americans are under unprecedented attack.

After the Supreme Court callously and carelessly gutted the Voting Rights Act in its *Shelby v. Holder* decision, Republicans in state legislatures have fallen over themselves to institute a wave of voting restrictions across the country.

Make no mistake, these restrictions amount to nothing more than a modern day poll tax.

We shouldn't be erecting unnecessary and dangerous barriers to the ballot box. We should empower Americans to participate in our democracy.

Yet, time and time again—this Congress and the Judiciary Committee have refused to take action. Instead of protecting our sacred right to vote, this Congress is allowing that right to be eroded.

Mr. Speaker, the American people deserve better. It's past time for us to do our job.

Right now, there is bipartisan legislation waiting for action. The Voting Rights Amendment Act (H.R. 885) would reinstate the much needed preclearance statute to ensure that infringements on voting rights are addressed long before Election Day. Long before an American is denied their right to vote, a right that millions have fought and died for—from the Revolution to Neshoba County.

Likewise, the Voting Rights Advancement Act (H.R. 2867) also re-establishes the preclearance system and our discharge petition has 181 signatories—I encourage all of my colleagues to sign it and help us protect the voting rights of all Americans.

However, it's past time that we do more. We must empower voters, every day Americans, to have a stronger, more powerful voice in our democracy.

That's why I am so proud to have co-sponsored the Voter Empowerment Act (H.R. 12) offered by the great Civil Rights champion, Congressman JOHN LEWIS. This legislation would empower voters by modernizing voter registration and utilizing new technologies at the ballot box.

Mr. Speaker, it's past time to pass these bills. It's past time to do our jobs.

As our great drum major for peace and justice, Dr. King, once said: "Give us the ballot, and we will fill our legislative halls with men of goodwill."

Mr. Speaker, let's show the American people some goodwill and allow them to vote, unobstructed.

Ms. ROYBAL-ALLARD. Mr. Speaker, to help my constituents gain a better understanding of the negative impact of the Supreme Court decision *Shelby County v. Holder*, on May 20, 2016, I hosted a forum titled "Protect Your Future: Restore the Vote." My co-chairs were Representative LINDA SÁNCHEZ, Chair of the Congressional Hispanic Caucus; Representative JUDY CHU, Chair of the Asian Pacific

American Caucus; and special guest, Representative KAREN BASS.

Members from our communities heard expert testimony from the Mexican American Legal Defense Fund. For that reason, I include in the RECORD testimony from Tom Saenz of MALDEF.

STATEMENT OF THOMAS A. SAENZ

PRESIDENT AND GENERAL COUNSEL

MALDEF

REGARDING THE EFFECTS OF *SHELBY COUNTY V. HOLDER*

Since 2009, I have had the great honor of serving as President and General Counsel of MALDEF (Mexican American Legal Defense and Educational Fund), a national legal civil rights organization whose mission is to promote the civil rights of all Latinos living in the United States. MALDEF pursues its mission through litigation, policy education and advocacy, community education, and media/communications in the areas of education, employment, immigrant rights, and voting rights. In the area of voting rights, MALDEF is one of a small handful of national non-profit organizations that have been involved in both litigation and advocacy under the federal Voting Rights Act over several decades. MALDEF currently coordinates a consortium of ten voting rights litigation organizations striving to better coordinate activities nationwide in the aftermath of the 2013 United States Supreme Court decision in *Shelby County v. Holder*.

Our nation and its most precious democratic values have unquestionably suffered from the Supreme Court majority's 2013 decision in *Shelby County v. Holder* and the subsequent refusal by congressional leadership to consider, much less vote upon and enact, well-crafted proposals to reaffirm and strengthen the Voting Rights Act of 1965 (VRA) by implementing new formulas to apply the impactful pre-clearance provisions in section 5 of the VRA.

In *Shelby County*, the Court voted 5-4 to strike down the pre-clearance coverage formula in section 4 of the VRA. The coverage formula had been overwhelmingly approved by bipartisan supermajorities in both houses of Congress in the latest VRA reauthorization in 2006. The coverage formula that the Court majority struck down required those jurisdictions—mainly states, with some counties and other parts of states—with histories of low electoral participation and of efforts to suppress participation by minority voters, to comply with a pre-clearance obligation as to all proposed electoral changes. The effect of the Court's decision was to completely disable the application of the pre-clearance obligation absent a rarely-issued federal court order subjecting a specific jurisdiction to pre-clearance for a limited period of time. Of course, the Congress can, at any time, subject to the requisite constitutional showing of adequate findings, enact a new coverage formula or formulas to subject other jurisdictions to the pre-clearance obligation with respect to specific or all electoral changes.

It is no exaggeration to label, as it has now often been characterized, section 5 of the VRA and its pre-clearance mechanism as one of the most effective civil rights provisions ever enacted in federal law. Before the Court decision in *Shelby County*, pre-clearance had, through almost half a century, blocked the implementation of numerous proposed electoral changes that were intended to suppress minority participation or to limit minority electoral power, and numerous other

proposed changes that would have been retrogressive in effect, threatening to reduce acquired minority electoral power.

In addition, however, a full appreciation of the damage the *Shelby County* decision has wrought requires recognizing that section 5 is also one of the first enactments of an alternative dispute resolution (ADR) mechanism into federal law. ADR can be powerfully efficient and effective in resolving disputes without requiring resort to litigation in court. Ironically, the same Supreme Court majority that struck down the VRA coverage formula and disabled section 5 has strongly embraced ADR in the form of mandatory arbitration contracts, even where serious concerns have been raised about bias against employees or consumers in arbitration and about unequal power in negotiating arbitration agreements. Indeed, Section 5 actually includes the very kinds of protections that are not often seen in other ADR schemes, including the absolute right to seek court review instead of review by the Department of Justice.

With this in mind, the damage from the *Shelby County* decision, and the congressional inaction in response, falls into three areas. First, the nation has been deprived of advance notice with regard to electoral changes in those jurisdictions previously covered. These changes, which previously would have been developed and submitted for pre-clearance well in advance, include many changes—with significant potential effects on electoral participation, particularly among minority voters—that today are often revealed very close in time to an election. Such changes as precinct consolidations, alterations in precinct boundaries, and changes in voting locations often occur too close to an election to prevent their implementation through litigation under the still-viable section 2 of the VRA, prohibiting minority vote dilution, or other constitutional or statutory provisions. Courts are, perhaps understandably, reluctant to issue a preliminary injunction so close in time to a scheduled election. This problem is exacerbated by the lack of advance notice of such changes previously provided by the section 5 preclearance obligation.

For example, Arizona was a covered jurisdiction, so, prior to the *Shelby County* decision, the state and all its governmental subdivisions had to seek and obtain pre-clearance for any electoral change. Recently, in the 2016 Arizona presidential primary, there were widespread reports of very long lines and chaos at polling places. This seems to have been caused in large part by a drastic reduction in the number of polling places, a change apparently undertaken as a cost-saving measure. Whether or not this ill-considered decision had a particularly pronounced effect on minority voters in Maricopa County, such a change would have been analyzed in advance for its discriminatory potential under preclearance prior to *Shelby County*. Regardless of whether that analysis would have blocked or altered the plan to reduce polling locations, the requirement of preclearance would at least have provided notice, well in advance, of the intention to drastically reduce polling places. This might have yielded challenge and change, wholly apart from the process of pre-clearance itself.

The second area of damage from the *Shelby County* decision lies in the inability to review electoral changes for their potential discriminatory elements before the changes are implemented. As noted above, courts are often reluctant to issue preliminary injunctions with respect to elections

matters. Indeed, a preliminary injunction is extraordinary court relief in any circumstance, but there is a particular reticence with respect to elections because of the potential disruption of the plans and efforts of so many voters and candidates. However, elections are also particularly resistant to remedy after the fact. Once an election has occurred under a particular electoral change, it is nearly impossible to “unring the bell” and discount an election or its results once reported, even if only unofficially by media engaged in exit polling. Thus, the inability to bar implementation of an electoral change by requiring pre-clearance prior to implementation results in severely limited or no remedy at all to what may be actions with significant discriminatory effects. When this occurs, this does palpable and lasting harm to voters’ respect for democracy and can deter participation by understandably distrustful minority voters in many future elections.

Soon after the Shelby County decision, the mayor of Pasadena, Texas announced his intent to pursue a change to the city’s elections that he would not have pursued when the city was subject to preclearance as a sub-jurisdiction in the covered state of Texas. He sought to change the eight-member council from one comprised of candidates elected in eight single-member districts to one comprised of representatives from six single-member districts and two members elected at large by the entire city. Based on participation differentials between groups, this change would have the effect of reducing the growing Latino community’s chances to elect a majority of the council. The change was adopted and has now been implemented, while MALDEF pursues an ongoing legal challenge to the change and its effects on the Latino vote. It is unclear how many elections will occur under the flawed changes before the court case is finally resolved.

The third area of Shelby County harm lies in requiring the resolution of disputes regarding potentially discriminatory electoral changes through inefficient and costly litigation under section 2 of the VRA. The Supreme Court’s adopted test for resolving section 2 claims is “totality of the circumstances.” The phrase alone illustrates the scope of such litigation, ordinarily involving multiple experts on both sides of a case, numerous percipient lay witnesses, and voluminous sets of documentary exhibits. The presentation of all of this testimony and other evidence consumes many months in preparatory depositions, discovery, and resolution of evidentiary disputes. Trial, even if streamlined in multiple ways by the court, usually involves weeks or months of presentation to a judge. The court itself then faces the arduous task of evaluating the evidence and making findings of fact and drawing conclusions of law to support a decision under the “totality of the circumstances.” The costs in both time and money associated with this arduous court journey are significant, and most often imposed on and borne entirely by a challenged jurisdiction that loses a filed section 2 case. The same jurisdiction could get to the same result, at a fraction of the cost through pre-clearance.

MALDEF has long been a leader in pursuing section 2 litigation in the formerly covered state of Texas. The dispute over Texas statewide redistricting in 2011 ended up being challenged under section 2 at the same time that it was subject to consideration for pre-clearance under section 5 by a three-judge district court in Washington, D.C. The Washington, D.C. court rejected the

original Texas redistricting plan even before the Shelby County decision, but the Court’s ruling wiped that conclusion from the books. The section 2 case had to be tried over several months in 2014. The trial was concluded and fully briefed as of December 2014. More than 16 months later, we are still awaiting a district court decision on the section 2 case. This ongoing wait epitomizes that third area of harm from the Shelby County decision.

Some might assume that the ongoing harms from the Shelby County decision and the congressional failure to respond with appropriate legislation are limited to the areas, and their residents, that were previously subject to pre-clearance under the coverage formula that the Court struck down. In fact, the entire nation suffers the damage inflicted by the decision and its aftermath. The pre-clearance process—the submission and analysis of electoral changes for discrimination—provided a nationwide indication of the potential effects of specific changes and specific categories of changes. An adverse pre-clearance decision stood as a warning to non-covered jurisdictions that might be considering, or already have in place, similar electoral procedures as those rejected in a covered jurisdiction.

In this way, pre-clearance provided election administrators and policymakers interested in minimizing discrimination in voting with guidance as to where they might look in current practice to eliminate discriminatory effects and as to what changes they should avoid to prevent further discrimination. Conversely, adverse pre-clearance decisions stood as a warning and deterrent to administrators and policymakers interested in adopting changes despite or even because of discriminatory effects. Pre-clearance outcomes stood as an indication of possible or likely successful legal challenge to such changes. In effect, just as pre-clearance was a more efficient mechanism to resolve disputes about a specific electoral practice in a specific jurisdiction, it was also a more efficient means to provide persuasive precedent for other jurisdictions, both those covered and those not covered.

Thus, in a state like California, which had only three covered counties at the time the Supreme Court decision came down, everyone still benefitted from the ready and available information provided by the pre-clearance process. In addition, although the state was only partially covered, statewide electoral changes were subject to pre-clearance because of the effects in the covered counties. This meant that statewide elections procedures saw all the benefits of advanced awareness, pre-implementation analysis, and efficient dispute resolution described above.

The experience of three years, including one mid-term election, demonstrate that the absence of the efficient pre-clearance process has deleterious effects on deterring, preventing, and eliminating electoral practices with significant discriminatory effects. MALDEF urges congressional action to reintroduce a coverage formula or formulas—that are responsive to current demographics and dynamics with respect to minority communities—into the VRA. The nation as a whole will benefit from the positive repercussions of an effective pre-clearance process for voting discrimination.

Ms. ROYBAL-ALLARD. Mr. Speaker, to help our constituents gain a better understanding of the negative impact of the Supreme Court decision, on May 20, 2016, I hosted a forum titled “Protect Your Future: Restore the Vote.” My co-chairs were Representative

LINDA SÁNCHEZ, Chair of the Congressional Hispanic Caucus; Representative JUDY CHU, Chair of the Asian Pacific American Caucus; and special guest, Representative KAREN BASS. The event was organized to educate constituents on the devastating impact of the Supreme Court decision, Shelby County vs. Holder.

Members from our communities heard expert testimony from the National Association for Latino Elected and Appointed Officials (NALEO) regarding the devastating impacts of the decision upon the Voting Rights Act. I include in the RECORD the expert testimony of Arturo Vargas, Executive Director of NALEO.

WRITTEN TESTIMONY BY ARTURO VARGAS, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS (NALEO) EDUCATIONAL FUND, BEFORE THE CONGRESSIONAL FIELD FORUM ENTITLED “PROTECT YOUR FUTURE: RESTORE THE VOTE”—LOS ANGELES, CA MAY 20, 2016

U.S. Representative Roybal-Allard, U.S. Representative Chu, U.S. Representative Sánchez, U.S. Representative Bass: thank you for extending the opportunity to submit testimony concerning the status of Latino voting rights and protection of all Americans’ equal right to vote.

The NALEO Educational Fund is the nation’s leading non-profit, non-partisan organization that promotes full Latino participation in the American political process, from citizenship to public service. Our constituency encompasses the more than 6,000 Latino elected and appointed officials nationwide, and includes Republicans, Democrats, and Independents. For several decades, the NALEO Educational Fund has been at the forefront of efforts to advance policies that protect Latino voting rights, and ensure that Latinos are fully engaged as voters and have a fair opportunity to choose their elected leaders. We have advocated passage of state and federal voting rights legislation including the reauthorization of key provisions of the Voting Rights Act of 1965 (VRA). We have also provided direct assistance to voters encountering barriers to casting ballots through our year-round, bilingual hotline, 888-VE-Y-VOTA, and through nationwide dissemination of bilingual voting rights public service announcements, palm cards, and other materials.

DISCRIMINATORY VOTING LAWS THREATEN ELECTION 2016

As the 2016 Presidential election approaches, we are extremely concerned about policy developments that will severely impede the robust participation of Latinos and all Americans in our nation’s democracy. The legal landscape against which the election will play out has rarely changed as dramatically as it did between the 2012 and 2016 election cycles. For almost 50 years, the VRA’s signature provision protected voters in jurisdictions that had a demonstrated propensity to adopt discriminatory policies. During Election 2012, in nine entire states and selected towns and counties in seven additional states, no new voting law or administrative change in voting procedures could be implemented unless the U.S. Department of Justice or a federal court first determined it to be free of discriminatory motive and impact. This VRA-mandated preclearance procedure stopped more than 1,000 problematic provisions from taking effect between

1965 and 2013, when the Supreme Court decided *Shelby County v. Holder*.

When it effectively ended most jurisdictions' preclearance obligations, the Court's *Shelby County* decision inspired a wave of restrictive election lawmaking, and rapid implementation of laws that had been on hold, in states in which the potential influence of underrepresented voters has been dramatically increasing. For example, nine of the 12 states whose Latino populations grew most rapidly between 2000 and 2010 enacted laws that made it harder to register and vote between 2010 and 2014. In six of the nine states that saw more than a 100% increase in their Latino populations between the 2000 and 2010 decennial Censuses, there are new provisions in effect that will make voting in 2016 more difficult than it was in 2012. Moreover, nine of the 15 states covered in whole or part by preclearance procedures at the time of the *Shelby County* decision adopted new statewide voting restrictions between 2008 and 2016.

Restrictive election lawmaking and administrative practices continue to have a disproportionately negative effect on Latinos' ability and propensity to be active participants in our democracy. The confluence between places where Latino and other underrepresented voters' political influence is increasing and places that have impaired access to the ballot strongly suggests that the discriminatory chilling impact of restrictive policies is not a coincidence, but a motivating factor behind their enactment.

Restrictive voting policies implemented since 2012 include barriers to voter registration, measures that leave registrants with less opportunity to vote, and changes that reduce the potential influence of underrepresented communities' votes. New statewide laws alone, which have been implemented in at least 19 states, will make it more difficult for more than 875,000 eligible Latino voters to cast ballots in November 2016. In addition to enacted laws, some elections officials' administrative choices will impede Latino access to the ballot in 2016. For example, a decision to close two-thirds of polling places in Maricopa County, Arizona, just a few short weeks in advance of the 2016 Presidential primary produced hours-long lines to vote, particularly in neighborhoods with large populations of underrepresented voters. Set forth below is a summary of these restrictive policies; attached to this testimony is our report, *Latino Voters at Risk: Assessing the Impact of Restrictive Voting Changes in Election 2016*, which provides a detailed description of the policies and their impact on the Latino electorate.

Verification of Citizenship at Registration:

Since 2012, multiple states have begun to regularly check registrants' citizenship. Some states will not process new registration applications until receiving documentary proof of U.S. citizenship, while other states review their existing registration lists to identify possible non-citizen registrants. Latinos are disproportionately likely to be wrongly singled out as suspected non-citizens, because a larger-than-average share of the Latino electorate is composed of naturalized citizens who interacted with government agencies prior to naturalizing and who frequently appear in outdated records as non-citizens. Eligible Latino voters are also overrepresented among U.S. citizens who lack documents concerning their citizenship, and who face steep barriers to obtaining that documentation. As a result, Latinos are more likely than people of other races and ethnicities to be prevented from registering

or maintaining registration by citizenship verification procedures.

Earlier Registration Deadlines:

Although advanced technology has reduced the practical need to compile lists of eligible voters in advance of voting periods, some jurisdictions have nonetheless moved voter registration deadlines to earlier dates for 2016. Shortening the available period for voter registration impairs the Latino vote because Latino voters frequently lack basic information about the voting process. Young and naturalized voters who are the least likely to have meaningful voting experience constitute much larger percentages of the Latino electorate than of voters of other races and ethnicities, for example. Latinos are also more highly mobile than voters of other races and ethnicities, and thus more likely to have to re-register at a new address to preserve their right to vote in any given election year. In states that are tightening registration deadlines, the relatively large number of Latinos who must take action well in advance of Election Day are at heightened risk of exclusion from the political process.

Expanded Reasons for Cancellation or Rejection of Registrations:

Since 2012, some states have adopted new provisions that expand the circumstances in which election officials must cancel existing registration records or reject new registration applications. As is the case with earlier registration deadlines, these measures make it more likely that Latinos and other people who are less knowledgeable about and experienced with the voting process will be excluded from participating in elections merely because of a technical requirement and not for any substantive reason.

Restrictions on Third Party Voter Registration Activities:

In the past four years, jurisdictions have continued to make it more difficult for community-based organizations and individuals not affiliated with a government entity to help register new voters. Restrictions on third party registration activities are likely to exacerbate the troubling gap between white and Latino voter registration rates, since disproportionately large percentages of Latinos indicate that they register to vote at a public location associated with a community registration drive, such as a school or shopping center. Moreover, community-based organizations that are known and trusted also have more incentive and opportunity to reach and engage low-propensity voters than government officials and politicians. Hindering their efforts may significantly reduce the likelihood that eligible, unregistered Latinos will be asked by anyone to take part in an election.

Imposition of Strict Voter ID Requirements:

The strict voter ID laws implemented in a number of jurisdictions around the country since 2012 inhibit qualified members of the electorate from casting ballots, because millions of American adults do not possess any of the personal identification documents that strict ID laws require. Individuals who do not already hold a valid form of voter ID face numerous potential barriers to obtaining a qualifying document, including inability to pay application fees, difficulty arranging transportation to identification-issuing locations during business hours, and lack of access to documents like birth certificates that are mandatory precursors to obtaining ID. Eligible Latino voters account for disproportionate shares of both those without

ID and those who confront significant or insurmountable barriers to obtaining ID. In addition, studies indicate that Latinos are disproportionately likely to mistakenly presume they lack the ID required to vote, and to decline to attempt to vote as a result of apprehension about the scrutiny they will face at the polls.

Shortened In-Person Early Voting Periods:

In recognition of the increasing demands on Americans' time, many jurisdictions have extended voting days and hours in the past fifteen years, and many voters have taken advantage of early voting periods. Against this backdrop, jurisdictions that have moved in the opposite direction to limit the voting options available to their citizens stand out for their recalcitrance. Latino voters are more likely than others to lack workplace flexibility, and also to shoulder childcare responsibilities, both factors that leave potential Latino voters with less ability to vote where polling places are open on fewer days and for fewer hours. Unsurprisingly, the states with the highest early voting rates are disproportionately Latino: the nine jurisdictions whose citizen were most likely to vote early in 2008 and 2012 are home to less than 26% of all of the nation's voters, but 36% of all Latino voters in the country. Where early voting is constrained, Latinos are disproportionately likely to be negatively affected.

Restrictions on Absentee Voting:

Provisions that have made it more difficult to vote by mail also stand out as a contrast to the wider voting opportunities that improved technology generally has made possible. Several states implemented new laws between November 2012 and Election Day 2016 that impose tighter deadlines on mail ballots, restrict assistants' ability to deliver ballots for people with limited mobility, and make it more likely that mail ballots will be rejected. These and other measures that have made it more difficult to vote by mail are likely to have a disproportionate impact on Latino voters, because their demanding schedules and heightened likelihood of lacking access to personal transportation may force many to rely on mail balloting as the only logistically feasible voting option.

Heightened Qualifications to Vote and Restrictions on Counting Ballots:

Restrictions on registration and voting mechanisms have gained currency among legislators from many different states in the years following the contentious Presidential election of 2000. Voter advocates have begun to win high-profile victories in legal challenges to voter ID laws, proof of citizenship requirements, and shortened early voting periods. However, simultaneously, jurisdictions have successfully pursued alternative legislative provisions that have not yet been the subject of successful anti-discrimination enforcement actions. Examples of other voting restrictions likely to disproportionately impair Latino voters in November 2016 include felon disenfranchisement in Kentucky; refusal to count any votes cast outside the correct precinct in North Carolina; and heightened barriers to the counting of provisional ballots in Ohio.

Redistricting and Other Laws That Diminish Latino Voters' Influence:

Underrepresented voters' influence can be limited not only by laws that create barriers to registration and voting, but also by laws that diminish the weight of their votes. Between the 2012 and 2016 Presidential elections, a number of jurisdictions have adopted

new measures concerning redistricting and methods of election that impair the ability of underrepresented communities to elect the candidates of their choice. For example, some redistricting plans have included districts in which Latinos constitute a slight majority of the population, but are unlikely to constitute a majority of voters because so many of the individuals assigned to the district cannot or are not likely to vote. When Latinos have preferences for the candidates of their choice that are consistently different from those of the majority white population, whites and Latinos may vote in blocs and in opposition to one another, and the deliberate manipulation of district boundaries can ensure that Latino voter-preferred candidates are consistently defeated.

Barriers Imposed by Administrative Policy-making:

As widespread as restrictive election lawmaking has been in state legislatures around the country between 2012 and 2016, discretionary decisions made by unelected administrators—particularly those serving at municipal or other local levels—now pose at least an equal threat to underrepresented voters' ability to participate in elections. With the exception of noncompliance with language assistance obligations, voting rights laws have rarely been used successfully to challenge executive policymaking that has discriminatory effects. Thus, Latino voters are particularly vulnerable to negative consequences of discriminatory or unsound election administration. Among the administrative issues over which election administrators have discretionary control, those that may have the most deleterious effect on Latinos' ability to vote in 2016 include decisions about registration list maintenance and the processing of new registration applications, the closing and consolidation of polling places, the allocation of resources among polling places, and the degree of effort invested in providing language assistance to voters not yet fully fluent in English.

CONCLUSION—CONGRESS MUST RESTORE THE VRA TO FULL STRENGTH

Laws and policies that make it harder for Latinos to register and vote have a clear negative impact on the individuals who are individually prevented from taking part in elections by their inability to satisfy heightened requirements. What may be less obvious is that restrictive measures inhibit even those who are not directly affected by them. The kinds of restrictive laws and policies that jurisdictions around the country have adopted since Election Day 2012 signal to members of the electorate that their voices and input as voters are not welcomed, but only grudgingly accepted when voters are willing to put in the effort to clear the hurdles in their way. Because they discourage a broad group of potential voters at a time when voter participation has been in dangerous decline, policies that create barriers to the ballot box are the wrong policy choices for 2016. It is imperative that we instead encourage Latinos and all Americans to become more active participants in the political process by making the registration and voting process more accessible.

We applaud Members of Congress for introducing bipartisan legislation that would modernize the VRA. The Voting Rights Amendment Act, H.R. 885, and the Voting Rights Advancement Act, H.R. 2867, would ensure that discriminatory policies do not taint our political process, and that elections are instead open to all Americans re-

gardless of their race, ethnicity, or linguistic ability. We look forward to working with Members of Congress on both sides of the aisle to advance legislation that strengthens protection of the fair and equal opportunity to vote, and safeguards the integrity of our democracy for the long term.

Ms. BASS. Mr. Speaker, on May 20, 2016, I was honored as a special guest at an event in Monterey Park, California titled "Protect Your Future: Restore the Vote". The event was organized to help constituents gain a better understanding of the negative impact of the Supreme Court decision, *Shelby County vs. Holder*.

Members from our communities heard expert testimony from the National Association for the Advancement of Colored People (NAACP) regarding the devastating impacts of the decision upon the Voting Rights Act. I include in the RECORD the expert testimony of Sean Dugar, Regional Director, Region I of the NAACP into the CONGRESSIONAL RECORD.

TESTIMONY OF SEAN DUGAR, REGIONAL DIRECTOR, REGION I, TESTIMONY ON BEHALF OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) ON THE ROUNDTABLE DISCUSSION "PROTECT YOUR FUTURE: RESTORE THE VOTE"—MAY 20, 2016

Good morning, Congresswoman CHU, Congresswoman ROYBAL-ALLARD, Congresswoman SANCHEZ, and distinguished guests and friends. Thank you so very much for inviting me here to discuss fully restoring and protecting the right to vote. I appreciate the opportunity to provide you with the thoughts and opinions of the NAACP on this very important issue.

Founded more than 107 years ago, in February of 1909, the National Association for the Advancement of Colored People, the NAACP, is our nation's oldest, largest, and most widely-recognized grassroots-based civil rights organization. We currently have more than 1,200 active membership units across the nation, with members in every one of the 50 states as well as units on overseas military bases. In addition to our community based adult units, we also have youth and college units in hundreds of communities and schools including colleges and university campuses across the country as well as units in prisons.

My name is Sean Dugar, and I am the regional field director for the NAACP for Region I. The NAACP divides the country into seven regions, and Region I is the westernmost region: it is comprised of Alaska, Arizona, Hawaii, Idaho, Nevada, Oregon, Utah, Washington, and of course, California. I am a national staff person, and I come to you today on behalf of the national NAACP. In preparing this testimony, I consulted with Mr. Hilary Shelton who is the Director of the Washington Bureau and the lead advocate for the NAACP before the federal government. Hilary asked that I tell you all how sorry he is that he cannot be here today and indicated that he would be more than happy to answer any questions you may have which I cannot answer for you.

The NAACP, a non-profit, non-partisan organization was established with the objective of insuring the educational, political, social, and economic equality of racial and ethnic minorities in our country. The NAACP has as its mission the goal of eliminating race prejudice and removing all barriers of racial discrimination through the democratic process. Voting rights for all eligible Americans, advancing voter participa-

tion and the eradication of disenfranchising practices and voter fraud, has been a top priority of the NAACP since our founding. Throughout our more than 107-year history, the NAACP has advocated and worked against such racist and heinous obstacles to full democratic citizenship participation such as America's Jim Crow laws and the Black Codes.

As such, we were instrumental in the development and enactment of the 1965 Voting Rights Act, and its subsequent reauthorizations, the 1992 Motor Voter Law, and the 2002 Help America Vote Act as well as several other key pieces of Federal legislation aimed at ensuring and protecting the rights of all eligible Americans to cast an unfettered vote and be certain that our vote has been counted.

Tragically, our country, which promotes itself as the beacon of democracy throughout the world, has seen a reversal in the century-old struggle for achieving the goal of "one person, one vote." This reversal has been strategic and multi-faceted and sadly targeted disproportionately at the very people whom I would argue could use a louder, stronger, and more consistent voice among our elected officials. Specifically, a majority of those currently being disenfranchised by these malevolent laws are racial and ethnic minorities, low-income Americans, the elderly, students and women. Whether through bogus photo identification requirements, racially disparate ex-felon disenfranchisement laws, shortened early voting periods, or initiatives making it harder for third parties to register qualified voters, states are abridging the voting rights of millions of Americans.

Furthermore, with the Supreme Court's misguided, harmful 2013 decision in *Shelby v. Holder*, many of the protections we had begun to appreciate are now threatened. The Voting Rights Act of 1965 (VRA), for which the NAACP was on the frontlines in the struggle to enact, was signed into law to insure that under the 15th Amendment to the U.S. Constitution, no one, including federal, state or local governments, may in any way impede people from registering to vote or voting because of their race, ethnicity or other differences. Most provisions in the VRA, and specifically the portions that guarantee that no one may be denied the right to vote because of his or her race or color, are permanent, and as such are not the provisions subject to reauthorization.

Section 5 of the VRA requires certain states or jurisdictions, which have an established history of laws or policies which result in the disenfranchisement of a group of racial or ethnic minority voters to obtain advance approval or "preclearance" from the US Department of Justice or the US District Court in D.C. before they can make any changes to voting practices or procedures. Examples of these changes include any change in the date, time, place, or manner under which an election is held. Federal approval is given to make the proposed change as soon as the state or jurisdiction proves that the proposed change would not abridge the right to vote on account of race or color. Originally, in 1965, legislators hoped that within five years the problems would be resolved and there would be no further need for these enforcement-related provisions: however, it proved necessary to extend these protections in 1970, and again in 1975, 1982 and 2006 through the Congressional reauthorization process.

As a side note, the 2006 reauthorization, which had passed the House by the overwhelming bipartisan vote of 390-33, appeared

to be stalled in the Senate, and was being threatened by a number of dangerous amendments. But thousands of delegates and friends of the NAACP who were attending our annual convention in Washington, marched from the convention center to Capitol Hill in support of the reauthorization bill and then went to their Senators' offices with specific demands to pass the reauthorization bill without amendment. I am pleased to report that the bill was passed later that same week, unamended, by a vote of 98 to 0.

I am relaying this anecdote because the march was driven mostly by our youth and college division, who led the marchers on that incredibly hot July day not only for the 2+ miles to the Hill, but then also on visits with their Senators. It was an instance where the NAACP, and specifically the next generation of NAACPers, made a real difference.

On June 25, 2013, however, the U.S. Supreme Court issued its decision in the case of *Shelby v. Holder* in which the Court did not invalidate the principle of preclearance. The Supreme Court did decide, however, that Section 4(b) of the VRA, which establishes the formula that is used to determine which states and jurisdictions must comply with preclearance, is antiquated and thus unconstitutional and can no longer be used. Thus, although Section 5 survives, it is currently not being used and will not be used fully until Congress develops and enacts a new formula to determine which states and jurisdictions should be covered by it.

The bipartisan Voting Rights Advancement Act, S. 1659/H.R. 2867, is sponsored in the U.S. Senate by Senators Patrick Leahy (VT), Lisa Murkowski (AK) and in the U.S. House by Congresswoman Terri Sewell and Congressman John Lewis (GA) on behalf of themselves, the Congressional Black Caucus, the Congressional Hispanic Caucus, and the Congressional Asian and Pacific American Caucus among others. I would like to stop for a minute and express the sincere appreciation of the NAACP to the three legislators here today, Congresswoman Chu, Congresswoman Roybal-Allard, and Congresswoman Sanchez, who are co-sponsors of this important legislation. I would also be remiss if I didn't pass along Hilary Shelton's personal appreciation that they each consistently score an "A" on the NAACP's Federal Legislative Report Card.

This seminal legislation would: modernize the preclearance formula to cover states with an historical pattern of discrimination; ensure that last-minute voting changes won't adversely affect voters; protect voters from the types of voting changes most likely to discriminate against and disenfranchise people of color and language minorities; enhance the ability to apply a preclearance review when needed; expand the effective Federal Observer Program; and improve voting Rights protections for Native Americans and Alaska Natives. Furthermore, this legislation includes all of the priorities necessary for a strong VRA restoration as established by the NAACP National Board of Directors.

We need to fix the damage to the VRA inflicted by *Shelby*, and this legislation would repair and strengthen it. Yet the NAACP has consistently, and before *Shelby*, argued that we need to do more to expand the franchise and get more Americans involved in the electoral system. That is why our Washington Bureau Director asked me again to express our sincere appreciation to the three lawmakers sitting here today for lifting up and sponsoring H.R. 12, the Voter Empowerment Act.

In a time when numerous states are considering or have already enacted legislation to restrict or suppress voter participation, Congressman John Lewis (GA) and 174 of his colleagues in the U.S. House of Representatives have introduced H.R. 12, the Voter Empowerment Act. This important legislation would expand and protect voters' access to the polls and would increase accountability and integrity among election officials and poll workers. It also would expand eligibility to allow all ex-offenders who have been released from prison to register and vote in federal elections (even those who may still be on probation or parole).

Specifically, the Voter Empowerment Act would:

Guarantee early voting—require that every state establish early voting sites that are open at least 15 days prior to a general election day;

This includes weekends, which many working people may find to be the only time they can get to the polls;

Require automatic registration—the bill would use modern technology to automatically and permanently register all eligible voters;

Allow same-day registration throughout the country—H.R. 12 would ensure allow voters to register to vote on election day at their polling place;

Ensure on-line voter registration—the Voter Empowerment Act would ensure that online voter registration is a viable option nationally;

Outlaw "voter caging"—makes illegal a practice by which mail is sent to a registered voter's address and, if the mail is returned as "undeliverable" or if it is delivered and the voter does not respond, his or her registration is challenged;

Clarify and strengthen the use of provisional ballots—ensures that provisional ballots are counted;

Make voter intimidation and deception punishable by law—with strong and tough penalties so that people who commit these crimes suffer more than just a slap on the wrist, and establish a process for reaching out to misinformed voters with accurate information so they can cast their votes in time;

Re-enfranchise ex-offenders—H.R. 12 incorporates the provisions of the NAACP-supported "Democracy Restoration Act" by allowing ex-offenders, once they are out of prison, the opportunity to register and vote in federal elections without challenges or complication;

Encourage youth voters—the Voter Empowerment Act requires colleges and universities to offer and encourage voter registration to all students;

Assure voting by overseas residents—H.R. 12 increases assurances that Americans who may be living overseas, especially those serving our country in the armed services, can cast a valid vote and be assured that their vote was counted.

In short, we can and should do more to guarantee that the vote to right—the cornerstone of our Constitution and our democracy—is not only protected but made easier. I would again like to commend and thank Congresswoman Chu, Congresswoman Roybal-Allard, and Congresswoman Sanchez for their leadership in this area; please know that Director Shelton and the entire NAACP stand ready to work with you in Washington and here at home, and I look forward to our round table discussion.

SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3076. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes; to the committee on Veterans' Affairs.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5936. An act to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.

H.R. 5985. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

ADJOURNMENT

Ms. SEWELL of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 22, 2016, at 10 a.m. for morning-hour debate.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5995. A bill to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code (Rept. 114-779). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2315. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States (Rept. 114-780). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 879. Resolution providing for consideration of the bill (H.R. 5931) to provide for the prohibition on cash payments to the Government of Iran, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 114-781). Referred to the House Calendar.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 5982. A bill to amend chapter 8 of

title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes (Rept. 114-782, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 5982 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mr. GRIJALVA, Mrs. NAPOLITANO, Mrs. DAVIS of California, Mr. MCGOVERN, and Mr. VEASEY):

H.R. 6091. A bill to require the Secretary of Homeland Security to identify aliens who have served, or are serving, in the Armed Forces of the United States when those aliens apply for an immigration benefit or are placed in an immigration enforcement proceeding, and for other purposes; to the Committee on the Judiciary.

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mrs. DAVIS of California, and Mrs. NAPOLITANO):

H.R. 6092. A bill to amend section 212(d)(5) of the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs; to the Committee on the Judiciary.

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mr. GRIJALVA, Mrs. NAPOLITANO, and Mr. MCGOVERN):

H.R. 6093. A bill to establish naturalization offices at initial military training sites; to the Committee on Armed Services.

By Mr. WALBERG (for himself, Mr. KLINE, Mr. WILSON of South Carolina, Mr. HUNTER, Mr. ROE of Tennessee, Mr. THOMPSON of Pennsylvania, Mr. GUTHRIE, Mr. ROKITA, Mr. BARLETTA, Mr. HECK of Nevada, Mr. MESSER, Mr. BYRNE, Mr. BRAT, Mr. CARTER of Georgia, Mr. BISHOP of Michigan, Mr. GROTHMAN, Ms. STEFANIK, Mr. ALLEN, Mr. CHABOT, Mr. HARDY, Mr. HILL, Ms. SINEMA, Mr. KELLY of Mississippi, Mr. BENISHEK, Mrs. WALORSKI, Mr. NEWHOUSE, Mr. WESTERMAN, Mrs. BROOKS of Indiana, Mr. KNIGHT, Mr. BARR, and Mr. DOLD):

H.R. 6094. A bill to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees; to the Committee on Education and the Workforce.

By Ms. LEE (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUTTERFIELD, Ms. JUDY CHU of California, Mr. POLIS, Ms. DELBENE, Mr. HINOJOSA, Ms. TITUS, Ms. KELLY of Illinois, Mr. HONDA, Ms. CLARK of Massachusetts, and Ms. FUDGE):

H.R. 6095. A bill to authorize the Secretary of Education to carry out a program to increase access to prekindergarten through grade 12 computer science education; to the Committee on Education and the Workforce.

By Mrs. WALORSKI (for herself, Miss RICE of New York, and Mr. COSTELLO of Pennsylvania):

H.R. 6096. A bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO (for himself, Mr. GUTIERREZ, Ms. VELÁZQUEZ, Ms. LOFGREN, Mr. CONYERS, Mr. GALLEG0, Mr. TED LIEU of California, Mrs. LAWRENCE, Ms. NORTON, Mr. MCGOVERN, Mr. O'ROURKE, Mr. SMITH of Washington, Mr. VARGAS, Mr. GRIJALVA, Ms. CLARKE of New York, Ms. ROYBAL-ALLARD, Ms. JACKSON LEE, Mrs. TORRES, Mr. PIERLUISI, Mr. HONDA, Mr. ELLISON, Mr. MCNERNEY, Mr. HASTINGS, Mrs. NAPOLITANO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARSON of Indiana, Mr. CROWLEY, Ms. LEE, Mr. RANGEL, Ms. EDWARDS, and Mr. KENNEDY):

H.R. 6097. A bill to amend section 236 of the Immigration and Nationality Act to modify the conditions on the detention of aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. SANFORD (for himself, Mr. CRAMER, and Mr. BRAT):

H.R. 6098. A bill to amend the Internal Revenue Code of 1986 to repeal the withholding of income and social security taxes; to the Committee on Ways and Means.

By Mr. HUFFMAN (for himself and Ms. ESHOO):

H.R. 6099. A bill to support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture through the retention and use of rental fees associated with such sites, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON (for himself, Mrs. LUMMIS, Mr. HARPER, Mr. GOSAR, Mr. GOHMERT, Mr. HUDSON, Mr. ABRAHAM, Mr. BRAT, Mr. COLLINS of New York, Mr. RODNEY DAVIS of Illinois, Mr. HUELSKAMP, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. HARRIS, Mr. COLE, Mr. LAMALFA, Mr. WEBER of Texas, Mr. YOHO, Mr. TIBERI, Mr. FLORES, Mrs. HARTZLER, and Mr. MESSER):

H.R. 6100. A bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Ways and Means.

By Mrs. BLACK (for herself and Mr. WELCH):

H.R. 6101. A bill to amend title XVIII of the Social Security Act to improve the Medicare accountable care organization (ACO) program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDENAS:

H.R. 6102. A bill to direct the Secretary of Transportation to establish a Smart Technology Traffic Signals Grant Program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COHEN (for himself and Mr. ROSS):

H.R. 6103. A bill to provide standards for physical condition and management of housing receiving assistance payments under section 8 of the United States Housing Act of 1937; to the Committee on Financial Services.

By Mr. GRAVES of Louisiana (for himself, Mr. BOUSTANY, Mr. RICHMOND, and Mr. ABRAHAM):

H.R. 6104. A bill to establish a deadline for approval of claims made under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. JONES (for himself and Mr. BUTTERFIELD):

H.R. 6105. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate certain parts of United States Route 264 and the Eastern North Carolina Gateway Corridor as future parts of the Interstate System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. KUSTER (for herself and Mrs. BUSTOS):

H.R. 6106. A bill to establish a single export promotion agency in the executive branch, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TED LIEU of California:

H.R. 6107. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with public and private entities to provide pro bono legal services to homeless veterans and veterans at risk of homelessness, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LOEBSACK (for himself, Mr. STIVERS, Mrs. BUSTOS, Ms. GABBARD, Mr. WEBER of Texas, Mr. JONES, Mr. HONDA, Mr. GALLEG0, Mr. RANGEL, Mr. SERRANO, Mr. CURBELO of Florida, Mr. THOMPSON of California, Mr. WALZ, Mr. MARINO, Mr. COOPER, Mr. SWALWELL of California, Mr. BLUM, Mr. ROONEY of Florida, Mrs. NAPOLITANO, Mr. DENHAM, Mr. HUNTER, and Mr. SABLON):

H.R. 6108. A bill to amend title 38, United States Code, to ensure that certain veterans receive in-patient psychiatric care provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PALLONE (for himself, Mr. LEVIN, Mr. GENE GREEN of Texas, and Mr. MCDERMOTT):

H.R. 6109. A bill to amend titles XVIII and XIX of the Social Security Act to improve the affordability and enrollment procedures of the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRY (for himself, Mr. BROOKS of Alabama, and Mr. DUNCAN of South Carolina):

H.R. 6110. A bill to amend section 412(a)(2) of the Immigration and Nationality Act to

require ratification of a plan with respect to a refugee by the legislature of a State before the refugee may be initially placed or resettled in the State, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN of Ohio:

H.R. 6111. A bill to amend the Internal Revenue Code of 1986 to provide for a partial exclusion from the excise tax imposed on heavy trucks sold at retail for alternative fuel trucks; to the Committee on Ways and Means.

By Mrs. TORRES:

H.R. 6112. A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes; to the Committee on Small Business.

By Mrs. WATSON COLEMAN:

H.R. 6113. A bill to restrict the authority of the Attorney General to enter into contracts for Federal correctional facilities and community confinement facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. WENSTRUP (for himself and Mr. HECK of Nevada):

H.R. 6114. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 6115. A bill to fulfill the land conveyance requirements under the Alaska Native Claims Settlement Act for the Alaska Native Village of Canyon Village, and for other purposes; to the Committee on Natural Resources.

By Mr. LEWIS (for himself and Mr. MCGOVERN):

H. Con. Res. 158. Concurrent resolution recognizing the International Day of Peace; to the Committee on Oversight and Government Reform.

By Mr. MCCAUL (for himself, Mr. ENGEL, and Mr. ROYCE):

H. Con. Res. 159. Concurrent resolution condemning the Government of the Islamic Republic of Iran for the 1988 massacre of political prisoners and calling for justice for the victims; to the Committee on Foreign Affairs.

By Mrs. LAWRENCE:

H. Res. 880. A resolution expressing support for a uniform adoption process of children from foster care and promoting the enactment by all States of the Interstate Compact for the Placement of Children to ensure more children in the United States are placed in safe, loving, and permanent homes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEYER (for himself, Mr. HONDA, Mr. HIMES, Mr. MCGOVERN, Mrs. DINGELL, Mr. MEEKS, Mr. TONKO, Mr. NEAL, Mr. MOULTON, Ms. LEE, Mr. SABLON, Mr. GRIJALVA, Mr. DEUTCH, Mr. PRICE of North Carolina, Mr. KILDEE, Mr. WALZ, Mr. POCAN, Mr. COSTA, Mr. LEWIS, Ms. TITUS, Ms. KUSTER, and Mr. McDERMOTT):

H. Res. 881. A resolution recognizing the 55th anniversary of the Fulbright-Hays Programs; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. VARGAS:

H.R. 6091.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following section of the U.S. Constitution:

(1) To establish a uniform Rule of Naturalization, as enumerated in Article I, Section 8, Clause 4 of the U.S. Constitution;

(2) To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years, as enumerated in Article I, Section 8, Clause 12 of the U.S. Constitution;

(3) To provide and maintain a navy, as enumerated in Article I, Section 8, Clause 13 of the U.S. Constitution; and

(4) To make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the U.S. Constitution.

(5) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. VARGAS:

H.R. 6092.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following section of the U.S. Constitution:

(1) To establish a uniform Rule of Naturalization, as enumerated in Article I, Section 8, Clause 4 of the U.S. Constitution;

(2) To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years, as enumerated in Article I, Section 8, Clause 12 of the U.S. Constitution;

(3) To provide and maintain a navy, as enumerated in Article I, Section 8, Clause 13 of the U.S. Constitution; and

(4) To make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the U.S. Constitution.

(5) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18 of the U.S. Constitution.

By Mr. VARGAS:

H.R. 6093.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following section of the U.S. Constitution:

(1) To establish a uniform Rule of Naturalization, as enumerated in Article I, Section 8, Clause 4 of the U.S. Constitution;

(2) To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years, as enumerated in Article I, Section 8, Clause 12 of the U.S. Constitution;

(3) To provide and maintain a navy, as enumerated in Article I, Section 8, Clause 13 of the U.S. Constitution; and

(4) To make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the U.S. Constitution.

By Mr. WALBERG:

H.R. 6094.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. LEE:

H.R. 6095.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8,

Clause 1

“The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;”

Clause 3

“To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;”

Clause 8

“To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;”

By Mrs. WALORSKI:

H.R. 6096.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SERRANO:

H.R. 6097.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that “Congress shall have the power . . . to establish a uniform rule of naturalization,”

and Article I, Section 8, Clause 18, which states that “Congress shall have the power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any officer or department thereof.”

By Mr. SANFORD:

H.R. 6098.

Congress has the power to enact this legislation pursuant to the following:

the Sixteenth Amendment of the U.S. Constitution

By Mr. HUFFMAN:

H.R. 6099.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof

By Mr. DAVIDSON:

H.R. 6100.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: Since valuation rules affect the collection of taxes, laws determining their use are constitutional under Congressional authority to lay and collect taxes.

By Mrs. BLACK:

H.R. 6101.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. CÁRDENAS:
H.R. 6102.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. COHEN:
H.R. 6103.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution

By Mr. GRAVES of Louisiana:
H.R. 6104.

Congress has the power to enact this legislation pursuant to the following:

Art 1, Section 8, Clause 3

By Mr. JONES:
H.R. 6105.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 8, Clauses:

1) The Congress shall have Power to . . . provide for the common Defense and general Welfare of the United States

3) To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

7) To establish Post Offices and post Roads

18) To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. KUSTER:
H.R. 6106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, the Taxing and Spending Clause: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . ."

By Mr. TED LIEU of California:
H.R. 6107.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. LOEBSACK:
H.R. 6108.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. PALLONE:
H.R. 6109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. PERRY:
H.R. 6110.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. RYAN of Ohio:
H.R. 6111.

Congress has the power to enact this legislation pursuant to the following:

"The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution."

By Mrs. TORRES:
H.R. 6112.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mrs. WATSON COLEMAN:
H.R. 6113.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sections 1 and 8

By Mr. WENSTRUP:
H.R. 6114.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. YOUNG of Alaska:
H.R. 6115.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 21: Mr. GOSAR.
H.R. 167: Mr. MCNERNEY and Ms. LORETTA SANCHEZ of California.
H.R. 188: Ms. JACKSON LEE.
H.R. 213: Mr. PALLONE and Mr. ISRAEL.
H.R. 592: Mr. VAN HOLLEN.
H.R. 704: Mr. GOSAR.
H.R. 746: Ms. ROYBAL-ALLARD.
H.R. 932: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1006: Mr. AGUILAR.
H.R. 1025: Ms. LEE, Ms. CLARKE of New York, Mr. RUSH, Mr. DESAULNIER, Mr. DEUTCH, Ms. NORTON, Mr. SERRANO, Mrs. WATSON COLEMAN, and Ms. KUSTER.
H.R. 1089: Mr. KIND and Mr. DENHAM.
H.R. 1095: Mr. AGUILAR.
H.R. 1142: Mr. AL GREEN of Texas.
H.R. 1151: Mr. LUETKEMEYER.
H.R. 1153: Mr. HENSARLING.
H.R. 1185: Mr. GUTHRIE and Mr. FLORES.
H.R. 1283: Mr. HUFFMAN.
H.R. 1319: Mr. RICE of South Carolina.
H.R. 1492: Mr. HONDA.
H.R. 1516: Mr. AUSTIN SCOTT of Georgia.
H.R. 1550: Mr. AGUILAR.
H.R. 1687: Mr. CUMMINGS.
H.R. 1728: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PASCRELL, Ms. CLARKE of New York, Mr. SCHIFF, Mrs. LOWEY, and Ms. FUDGE.
H.R. 1733: Mr. ELLISON.
H.R. 1861: Mr. GOSAR.
H.R. 1941: Mr. YOUNG of Alaska.
H.R. 2287: Mr. YOUNG of Alaska.
H.R. 2290: Mr. BABIN.
H.R. 2434: Ms. LEE.
H.R. 2441: Mr. MILLER of Florida.
H.R. 2521: Mr. LANGEVIN.
H.R. 2597: Mr. MOULTON.
H.R. 2660: Ms. CLARKE of New York, Mr. PASCRELL, Mr. NORCROSS, Mr. HONDA, Mrs. LOWEY, Mr. COHEN, and Ms. KUSTER.
H.R. 2698: Mr. KINZINGER of Illinois.
H.R. 2715: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SWALWELL of California, Ms. FUDGE, Ms. KUSTER, Mr. PASCRELL, and Ms. CLARKE of New York.
H.R. 2858: Mr. KIND and Mr. MOULTON.
H.R. 2972: Mr. YARMUTH.
H.R. 3084: Mr. HIGGINS, Mr. SEAN PATRICK MALONEY of New York, and Mr. SMITH of New Jersey.
H.R. 3099: Mr. YARMUTH.
H.R. 3280: Ms. SINEMA.
H.R. 3323: Mr. NEUGEBAUER and Mr. STIVERS.
H.R. 3381: Mr. LATTA.

H.R. 3522: Ms. SCHAKOWSKY and Mr. MCGOVERN.

H.R. 3546: Mr. SWALWELL of California, Mr. SERRANO, and Mr. NORCROSS.

H.R. 3599: Mr. ROE of Tennessee.

H.R. 3660: Ms. ESTY.

H.R. 3886: Mr. NORCROSS, Mr. RUSH, Mr. PASCRELL, Ms. CLARKE of New York, Mr. SWALWELL of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SERRANO, Ms. KUSTER, Ms. FUDGE, and Mrs. LOWEY.

H.R. 3892: Mr. SAM JOHNSON of Texas and Mr. ZELDIN.

H.R. 3929: Mr. AGUILAR.

H.R. 4140: Mr. TROTT.

H.R. 4151: Mr. HANNA.

H.R. 4211: Mr. TIPTON.

H.R. 4298: Miss RICE of New York, Mr. GIBSON, Mr. PETERS, Mr. HARDY, Mr. DENHAM, Ms. CLARK of Massachusetts, Mr. DEFazio, Ms. DUCKWORTH, Mr. CALVERT, Mr. COOK, Mr. ROONEY of Florida, Mr. MARINO, Mr. PEARCE, Mr. BISHOP of Utah, Mr. SAM JOHNSON of Texas, Mr. KELLY of Pennsylvania, and Mr. TOM PRICE of Georgia.

H.R. 4475: Ms. WASSERMAN SCHULTZ.

H.R. 4488: Mr. GALLEGO.

H.R. 4505: Mr. POCAN, Ms. DELAURO, Ms. BROWNLEY of California, Mr. SCHRADER, Ms. MATSUI, Mr. SEAN PATRICK MALONEY of New York, and Mr. KENNEDY.

H.R. 4559: Mr. NEUGEBAUER.

H.R. 4592: Mr. SHIMKUS and Mr. FRANKS of Arizona.

H.R. 4622: Mr. COLE.

H.R. 4657: Mr. HANNA, Mr. GUINTA, and Mr. TROTT.

H.R. 4760: Mr. MILLER of Florida.

H.R. 4784: Mr. HIMES, Ms. LEE, Mrs. LAWRENCE, and Mr. COSTA.

H.R. 4796: Ms. PINGREE.

H.R. 4907: Mrs. LOVE and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 4919: Ms. DELBENE, Ms. WASSERMAN SCHULTZ, Mr. TED LIEU of California, Mr. LOEBSACK, Mr. JEFFRIES, Mr. NADLER, Mr. SERRANO, Mr. FRANKS of Arizona, Mr. COLLINS of New York, and Mr. MCGOVERN.

H.R. 4927: Mr. PETERSON.

H.R. 4932: Mr. LOWENTHAL.

H.R. 5008: Mr. AGUILAR.

H.R. 5061: Mr. WEBER of Texas.

H.R. 5082: Mr. MARINO, Mr. CLEAVER, and Mr. HOLDING.

H.R. 5122: Mr. GUTHRIE.

H.R. 5167: Mr. DUNCAN of South Carolina.

H.R. 5180: Mr. HUNTER.

H.R. 5235: Mrs. DAVIS of California.

H.R. 5251: Mr. KATKO.

H.R. 5256: Mr. NOLAN, Mr. O'ROURKE, and Mr. VEASEY.

H.R. 5263: Ms. DELBENE and Miss RICE of New York.

H.R. 5373: Ms. WASSERMAN SCHULTZ.

H.R. 5392: Mr. LUETKEMEYER.

H.R. 5410: Mr. CULBERSON, Mr. ROSS, and Mr. MULVANEY.

H.R. 5418: Mr. YOHO, Mr. YODER, and Mr. SAM JOHNSON of Texas.

H.R. 5428: Mr. ISSA.

H.R. 5436: Mr. ELLISON.

H.R. 5466: Mr. JOYCE.

H.R. 5474: Mr. HONDA.

H.R. 5499: Mr. RENACCI and Mr. EMMER of Minnesota.

H.R. 5549: Mr. ROHRBACHER and Ms. NOR-TON.

H.R. 5560: Mrs. NAPOLITANO.

H.R. 5579: Mr. CALVERT and Mr. MARINO.

H.R. 5600: Ms. KUSTER, Mr. KLINE, and Mrs. ROBY.

H.R. 5622: Mr. VARGAS, Ms. NORTON, Mr. RUSH, Mrs. KIRKPATRICK, Mrs. NAPOLITANO, and Ms. SEWELL of Alabama.

H.R. 5624: Mr. WEBER of Texas and Mr. ELLISON.

H.R. 5682: Mr. HUFFMAN.

H.R. 5691: Mr. GUTIÉRREZ.

H.R. 5720: Mr. SWALWELL of California.

H.R. 5721: Mr. PETERSON.

H.R. 5732: Mr. PASCRELL.

H.R. 5768: Mr. ZELDIN.

H.R. 5790: Mr. VAN HOLLEN.

H.R. 5813: Mr. RIBBLE.

H.R. 5814: Mr. BYRNE.

H.R. 5816: Mr. MCKINLEY.

H.R. 5817: Ms. BONAMICI and Mr. SANFORD.

H.R. 5829: Mr. KNIGHT and Mr. SMITH of Texas.

H.R. 5853: Mr. SMITH of Missouri and Mr. LONG.

H.R. 5864: Ms. VELÁZQUEZ.

H.R. 5904: Mr. NEUGEBAUER and Mr. MILLER of Florida.

H.R. 5932: Mr. KING of New York and Ms. STEFANIK.

H.R. 5942: Ms. KUSTER.

H.R. 5953: Ms. NORTON, Mr. RICHMOND, Mr. VARGAS, Mr. PALLONE, and Mr. HINOJOSA.

H.R. 5961: Mr. ZELDIN and Mr. WEBER of Texas.

H.R. 5978: Mr. CUELLAR.

H.R. 5980: Mr. BYRNE, Mr. VEASEY, Mr. DESAULNIER, and Ms. KELLY of Illinois.

H.R. 5999: Mr. VEASEY.

H.R. 6003: Mr. BYRNE and Mr. BRIDENSTINE.

H.R. 6010: Ms. ROS-LEHTINEN.

H.R. 6015: Mr. FORTENBERRY.

H.R. 6017: Mr. FOSTER.

H.R. 6039: Mr. HECK of Nevada and Mr. AMODEI.

H.R. 6045: Mr. KIND.

H.R. 6049: Mr. HUIZENGA of Michigan and Mr. WALKER.

H.R. 6059: Mr. PETERS and Mr. WELCH.

H.R. 6061: Ms. LOFGREN.

H.R. 6066: Mr. KNIGHT.

H.R. 6072: Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Mr. RICHMOND, Mr. CLYBURN, Mr. PAYNE, Ms. FUDGE, Ms. BASS, Ms. CLARKE of New York, Mr. BUTTERFIELD, Mr. CUMMINGS, Mr. RANGEL, Ms. BROWN of Florida, Ms. SEWELL of Alabama, Ms. LEE, Mr. SCOTT of Virginia, Mr. HASTINGS, Ms. MAXINE WATERS of California, and Ms. JACKSON LEE.

H.R. 6073: Mr. TED LIEU of California, Mr. HUFFMAN, Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Mr. RICHMOND, Ms. FUDGE, Ms. BASS, Ms. CLARKE of New York, Mr. BUTTERFIELD, Mr. CUMMINGS, Ms. NORTON, Mr. AL GREEN of Texas, Mr. RANGEL, Ms. LEE, Mr. SCOTT of Virginia, Mr. HASTINGS, Ms. MAXINE WATERS of California, and Ms. JACKSON LEE.

H.R. 6087: Mr. THOMPSON of Pennsylvania, Mr. JONES, Mr. DUNCAN of South Carolina, Mr. WALZ, and Mr. BURGESS.

H.R. 6088: Mr. BUCSHON, Mrs. BROOKS of Indiana, Mr. AMODEI, and Mr. JOYCE.

H.J. Res. 98: Ms. EDWARDS.

H. Con. Res. 40: Ms. DELAURO.

H. Con. Res. 114: Mr. SALMON.

H. Con. Res. 140: Mr. MURPHY of Florida, Mr. REED, Mr. CALVERT, Mr. WALDEN, Ms. ROS-LEHTINEN, Mr. MURPHY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. GIBSON, Mr. POSEY, Mr. LUCAS, Mr. NEUGEBAUER, Mr. FITZPATRICK, Mr. ZELDIN, and Mr. JOHNSON of Ohio.

H. Con. Res. 141: Mr. LEVIN, Ms. MCCOLLUM, Mrs. WATSON COLEMAN, and Ms. NORTON.

H. Con. Res. 155: Mr. AUSTIN SCOTT of Georgia.

H. Res. 346: Mr. ROUZER.

H. Res. 831: Mr. GROTHMAN.

H. Res. 840: Ms. LOFGREN.

H. Res. 845: Mr. PASCRELL.

H. Res. 848: Mr. KATKO.

H. Res. 850: Mr. CARSON of Indiana.

H. Res. 851: Mrs. LOVE and Mr. ROONEY of Florida.

H. Res. 853: Mr. ALLEN, Mr. HENSARLING, and Mr. CALVERT.

H. Res. 854: Mr. POCAN.

H. Res. 861: Mr. CICILLINE and Ms. LOFGREN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROYCE

The amendment to H.R. 5931 (Prohibiting Future Ransom Payments to Iran Act) that I filed with the Committee on Rules, listed as amendment number one in that committee's report on the bill, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

TRIBUTE TO ANNE MARIE
CHOTVACS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in recognition of Anne Marie Chotvacs, the clerk of the State, Foreign Operations Appropriations Subcommittee, who will be leaving the Committee staff after more than twelve years of service.

Anne Marie joined the Appropriations Committee staff in 2004 and has worked on various subcommittees and for various chairmen since that time, ultimately becoming the clerk of the State, Foreign Operations Subcommittee in 2009.

As the Chairman of the Appropriations Committee, I have had the honor and pleasure of working closely with Anne Marie. She provides me with advice and information for many meetings, including those with foreign dignitaries here in the U.S. and overseas, as well as guides the Subcommittee legislation through the complicated and often difficult foreign policy and foreign assistance issues that arise each year.

Anne Marie is a dedicated professional. She efficiently manages her staff, and she sets an example as a leader who has always been willing to put the Committee first. She has sacrificed countless hours, weeks, and years to further the work of the Committee and advance the interests of the United States in a responsible and fiscally sustainable manner.

I have said before, and I will say again, the Appropriations Committee has the best staff on Capitol Hill. Anne Marie is the epitome of that statement. Congress, and I, will miss Anne Marie's contributions and leadership; but we thank her for her dedication and professionalism and wish her well in her future endeavors.

RECOGNIZING ARMENIA'S 25TH
INDEPENDENCE DAY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. GARRETT. Mr. Speaker, as a member of the Congressional Armenian Caucus, I rise today to recognize Armenia's twenty-fifth Independence Day on September 21st.

Both the United States and Armenia share the belief that remembering our countries' heritages is critical to paving the path to tomorrow. In the first genocide of the 20th century, nearly 1.5 million Armenians perished at the hands of the Ottoman Empire. And, for much of the Twentieth Century, Armenia was under

the brutal rule of the Soviet Union. Although history has presented the Armenian people with many challenges, they have always found a way to triumph in the face of daunting adversity.

The United States has consistently stood with Armenia over the last twenty-five years as the Armenian people have shown how a former Republic of the Soviet Union could transition into a thriving democratic nation-state. As we have seen around the world, new democracies will have their struggles. However, I am confident that the resiliency and strength of the Armenian people will allow them to overcome any obstacles challenging their country's bright future.

I would again like to congratulate the people of Armenia on their twenty-fifth Independence Day. This anniversary is a time to remember the sacrifices of the past and to look ahead to a future.

COMMEMORATING THE PASSING
OF AND RECENT STREET NAMING
IN HONOR OF ERNESTINE
ANDERSON

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. McDERMOTT. Mr. Speaker, I rise today to pay tribute to Ms. Ernestine Anderson, who was recently commemorated in Seattle with a street renamed in her honor. Ms. Anderson passed away on March 10, 2016. She was an internationally renowned and a beloved Seattle jazz vocalist. Ms. Anderson's career spanned over six decades and earned her four Grammy nominations. In fitting commemoration, Ernestine Anderson Way now spans the heart of Seattle's Central District, where her career started.

Ernestine Anderson was born in Houston, Texas on November 11, 1928 and began singing when she was 3 years old. Her family moved to Seattle in 1944 and she began singing in clubs on Jackson Street in the Central District as a teenager. During her career, Ernestine Anderson performed at the Kennedy Center and Carnegie Hall and in 1958 she performed at the first Monterey Jazz Festival.

After many years touring and recording music in Los Angeles, New York and London, Ms. Anderson returned to Seattle and briefly retired from music, working as a hotel maid and at a telephone answering service. Ms. Anderson is known for her song "Never Make Your Move Too Soon," which was recorded by B.B. King, and appeared on her Grammy nominated album in 1981.

In 2002, Ms. Anderson was awarded the Golden Umbrella by the popular Seattle music and arts festival known as Bumbershoot. In 2012, the Low Income Housing Institute

named one of their projects Ernestine Anderson Place. These acknowledgements are a testament to the impact that Ms. Ernestine has had on Seattle.

Ernestine Anderson has left an indelible mark on our community and her legacy will live on through her music. A memorial service for Ernestine Anderson took place on April 9, 2016 in Seattle, Washington at the historical Paramount Theater. She will be greatly missed.

TRIBUTE IN HONOR OF THE LIFE
OF JOHN MICHAEL ANSTETT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. ESHOO. Mr. Speaker, I include in the RECORD the words of Zachary Anstett, written in memory of his beloved father, John Michael Anstett. Zachary's words are as follows:

Whenever I think of my dad, the very first thing that always comes to mind is a familiar scene, not a particular one: perhaps our family's workhorse car needs to be fixed by tomorrow morning otherwise countless important lessons, orthodontics appointments, not to mention after school activities of soccer, piano lessons, and Martial Arts training will be missed. Which is why we are both crouched under the jacked up car (don't worry, this is likely where he teaches me about the safety jack stands provide us working under the car) everything looking like a black and white film in the harsh caged high wattage light-bulb's glow. I do believe I learned about the difference between drum brakes and disc brakes and how technically, disc brakes are better but our car has drum brakes.

This scene is so familiar to me because it was in those times I could literally see him leave my time frame and go back to the early seventies. He's built himself and rebuilt himself an even better Chevy Camaro (obviously, red) and this car is legendary for spitting fire and raking in the speeding tickets all over north Texas. Not to mention the famous ticket you were most proud of: the one you received for disturbing the peace because your car's idle was too loud. You see he loved these things because he carefully built these things lovingly with his own hands—just how he built our family.

His first attempt at building a son obviously more flawed, contained more mistakes not for lack of love or care. Just maybe he spent a little too long trying to build as much in from the get-go. He named this project Chris and it remains one of the only things he made that was so full of love that nobody could every question this one most-important goal of the project. Not just to build a wondrous and wonderful human being: my brother. But to ensure this child would know he was loved not by saying it but by doing it. This child never went hungry, never had to be homeless, and got one of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the best educations possible in that time at that space. This child indeed would become just as precisely crafted by hand as the Camaro.

Son number 2 was by name and by necessity different. He must have decided to hold back more on the built in features and leave some room for exploration, for curiosity, for discovery of the truth of things and how they behave in the world. A son who would rather go on a nature walk or be taken to a local park than sit in his bedroom reading voraciously as did number 1. Chris, in this way, added quite a bit to his own education and discovery. The end goal was the same: that they would learn and grow and know that one thing that could never be questioned, doubted, or denied: These two projects, these two things, made lovingly with his own hands would always be to him the pinnacle of his achievements, would always be what he was most proud of or loved the most.

In short: I feel the truth of the love he had for me, my brother, and my family and it is indestructible, absolute, and unending. I could never capture how I felt about my father and how he viewed the world and me if I simply and directly laid it all out. The sheer weight of importance of just one fact: that he made many sacrifices to his own life that ours might be better is indescribably massive.

Finally, if you knew John, I mean REAL-
LY knew him, though he might not ever say it to you, you just knew he loved you dearly. His love was never obvious, conventional, or easy to understand. That was my dad: a man with a huge capacity to love and did so, clearly communicating it is the only flaw. But how insignificant is this flaw compared to the size of his heart? I love you Dad. I miss you so much already. I can't wait for you to hear me read it. Love, Zach

Mr. Speaker, I ask my colleagues to join me in extending our most sincere condolences to the family of John Michael Anstett.

RECOGNIZING DOUBLE TEN DAY

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. DESJARLAIS. Mr. Speaker, I rise today in recognition of the upcoming Double Ten Day, the Republic of China's, also known as Taiwan, national day, which falls on October 10th. As the House will not be in session that day, I would like to take this opportunity to offer my early best wishes to the people of Taiwan.

Over the past 50 years, Taiwan has undergone dramatic political, social, and economic changes and is now the only democracy in the Chinese speaking world. This year, the people of Taiwan witnessed the third peaceful transition of power with the election of the first woman to the Presidency, Dr. Tsai Ing-wen.

There are important common values and principles that link the United States and Taiwan, including respect for human rights, freedom, and democracy and I commend President Tsai Ing-wen for reiterating Taiwan's commitment to these values.

Taiwan has been and will continue to be a reliable and vital trading partner in East Asia. According to the U.S. Department of Commerce, U.S. trade in goods with Taiwan

reached U.S. \$66 billion last year, making Taiwan our 9th largest trading partner in 2015.

Taiwan is a prosperous society, a major contributor to the global economy, and plays an important role in the peace and security of the Asia-Pacific region. As such, it is troubling to know that Taiwan continues to be barred from a number of international organizations, many of which, like the International Civil Aviation Organization (ICAO), serve to promote safety and strengthen diplomacy among the global community. For the sake of passenger safety and international security, the country must be brought into the ICAO fold. Taiwan should be invited to attend the ICAO Assembly on a regular basis, enabling it to keep up-to-date with important matters and assist the Assembly in ensuring the safe, secure, and sustainable development of international civil aviation.

In closing, I applaud the nation of Taiwan for its strong commitment to democratic values and I wish them all the best at their celebrations in Taiwan and at the Twin Oaks Estate.

HONORING DEAN VICTOR WHITE

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. ROKITA. Mr. Speaker, I rise today to remember a dear friend, a business visionary, a World War II veteran, and a dedicated community leader from the Hoosier State.

Mr. Dean V. White passed away on Wednesday, September 14, 2016. Dean attended the University of Nebraska and was a 1945 graduate of the Merchant Marine Academy in King's Point, New York. Dean served in the South Pacific during World War II as First Mate.

Dean joined his father's billboard company, White Advertising, in 1946. During his years at the helm of that company, he grew its portfolio with investments in real estate and hotel management and earned a spot on the Forbes 400 list. Dean, and his wife Barbara, created the Dean and Barbara White Family Foundation where they provided scholarships for local students, helped expand the Crown Point YMCA, and engaged in remodeling the Lake County Courthouse through the Crown Point Community Foundation.

Dean was always interested in politics, but not from a partisan perspective or interest. You see, Mr. Speaker, like many we in this chamber encounter, Dean White cared deeply about his community, our beloved Indiana, and this country. He knew he was blessed by this great nation that allowed him to freely pursue his dreams and grow his family.

Dean understood well the meaning of American Exceptionalism and knew we are the 'last best hope on earth'. So Dean, unlike many others with his kind of blessings, made sure to be involved in his government. He was a leader in this regard and in so many other ways.

I am grateful for the brief time we had together and I always learned from him during our conversations. I pray for Dean's family, his associates at White Advertising, and all who had the honor of knowing this great man.

RECOGNIZING THE DEDICATED
SERVICE OF COLONEL ROBERT
M. KIRILA, US ARMY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Colonel Robert M. Kirila, US Army, upon the occasion of his retirement. Colonel Kirila dedicated more than 25 years in the United States Army, with 19 years in Special Forces, most recently as Deputy Commander of the 7th Special Forces Group (Airborne), in Eglin Air Force Base, Florida. It is my privilege to pay tribute to his honorable service to Northwest Florida and our great Nation.

A native of Norfolk, Virginia, Colonel Kirila graduated Simsbury High School, in Simsbury, Connecticut in 1987 and immediately returned home to attend the University of Richmond. After graduating with a degree in Spanish, he was commissioned in the United States Army and served as a Platoon Leader in the 7th Infantry Division.

In 1997, Colonel Kirila graduated from the Special Forces Qualification Course, earning his Green Beret, and was assigned to 2nd Battalion, 1st Special Forces Group (Airborne). He served as Detachment Commander, Assistant Operations Officer, and Headquarters Company Commander during his tenure. He was then selected for duty in the Army Component Element at the United States Army Special Operations Command.

Upon graduating the Command and General Staff College at Fort Leavenworth, Colonel Kirila returned to the 1st Special Forces Group (Airborne) and served as Operations Officer and Executive Officer. In late 2005 he deployed to Iraq in support of Operation Iraqi Freedom where he served as the Director of Forward Operating Base North (FOB-13), Taji, in the heart of Iraq. Here he earned the Bronze Star Medal where he is credited with synchronizing the operations of three diverse centers responsible for supporting combat operations spanning over half of Iraq.

Colonel Kirila's success in Iraq was rewarded with an assignment to the United States Army John F. Kennedy Special Warfare Center & School where he served as Delta Company Commander and was responsible for running the legendary Robin Sage Unconventional Warfare Exercise for the Special Forces Qualification Course. This was quickly followed by an assignment as the Director of Special Operations Proponency at the United States Special Operation Command in Tampa, Florida.

Since his arrival to the "Red Empire," 7th Special Forces Group (Airborne) in 2009, Colonel Kirila has called North Florida home. Here he initially served as a Battalion Commander and deployed to Afghanistan as the Deputy Commander of Combined Joint Special Operations Task Force-Afghanistan. We are happy to hear he intends to remain as a permanent member of our community upon his retirement and we proudly welcome him.

Colonel Kirila's awards and decorations include the Bronze Star Medal, the Defense

Meritorious Service Medal, the Meritorious service Medal with two Oak Leaf Cluster, the Army Commendation Medal with four Oak Leaf Clusters. He has also earned the Special Forces Tab, the Ranger Tab, the Expert Infantryman's Badge, the Senior Parachutist Badge, the Pathfinder Badge, the Air Assault Badge, and the Combat Infantry Badge. His foreign awards include the El Salvadoran Parachutist Badge, the German Basic Parachutist Badge (Bronze) and the Canadian Parachutist Badge.

Mr. Speaker, without question, Colonel Robert M. Kirila, US Army, is retiring with an honorable career on which he can proudly hang his Green Beret. He has touched a number of lives throughout his time both in and out of the military and has given so much back to the country he loves so dear. It is my pleasure to join a grateful Northwest Florida community and Nation in saluting his lifetime of service. My wife, Vicki, and I thank Colonel Kirila; his wife, Chrissie; and daughters, Mia and Lily Agnes; and wish them all the best for continued success.

RECOGNIZING LASALLE-BACKUS EDUCATION CAMPUS'S COMMIT- MENT TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Lasalle-Backus Education Campus for their commitment to science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Lasalle-Backus Education Campus are committed to ensuring that our country's youth is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Lasalle-Backus Education Campus is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

TRIBUTE TO BOB CRITTENDEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bob Crittenden, of Afton, Iowa for being selected

as Union County's 2016 inductee into the Iowa 4-H Hall of Fame.

Bob Crittenden is a lifetime resident of Union County. He has been involved with 4-H since becoming a member of the Royal Rustlers 4-H club in 1949 and a volunteer with the organization for 40 years. Bob showed market beef at the Union County Fair and the Iowa State Fair. Since then, he has helped with the beef projects as a mentor to the youth. He also has helped with the weighing, the show ring, and volunteered his talents as an auctioneer on many occasions.

Mr. Speaker, the example set by Bob Crittenden demonstrates the rewards of harnessing one's talents and sharing them with the world. His efforts embody the Iowa spirit and I am honored to represent Bob Crittenden and many Iowans like him in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Bob Crittenden for his achievements and wish him nothing but continued success.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, September 20, 2016. Had I been present, I would have voted "yea" on roll call votes 521, 522 and 523.

PEARLAND'S KRISHNAKUMAR HEADS BACK TO SCRIPPS NA- TIONAL SPELLING BEE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Pearland, Texas student Siddharth Krishnakumar for becoming co-champion of the Houston Public Media Spelling Bee—the second largest local bee in the U.S. His accomplishment means a repeat trip to the Scripps National Spelling Bee, where he previously took 4th place in the nation.

Siddharth, an eighth-grader at Pearland Junior High West, won his Spelling Bee title by correctly spelling the word "ineffable." He advances to the Scripps National Spelling Bee in February. We are very proud of Siddharth and wish him luck on the national stage.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Siddharth for becoming co-champion of the Houston Public Media Spelling Bee. Keep up the great work.

COMMEMORATING THE PASSING OF CHARLES Z. SMITH

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. McDERMOTT. Mr. Speaker, today I rise to pay tribute to my friend Justice Charles Z. Smith, of Seattle, Washington, who passed away at the age of 89 on Sunday, August 28, 2016. Charles was the first African American state trial judge and Supreme Court justice of Washington State. He was a role model to many, and leaves a trailblazing legacy of social justice and public service.

Charles Zellender Smith was born in Florida in 1927 to an African-American mother who was the daughter of slaves and a Cuban immigrant father. After serving in the U.S. Army Air Corps during World War II, he attended Temple University and graduated in 1952. Charles moved to Seattle and was accepted to the University of Washington Law School. Out of a class of 120, he was the only student of color to graduate in 1955.

His career was a series of firsts: unable to find a law firm to hire him after he graduated, he became the first African-American law clerk for a state Supreme Court justice. In 1965, he became the first African-American to serve as a Seattle municipal court judge, and in 1966, he was the first person of color named to the King County Superior Court bench.

He stepped down to become a professor and associate dean of law at the University of Washington, during which he began a long fight for reparations for Japanese Americans interned in camps during World War II. Later, in private practice, he urged the Seattle City Council to declare the city a "sanctuary city" for refugees from Guatemala and El Salvador.

In 1988, Gov. Booth Gardner appointed Smith to the State Supreme Court and he served until his retirement in 2002. He was known as a thoughtful judge with a reputation for fairness and often was the swing vote in split decisions. From the bench, he spoke eloquently, without notes, and often advocated for immigrant rights and innovative criminal rehabilitation methods.

As well as serving on the Washington State Supreme Court, Justice Smith was a television commentator and president of the American Baptist Churches. In 1999, while still on the Court, President Bill Clinton appointed him to serve on the United States Commission on International Religious Freedom, where he helped develop policies promoting religious freedom and ending the civil war in Sudan.

Mr. Speaker, Justice Smith worked tirelessly for over five decades as an advocate for truth, justice and freedom. He broke down barriers and forged a path for generations to follow. He will be greatly missed.

CONGRATULATIONS TO SARAH
HUBBARD FOR BEING AWARDED
THE FULBRIGHT SCHOLARSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Walnut Shade, Missouri resident Sarah Hubbard for being awarded the Fulbright Scholarship by the U.S. State Department.

The Fulbright Scholarship program was established by Congress in 1946 and signed into law by President Harry S. Truman. This scholarship was designed to build positive relationships with other countries while allowing recipients to live the day-to-day experiences of other cultures. Sarah Hubbard will join the already 370,000 past participants in this program.

This scholarship is a merit based scholarship that is highly competitive. Founded originally by Senator J. William Fulbright, this grant aims to have educational research and teachings extend beyond the United States.

Sarah Hubbard, who attended John Brown University, will be an English Teaching Assistant and placed in Turkey. She has presented at research conferences since her freshman year and is the first student in John Brown University history to receive the award.

I am honored to recognize Sarah Hubbard, and I congratulate her on receiving the Fulbright Scholarship.

HONORING REAR ADMIRAL JEFFREY TRUSSLER FOR HIS SERVICE AS COMMANDER OF THE UNDERSEA WARFIGHTING DEVELOPMENT CENTER

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. COURTNEY. Mr. Speaker, I rise today to thank and congratulate Rear Admiral Jeffrey Trussler on the day of his change of command ceremony for his service as the Commander of the Undersea Warfighting Development Center in Groton, Connecticut. RDML Trussler led the UWDC during a momentous time in Connecticut's history. For the past year, the Groton community has been celebrating the centennial anniversary of Naval Submarine Base New London, the nation's first continental sub base. It has been a joyous and proud time for the Base and the region, as they honor a rich maritime military heritage and the many accomplishments the sailors and the local industry have achieved.

RDML Trussler has been an integral part of this progress during his time in Groton, and a crucial partner during the early planning stages of UWDC. I personally appreciate his active engagement and his ability to see the possibilities for this new warfighting center. As the first Commander of the newly formed UWDC, he took charge as the Navy refocused our warfare centers for our current and future warfighting needs. With his leadership, he fo-

cused on antisubmarine warfare and warfighting strategy and training for our entire Naval fleet. His leadership no doubt enhanced the strategic value of Submarine Base New London, solidifying it as a center of excellence entering the next 100 years.

RDML Trussler came to New London from the Office of the Chief of Naval Operations in Washington, DC. After he leaves New London, he will return to Washington to serve again in the office of the CNO as the Director of Future Plans. I look forward to continue working with RDML Trussler in this new role. Most of all, I thank him for his excellent leadership in Groton, and for his service to our country, our Navy, and the future of undersea warfare.

LETTER FROM CONGRESSIONAL
ARMENIAN ISSUES CAUCUS ON
ARMENIA'S 25TH ANNIVERSARY
OF INDEPENDENCE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the people of Armenia on their 25th anniversary of independence. I include in the RECORD a letter to the President of the Republic of Armenia from the leaders of the Congressional Caucus on Armenian Issues in celebration of this occasion.

SEPTEMBER 21, 2016.

His Excellency SERZH SARGSYAN,
President of the Republic of Armenia.

DEAR PRESIDENT SARGSYAN: As Members of Congress and leaders of the Congressional Caucus on Armenian Issues, we congratulate you and the people of the Republic of Armenia on 25 years of independence from the Soviet Union. On this day, 25 years ago, nearly every Armenian eligible to vote pledged to build a free and proud nation, based on the principles of democracy and a market economy.

In the past quarter century, despite the ongoing blockade of Armenia by two of its four neighbors, the Republic of Armenia has continued to strengthen its democratic institutions, empower civil society, and engage in economic diversification.

Armenia has joined the international community as a member of numerous international organizations including the World Bank, the Organization for Security and Cooperation in Europe, and the World Trade Organization. As a critical regional ally, Armenia is also a strong partner and supporter of U.S.-led peace-keeping missions cooperating on a number of regional and security challenges as a participant in NATO's Partnership for Peace program.

The Republic of Armenia has also consistently championed the right to self-determination of its neighbors in the Nagorno-Karabakh Republic, a right that Artsakh continues to fight for in its steadfast pursuit of regional security and stability despite a tenuous cease fire.

The Congressional Caucus on Armenian Issues stands in solidarity with the peace-loving and resilient people of Armenia. We welcome future opportunities to work closely with the leadership of the Republic of Armenia to bolster the bilateral U.S.-Armenia relationship.

We join our colleagues in Congress, along with the Armenian people and the Armenian-

American community across the United States in celebrating 25 years of Armenia's independence. Please accept our best wishes and continued commitment to a strong United States-Armenia partnership.

Sincerely,

FRANK PALLONE, JR.
ROBERT J. DOLD.
JACKIE SPEIER.
DAVID G. VALADAO.
ADAM B. SCHIFF.
DAVID A. TROTT.

TRIBUTE TO ANNA LINKEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ms. Anna Linkey on the occasion of her 100th birthday on September 4, 2016.

Our world has changed immensely during the course of Anna's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Anna has lived through seventeen United States Presidents and twenty-four Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Anna Linkey in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the U.S. House of Representatives to join me in congratulating Anna on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

IN RECOGNITION OF THE SERVICE
OF LIEUTENANT COLONEL ROSE-
MARIE HUDOCK-WELCH

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Lieutenant Colonel Rosemarie Hudock-Welch, who will be retiring from the Pennsylvania Air National Guard after three decades of service. Over the course of her career she has earned multiple awards and decorations, including the Meritorious Service Medal and the Air Force Achievement Medal.

Lieutenant Colonel Hudock-Welch was commissioned to the Air Force Reserve on September 17, 1984. She was assigned to Joint Base McGuire as a flight nurse until 1990. She went on to serve with the 913th Medical Squadron at Willow Grove. As a surgical nurse, Lieutenant Colonel Hudock-Welch was deployed in direct medical support of Operation Iraqi Freedom. In July 2007, Lieutenant Colonel Hudock-Welch was transferred to the 109th Medical New York Air National Guard in Schenectady, NY. During this time, she deployed to Antarctica as part of Operation Deep

Freeze. In March 2010, Lieutenant Colonel Hudock-Welch was transferred to 193rd Medical Group and deployed to Afghanistan for direct medical support.

In May 2014, Lieutenant Colonel Hudock-Welch became Officer in Charge of Nursing Services, 193rd Medical Group Pennsylvania Air National Guard. Under her leadership, nursing services personnel were prepared to provide medical support in response to peacetime or wartime missions at the state or federal level.

It is an honor to recognize Lieutenant Colonel Hudock-Welch for her distinguished military career. Her decades of service are a tremendous contribution to the defense and welfare of our nation. I wish her all the best. May she find fulfillment in her retirement.

REMEMBERING LINDA DUPREE

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YODER. Mr. Speaker, I rise today to remember the life of Co-Pastor Linda Dannella Dupree of Kansas City, Kansas. Linda was a lifelong resident of KCK and an example to us all in the 3rd District of Kansas.

Co-Pastor Dupree was born on February 4, 1955 in Kansas City, KS. She would live almost her whole life in Kansas, where she met her husband of 44 years, Alvin T. Dupree, Sr. Together, they raised a large family with many children, including many foster children, grandchildren, and great-grandchildren.

As a missionary and Co-Pastor, she served her church and her community faithfully for many years. Co-Pastor Dupree wore many hats in her different roles in the church, but her goal was always to help others. Her decades of service impacted countless people in Kansas City.

Our community is a better place because of Linda. She will be greatly missed by many, but her legacy lives on in her family and in the lives of those she helped. On behalf of this great body, I commemorate the well-lived life of Linda Dupree and extend my condolences to her entire family, who remain in my thoughts and prayers this week.

RECOGNIZING RON BROWN HIGH SCHOOL'S COMMITMENT TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Ron Brown High School for their commitment to science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Ron Brown High School are committed to ensuring that our country's youth

is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Ron Brown High School is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

HONORING SARRAH BUSHARA

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate Sarrah Bushara, a young 18 year old oboist from Eden Prairie, for being selected to Carnegie Hall's National Youth Orchestra—United States of America program.

Sarrah participated in a competitive audition process and was judged on her technical ability, musicianship, passion, and intellectual curiosity along with other musicians her age. After she was selected, Sarrah took part in a three-week residency, which included orchestral rehearsals, musical workshops, and a performance in Carnegie Hall.

After their residency, Sarrah and the rest of the National Youth Orchestra embarked on a European tour in July to perform at concert halls in Amsterdam, Montpellier, Copenhagen, and Prague.

Mr. Speaker, our community is extremely proud of Sarrah; her skills with the oboe earned her a place in this prestigious youth orchestra. I offer her my congratulations on her musical success and I wish her well in her musical endeavors.

COMMEMORATING THE PASSING OF BOB SANTOS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. McDERMOTT. Mr. Speaker, today I rise to pay tribute to my dear friend Bob Santos, of Seattle, Washington, who passed away at the age of 82 on Saturday, August 27, 2016. Mostly referred to as "Uncle Bob" and unofficial mayor of the International District, Bob fought to improve and preserve the neighborhood for over five decades.

In the late 1960s and 1970s, Mr. Santos joined Larry Gossett, Bernie Whitebear, and Roberto Maestas to form an activist group: "The Gang of Four". Rather than competing for limited resources, the group unified communities of color to fight for equal rights in Seattle.

Robert "Bob" Santos was born in Seattle on February 25, 1934, to parents of Filipino and Tlingit Nation heritage. He became aware of discrimination as a young child. In 1942, his elementary school closed when the majority of his classmates, who were of Japanese descent, were taken to internment camps. He recalled wearing an 'I am Filipino' badge to avoid anti-Japanese violence.

Mr. Santos became involved in activism in 1963, when black activist Walter Hubbard Jr. invited him to join a march supporting open housing.

He later became known for his ties to the International District Improvement Association (Inter*Im). Over the course of three decades, his leadership in the organization helped add over 1,000 low-income residential units to the neighborhood. His advocacy also fought for the soul of the International District by starting a community produce garden, rehabilitating dilapidated apartment buildings and fending off unwanted developments such as a trash-burning plant and a prison.

He continued to fight fearlessly for equal job opportunities and better educational opportunities for people of color and was arrested six times in the process. In 2005, Partners for Livable Communities awarded the Gang of Four with a Bridge Builders Award for their work for minority populations of King County. In 2006, the Seattle City Council recognized Mr. Santos for his work with Inter*Im.

Mr. Speaker, throughout his decades of advocacy, Mr. Santos never lost his sense of humor or his fondness for karaoke, especially songs by Frank Sinatra and Elvis. I will miss his vigorous spirit and his passion for social justice. He changed the city of Seattle for the better and he did it "his way".

TRIBUTE TO DONNA AND LYLE CROZIER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Donna and Lyle Crozier on the very special occasion of their 65th wedding anniversary.

Donna and Lyle were married on August 18, 1951 at the Reorganized Church of Latter Day Saints in Centerville, Iowa. The Crozier's make their home in Waukee, Iowa. Their lifelong commitment to each other and their two children, four grandchildren, five great grandchildren, and one great, great granddaughter truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 65 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

MACKENZIE DUCK WINS NATIONAL CHAMPIONSHIP AT AAU JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Mackenzie Duck of Katy, TX for winning the national championship at the Amateur Athletic Union (AAU) Junior Olympics.

Mackenzie and her Track Houston teammates, Nia Reed, Alexa Granderson and Jessica Gordon, raced in the 3,200 meter relay with a time of 9 minutes, 34.70 seconds to win the victorious national championship title. Mackenzie is a junior at Cinco Ranch High School and is a part of the school's cross country team as well.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mackenzie Duck for her national championship win at the AAU Junior Olympics. We are proud of her for bringing this win home to Katy and wish her luck with her future track and field and cross country career.

A HAPPY DOUBLE TEN DAY TO THE PEOPLE OF TAIWAN

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. KING of Iowa. Mr. Speaker, Monday, October 10 is Taiwan's National Day—also known as Double Ten Day. As the House will not be in session that day, I would like to take this opportunity now to offer my early best wishes to the people of Taiwan.

As my colleagues are aware, Taiwan is a both close friend and security partner of the United States. Accordingly, the United States has declared its support for Taiwan's meaningful participation in international organizations where its membership is not possible. One of the organizations in question is the International Civil Aviation Organization (ICAO), which works to secure the development of civil aviation throughout the world.

As a key aviation hub in East Asia, up to 58 million people each year enter, leave, or pass through the Taipei Flight Information Region, and Taiwan is connected to over 100 cities around the world with hundreds of air-passenger and air-freight routes. If an organization is to set the standards and regulations necessary for aviation safety and security, then surely everybody must be at the table. Taiwan's absence neither serves Taiwan, nor the international community.

Mr. Speaker, again, I wish the people of Taiwan a Happy Double Ten Day. I hope we may also celebrate Taiwan's presence at ICAO in Montreal this year as well.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF SACRAMENTO STAND DOWN ASSOCIATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Sacramento Stand Down Association as they embark on their 25th annual event. As supporters of this organization gather to serve our veteran community, I ask all my colleagues to join me in honoring the Sacramento Stand Down Association for their incredible service to the homeless veterans of the Sacramento region.

For over two decades, Sacramento Stand Down has been a vital resource for thousands of homeless veterans in the Sacramento Region. The annual three day event brings together a varied support system of local and federal service providers from around the region where a veteran can reach all of his or her needs in a single visit. Stand Down participants assist homeless veterans with reconnecting to civilian life by providing copies of essential documentation such as driver's licenses, discharge papers, and military IDs needed to access services. Participants have access to housing organizations, County services, and VA medical health centers.

Sacramento Stand Down has provided a safe and comfortable environment where veterans can connect with other individuals who understand and share their experiences. The resources gathered here at Stand Down are so transformative; many "graduates" of previous years return to support other homeless veterans. This event creates a temporary community that creates long lasting results. The Sacramento region is forever grateful for the Stand Down event and its dedicated organizers.

Mr. Speaker, as the participants and partners of Sacramento Stand Down gather to provide life-altering services, I ask all my colleagues to join me in honoring them for their unwavering commitment to homeless veterans in the Sacramento Region.

125TH ANNIVERSARY OF SAND CREEK COMMUNITY CHURCH

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 125th Anniversary of Sand Creek Community Church, a small country church committed to spreading the good news of the gospel.

Located in Lenawee County, Michigan, Sand Creek Community Church is a passionate, close-knit, congregation that meets on Sunday mornings in a one-story, white framed building.

The storied history of the church dates back to 1891, when the Free Will Baptist Church first incorporated in Sand Creek. From 1891 to 1920, the Free Will Baptist group—whose

roots traced back to 1854—called the church home. After the building remained empty for a number of years, the second and present congregation was established in 1943. After a letter of organization was circulated through the community, area residents came together to form a new nondenominational church, Sand Creek Community.

Today, the congregation is guided by Pastor Jamie Driskill, who serves alongside his wife Heidi and two children, Elizabeth and Chloe. Pastor Driskill, who also works in the Special Education Department in Sand Creek Schools, previously served as a missionary in Budapest, Hungary with his family.

Throughout the years, Sand Creek Community Church has earned a distinguished reputation for their service to the community. Through the Ladies Aid Society, Vacation Bible School, local charitable donations, and various missionary activities, the church has remained a consistent positive influence in the community.

I wish to extend my deepest congratulations to the present and former members of Sand Creek Community Church on their 125th anniversary.

Although they may appear to be a small country church, Sand Creek Community has been a bright light with great impact that continues to shine in the community. May God continue to bless and use the ministry of Sand Creek Community Church.

CONGRATULATIONS TO JONAS ARJES FOR BEING RECOGNIZED AS THE 2016 PROFESSIONAL ECONOMIC DEVELOPER OF THE YEAR

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LONG. Mr. Speaker, I rise today to recognize Jonas Arjes, the Executive Director of the four-year-old Taney County Partnership. Jonas was recognized as the 2016 Professional Economic Developer of the Year at the Missouri Economic Development Council (MEDC) conference on June 15th.

Jonas started off his career in the restaurant business by managing the Plantation restaurant in Branson in the mid-1990s before going on to own and operate a Schlotzky's Deli franchise from 2000 to 2007. In August 2007, Jonas became a risk and benefits adviser with the Branson insurance firm Akers & Arney, where he worked until 2012. In January 2012, Jonas was named the Executive Director of the Taney County Partnership.

As Executive Director, Jonas is currently leading Branson through a strong reinvestment cycle with more than \$300 million in new investments for 2016. Some of the projects that Jonas has played a critical role in include the Ball Parks of America Baseball Resort for players and coaches from the 10U to the 13U level, the Air Service Development committee which has raised millions of dollars to secure air service to Branson, and Project Bigfoot, a 225-foot free fall tower attraction.

Mr. Speaker, Jonas Arjes is a shining example of the business acumen that makes America the great country it is. I would like to extend my thanks, both personally and on behalf of the 7th District, for his integral role in the economic development of the Branson area. I urge my colleagues to join me as I congratulate Jonas on this well-deserved award.

**DAVID WILLIAMS—FINALIST FOR
ENTREPRENEUR OF THE YEAR
AWARD**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate David Williams of Sugar Land, TX for being named a finalist for the EY Entrepreneur of the Year Award for the Gulf Coast Area.

Mr. Williams is the President and CEO of Noble Corporation, an offshore drilling contractor for the oil and gas industry. As a proud Aggie, Williams is a finalist thanks to his hard work and dedication in his industry. This award recognizes outstanding entrepreneurs who demonstrate excellence and extraordinary success in innovation, financial performance and commitment to their business and communities. We are lucky to have Mr. Williams' talent and dedication help our area remain at the forefront of job-creation, technology and scientific discovery.

On behalf of the Twenty-Second Congressional District of Texas, congratulations and thank you to David Williams for his innovation, dedication and work with Noble Corporation. Keep up the great work.

**RECOGNIZING BLACK ARCHITECT
JULIAN ABELE AND THE NAMING
OF ABELE QUAD AT DUKE
UNIVERSITY**

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize the contributions of Mr. Julian Abele, the African American architect of Duke University's original campus, located in Durham, North Carolina.

In recognition of Julian Abele's role at Duke University, a ceremony will be held on Friday, September 30, 2016 to celebrate the naming of the main quadrangle on West Campus as Abele Quad. In 2015, Duke students presented the need to recognize Abele and the Board of Trustees unanimously approved the naming of Abele Quad.

Mr. Speaker, Julian Abele is the youngest of eight children raised in Philadelphia, Pennsylvania. He studied at the University of Pennsylvania, where he became the first African American to graduate from the University's Graduate School of Fine Arts. Following graduation in 1906, Abele was hired as an architect at the firm of American architect Horace

Trumbauer. There, Abele became chief designer in 1909. Abele was admitted into the American Institute of Architects in 1942.

Records indicate that Julian Abele provided the guiding vision for Duke's West Campus between 1924 and 1935. He is credited for the design of several well-known buildings on Duke's campus, including Duke Chapel, Cameron Indoor Stadium, and the West Campus quads. In 1988, a portrait of Abele was hung in the lobby of the Allen Building, which was Abele's last creation prior to his death in 1950.

Abele Quad will span the area from the steps leading to the Clock Tower Quad, Davison Quad, and the Chapel Quad—an area that is home to more than thirty buildings and spaces designed by Julian Abele. A marker will be placed at the center of the Quad to inform visitors that every surrounding building is the work of Abele's hand.

It is with great pride that I acknowledge the contributions of Mr. Julian Abele and the naming of Abele Quad on the campus of Duke University. Abele Quad will let everyone who studies, lives, works, and visits Duke's campus be reminded of Mr. Julian Abele, a talented Black architect who played a significant role in the University's creation during the country's darkest days of racial segregation.

**TRIBUTE TO EAGLE SCOUT
BRENNAN T. PLUMMER**

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brennan T. Plummer of Council Bluffs, Iowa for achieving the rank of Eagle Scout. Brennan is a member of Boy Scout Troop 249 in Council Bluffs.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Brennan's Eagle Project coordinated a work crew at Emanuel Lutheran Church. The work crew constructed a gaga pit for the church. Brennan has held several leadership roles in Troop 249 such as patrol leader, historian, and senior patrol leader. The work ethic Brennan has shown in his Eagle Project, and every other project leading to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Brennan and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives join me in congratulating him on obtaining the Eagle Scout

ranking, and I wish him continued success in his future education and career.

**COMMEMORATING THE PASSING
OF PAT GOGERTY**

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. McDERMOTT. Mr. Speaker, it is with great admiration that I rise today to honor the memory of my friend Pat Gogerty, who passed away August 26, 2016 at the age of 86. Pat was a pioneer in child welfare advocacy and created Childhaven, a program that changed the lives of countless abused children in Seattle and continues to serve as a national model for therapeutic child abuse programs.

Patrick "Pat" Gogerty was born September 12, 1929 in Oregon and raised in Seattle. Physically abused by his father, and placed in foster care several times, Mr. Gogerty had a natural understanding of the abused children for which he would become an advocate.

After serving in the Army, he became the director of Seattle Day Nursery in 1973 and fully transformed it from a daycare into an effective center for early intervention and therapy. The key tenets of the program continue to this day: three hot meals, an on-site nurse, speech, physical and play therapy, as well as support and education for parents.

With the help of his brother, Seattle Deputy Mayor Bob Gogerty, Pat obtained funding for the program. Mr. Gogerty worked to identify abused children under the age of five. When parents were unable or unwilling to bring them to the center, he arranged for them to be transported to the center in a van. At the time, treating children regardless of parental participation was a revolutionary concept, but Mr. Gogerty proved it effective. In 1979, he commissioned a longitudinal study that found after 10 years, the children from Seattle Day Nursery were found to be significantly less likely to be involved in criminal activity than children from other state programs.

Mr. Gogerty became a master of public relations and Seattle Day Nursery began to receive national attention. Shortly before changing its name to Childhaven, it was the subject of a major article in Life magazine. When funding for the program was threatened in 1985, I stood on the State House floor and read the story featured in the article, a child saved by Childhaven. The boy had broken his arm saving his brother, who had been put in the dryer by their mother as punishment for wetting his pants. Childhaven subsequently retained its funding.

In 1992, The Patrick L. Gogerty branch of Childhaven opened in the city of Auburn, WA. Upon his 1998 retirement, Mr. Gogerty was recognized in a Seattle Times editorial titled "Fighting for Kids Unable to Fight for Themselves."

Mr. Speaker, Mr. Gogerty was an advocate for the defenseless. His legacy will live on in the Childhaven, its renowned model of care and the children whose lives he helped change. His lifetime of kindness and advocacy left an indelible mark on the state of Washington and he will be dearly missed.

IN HONOR OF THE NEW MOUNT
PLEASANT MISSIONARY BAPTIST
CHURCH 126TH ANNIVERSARY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize the 126th Anniversary of the New Mount Pleasant Missionary Baptist Church.

During the early years of the church, services were held in a log building under the leadership of Rev. Tom Williams. Many years have passed since then, and pastors have come and gone. The church has seen more than a century of change and growth. Much of that growth would not have been realized without the leadership of two of the church's most recent pastors, William Jones and Anthony Williams.

In William Jones' 27 years as pastor, his accomplishments were many. Improvements to the church included the additions of a Junior Usher Board and a third Sunday service. Most notably, he was able to secure a property to build a more up-to-date church that could better accommodate the recent growth. The dedication service for the new location on County Road 13 was held on November 27, 2005, and is still in use today.

Since 2012, Rev. Anthony Williams has proudly served the church. Taking over where Jones left off, he continues to improve and grow the church. Pastor Williams added a modern touch, introducing morning devotion via text and email to better keep in contact with the church family. In addition to this, Pastor Williams has implemented more community programs and outreach. The church has an active role in helping to strengthen and improve the community.

In this 126th year of New Mount Pleasant Missionary Baptist Church, progress is still being made for the betterment of the church.

Please join me in congratulating them on their 126th anniversary.

RECOGNIZING HOWARD UNIVERSITY MIDDLE SCHOOL'S COMMITMENT TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Howard University Middle School for their commitment to science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Howard University Middle School are committed to ensuring that our country's youth is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools

that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Howard University Middle School is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

TRIBUTE TO DAVID FULTON

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. MESSER. Mr. Speaker, I rise today to pay tribute to the life, legacy and accomplishments of David Fulton of Centerville, Indiana. At the age of 73, David passed away surrounded by his loved ones.

A longtime educator and volunteer in Wayne County, David was the fourth chancellor of Indiana University East and recipient of the IU President's Medal for Excellence in honor of his 36-year-long career of service to the university.

Beginning his teaching career at Earlham College in 1971, David was promoted to an assistant professor in history and political science and held several administrative positions before becoming Indiana University East's chancellor in 1995. Fulton is credited with fostering local partnerships in the community as well as managing significant campus growth, most notably the construction of Springwood Hall in Richmond, the Connorsville Center and the Danielson Learning Center in New Castle. He held this role until his retirement in 2007.

In addition to teaching, David will also be remembered for his devoted volunteer efforts on behalf of the Starr-Gennett Foundation. David joined the nonprofit foundation's board in 1999, served as president from 2001 to 2003, and then worked as treasurer for 13 years before his passing. The organization tirelessly promotes Richmond's musical heritage, and Fulton's involvement at Starr-Gennett mirrored his passion for showcasing Richmond's musical talent nationwide. Specifically, David had a vital role in the development of the Gennett Walk of Fame, honoring artists who recorded at Gennett's local studio. Additionally, he was heavily involved in generating a working partnership between Starr-Gennett and the Archives of Traditional Music at IU Bloomington, digitizing over 600 songs recorded at the studio.

Fulton also served his community in many other capacities, including his membership on the Wayne Bank and Trust, the Planning Group CEO Roundtable of the Richmond Wayne County Chamber of Commerce, the IU Foundation Development Committee, the Board of Historic Landmarks of Indiana and the Greater Richmond Progress Committee. Further, Fulton served on the Community Services Council, Social Services Planning Board, and he was a member of the Reid Hospital and Health Care Services Board from 2001 to 2004.

I thank David for his steadfast commitment to the community, and I know both the residents of Wayne County and the student body of IU East will always be grateful for his selfless contributions.

Today, it is my privilege to honor the life of David Fulton, who is survived by his loving wife Marilyn. My thoughts and prayers go out to David's family, and may God comfort those he left behind with His peace and strength.

RECOGNIZING THE IMPORTANCE
OF ADVOCATING FOR THOSE
WITH ALZHEIMER'S AND DEMEN-
TIA

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. FITZPATRICK. Mr. Speaker, I include in the RECORD the following letter by Michael Ellenbogen.

I am so thankful to be still here. Many of my friends who were living with dementia have died and others are no longer capable of speaking. I am one of the lucky ones. My Alzheimer's is progressing very slowly. While that is good news it is also bad news. I will be forced to endure the worst part of this disease even longer than most. Knowing what I know now that will be like being tortured until I die. While I try to stay positive these days and live life to the fullest, I am in pain every day from the frustration of not being able to be the person I was once. I continue to decline in to a childlike state.

Dementia, including Alzheimer's, is the most expensive disease we face. It is costing us more than heart disease and cancer. It is the third cause of death in the United States; more than 500,000 people die from Alzheimer's each year! We all get caught up in the big numbers, so I will break them down so they are more relatable.

41,666 is the average monthly death rate;

9,615 is the average weekly death rate;

1,369 is the average daily death rate;

57 is the average hourly death rate.

This is equivalent to almost three 747s crashing every day. Yet there is much neglect and discrimination regarding funding for Alzheimer's and related dementia research.

Preventative measures for breast cancer, heart disease and HIV have all made tremendous progress since the federal government made significant investments into research. Comparable investments must be made for dementia so we can accomplish the same successes, while saving millions of lives and trillions of dollars.

If we don't act now this disease has the potential to bankrupt this county. This is the most expensive disease in America. In 2016 \$236 billion will be spent on Alzheimer's in terms of care and medication, with Medicaid and Medicare spending \$160 billion. And unless you take action, the cost to Medicare alone will increase 365 percent to \$589 billion by 2050.

Our investment today will lead to huge savings for the government and public, not to mention the lives saved. People with dementia are faced with discrimination at many levels and they lose their civil rights. That must change; we are still people and deserve to be treated as such. A person with cancer would never be treated the way we

are. We need you to start making more of an effort to educate the public and restore our rights.

A few years ago I would have said I had no hope, but that has changed to 2.5 percent. I do believe we are closer to a cure today based on what has been learned from all the failures. I am so grateful that the budget has been increased to \$991 million, but that is still far short of the two billion dollars that was said was needed years ago.

In my opinion we need a czar for dementia just like Vice President Joe Biden is to cancer and it sure worked for HIV. We are definitely at the tipping point. You have the power to make this happen. Please, I implore the House of Representatives, the Senate and the respective appropriations committees: Make the hard choices; increase funding for Alzheimer's disease by at least one billion dollars. Do everything necessary to ensure that Alzheimer's disease gets the exposure, commitment and funding necessary to change the course of the disease.

If you have not yet been touched by this devastating and debilitating disease it's just a matter of time.

Regards,

MICHAEL ELLENBOGEN,
(Advocate for all of
those living with de-
mentia, who can no
longer speak, write,
or have passed).

TRIBUTE TO JANET AND ROBERT KESSLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Janet and Robert Kessler on the very special occasion of their 60th wedding anniversary.

Janet and Robert were married on August 27, 1956 and make their home in Creston, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO KARLA LOUISE GRIESER

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. BUCK. Mr. Speaker, I rise today to mourn the passing of Karla Louise Grieser on August 26th, 2016. A longtime resident of Colorado, Karla was well known in her church and community.

Karla was born in Wauseon, Ohio on April 18th, 1944. In 1965 she married her sweet-

heart Merle Grieser, and they moved to Colorado together in 1969. Karla worked as an accountant for KLZ Radio and Television for several years, but her family always remained her number one priority.

From a young age Karla devoted herself to helping others. She went to school to be a nurse, an education focused on healing the sick, caring for others, and ministering those in need. I have seen the passion in Karla's heart for nurturing, supporting, and protecting those who couldn't defend themselves.

Karla was a leader in the pro-life movement. She started the life chain in Greeley, where hundreds of volunteers lined the streets to pray and support the sanctity of human life. I have seen firsthand how Karla's fight for the pro-life movement was not only God's calling, but her way of protecting the most vulnerable in our society.

The life chain was just the beginning for Karla's commitment to protecting the unborn. She led the monumental task of founding The Genesis Project of Northern Colorado, a faith based non-profit in the Greeley area. This organization provides shelter, support, and spiritual guidance for numerous women and children to this day.

It was clear Karla cared about more than providing basic necessities; it was about helping those women and children become an asset in their community. I sat in many Genesis board meetings, and it was clear Karla was giving these single mothers a second chance at life.

Karla held many other prominent positions in her community, all of which helped improve the lives of those around her. She was President of Weld County Right to Life, actively involved with the Weld County Republicans, and helped at several children's ministries. Due to her continued work to better the community, Karla was invited to help revise the Comprehensive Plan for Weld County. Karla devoted her life to improving Colorado, and she left a positive influence on everybody she met.

It is the values Karla embodied throughout her life that makes Colorado the best place to live in the country. I extend my deepest condolences to Karla's friends and family for their loss.

Mr. Speaker, it is an honor to recognize Karla Louise Grieser for her commitment to Jesus Christ, family, and Colorado. She will be sorely missed.

HONORING BYRON KENT MAXFIELD

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. ROKITA. Mr. Speaker, I rise today to remember a dear friend and a distinguished Hoosier and army veteran. I have been honored to be a part of his family for decades now.

Mr. Kent Maxfield passed away on Friday, September 9. Mr. Maxfield was a veteran of the U.S. Army where he served with the "Big Red One" 1st Infantry Division in Vietnam from 1967 through 1968. Mr. Maxfield often

talked of the bible he carried throughout his time in combat and how reading it helped him get through the daily mortar attacks and fire-fights.

Kent worked for many years in corporate real estate working for such companies as Arby's, Applebee's, Pizza Hut, and Sonic Restaurants. He was a 1981 graduate of Indiana University-Purdue University Indianapolis where he earned a degree in Business Administration. Since retiring in 2007, Mr. Maxfield spent time volunteering with the "Warriors-Hope" Group which provides peer support from a biblical perspective.

Last year, Kent, along with his 3 daughters; Laura, Lisa, and Cheri, traveled back to Vietnam. Through the Global Ministries People to People Mission, Mr. Maxfield was able to return to the country he had not seen for 47 years, but this time he had love in his heart. During his trip, Mr. Maxwell visited several orphanages and provided \$5,000 in scholarships for Vietnamese youth to study social work.

Mr. Maxfield's passing is a loss for the State of Indiana and our nation. We are grateful for his service and his leadership. I look forward to seeing those same characteristics in his grandchildren. I pray for his family and all who knew Kent.

ANDREW GANDY WINS THE NA- TIONAL CHAMPIONSHIP AT AAU JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Andrew Gandy of Katy, TX for winning the national championship at the Amateur Athletic Union (AAU) Junior Olympics.

Andrew's winning time of 9 minutes, 12.46 seconds in the 3,000 meter run earned him the prestigious national championship title. However, a couple of weeks later, the Seven Lakes High School junior won yet another national championship at the Cy Woods XC Invitational in the 3,200 meter race, with a time of 10 minutes, 29.68 seconds.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Andrew Gandy for his national championship win at the AAU Junior Olympics. We are proud of him for bringing this win home to Katy and wish him luck with his future cross country career.

RECOGNIZING EASTERN SENIOR HIGH SCHOOL'S COMMITMENT TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Eastern Senior High School for their commitment to

science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Eastern Senior High School are committed to ensuring that our country's youth is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Eastern Senior High School is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

TRIBUTE TO BETTY AND
PAUL SHOMSHOR, SR.

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Betty and Paul Shomshor, Sr. of Crescent, Iowa on the very special occasion of their 50th wedding anniversary. They were married on July 17, 1966 at Fifth Avenue Methodist Church in Council Bluffs.

Betty and Paul's lifelong commitment to each other and their children and grandchildren, truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

CONGRATULATIONS TO RACHEL
SCHOBOR FOR BEING AWARDED
THE FULBRIGHT SCHOLARSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Springfield, Missouri resident Rachel Schober for being awarded the Fulbright Scholarship by the U.S. State Department.

The Fulbright Scholarship program was established by Congress in 1946 and signed into law by President Harry S. Truman. This scholarship was designed to build positive relationships with other countries while allowing recipients to live the day-to-day experiences of other cultures. Rachel Schober will join the already 370,000 past participants in this program.

This scholarship is a merit based scholarship that is highly competitive. Founded originally by Senator J. William Fulbright, this grant aims to have educational research and teachings extend beyond the United States.

Rachel Schober, who attended Missouri State University, will be an English Teaching Assistant and placed in the Czech Republic. She is currently a graduate assistant at the Ozarks Writing Project, an affiliate of the National Writing Project, and has also spent the past two years visiting schools in the area and helping students and teachers improve classroom performance.

I am honored to recognize Rachel Schober, and I congratulate her on receiving the Fulbright Scholarship.

HONORING THE LIFE OF
SALLY HOWLAND

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. FOSTER. Mr. Speaker, I rise today to honor the life of Sally Howland, a longtime activist from my district, who passed away on May 19, 2016.

For more than 20 years, Sally dedicated her life to advancing equality and non-discrimination for the lesbian, gay, bisexual, and transgender community. A two-time recipient of the State Presidential Award, Sally became a leader in transgender issues long before it become a major national movement, working with schools and churches to address the issues of acceptance, bullying, and harassment.

Sally touched the lives of many members of the community in incredible ways. She was the founder of the Questioning Youth Center, located in the western suburbs of Chicago, which to this day continues to provide a safe and supportive environment for adolescents that may identify as gay, lesbian, bisexual, transgender, or queer.

Mr. Speaker, I ask my colleagues to join me in celebrating the life and legacy of Sally Howland. Her unwavering commitment to the LGBTQ community shall never be forgotten.

RECOGNIZING TAIWAN'S NATIONAL
DAY

HON. MICK MULVANEY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. MULVANEY. Mr. Speaker, Monday, October 10, is Taiwan's National Day—also known as Double Ten Day. As the House will not be in session that day, I would like to take this opportunity to offer my early best wishes to the people of Taiwan.

Taiwan is a friend, an ally, and a vital security partner of the United States. As such, it should be able to participate and engage fully in the international community, and in international forums, such as the International Civil Aviation Organization (ICAO).

Three years ago, I supported legislation—that the President signed into law—directing the Secretary of State to develop a strategy to obtain observer status for Taiwan in ICAO. Taiwan was indeed invited to attend as a guest that year. However, the ICAO's 39th Triennial Assembly will be taking place shortly in Montreal, and to date, there has been no indication that Taiwan will be able to participate.

ICAO works to secure the development of civil aviation throughout the world, and as a key aviation hub in East Asia, Taiwan should be an indispensable member of that dialogue. Unfortunately, as of today, it is not.

Up to 58 million people each year enter, leave, or pass through the Taipei Flight Information Region, and Taiwan is connected to over 100 cities around the world with hundreds of air-passenger and air-freight routes.

If an international organization is to set the standards and regulations necessary for aviation safety and security across the globe, then Taiwan must be at the table. Taiwan's absence neither serves Taiwan nor the international community.

Taiwan's invitation to participate in 2013 came virtually at the last minute. I hope we are not kept waiting as long this time and the current leadership of ICAO gives this prompt attention. I call upon my colleagues and the Administration to prioritize Taiwan's observer status at ICAO.

Again, I wish the people of Taiwan a Happy Double Ten Day. I hope we may also celebrate Taiwan's presence at ICAO in Montreal this year.

TRIBUTE TO JUANITA AND
WESLEY BLUME

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Juanita and Wesley Blume of Clarinda, Iowa on the very special occasion of their 55th wedding anniversary. They celebrated their anniversary on July 23, 2016.

Juanita and Wesley's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 55th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 55th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF THE NJ RUN
FOR THE FALLEN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. PALLONE. Mr. Speaker, I rise today in recognition of the NJ Run for the Fallen,

scheduled for September 21–25, 2016. The NJ Run for the Fallen honors fallen service members from New Jersey and their families. It is my honor to recognize this tribute and to extend my appreciation to its organizers, participants and all of our military members and their families for their service and sacrifice.

While the NJ Run for the Fallen honors all fallen military men and women, it specifically remembers those from New Jersey killed in recent military conflicts. Each mile of the run represents and memorializes a service member with a Hero Marker, where family members, loved ones, veterans and other supporters will be gathered. The runners will stop for a presentation and salute of the individual's memory.

The 2016 run team consists of more than 20 active duty service members from across the state and from all branches of the military. They will travel nearly 200 miles from Cape May to Holmdel over four days, ending at the New Jersey Vietnam Veterans' Memorial.

Mr. Speaker, I sincerely hope that my colleagues will join me in recognizing the NJ Run for the Fallen and thanking the organizers, participants and supporters for their efforts to honor our military heroes and their families. This tribute is an important reminder of the sacrifices our service members and their families. I am truly grateful for their duty, selflessness and patriotism and thank all of our military members and veterans for their service.

SUPPORT OF TAIWAN'S PARTICIPATION IN THE UPCOMING INTERNATIONAL CIVIL AVIATION ORGANIZATION

HON. MIKE BISHOP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. BISHOP of Michigan. Mr. Speaker, I rise today in support of Taiwan's participation in the upcoming International Civil Aviation Organization (ICAO) assembly next Tuesday, September 27, 2016. Taiwan is a good friend to the United States. Our shared values include respect for market institutions, democracy, free elections, and human rights. In 2013, Congress passed H.R. 1151, which became Public Law 113–17. This law called for Taiwan's participation in the triennial International Civil Aviation Organization (ICAO) assembly as an observer. With wide international support, Taiwan was indeed able to attend, and observe, the 38th ICAO Assembly.

This year, I hope to again see Taiwan included in the Assembly. To highlight the importance, I would like to quote an article by Stanley Kao, Representative of TECRO in the United States, for Taiwan's participation in ICAO.

"Taiwan needs to be part of ICAO because it is an indispensable player in global aviation safety. The Taipei Flight Information Region (FIR), which is administered by Taiwan's Civil Aeronautics Administration (CAA), covers 180,000 nm and borders four other FIRs: Fukuoka, Manila, Hong Kong and Shanghai. In 2015, Taiwan's CAA provided over 1.53 million instances of air traffic control services and

handled 58 million incoming and outgoing passengers."

"Despite its location in the busiest section of airspace in East Asia, Taiwan's CAA has had no direct access to ICAO for the past 40 years and has only indirectly gained information, in some cases incomplete, on ICAO regulations and standards related to safety, management, security and environmental protection. The CAA has had to resort to various informal channels to keep up with the development of ICAO's regulations and standards and overcome the difficulties associated with a lack of transparency in order to maintain adequate safety levels and service standards in the Taipei FIR. The CAA has had to make an extra effort to keep abreast of constant updates to flight safety and security standards set by ICAO. Obtaining that information often has been a costly and drawn-out process."

As East Asia's busiest airspace, it not only makes sense that Taiwan should have access to the latest technologies and standards in civil aviation safety; it is a matter of public safety. Mr. Speaker, I strongly urge the international community to allow Taiwan to partake in the upcoming ICAO assembly.

RECOGNIZING WASHINGTON MATHEMATICS SCIENCE TECHNOLOGY PUBLIC CHARTER HIGH SCHOOL'S COMMITMENT TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Washington Mathematics Science Technology Public Charter High School for their commitment to science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Washington Mathematics Science Technology Public Charter High School are committed to ensuring that our country's youth is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Washington Mathematics Science Technology Public Charter High School is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

DR. LIN TAPPED AS ENTREPRENEUR OF THE YEAR IN TECHNOLOGY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Dr. Thompson Lin of Sugar Land, Texas for being named EY Entrepreneur of the Year in Technology for the Gulf Coast Area.

Dr. Lin is the Chairman of the Board, Founder, President and CEO of Applied Optoelectronics Inc., a leading provider in fiber-optics access network products for the internet datacenter, cable broadband, and the home market. With a Ph.D. in electrical engineering and founder of AOI, Dr. Lin has more than 10 U.S. patents and has authored over 200 technical papers and presentations. This award recognizes outstanding entrepreneurs who demonstrate excellence and extraordinary success in innovation, financial performance and commitment to their business and communities. We are lucky to have Dr. Lin's talent and dedication help our area remain at the forefront of job-creation, technology, and scientific discovery.

On behalf of the Twenty-Second Congressional District of Texas, congratulations and thank you to Dr. Thompson Lin for his innovation, dedication and work with AOI. Keep up the great work.

TRIBUTE TO JANELL AND REX BARBER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Janell and Rex Barber of Anita, Iowa on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on July 23, 2016.

Janell and Rex's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN RECOGNITION OF THE FLORY
QUARRY HOIST AND "SLATE
QUARRY" HERITAGE MURAL
DEDICATION

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise to share a story of community spirit. On Saturday, September 17, an assembly of volunteers, coordinated by the Slate Belt Community Partnership and the Tots Gap Art Institute, dedicated the Flory Quarry Hoist and Slate Quarry heritage mural in downtown Bangor, Pennsylvania.

Industrial historian Mike Piersa spearheaded the initiative and donated the 28,500 pound, 116-year-old hoist. It was built by the S. Flory Manufacturing Company not far from where it is now installed in Bangor's Bethel Park. Until 1980, the hoist was in use at the Albion Quarry in Pen Argyl, PA. Powered by a steam engine, it routinely lifted 10,000-pound slate blocks. The Slate Belt region of Pennsylvania was a major producer of slate used for shingles, blackboards, and pencils.

The Slate Quarry mural features a day of work at a quarry. The Tots Gap Arts' Heritage Mural Education Program gives youth an active, creative role in community revitalization by promoting heritage and building community relationships and pride.

For these good works, I commend this group of volunteers for investing in their past to invigorate the vitality of their future.

RECOGNIZING THE BOROUGH OF
MARYSVILLE UPON THE OCCA-
SION OF ITS 150TH ANNIVER-
SARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. BARLETTA. Mr. Speaker, it's my honor to recognize the Borough of Marysville, Pennsylvania, which is celebrating its 150th Anniversary this year.

Settled in 1755, it was incorporated as the Borough of Haley in 1866, and then reincorporated as the Borough of Marysville in 1867 by action of Governor Andrew Curtin. This historic town is located in the southern tip of Perry County within my district. The borough is noted for its small town feel where residents stay active in community events and know each other by name. Built on a hill with scenic views of the Susquehanna river, Marysville is well known for its smallmouth bass fishing and attracts fisherman from across the country. Local students attend Susquenita High School, which is named for the Susquehanna and Juniata Rivers that flow through the region.

Established as a railroad town hosting the Haley and Marysville Stations, the borough is home to the Rockville Bridge, which is the longest stone-arch railroad bridge in the world. Constructed with native sandstone from quarries in western Pennsylvania, the bridge's 48

arches were built by Italian stone masons and Irish laborers beginning in 1900 and finishing in 1902. The iconic bridge was named to the National Register of Historic Places in 1975 and declared a National Historic Civil Engineering Landmark in 1979. The bridge is a constant reminder of how important railways were in making Pennsylvania an industrial giant, and the continued role they play in transporting our state's many goods and natural resources.

Mr. Speaker, for 150 years, the Borough of Marysville has been an important part of the Commonwealth of Pennsylvania, acting as a key railroad hub for goods to be shipped out across the state and country. I commend all its citizens that make this borough such a special place to live, and wish them the best in their future endeavors.

CONGRATULATIONS TO CHIN-YEE
CHEW FOR BEING AWARDED THE
FULBRIGHT SCHOLARSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LONG. Mr. Speaker, I rise today to honor Carl Junction, Missouri resident Chin-Yee Chew for being awarded the Fulbright Scholarship by the U.S. State Department.

The Fulbright Scholarship program was established by Congress in 1946 and signed into law by President Harry S. Truman. This scholarship was designed to build positive relationships with other countries while allowing recipients to live the day-to-day experiences of other countries. Chin-Yee Chew will join the already 370,000 past participants in this program.

This scholarship is a merit based scholarship that is highly competitive. Founded originally by Senator J. William Fulbright, this grant aims to have educational research and teachings extend beyond the United States.

Chin-Yee Chew, who attended Lyon College, will be an English Teaching Assistant and placed in Vietnam.

I am honored to recognize Chin-Yee Chew, and I congratulate her on receiving the Fulbright Scholarship.

HONORING THE LIFE OF
STANLEY SHEINBAUM

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate the life of Mr. Stanley Sheinbaum—father, husband, grandfather, reformer, philanthropist, and activist—who passed away on September 12, 2016, at the age of 96.

Born June 12, 1920 in New York, Stanley operated a sewing machine at his father's leather-goods store before the business collapsed during the Depression. He then joined the Army and served in World War II before

graduating summa cum laude from Stanford with a degree in economics.

Michigan State hired Stanley to teach economics and the university quickly promoted him to coordinator of a program that provided technical assistance to South Vietnam. As a peace activist, once he learned about the CIA's infiltration of this program, he resigned and became an outspoken critic of U.S. involvement in Vietnam. He joined the think tank, Center for the Study of Democratic Institutions and ran twice for Congress.

A passionate advocate for transparency in government, Stanley helped organize the Daniel Ellsberg Pentagon Papers defense team and served as the Chairman of the American Civil Liberties Union for nine years. He increased contributions and promoted major civil rights movements that created the public policy specialist position. From 1977 to 1989, Stanley was a University of California Regent where he successfully urged the University of California to divest from Apartheid South Africa.

Stanley also acted as a peace negotiator in the Middle East. He worked tirelessly to persuade Yasser Arafat and the Palestinian Liberation Organization to disavow terrorism and recognize Israel as a state.

Stanley reformed the Los Angeles Police Commission as president from 1991 to 1993 following the beating of Rodney King by police officers. His support for Willie L. Williams helped LAPD hire their first black police chief. Stanley's involvement as a human rights and peace activist in a range of issues will influence decades of political agenda.

He is survived by his wife of 52 years, Betty; brother; three stepchildren; eight grandchildren and twelve great-grandchildren.

I ask my colleagues to join me in honoring the life of Stanley Sheinbaum.

TRIBUTE TO JOSH ARGANBRIGHT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Josh Arganbright as 2016 Panora Citizen of the Year.

A nomination letter from Josh's father, Dave Arganbright, describes why Josh is a perfect candidate for Citizen of the Year. "Over the years, this young man has demonstrated many times his commitment to the community and its youth. All of this is done to improve quality of life here without any pay or personal gain. He truly is an inspiration to fellow volunteers and the lives of the young."

Mr. Speaker, I ask that my colleagues in the United States Congress join me in commending Josh Arganbright for his service to Panora, Iowa and congratulate him on this award. I consider it an honor to represent him in the United States House of Representatives. I wish him nothing but the best in his future endeavors.

RECOGNIZING DREW FREEMAN
MIDDLE SCHOOL'S COMMITMENT
TO STEM EDUCATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to congratulate the students, parents, and faculty of Drew Freeman Middle School for their commitment to science, technology, engineering, and mathematics enrichment, and for participating in my annual Science and Technology Braintrust.

The teachers at Drew Freeman are committed to ensuring that our country's youth is exposed to a STEM curriculum, which is paramount to the future of our country. A prevalent theme amongst successful STEM professionals is the curiosity and drive instilled by their teachers at a young age. We must continue to invest in schools that highlight a STEM education, so that all students will have an opportunity to one day be an astrophysicist, doctor, engineer, or a geologist.

Mr. Speaker, Drew Freeman is a true advocate of STEM education and deserves recognition for its work. With great pride I can say that because of this school's commitment to STEM education, our country's youth is gaining the skills needed to compete in a rapidly globalizing world.

GABRIEL OLADIPO WINS NA-
TIONAL CHAMPIONSHIP AT THE
AAU JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Gabriel Oladipo of Missouri City, TX for winning the national championship in the discus at the Amateur Athletic Union (AAU) Junior Olympics.

Gabriel competed in two events at the Junior Olympics, the discus and shot put. His impressive throw of 192 feet, 6 inches in the discus earned him the esteemed national championship. In the shot put competition, Gabriel made Missouri City proud with his second place throw of 61 feet, .25 inches. Gabriel is a senior at Fort Bend's Hightower High School and competed in the discus in the 2015 International Association of Athletics Federations World Youth Championships.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Gabriel Oladipo for winning the national championship in the discus at the AAU Junior Olympics. Keep up the great work.

TRIBUTE TO ARMA JO AND
PAUL ALLEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Arma Jo and Paul Allen of Council Bluffs, Iowa on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on July 21, 2016.

Arma Jo and Paul's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. DUCKWORTH. Mr. Speaker, on September 20, 2016, on Roll call number 521 on the motion to suspend the rules and pass, as amended, H.R. 670, Special Needs Trust Fairness and Medicaid Improvement Act, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass, as amended, H.R. 670.

On September 20, 2016, on Roll call number 522 on the motion to suspend the rules and pass H.R. 5785, To amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 5785.

On September 20, 2016, on Roll call number 523 on the motion to suspend the rules and pass H.R. 5690, GAO Access and Oversight Act, I am not recorded. Had I been present, as an original cosponsor of the bipartisan GAO Access and Oversight Act, I would have voted YEA on the motion to suspend the rules and pass H.R. 5690.

IN RECOGNITION OF DOMINIQUE
BEAUDRY AS A FULBRIGHT
AWARD RECIPIENT

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Ms. Dominique Beaudry for receiving a Fulbright award for the 2015–2016 academic year. Dominique was awarded a Fulbright

English Teaching Assistant grant to Malaysia where she currently assists English teachers and serves as a cultural informant.

A native of Concord, North Carolina, Dominique graduated from Duke University in May of 2015 after studying public policy, education, and psychology. To go along with an outstanding academic career, Dominique has been an active leader in her community and demonstrated her willingness to serve others. Dominique's many commitments have now taken her across the globe as she continues to make an impact on the world around her.

Since its creation in 1946, the Fulbright Program has sought to foster people-to-people connections around the globe. By encouraging innovation and academic excellence, the program allows outstanding students to develop relationships, knowledge, and leadership skills necessary to address the challenges of the future. Alumni of the program have gone on to become leaders in their fields, and include Nobel Laureates, Pulitzer Prize winners, and even Members of Congress.

There is no doubt in my mind that Dominique is well on her way to joining the ranks of these impressive individuals. Her time in the Fulbright program will serve her well in all of her endeavors and will leave her with memories that she is sure to cherish for the rest of her life.

Mr. Speaker, please join me today in congratulating Ms. Dominique Beaudry as a Fulbright award recipient and wish her well as she continues to make a positive difference in the lives of others.

INTRODUCTION OF A RESOLUTION
COMMEMORATING THE INTER-
NATIONAL DAY OF PEACE

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LEWIS. Mr. Speaker, I rise today to offer a resolution recognizing September 21st as the International Day of Peace.

This year marks the 35th anniversary of the United Nations declaring the need for the global community to celebrate an International Day of Peace. Around the world, today is an inclusive effort towards encouraging, promoting, and recommitting to peaceful action and ceasefire.

At a time when war, violence, and conflict dominate the news headlines, peace may seem a distant and lofty goal. However, during times like these I am reminded of a quote by Dr. Martin Luther King, Jr.—“Mankind must evolve for all human conflict a method which rejects revenge, aggression, and retaliation. The foundation of such a method is love.” Mr. Speaker, I have witnessed seemingly insurmountable obstacles of hate being toppled by the spirit of love. It is for this reason that I continue to have faith in the possibility of positive and good change.

Every year, I fight tirelessly to protect the U.S. Institute of Peace (USIP), an organization which serves as the key link between U.S. national security agencies and their global counterparts to prevent and resolve conflicts. I believe in my heart of hearts that USIP's mission

and work are critical to our national security and foreign policy priorities.

A few years ago, after leading a congressional delegation to India to commemorate the 50th Anniversary of Dr. and Mrs. King's pilgrimage, I introduced a bill—the Gandhi-King Scholarly Exchange Initiative Act. This bill teaches the doctrine of nonviolence, the effectiveness of applying the principle of Satyagraha, or non-violent resistance, to a new generation of emerging global leaders and scholars. USIP was on the same page and developed educational modules on non-violent civil mobilization.

In my core, I also believe that peace work begins at home. It is for this reason that I was so encouraged when the U.S. Institute of Peace launched the inaugural USIPeace Teachers program, which selected educators from across the country to incorporate peacebuilding into their curricula. My constituent, Timothy McMahon, a teacher at Atlanta International School, was an inaugural participant in this great program, and sought to instill the skill of effective, mindful dialogue in his classroom.

You see, Mr. Speaker, peacefulness begins at the local level, within each community, and in every person. Nearly a year ago, His Holiness, Pope Francis addressed the U.S. Congress, and he reminded us of the Golden Rule—"To treat others as we treat ourselves." On days like today, I encourage each of my colleagues not only to cosponsor this resolution, but also to consider how even the smallest act can make this world a little better, a little more peaceful, a little more loving for generations yet unborn.

HONORING FORMER FLORESVILLE MAYOR DIANA GARZA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of former Floresville Mayor Diana Garza.

Mrs. Garza was born January 17th 1956 to parents Cipriano Villarreal and Florinda Tejada Villarreal in Floresville, Texas. She graduated from Floresville High School where she met her soon to be husband Casimiro "Cassy" Garza. Eventually, they moved to Laredo, Texas where she worked for the Laredo Morning Times and then Rodriguez Pharmacy. They ultimately moved back to Floresville where she felt the calling to serve.

Diana was always dedicated to her community. She was a tireless worker and always considered the well-being of others before herself. Along with these qualities she always stood her ground and never wavered when trying to help those around her. These qualities led her to being elected to two terms as Floresville city's first female mayor and an active member of the local Chamber of Commerce, Rotary Club, and church.

It is the personal stories, however, that truly exemplify her character. If you were to ask those who knew her, you would surely hear how kind and warm she was. You would hear

about her visits to the sick, the critical help she provided to Floresville after a terrible tornado, and the respect she always showed to those around her. I personally remember her hard work when we successfully obtained funding for the city's water treatment facilities. These were qualities that she was known for; everyday acts of kindness, appreciation, effort, and generosity.

Diana is survived by her husband, Casimiro, and their three children. Her legacy lives on in the work she did for her city, local community, friends, and family. She will also be remembered for the countless lives that she had touched and as an example of how we should live our lives.

Mr. Speaker, I am honored to have the opportunity to recognize the life of Diana Garza.

IN RECOGNITION OF THE 100TH AN- NIVERSARY OF ENTREPRENEUR AND HUMANITARIAN, MR. EWING MARION KAUFFMAN

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and honor a community icon. On this, the 100th anniversary of one of the most influential business leaders Kansas City ever produced, it is my distinct honor to reflect on and remember my friend, universally known as Mr. K, for being the man, the entrepreneur and visionary citizen that he embodied.

One century ago today, Mr. Ewing Marion Kauffman was born in Garden City, Missouri. As a young boy, his family moved 45 minutes to Kansas City, where Mr. K would call home for the remainder of his life. Mr. K was a member of the Greatest Generation and served in the United States Navy during World War II. After returning home, he began working for a pharmaceutical company. However, the American Dream and an entrepreneurial spirit led him to start his own company in his basement, which he called Marion Labs.

That company, which began with only \$1,000 in net profits in the first year, grew over the next four decades into a \$1 billion company, employing nearly 3,400 employees, before being bought by Merrell Dow in 1989. As a result of his business acumen, coupled with honesty and integrity in all his transactions, Mr. K was able to forge a business model that not only fueled Marion Labs to great success, but has since been replicated many times by local high-growth companies. Attesting to his entrepreneurial and innovative spirit, a recent study by the University of Bern in Switzerland that traced the "genealogy" of Kansas City's technology companies, showed more than 20 existing local companies with direct ties to Marion Labs.

Marion Labs didn't just inspire creation of new companies, but many of his former employees patterned their workplace culture on Mr. K's model, built on a sense of trust and belonging that positively influenced performance. Mr. K lived by the philosophies of treat others like you want to be treated; share life's rewards with those who make them possible;

and give back to society. When the company was sold, more than 300 employees became millionaires. On a personal level, Mr. K regularly spoke to employees by addressing them by name, introducing them to others and personally hand writing thank you notes to employees.

During my time as a City Councilman and Mayor of Kansas City, I had the pleasure of getting to know Mr. K and his family. Many of my constituents think of Kauffman Stadium and the Kansas City Royals when you mention Mr. K. He brought the Royals to town in 1968 and his legacy of philanthropy and civic engagement can still be felt today. The Kauffman Foundation is perhaps the most enduring legacy, following the same vision that led Marion Labs to become what is known as a "Pillar Company" in the Kansas City community, by not only inspiring new entrepreneurial ventures, but also by training and investing in new businesses. Before his passing in 1993, Mr. Kauffman created a vibrant and sustainable business future for the Kansas City region.

Mr. Speaker, I ask my colleagues to join me today, on what would have been his 100th Birthday, to pause for a moment to honor one of our country's greatest entrepreneurs, most generous philanthropists, and an innovative and compassionate leader in Mr. Ewing Marion Kauffman. Missouri's Fifth District, our region, and country are better off today because of the life he led.

CELEBRATING THE SAN ANTONIO WINERY'S CENTENNIAL YEAR

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to salute San Antonio Winery, the largest and longest-producing winery in Los Angeles, as it begins its centennial year celebration. Since its early days, it has been a beloved part of the Los Angeles community, providing a friendly meeting place for business leaders, families, and tourists alike. Not only is it a producing winery, it also boasts a large tasting room, restaurant, and banquet rooms, and offers daily tours and tastings.

The winery still operates its original location, a historical landmark in the heart of Los Angeles. While Los Angeles was once home to more than 90 wineries, this site stands as the last remaining vestige of the city's viticultural history.

Over the past century, the winery has been owned and operated by four generations of the Riboli family, which originated in Bergamo, Italy. Three generations continue to work at the company, including head winemaker Anthony Riboli.

Through hard work, perseverance, and dedication to the community, the Riboli family has grown their business into one of the top thirty producing wineries in the country—and it continues to grow today. The family just celebrated the Grand Opening of a new state-of-the-art winery in Paso Robles, the Central Coast wine region where the majority of their

estate vineyards are located, including 800 acres of prime vineyard land in Paso Robles, Monterey, and Napa Valley.

San Antonio Winery has received countless awards for its quality winemaking through the years. It currently produces seven different brands, including San Simeon, Maddalena (named for the winery's matriarch), Opaque, Riboli Family Wines, and Stella Rosa, America's number one imported Italian wine. The winery also just received a prestigious nomination from Wine Enthusiast Magazine for American Winery of the Year.

The Ribolis have other reasons to celebrate as well. The family just observed patriarch Stefano Riboli's 95th birthday, and Maddalena will be turning 94 in December. Both remain cherished in their community and among their winery's lifelong customers.

I hope my colleagues will join me in wishing long life to Stefano, Maddalena, and the magnificent winery they and their family have built into a Los Angeles institution.

MR. LAWRENCE CERVELLINO

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute to Mr. Lawrence Cervellino, who passed away on December 7, 2015.

Lawrence was born on March 24, 1925. Larry, as he was known to his friends and family, had a fervent passion for life and his country. On the day Pearl Harbor was attacked, Larry went to his local recruiter's office to sign up to serve his country, but was sent away because he was not old enough. Sure enough, on his 18th birthday, he enlisted in the Navy in 1943. He received his wings at Pensacola, Florida in 1946, and began serving in the Navy occupation of Saipan. He was recalled to active duty from October 3, 1952 to July 26, 1955 during the Korean War. During his time in the service, Larry was awarded numerous medals, including the American Defense, WWII Victory, Reserve Medal, Navy Occupation, and National Defense. In addition to his active duty status, Larry served as a reservist from 1949 to 1968 and retired from the Navy as a Lieutenant in 1968.

Larry would go on to graduate from Rensselaer Polytechnic Institute with a BS in Aeronautical Engineering in June 1955. That same year, Larry accepted a position with Grumman Aerospace Corporation as a Structural Flight Test Engineer, involving among other activities, Carrier Suitability Flight Tests at Patuxent River, Maryland. Larry stayed with Grumman until 1993, when he retired after four decades working to ensure the defense of our country. Throughout these years, Larry contributed to over thirty military organizations and was dedicated to helping veterans in any way that he could. He also served as Suffolk County Vice-Chair of the Long Island Coalition for Life and faithfully attended the annual March for Life in Washington, D.C. each year since its inception.

Larry enjoyed 47 years of marriage with his beautiful wife, Johanna Cisternino and is sur-

vived by his two children, Stacey Leigh Cervellino and Peter Lawrence Cervellino. Larry's exemplary life of service was motivated and fueled by his love of God, family, and country. What he managed to accomplish during his lifetime and give back to the country cannot be summarized in a few words; however it is important we honor these types of individuals as best we can. It is my hope that many will follow in his footsteps and give back to our country as graciously as he did. People like him are a rare breed and they help make not only our country, but our world a much safer and better place.

TRIBUTE TO YOLANDA URBY
URRABAZO

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of one of Laredo's finest teachers, Yolanda Urby Urrabazo.

Mrs. Urrabazo was born on February 12th 1947 to Juan and Carolina Urby in Del Rio, Texas. She was considered a miracle baby due to being born ten years after her nine siblings. Although her first language was Spanish, she quickly learned English and excelled in her studies. She received her bachelor's degree from Texas Women's University and then a master's degree in Spanish literature from The University of Texas-El Paso. This enthusiasm for literature eventually led her to United High School in Laredo, Texas where she taught English literature for 32 years.

Yolanda's devotion to her students is shown by her long and passionate career in teaching. For over three decades she dedicated her life to educating generations of students. This commitment to education is an inspiration, and serves as a reminder for how important educators are. Her dedication to serving others will not be forgotten and will serve as a testament to what we should all strive for.

Mrs. Urrabazo is survived by her husband Ignacio, seven children, six grandchildren, and five siblings. Her legacy will live on in the countless people she helped shape. The mentoring and guidance that she provided will be shown throughout the community she touched. I have personally seen her impact through the great work her daughters Yolanda and Claudia provided when they worked in my office. It was clear through their hard work and ability that their mother had taught them very well. She serves as a reminder for how much one person can do to affect so many lives. The city of Laredo will miss her and cherish the kindness and care that she brought.

Mr. Speaker, I am honored to have the opportunity to remember the legacy of Yolanda Urby Urrabazo.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,524,335,895,543.03. We've added \$8,897,458,846,649.95 to our debt in 7 years. This is over \$8.8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING JOSEPH BOARDMAN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. DENHAM. Mr. Speaker, Congressman CAPUANO and I rise today to extend my sincerest appreciations to Joseph Boardman for his tireless effort and contribution to our nation's railroad system.

For over forty years, Joe has been actively involved in the transportation industry, working at the local, state, and federal level. Before starting his career in public service, Joe served as the Chief Operating Officer of Progressive Transportation Service, Inc., a company that provided local and regional transportation services to communities throughout the state of New York.

In 1997, Joe was appointed Commissioner of the New York State Department of Transportation where he became the longest-serving Commissioner in the department's history. He also served as the Chairman of both the Transportation Research Board Executive Committee, and the American Association of State Highway and Transportation Officials' Standing Committee on Rail Transportation.

Prior to joining Amtrak, Joe was the Administrator of the Federal Railroad Administration and a member of the Amtrak Board of Directors. In November 2008, Joe was appointed President and CEO of Amtrak. Under his leadership and management, Amtrak greatly improved and expanded its operational and financial performance while providing a crucial service to the American people.

As President and CEO of Amtrak, Joe implemented a corporate strategy that resulted in record-setting ridership and revenue, as well as an expansion of customer services and infrastructure projects. He was instrumental in a major planning effort to develop a next-generation high-speed rail system, an extensive employee safety program, enhanced security initiatives, and improved maintenance of Amtrak's infrastructure. Joe was a visionary leader at a pivotal moment for Amtrak and for the country's railway system.

Mr. Speaker, please join me in honoring and commending Mr. Boardman for his unwavering dedication to public service and his contribution to our transportation infrastructure.

EDITORIAL BY MR. WADE
HENDERSON

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. LEWIS. Mr. Speaker, I include in the RECORD an opinion editorial that appeared in the Washington Post on August 26, 2016.

This piece is authored by Mr. Wade Henderson, who serves as the president and chief executive of the Leadership Conference on Civil and Human Rights, the national coalition of more than 200 organizations committed to a fair, open, and inclusive America:

THE PURSUIT OF CAPITAL PUNISHMENT FOR
DYLANN ROOF IS A STEP BACKWARD

(By Wade Henderson, August 26)

On Nov. 7 in Charleston, S.C., a federal court will begin selecting a jury in the death penalty prosecution of Dylann Roof, the accused killer of nine African American worshipers at the Emanuel African Methodist Episcopal Church. At first glance, the notion of a white man facing the death penalty for murdering black people in the South—in a killing inspired by the murderer's racist views—may seem like a marker of racial progress.

It isn't—and those who champion civil rights should not celebrate this moment. Roof's crime was surely heinous, and his racism was repugnant. But supporters of racial equality and equal treatment under the law should support Roof's offer to plead guilty and serve a sentence of life without the possibility of parole.

How can it be that a lifelong civil rights lawyer such as myself would take this position? Because the death penalty cannot be separated from the issue of racial discrimination, especially in the South. The history of slavery and lynching left deep scars in the black community, and the current death penalty does not fare much better. More than 8 in 10 of the executions carried out since the death penalty was reinstated in 1976 have occurred in the South. Blacks make up more than one-third of the 1,170 defendants executed in the region, with most convicted of murdering a white victim.

Given the racial disproportion inherent in the modern application of the death penalty, it is no surprise that most African Americans (including me) oppose the death penalty, a position that would also disqualify most of them (and me) from serving on the jury in Roof's case.

As a result, if the Roof trial continues on its present course, a jury will be chosen that represents only part of the community. Those who oppose the death penalty on principle will be struck from the pool of jurors by the presiding judge. Those who express doubts about the death penalty will likely be struck by the prosecution. The resulting jury will have fewer blacks, fewer women and fewer people of faiths that oppose the death penalty than a jury selected at random from the residents of Charleston. That cannot be a desirable outcome in such an emotional and racially charged case.

Neither would the adversarial proceeding necessitated by a refusal to accept Roof's offer to plead guilty and accept a sentence of life without the possibility of parole. Once the trial begins, there will be a detailed recounting of the worst day this community has ever experienced. It will be the prosecu-

tion's duty to portray this multiple murder as gruesomely as possible in order to secure a death sentence. Family members may be called to the stand to describe precisely what they went through that day and how it affected them.

Likewise, the defense will be obligated to do everything in its power to lessen Roof's culpability. This is how our adversarial process works, but it is not necessary here. Without the agony of trying to decide between life and death, a sentencing proceeding that followed a guilty plea could pay tribute to the victims, focusing on the value of their lives and the consequences of their loss. All family members could voice their pain, regardless of their view on the death penalty. It would not be an easy day, but far better than months of focusing only on Roof, followed by years of appeals and uncertainty.

Attorney General Loretta E. Lynch has allowed this case to proceed as a capital prosecution until now, but a new decision point is coming soon. Most criminal cases settle before trial because it is in the best interests of the entire community. That could happen here; the offer is already on the table. The attorney general need only agree.

After the racially inspired attack on the parishioners of Mother Emanuel, as the church is known, South Carolina took the bold and important step of permanently lowering the Confederate battle flag from the state capitol grounds. This powerful symbol—perceived by many as the embodiment of racism and discrimination—had to go.

With the death penalty, the Justice Department now has the power to lower another flag that has torn communities apart along racial lines. Capital punishment in this case may appear to be just retribution for Roof's unfathomable crime. Yet the real-life operation of the death penalty suggests that its application to Roof would only pave the way for future cases in which the death penalty is invoked to harm the very community on which he inflicted so much pain.

RECOGNIZING THE LIFE AND SERVICE OF TED RADKE

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. DeSAULNIER. Mr. Speaker, I rise today to recognize the life and service of Ted Radke, longtime member of the Board of Directors for East Bay Regional Parks District.

Ted and I shared a passion for conservation. During his 36 year tenure on the East Bay Regional Parks District's board, Ted oversaw and was a key part of the Park District's expansion and growth. Specifically, Ted was instrumental in ensuring that the Park District's acreage more than doubled. After he partnered with former Representative George Miller, the Park District and I worked together to push for an increase in the size of the John Muir National Historic Site. Ted's commitment to the Park District is evident in that he was the longest-serving board member in its history.

In addition to his impressive stint on the Park District's board from 1978 until 2014, Ted was a former Martinez City Councilman and still holds the title as the youngest person ever elected to the Martinez Council, at age 24.

Predictably, he used his time on the Council to fight for the conservation of Martinez's waterfront and further the fight for environmental protection. Ted also served on the board of the Association of Bay Area Governments.

Add to his public service a career at Contra Costa College, where Ted taught political science and history for 30 years, he also authored a book with his wife entitled "The People's Choice: An Owner's Guide to Direct Democracy and Political Participation in California," and was co-founder of Contra Costa Ecology Action and Eco-Info.

Ted was an inspiration and a friend. He passed away on August 28, 2016. His wife, Kathy, died in 2011, and he is survived by two sons and several grandchildren.

HONORING THE LIFE OF BETTY JANE FRANCE

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Mrs. Betty Jane France, a lifelong philanthropist, who passed away on Monday, August 29, 2016. Our thoughts and prayers are with the entire France family as they mourn the loss of this extraordinary woman.

A native of Winston-Salem, North Carolina, Mrs. France dedicated her life to the service of others. As the founder and chairwoman emerita of the NASCAR Foundation, she helped lead efforts to grow the sport of NASCAR alongside her husband, the late NASCAR Chairman and CEO William C. France. Her positive attitude and uplifting demeanor was a source of inspiration for all of those around her.

Throughout her lifetime, Mrs. France was staunchly committed to bettering the lives of those around her, particularly the children in the community. A strong advocate in the field of children's health care, she launched projects that helped establish "Speediatrics" children's care units at two Florida hospitals. Her work in this field also included serving as an honorary co-chairperson for the Childress Institute for Pediatric Trauma, as well as on the boards of several other community service organizations. For her efforts, the NASCAR Foundation created the Betty Jane France Humanitarian Award which recognizes the outstanding charitable and volunteer efforts of NASCAR fans across the country.

Compassionate, kind, and loving, Mrs. France's impact resonated throughout the entire sport of NASCAR. Whether it was in her role as Chairwoman, as an advisor to her husband, or as a mother, her impact never went unnoticed. As someone who enabled others to explore the limitless possibilities of their dreams, she truly left the world a better place. While we mourn the loss of Mrs. France, there is no doubt in my mind that her legacy will live on through not only her professional success but also in the countless lives she was able to touch along the way.

Mr. Speaker, please join me today in commemorating the remarkable life of Mrs. Betty Jane France.

CONGRATULATING LINDA KAZEN
GARZA**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to congratulate Linda Kazen Garza on her new position as President of the Advocates for the American Osteopathic Association; a national organization that supports and promotes the osteopathic profession through education, advocacy, and collaboration.

Linda Kazen Garza was born on December 1, 1963 to Antonio and Josie Kazen in Laredo, Texas. While growing up in Laredo she was a member of the Blessed Sacrament Church youth choir and a participant in the Junior Miss Laredo Pageant. Interestingly enough, it was during her time in choir that she met a fellow guitarist named David Garza, who later became her husband. After graduating from Nixon High School she went on to the University of Texas at Austin where she received her Bachelor of Science Degree in Communications.

Mrs. Garza's involvement with advocacy efforts within the osteopathic medical profession began during her husband's education at the Texas College of Osteopathic Medicine (TCOM) in Fort Worth. She would even go on to serve as the Vice President for TCOM's chapter of the Student Advocates Association. Eventually, she would go on to serve in her husband's medical practice as an office administrator. She has been serving alongside her husband for over two decades.

Linda's passion for the osteopathic medical field led her to become an active member of multiple advocacy groups. Her involvement includes: Treasurer and former President of the Advocates of the Texas Osteopathic Medical Association (ATOMA), Director at Large on the Board of Trustees and delegate to the Advocates for the American Osteopathic Association (AAOA), and she has been a member of several AAOA committees.

Linda Kazen Garza currently resides in Laredo, Texas where she is married to Dr. David Garza and has two sons named Joseph and Nicholas. In addition to her exemplary career and advocacy efforts; she's been an active member of her local community where she was a trustee for the Laredo Center for the Arts and former President of the Laredo Business and Professional Women's Association. In her free time she enjoys hunting, fishing, traveling, and going to the beach.

Mr. Speaker, I am honored to have the opportunity to recognize Mrs. Linda Kazen Garza on her recent appointment and for her many years of service to the osteopathic community. It is pleasing to see this ninth generation Texan and Laredoan and niece of former Congressman Abraham Kazen doing great work for the community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 22, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED**SEPTEMBER 27**

10 a.m.

Committee on Commerce, Science, and Transportation

To hold an oversight hearing to examine the Federal Trade Commission.

SR-253

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine fifteen years after 9/11, focusing on threats to the homeland.

SD-342

2 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

To hold an oversight hearing to examine the Federal Trade Commission, focusing on perspectives from beyond the Commission.

SR-253

SEPTEMBER 28

10 a.m.

Committee on Foreign Relations

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy

To hold hearings to examine the persistent threat of North Korea and developing an effective United States response.

SD-419

Committee on the Judiciary

Subcommittee on Immigration and the National Interest

To hold an oversight hearing to examine the Administration's fiscal year 2017 refugee resettlement program.

SD-226

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine the regional impact of the Syria conflict, focusing on Syria, Turkey, and Iraq.

SD-419